



SENATE OF THE FEDERAL REPUBLIC OF NIGERIA

VOTES AND PROCEEDINGS

Wednesday, 23rd August, 2006

1. The Senate met at 10:10 a.m. The President read Prayers.
2. **Votes and Proceedings:**
The Senate President announced that he had examined the Votes and Proceedings of Tuesday, 22nd August, 2006 and approved same.

By unanimous consent, the Votes and Proceedings were adopted.

3. **Announcement:**
The President announced receiving a letter from Senator Iyiola Omisore which he read thus:



Senator Iyiola Omisore

Tuesday, 22nd August, 2006

*Distinguished Senator Ken Nnamani
Senate President, National Assembly,
Abuja.*

Your Excellency,

CELEBRATION OF LIFE: PASSAGE OF MY MUM TO GLORY

I regret to announce that my mother, Princess Emily Adejola Oyewole-Omisore, aged 91 years passed on to glory on the 17th August, 2006 about 11pm at Osogbo. She was my confidant, friend and mother. I will surely miss her!

The funeral arrangement shall be made known by the family soon. She is survived by her husband, children, grandchildren and great-grand children, amongst, is Senator Iyiola Omisore.

*Signed:
Senator Iyiola Omisore
For the Omisore dynasty*

4. Presentation of Bills:

- (i) National Reserve and Investment Trust Fund Bill 2006 (SB. 311) — *Read the First Time.*
- (ii) .. Armed Forces (National Assembly Approval for Participation in Armed Conflict) Bill 2006 (SB. 307) *Read the First Time.*
- , National Human Rights Commission Act (Amendment) Bill 2006 (SB 313)~*Read-the-First Time*
- National Centre** for Agro-Industrial Incubation Bill 2006 (SB 312} — *Read the- -First time_*
- (v) Institute of Chartered Economists of Nigeria (Establishment, etc) Bill 2006 (SB 316) — *Read the First Time.*

5. Confirmation of Nominations:

Motion made and Question Proposed: That the Senate do consider the request of the President, Commander-in-Chief for the confirmation of the nominations of the following persons, as Ministers of the Government of the Federal Republic of Nigeria:

- (i) Prof. (Mrs.) U. Joy Ogwu — Delta State
- (ii) Amb. Thomas Aguiy Ironsi — Abia State (*Senate Majority Leader*).

Question put and agreed to.

Request accordingly referred to the Committee of the Whole for consideration on Tuesday, 29th August, 2006.

6. Confirmation of Nomination:

Motion made and Question Proposed: That the Senate do consider the request of the President, Commander-in-Chief for the confirmation of the nomination of Chief Oluwale Adeosun, as Chairman of the National Pension Commission (*Senate Majority Leader*).

Question put and agreed to.

Request accordingly referred to the Committee on Establishment and Public Service Matters to report within two weeks.

7. Conference Report on the National Oil Spill Detection and Response Agency Bill 2006 (SB. 52):

Motion made and Question Proposed: That the Senate do consider and adopt the Conference Report on the National Oil Spill Detection and Response Agency Bill 2006 (*Senator Victor K. Oyofa*).

Question put and agreed to.

Report presented and Laid.

By Leave of Senate, Report adopted.

8. Committee on Finance:

Report on Federal Inland Revenue (Establishment) Bill 2006 (SB. 175):

Motion made and Question Proposed: That the Senate do resolve into the Committee of the Whole to consider the report on the Federal Inland Revenue (Establishment) Bill 2006 (*Senate Majority Leader*).

Question put and agreed to.

(SENATE IN THE COMMITTEE OF THE WHOLE) Report of the

Committee on Finance on the Federal Inland Revenue (Establishment) Bill 2006.

**PART 1 - ESTABLISHMENT OF THE FEDERAL INLAND REVENUE
SERVICE AND ITS MANAGEMENT BOARD, ETC.**

Clause 1: Establishment of the Federal Inland Revenue Service:

(1) There is hereby established a body known as the Federal Inland Revenue Service (in this Act referred to as "the Service").

(2) The Service -

(a) shall be a body corporate with perpetual Succession and a common seal;

(b) may sue or be sued in its corporate name; and

(c) may acquire, hold or dispose of any property, Movable or immovable for the purpose of carrying out any of its functions under this Act.

(3) The Service shall have such powers and duties as are conferred on it by this Act or by any other enactment or law on such matters on which the National Assembly has power to make law.

Committee's Recommendation:

That the provisions in Clause 1 be retained (*Senator Effiong D. Bob*) — Agreed to.

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

Clause 2: Objects of the Service First Schedule:

The object of the Service shall be to control and administer the different taxes and laws specified in the First Schedule or other laws made or to be made, from time to time, by the National assembly or other regulations made thereto by the Government of the Federation and to account for all taxes collected.

Committee's Recommendation:

That the provisions in Clause 2 be retained (*Senator Effiong D. Bob*) — Agreed to.

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

Clause 3: Establishment and composition of the Management Board. (Second Schedule):

(1) There is hereby established for the Service a board to be known as the Federal Inland Revenue Service Board (in this Act referred to as "the Board") which shall have overall supervision of the Service as specified under this Act.

(2) The Board shall consist of -

(a) the Executive Chairman of the Service as Chairman

Amendment Proposed:

Immediately after the word "Chairman" insert the words "experienced in taxation to be appointed by the President and subject to confirmation by the Senate" (*Senator Dalhatu S. Tafida*)

Question that the amendment be made put and agreed to.

(b) four Deputy Chairmen who shall be appointed from among the Directors of the Service;

Committee's Recommendation:

Immediately after the word "service" insert the following words "by the President subject to Senate approval" (*Senator Effiong D. Bob*).

Amendment Proposed:

Leave out the provision in Subclause 2(b) and insert the following "six members representing the six geo-political zones with relevant qualification and expertise as part-time members" (*Senator Udoma U. Udoma*)

Question that the amendment be made put and agreed to.

(c) a representative of the Attorney-General of the Federation;

- (d) the Deputy-Governor of the Central Bank in charge of operations;

Committee's Recommendation :

Leave out the provision in subclause 3 (2)(d) and **insert** the following "The Governor of the Central Bank or his representative" instead thereof (*Senator Effiong D.-Bob*):-.....

Amendment Proposed;

Immediately, after, the word "Bank" in line 2 **insert** the words "of Nigeria" (*Senator Oserheimen A. Osunbor*).

Question that the amendment be made put and agreed to.

- (e) a representative of the Minister of Finance not below the rank of a Director;

Committee's Recommendation:

Leave out the words "not below the rank of a Director" (*Senator Effiong D. Bob*).

Amendment Proposed:

Revert to the provisions of the Bill (*Senator Udoma U. Udoma*).

Question that the amendment be made put and agreed to.

- (f) the Chairman of the Revenue Mobilization, Allocation and Fiscal Commission or his representative who must not be below the rank of a Director;

Amendment proposed:

Immediately after the word "must" in line 2 **insert** the words "be any of the Commissioners representing the 36 States of the Federation" (*Senator Zik S. Ambuno*).

Question that the amendment be made put and agreed to.

- (g) the Group Managing Director of the Nigerian National Petroleum Corporation or his representative who must not be below the rank of a Group Executive Director of the Corporation or its equivalent;

Committee's Recommendation:

Leave out the words "who must not be below the rank of a Group Executive Director of the Corporation or its equivalent" (*Senator Effiong D. Bob*).

Amendment proposed:

Revert to the provision of the Bill (*Senator Udoma U. Udoma*).

Question put and the Senate divided:

AYES	-	35
NOES	-	26
ABSENT	-	47
ABSTENTION		0

1. **AYES**
2. Senator Adamu Bala Senator Adighije Chris
3. Senator Ambuno Zik Sunday Senator
4. Awoyelu Clement Kolawole

- 5.
6. Senator Balat Isaiah Chawai
7. Senator Bob Effiong Dickson
8. Senator Ehanire-Danjuma Daisy
- Senator Ekarika Ittak Bob

9.	Senato	Ekweremadu Ike Folarin Teslim Kolawole	23.	Senator	Ogeha Jonathan Tunde
10.	Senato	Gwarzo Hayatu Bello Ibru Felix	24.	Senator	Ogunbanjo Olatokunbo
11.	Senato	Ovuodtiroye . Koleosho Robert Bonuola	25.	Senator	Okpede Emmanuel O. Orti
12.	Senato	Maikafi Abubakar Manager James Ebiowuo	26.	Senator	Fred Injinia Osakwe
13.	Senato	Mantu Nasiru Ibrahim Mark David	27.	Senator	Patrick Enebeli Osunbor
14.	Senato	Martyns-Yellow Ibiapoye S. Mohammed Isa	28.	Senator	Oserheimen A. Oyofo
15.	Senato	Niagwan Geokur Cosmas Nzeribe Francis	29.	Senator	Victor Kassim Isa Saror
16.	Senato	Arthur	30.	Senator	Daniel Iyorkegh
17.	Senato	Obanikoro Musiliu O.	31.	Senator	TafidaDalhatuS. Tsauro
18.	Senato	NOES	32.	Senator	Umaru Ibrahim Uba
19.	Senato	Agboti Emmanuel Azu Ahmed Mohammed	33.	Senator	Ugochukwu Betram
20.	Senato	Aji Mohammed Abba Albishir Shehu Usman	34.	Senator	Udoma Udo Udoma
21.	Senato	Ali Mamman Bello Amosun Ibikunle	35.	Senator	Ugbane Nicholas Yahaya
22.	Senato	Anisulowo Veronica Iyabode . Bello			
1.	Senato	Mahmud Kanti Brambaifa John Kojo Bunza	14.	Senator	Dan-zomo Dalha Ahmed
2.	Senato	Farouk Bello Chukwumerije Uche Dahiru			
3.	Senato	Umaru Dansadu Saidu Mohammed	15.	Senator	Emodi Joy Ifeyinwa
4.	Senato	ABSENT	16.	Senator	Hanga Rufai Sani Ibrahim
5.	Senato	Abubakar Iya Adudu Timothy Aku	17.	Senator	Abu Ibrahim Mohammed
6.	Senato	Afrikuyomi Tokunbo Ajibola Simeon Sule	18.	Senator	Kamba Sani A. Kolawole
7.	Senato	Ajoku Eze Darlington Aliyu Nuhu	19.	Senator	James Olagunju Mamora
8.	Senato	Aminu Jibril Mohammed Anka Yushau	20.	Senator	Adeleke O. Olowoporoku,
9.	Senato	Mohammed Araraume Ifeanyi Godwin	21.	Senator	Bode Sami Usman Sani
10.	Senato	Azuta-Mbata John Brigidi David Cobbina	22.	Senator	Tel a Baba Umar usman K.
11.	Senato	Daggash Mohammed Sanusi Danboyi John	23.	Senator	Yari Sule Gandi
12.	Senato	Magiel Danboyi Usman Saleh Ehinlanwo O.	24.	Senator	
13.	Senato	Hosea Ewa-Henshaw Bassey Garba Haruna	25.	Senator	Maina Isa
14.	Senato	Hambagda O. Abubakar Ibrahim A.	26.	Senator	Mohammed A. Sa'ad
15.	Senato	Abdulazeez Kuta Idris Ibrahim MaccidoM.	27.	Senator	Ndoma-Egba Victor Ngaji
16.	Senato	Badamasi Maeba L. Lee	28.	Senator	Gregory Nshii C.
17.	Senato		29.	Senator	Christopher Obi Ben
18.	Senato		30.	Senator	Oguuniya Gbenga
19.	Senato		31.	Senator	Ogunwale F. Kola Ohiare
20.	Senato		32.	Senator	S. Mohammed
21.	Senato		33.	Senator	Olasunkanmi Akinlabi
22.	Senato		34.	Senator	Olupitan O. Titus
23.	Senato		35.	Senator	Omisore Iyiola
24.	Senato		36.	Senator	Saraki-Fowora Gbemisola
25.	Senato		37.	Senator	Shuaibu Lawal Sodangi
26.	Senato		38.	Senator	AbubakarDanso Spiff
27.	Senato		39.	Senator	Rufus Inatimi Ucha A.
28.	Senato		40.	Senator	Julius Wabara Adolf
29.	Senato		41.	Senator	Wada Tawar Umbi Yusuf
30.	Senato		42.	Senator	Bello Maitama Zarami
31.	Senato		43.	Senator	Lawan Jalo Zwingina S.
32.	Senato		44.	Senator	Jonathan

45. Senator Aj imobi Abiola

46. Senator Aruwa Muktar Mohammed

47. Okoro Fidelis-Ghukuwemeka;

Provisions in the Bill accordingly' retained,

(h) the controller-general of Customs or his representatives not below -of Deputy Comptroller-General in the Customs Service;

Committee 5 Recommendation:

Leave out the words "not be below the rank of Deputy Comptroller-General in the Customs Service" (Senator Effiong D. Bob).

Amendment Proposed:

Revert to the provisions of the Bill (Senator Udoma U. Udoma).

Question that the amendment be made put and agreed to.

(i) the Registrar-General of the Corporate Affairs Commission or his representative not below the rank of a Director; and

Committee's Recommendation:

Leave out the words "not be below the rank of a Director" (Senator Effiong D. Bob).

Amendment Proposed:

Revert to the provisions of the Bill (Senator Udoma U. Udoma).

Question that the amendment be made put and agreed to.

(j) the Chief Executive Officer of the National Planning Commission or his representative not below the rank of a Director.

Committee's Recommendation:

Leave out the words "not be below the rank of a Director" (Senator Effiong D. Bob).

Amendment Proposed:

Revert to the provisions of the Bill (Senator Udoma U. Udoma).

Question that the amendment be made put and agreed to.

(3) The members of the Board, other than the Executive Chairman of the Service, shall be part-time members

(4) The Chairman and members of the Board shall be appointed by the President on the recommendation of the Minister.

Committee's Recommendation:

Leave out the provisions in subclause (4) (Senator Effiong D. Bob) — Agreed to.

(5) The supplementary provisions set out in the Second Schedule to this Act shall have effect with respect to the proceedings of the Board and the other matters mentioned therein.

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

Clause 4: Tenure of Office:

The Chairman and other members of the Board, other than ex-officio members, shall each hold office -

(a) for a single term of 6 years; and

Committee's Recommendation:

"Leave out the provision in subclause 4(a) and insert the following "for a term of 4 years and may be reappointed for one more term and no more" (*Senator Effiong D. Bob*).

Amendment Proposed:

Leave out all the "words" "after" term" in line 2 and insert the word "only" instead thereof (*Senator Patrick E. Osakwe*).

Question that the amendment be made put and agreed to. (b) on such terms and conditions as may be specified in his letter of appointment.

Amendment Proposed:

Leave out the word "his" and insert the word "the" instead thereof (*Senator Felix O. Ibru*).

Question that the amendment be made put and agreed to.

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

Clause 5:

Cessation of Membership:

Notwithstanding the provisions of section 4 of this Act, a member of the Board shall cease to hold office as a member of the Board if-

- (a) he resigns his appointment as a member of the Board by notice, under his hand, addressed to the President; or
- (b) he becomes of unsound mind; or
- (c) he becomes bankrupt or makes a compromise with his creditors; or
- (d) he is convicted of a felony or of any offence involving dishonesty or corruption; or
- (e) he becomes incapable of carrying on the functions of his office either arising from an infirmity of mind or body; or
- (f) the President is satisfied that it is not in the interest of the Service or in the interest of the public for the person to continue in office and the President removes him from office; or
- (g) he has been found guilty of the code of conduct or serious misconduct in relation to his duties; or

Committee's Recommendation:

Leave out the words "the code of conduct or serious misconduct in relation to his duties" and insert words "contravening the Code of Conduct Act" instead thereof (*Senator Effiong D. Bob*) — *Agreed to.*

- (h) in the case of a person possessing a professional qualification, he is disqualified or suspended, other than at his own request, from practicing his profession in any part of the world by an order of a competent authority; or

Committee's Recommendation:

Leave out the words "or suspended, other than at his own request, from practicing his profession in any part of the world by an order of a competent authority" and insert the words "by a competent authority" instead thereof (*Senator Effiong D. Bob*) — *Agreed to.*

- (i) in the case of a person who becomes a member by virtue of the office he occupies, he ceases to hold such office.

Question that Clause 5 as recommended do stand part of the Bill, put and agreed to.

Clause 6: Emoluments, etc. of members

The Chairman **and** members of the Board shall be paid such **emoluments**, allowances and benefits the President may, from time to time, approve.

Leave out the words "the President may from time to time, approve" and Insert the words " may be approved by the Revenue Mobilisation Allocation and Fiscal Commission from time to time" instead thereof (Senator Ejfiong D. Bob) — Agreed to.

Question that Clause 6 as amended do stand part of the Bill, put and agreed to.

PART II — POWERS AND FUNCTIONS OF THE BOARD AND THE SERVICE

Clause 7: Powers of the Board:

- (1) The Board shall have power to -
- (a) provide the general policy guidelines relating to the functions of the Service;
 - (b) manage and superintend the policies of the Service on matters relating to the administration of the revenue collecting system under this Act or any enactment or law;

Committee's Recommendation:

Leave out the words "of the Revenue collecting system" and insert the words "assessing and collection of revenue" instead thereof (Senator Ejfiong D. Bob)— Agreed to.

- (c) review and approve the strategic plans of the service, including plans for training;
- (d) determine the terms and conditions of service including disciplinary measures of the employees of the Service; and

Committee's Recommendation:

Insert the words "employ and" before the word "determine" (Senator Ejfiong D. Bob) — Agreed to.

- (e) fix the remuneration, allowances and benefits of the staff and employees of the Service subject to the approval of the Salaries and Wages Commission.

Committee's Recommendation:

*Leave out the word "President" and **insert** the words "Salaries and Wages Commission" (Senator Ejfiong D. Bob) — Agreed to.*

- (f) do such other things which in its opinion are necessary to ensure the efficient performance of the functions of the Service under this Act.

Question that Clause 7 as recommended do stand pan of the Bill, put and agreed to.

Clause 8: Functions of the Service:

- (1) The Service shall have power to -
- (a) collect, recover and pay to the designated account, any tax under any provisions of this Act or any other enactment or law;
 - (b) to assess persons including companies, enterprises and individuals chargeable with tax;

- (c) assess, collect and enforce payment of taxes as may be due to the Government or any of its agencies;

in collaboration with the relevant ministries and agencies, review the -tax regimes and promote the application of tax revenues to stimulate economic activities and development.

- (e) In collaboration, with the relevant law enforcement agencies, carry out the examination and investigation of all cases of tax fraud or evasion with a view to enforcing compliance with the provisions of this Act;

- if) make, from time to time, a **determination of the extend of financial loss** and such other losses by government arising from tax fraud or evasion and such other losses (or revenue forgone) arising from tax waivers and other related matters;

- (g) adopt measures to identify, trace, freeze, confiscate or seize proceeds derived from tax fraud or evasion;

- (h) adopt measures which include compliance and regulatory actions, introduction and maintenance of investigative and control techniques on the detection and prevention of non-compliance;

- (i) collaborate and facilitate rapid exchange of scientific and technical information with relevant national or international agencies or bodies on tax matters;

- (j) undertake exchange of personnel or other experts with complementary agencies of purposes of comparative experience and capacity building;

- (k) establish and maintain a system for monitoring international dynamics of taxation in order to identify suspicious transactions and the perpetrators and other persons involved;

- (l) provide and maintain access to up-to-date and adequate data and information on all taxable persons, individual or corporate, for the purpose of efficient, effective and correct tax administration and to prevent tax evasion or fraud;

Committee's Recommendation:

Leave out the words "for the purpose of efficient, effective and correct tax administration and to prevent tax evasion or fraud" and *insert* the words "any agency of government involved **in** the collection of revenue" instead thereof (*Senator Effiong D. Bob*)— *Agreed to.*

- (m) maintain database, statistics, records and report son persons, organizations, proceeds properties, documents or other items or assets relating to tax administration including matters to waivers, fraud or evasion;

- (n) undertake and support research and similar measures with a view to stimulating economic development and determining the manifestation, extent, magnitude and effects of tax fraud, evasion and other matters that affect effective tax administration and make recommendations to the government on appropriate intervention and preventive measures;

- (o) collate and continually review all policies of the Federal Government relating to taxation and revenue generation and undertake a systematic and progressive implementation of such policies;

- (P) liaise with the office of the Attorney-General of the Federation, all government security and law enforcement agencies and such other financial supervisory institutions- in the enforcement and eradication of tax related offences; ;

- (q) issue taxpayer identification number to every taxable person in Nigeria;

— Immediately after the word "Nigeria" *insert the words "in collaboration with States Boards of Inland Revenue and Local Government Councils"* (Senator Effiong D. Bob) — *Agreed to.*

- (r) carry out and sustain rigorous public awareness and enlightenment campaign on the benefits of tax compliance within and outside Nigeria; and

- (s) carry out such other activities as are necessary or expedient for the full discharge of all or any of the functions under this Act.

- (2) The Service may, from time to time, specify the form of returns, claims statements and notices necessary for the due administration of the powers conferred on it by this Act.

Committee's Recommendation:

That the provisions in Clause 8 as recommended be retained (Senator Effiong D. Bob) — *Agreed to.*

Question that Clause 8 as recommended do stand part of the Bill, put and agreed to.

Clause 9:

Establishment of Technical Committee of the Board:

- (1) There shall be technical committee of the Board (in this Act referred to as "the Technical Committee") which shall consist of-
- (a) the Executive Chairman of the Service as Chairman;
 - (b) the Deputy Chairmen of the Service;

Amendment Proposed:

Leave out the provision in Subclause 9(1) {b} (Senator Farouk B. Bunza).

Question that the amendment be made put and agreed to.

- (c) all the Directors and heads of departments of the Service;
 - (d) the Legal Adviser of the Service; and
 - (e) the Secretary to the Board.
- (2) The Technical Committee may co-opt from the Service such staff as it may deem necessary for the effective performance of its functions under this Act.

Question that Clause 9 as amended do stand part of the Bill, put and agreed to.

Clause 10:

Functions of the Technical Committee:

The functions of the Technical Committee shall be to -

- (a) consider all tax matters that require professional and technical expertise and make recommendations to the Board;
- (b) advise the Board on any aspect of the functions and powers of the Service under this Act; and

- (c) attend to such other matters as may from time to time referred to it by the Board.

Committee's Recommendation:

That the provisions in Clause 10 be retained (*Senator Effiong D. Bob*) — Agreed to.

Question that Clause 10 as recommended do stand part of the bill put agreed to,

PART III — MANAGEMENT AND STAFF OF THE SERVICE

Clause 11: Executive Chairman and Deputy Chairmen of the Service:

- (1) The Executive Chairman shall -
(a) be appointed by the President;

Committee's Recommendation:

Immediately after the word "President" **insert** the words "subject to Senate approval" (*Senator Effiong D. Bob*).

Amendment Proposed:

Leave out the provision in Subclause 11(1)(a) (*Senator Farouk B. Bunza*).

Question that the amendment be made put and agreed to.

- (b) be the chief executive and accounting officer of the Service;
(c) be responsible for the execution of the policy and the day-to-day administration of the affairs of the Service; and
(d) have cognate experience and skills in accountancy, economics, taxation, law and related fields.

Committee's Recommendation:

Immediately after the word "in" **insert** the words "any of the following" (*Senator Effiong D. Bob*) — Agreed to.

- (2) The Executive Chairman shall hold office:
(a) for a single term of 6 years; and
(b) on such terms and conditions as may be specified in his letter of appointment.

Committee's Recommendation:

Leave out the provisions in Subclause 11 (2) (a) and (b) (*Senator Effiong D. Bob*) — Agreed to.

- (3) There shall be for the Service, four full-time Deputy Chairmen who shall-
(a) be appointed by the President from among the Directors of the Service on the recommendation of the Minister;

Committee's Recommendation:

Leave out the words "on the recommendation of the Minister" and **insert** the words "subject to the confirmation of the Senate" instead thereof (*Senator Effiong D. Bob*) — Agreed to.

- (b) hold office for a single term of 6 years and no more;

Committee's Recommendation:

Leave out the provision in subclause 11(3)(b) (*Senator Effiong D. Bob*) — Agreed to.

(c) upon their appointment, cease to hold the office as Director in the 'Service;

(d) have cognate experience and skills in any of the following accountancy, economics, taxation, law and related fields; and

(e) perform' such duties and functions as may be assigned to them by the

..... Board or the Executive Chairman. ,

Amendment Proposed:

Leave out the provision in Subclause 11 (3)(a)(b)(c) (d) and (e) (Senator Farouk Bunza).

Question that the amendment be made put and agreed to. Question that

Clause 11 as amended do stand part of the Bill, put and agreed to.

Clause 12: Appointment of Secretary to the Board and other Staff of the Service:

- (1) There shall be a Secretary for the Board who shall -
(a) be appointed by the Board from within the Service;

Amendment Proposed:

Leave out all the words after the word "Board" (Senator Umar T. Dahiru).

Question that the amendment be made put and agreed to.

- (b) issue notices of meetings of the Board;
(c) keep records of the proceedings of the Board; and
(d) carry out such duties as the Executive Chairman or the Board may from time to time direct.
- (2) Subject to the provisions of this section, the Board may appoint such other persons to be employees of the Service on positions created by the Board and on such terms and conditions as shall be laid down by the Board subject as prescribed by this section or otherwise provided for.

Committee's Recommendation:

Leave out the words "on positions created by the Board and on such terms and conditions as shall be laid down by the Board subject as prescribed by this section or otherwise provided for" and insert the words "and on such terms and conditions as may be prescribed by the Board" instead thereof (Senator Effiong D. Bob) — Agreed to.

- (3) If the Board thinks it expedient that any vacancy in the Service should be filled by a person holding office in the civil service to that effect and thereafter the Board, may, by arrangement with the Civil Service Commission concerned, cause such vacancy to filled by way of secondment or transfer.
- (4) The Service may appoint and employ such Consultants, including tax Consultants or Accountants, and agents to transact any business or to do any act required to be transacted or done in the execution of its functions or for the better carrying into effect of the purposes of this **Act**;

Provided that such consultants shall not carry out duties of assessing and collecting tax or normal and routine responsibilities of tax officials.

Committee's Recommendation:

Leave out the words "or for the better carrying into effect of the purposes of" and insert the word "under" instead thereof (Senator Effiong D. Bob) —Agreed- Jo: .

- (5) The terms and conditions of service including remuneration, allowances, benefits and pensions of the staff and; employees of the Service shall be determined by the Board subject to the approval of the President. _

Question that Clause 12 as amended do stand pan of the Bill, put and agreed to.

Clause 13: Pensions 2004 No. 2:
It is hereby declared that employment in the Service shall be subject to the provisions of the Pension Reform Act and accordingly, officers and employees of the Service shall be entitled to pensions and other retirement benefits as are prescribed under the Pension Reform Act.

Committee's Recommendation:

Leave out the words "it is hereby declared that" (Senator Effiong D. Bob) — Agreed to.

Question that Clause 13 as recommended do stand part of the Bill, put and agreed to.

- Clause 14: Staff Regulations:
- (1) Subject to the provisions of this Act, the Board may make staff regulations relating generally to the conditions of service of the staff and, in particular, such regulations may provide for -
-
- (a) the appointment, promotion, termination, dismissal and discipline of staff or employees of the service; and
- (b) appeals by staff or employees against dismissal or other disciplinary measures;
- and until such regulations are made, any instrument relating to conditions of service in the public service of the Federation shall be applicable, with such modifications as may be necessary, to the employees of the Service.
- (2) The staff regulations made under subsection (1) of this section shall not have effect until approved by the Minister, and when so approved they need not be published in the Federal Gazette but the Service shall cause a notice of the staff regulations to be issued to all affected staff in such manner as the Service may, from time to time, determine.

Committee's Recommendation:

Leave out the words "shall not have effect until approved by the Minister, and when so approved they need not be published in the Federal Gazette but the Service shall cause a notice of the staff regulations to be issued to all affected staff in such manner as the Service may, from time to time, determine" and insert the words "will be published by the Board and issued to its staff in such manner as the Service may from time to time determine pending the publication in the Federal Gazette" instead thereof (Senator Effiong D. Bob) — Agreed to.

Question that Clause 14 as recommended do stand part of the Bill, put and agreed to.

PART IV - FINANCIAL PROVISIONS

Clause 15: Fund of the Service:
The Service shall establish and maintain a fund which shall consist of and to which shall be credited -

- (a) an amount not less than 4 per cent of all non-oil revenue collected by the Service in the current year as may be appropriated by the National Assembly as administrative charge or cost of collection; and ;

Amendment Proposed:

-the provision in clause 15(a) and insert new one as follows "a as-determined 'by- the National Assembly of all non-oil and gas . revenue collected by the service in the preceding year may be appropriated by .the National Assembly for their Capital and Recurrent expenditure" .(Senator Adeteke O. 'Mamora).

Question that the amendment be made put and agreed to.

- (b) all other moneys which may, from time to time, accrue to the Service for other services including the disposal, lease or hire of or any other dealing with, any property vested in or acquired by the Service;

Amendment Proposed:

Leave out the provision in Clause 15(b) and renumber accordingly (Senator David Mark).

Question that the amendment be made put and agreed to.

- (c) all sums of money accruing to the Service by way of grants-in- and, gifts, testamentary dispositions and endowments and contributions from any source whatsoever; and
- (d) such monies as may from time to time be granted to the Service by the Federal, State or Local Governments or other donor agencies provided such grants are not intended for purposes contrary to the objects and functions of the Service.

Question that Clause 15 as amended do stand part of the Bill, put and agreed to.

Chairman to report **Bill**.

(SENATE IN PLENARY)

The Senate President announced that the Senate in the Committee of the Whole consider the Report of the Committee on Finance on the Federal Inland Revenue Bill 2006 and approved as follows:

Clauses 1 — 2	As
Clauses 3 — 4	Recommended
Clause 5 Clause	As Amended
6 Clauses 7 — 8	As
Clause 9 Clause	Recommended
10 Clauses 11 —	As Amended
12 Clauses 13 —	As
14 Clause 15	Recommended
	As Amended
	As
	Recommended

As Amended

Recommended

As

As Amended

Further consideration of Bill deferred till next Legislative day.

9. Adjournment:

- . -*Motion made and, Question Proposed:* That the Senate do adjourn till Thursday, 24th August, 2006 at 10.00 a.m(Senate Majority Leader)

. *Adjourned accordingly at 1: 55p.. m.*

Ken Nnamani
President of the Senate