



SENATE OF THE REPUBLIC OF NIGERIA

VOTES AND PROCEEDINGS

Thursday. 31st August, 2006

1. The Senate met at 10:15 a.m. The Deputy Senate President; read Prayers.
2. Votes and Proceedings:
The Deputy Senate President announced that he had examined the Votes and Proceedings of Wednesday, 30th August, 2006 and approved same.

By unanimous consent, the Votes and Proceedings were adopted.

3. Announcements:
 - (i) The Deputy Senate President announced that he had received a letter from the Organizing Committee of the 52nd Commonwealth Parliamentary Association (CPA), which he read as follows:

*The Senate President National
Assembly Complex Abuja.*

52ND COMMONWEALTH PARLIAMENTARY ASSOCIATION CONFERENCE

Tin's is to formally inform you that the scheduled 52nd Commonwealth Parliamentary Association Conference will be hosted by our branch, that is, the Nigeria branch from 1st to 10th September, 2006 in Abuja.

As it is the practice with such Conferences like the International Parliamentary Union, African Parliamentary Union etc. It is important to note here that only Senators designated as delegates are expected to be in attendance while others will be required to attend programmes they are expressly invited to. in the course of the Conference. These include the following events.

- (i) *Dinner to be hosted by the Honourable Speaker of the house of Representatives*

Venue: Transcorp Hilton Hotel

Date: 1st September, 2006

Time: 1900 hrs.

- (ii) *Official Opening Ceremony*

*Venue: **International** Conference Centre, Abuja*

Date: 6th September 2006

Time: 900 hrs.

- (iii) *Farewell Dinner to be hosted by the President of the Senate. This invitation is only extended to the Principal Officers,*

Further information regarding the Conference will be provided through your mail boxes

Thank you for your cooperation.

Signed
Chairman Organizing Committee

- (ii) The Deputy Senate President announced the presence, in the Gallery, of eighty (80) Catholic Priests from different parts of the world including Nigeria, to watch Senate proceedings and wished them happy stay in Nigeria and Abuja.

4. Presentation of Bills:

- (i) *Polytechnics (Prevention of Discrimination) Bill 2006 (SB. 329) — Read the First Time.*
- (ii) *Revised Edition (Laws of the Federation of Nigeria) Act (Amendment) Bill 2006 (SB. 317) — Read the First Time.*
- (iii) *Chartered institute of Credit Administration Bill 2006 (SB, 318) — Read the First Time.*

5. Council for Regulation of Freight Forwarding in Nigeria Bill 2006 (HB. 128)
Motion made and Question Proposed: That the Council for Regulation of Freight Forwarding in Nigeria Bill 2006 be read the Second Time (Senate Majority Leader).

Debate

Question put and agreed to.

Bill accordingly read Second Time and referred to the Committee on Marine Transport to report within three weeks.

6. Committee on Finance:

Report on the National Automotive Council Bill 2006 (SB. 179)
Motion made and Question Proposed: That the Senate do consider the Report of the Committee on Finance.

on the National Automotive Council Bill 2006 (Senator Effiong D. Bob)

Question put and agreed to.

Report Presented and Laid.

Motion made and Question Proposed: That the Senate do resolve into the Committee of the Whole to consider the Committee Report (Senate Majority Leader)

Question put and agreed to.

(SENATE IN THE COMMITTEE OF THE WHOLE) NATIONAL

AUTOMOTIVE COUNCIL ACT (AMENDMENT) BILL 2006

A BILL FOR AN ACT TO AMEND THE NATIONAL AUTOMOTIVE COUNCIL ACT NO. 84 OF 1993 AND FOR MATTERS CONNECTED THEREWITH

BE IT ENACTED by the National Assembly of the Federal Republic of Nigeria as follows -

Clause 1: Amendment of No. 84 of 1993;
The National Automotive Council Act (in this Act referred to as "the principal Act") is hereby amended as set out in this Act.

Committee's Recommendation:

That the provision in Clause] be retained (Senator Effiong D. Bob) — Agreed to.

Question, That Clause 1 do stand part of the Bill, put and agreed to.

Clause 2:

Section 9: **Funds of the Council:**

- (1) The Council shall establish a fund which shall consist of-
- (a) two per cent of the cost, Insurance and Freight (CIF) value of all **imported Fully** Built Units (FBU) auto components spare parts, Completely Knocked Down (CKD) and raw materials brought **in** for the automotive sub-sector;

Committee's Recommendation:

Leave out the provision in Subclause 2 (9)(1)(a) and renumber subsequent Subclauses accordingly (Senator Effiong D. Bob) — Agreed to.

- (b) such sums as may be provided to it by **the** Government of the Federation for running the affairs of the Council;
- (c) such sums as may be collected or received by the Council for the services rendered by the Council;
- (d) contributions from the organized private section;
- (e) such sums as may, from time to time, be lent to the council by any person; and
- (f) such other sums as may be received by the Council from any other source.
- (2) The other resources of the Council shall consist of all other assets which may, from time **to** time, be vested **in** or accrue to the council in the course of discharging its functions under or pursuant to this Act.
- (3) The Council may, from time to time, apply the proceeds of the fund established in pursuance of subsection (1) of this section for the following purposes, that **is-**
- (a) to the cost of administration of **the** Council and any research work carried on by or on behalf of the Council;
- (b) to the provision as such training for employees of the Council as the Council may deem necessary;
- to reimburse members of the Council and the Committees of the Council for such expenses as may be expressly authorized by the Council; and
- (d) in connection with all or any of its functions under this Act or under any other written law.

Question, That Clause 2 do stand part of the Bill, put and agreed to.

Clause 3:

Short Title:

This Act may be cited as the National Automotive Council (Amendment) Act 2005

Committee's Recommendation:

*Leave out the figure 2005 **and** insert the figure 2006 instead thereof. (Senator Effiong D. Bob) — Agreed to.*

Question, That Clause 3 do stand part of the Bill, put and agreed to.

Chairman to report Bill.

(SENATE IN THE PLENARY)

The Deputy Senate President reported that the Senate in the Committee of the Whole considered the Report of the Committee on Finance on the National Automotive Council Act (Amendment) Bill 2006 and approved as follows:

Clauses 1 — 3 As Recommended

Title As Recommended

Question: That the Report of the Committee of the Whole be adopted — *Resolved in the Affirmative.*

Motion made and Question Proposed: That the Bill be now read the Third Time (*Senate Majority Leader*)

Question put and agreed to.

Bill accordingly read the Third Time and Passed.

7. Committee on Establishment and **Public** Service Matters:

Report on Public Officers' Protection Act (Amendment) Bill 2006 (SB. 122)

Motion made and Question Proposed: That the Senate do consider the Report of the committee on Establishment and Public Service Matters, on the Public Officers Protection Act (Amendment Bill 2006 (*Senator Felix O. Ibru*).

Question put and agreed to.

Report Presented and Laid.

Motion made and Question Proposed: That the Senate do resolve into the Committee of the Whole to consider the Committee Report (*Senate Majority Leader*).

Question put and agreed to.

(SENATE IN THE COMMITTEE OF THE WHOLE) PUBLIC

OFFICERS PROTECTION ACT (AMENDMENT) BILL 2006

A BILL FOR AN ACT TO AMEND THE PUBLIC OFFICERS PROTECTION ACT CAP 379 LAWS OF THE FEDERATION 1990 TO ENLARGE THE LIMITATION PERIOD, INSERT INTERPRETATION SECTION AND FOR OTHER MATTERS CONNECTED THERETO.

Clause 1: Amendment of Cap 379 of 1990:
The Public Officers Protection Act Cap 379 Laws of the Federation 1990 (in this Act referred to as "The Principal Act") is amended as set out in this Act.

Committee's Recommendation:

That the provision in Clause 1 be retained (*Senator Felix O. Ibru*) — *Agreed to.*

Question that Clause 1 do stand part of the Bill, put and agreed to.

Clause 2: Amendment of Section 2:

Section 2 of the Principal Act is amended as follows:

(i) In Section 2(a) by substituting for the words "three months" with the words "six months" and wherever they appear in the **Act**; and

(ii) by inserting Section 2(e) immediately after the existing Section 2(d) to read as follows:

"Where before the instituting an action by the plaintiff under this Act there has been negotiations or tender of amends between both parties, and the defendant admits liability in writing, time shall not begin to run until and except when such negotiations break down or the defendant repudiates liability

Committee's Recommendation:

That the provision in Clause 2 be retained (*Senator Felix O. ibru*) — *Agreed to.*

Question that Clause 2 do stand part of the Bill, put and agreed to.

Clause 3: Insertion of Section 3 - Interpretation:
The Principal Act is amended by inserting Section 3 (Interpretation) as follows:-

In this Act, unless the context otherwise provides:

"Public Office" extends to and includes every officer in the Public Service of the Federation and Public Departments invested with or performing duties of a public nature whether under the immediate control of the President or not within the contemplation of the Constitution of the Federal Republic of Nigeria.

Question, That the words "Public Office" be as defined in the Interpretation to this Act, put and agreed to.

"Any Person" means and includes natural persons and artificial persons.

Question, That the word "Any person" be as defined in the Interpretation to this Act, put and agreed to.

Committee's Recommendation:

That the provision in Clause 3 be retained (*Senator Felix O. Ibru*) — *Agreed to.*

Question that Clause 3 do stand part of the Bill, put and agreed to.

Clause 4: Short Title:
This Act may be cited as the Public Officers Protection Act (Amendment) Act 2006.

Committee's Recommendation:

That the provision in Clause 4 be retained (*Senator Felix O. Ibru*) — *Agreed to.*

Question that Clause 4 do stand part of the Bill, put and agreed to.

Chairman to report Bill.

(SENATE IN PLENARY)

The Senate President reported that the Senate in the Committee of the Whole considered the Report of the Committee on Establishment and Public Service Matters on the Public Officers Protection Act (Amendment) Bill 2006 and approved as follows:

Clause 1 As Recommended As Recommended As

Clause 2 Recommended

Title *Question: That the Report of the Committee of the Whole be adopted — Resolved in the*

Affirmative. Motion made and Question Proposed: That the Bill be now read the Third Time

(Senate Majority Leader) Question put and agreed LO. Bill accordingly read the Third Time and Passed.

Adjournment:

Motion made and Question Proposed: That the Senate do adjourn till Tuesday, 5th September, 2006 at 10.00 a.m. (Senate Majority Leader)

Adjourned accordingly at 12:20p. m.

Nasiru I. Mantu *Deputy*
President of the Senate