



SENATE OF THE FEDERAL REPUBLIC OF NIGERIA

VOTES AND PROCEEDINGS

Wednesday, 31st January, 2007

1. The Senate met at 10:55 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 Tuesday, 30th January, 2007 and approved same.

By unanimous consent, the Votes and Proceedings were approved.

3. Announcements:
 - (i) The Deputy Senate President acknowledged, in the Gallery, the presence of Members of the National Association of Political Science Students, Ahmadu Bello University Zaria, to observe Senate proceedings.
 - (ii) The Deputy Senate President also acknowledged the presence, in the Gallery, of Students of the Federal Government Girls College, Bida, Niger State to observe Senate proceedings.
 - (in) Joint Conference Committee on the Electoral Act (Amendment) Bill 2007 (HB. 293): The Deputy Senate President named the underlisted as Senate Conferees:
 - (a) Senator Nicholas Y. Ugbane
 - (b) Senator Uche Chukwumerije
 - (c) Senator Daniel I. Saror
 - (d) Senator Omar A. Hambagda
 - (e) Senator Umaru I. Tsauri
 - (f) Senator Patrick E. Osakwe
 - (g) Senator Felix K. Ogunwale
4. Presentation of Bill: ,
Financial Reporting Council Bill, 2007 (SB. 347) — Read the First Time
5. Committee on National Planning, Economic Affairs and Poverty Alleviation:
Report on the State of the Nation Address Bill 2007 (SB. 199):
Motion made and Question Proposed: That the Senate do receive the Report of the Committee on National Planning, Economic Affairs and Poverty Alleviation, on the State of the Nation Address Bill 2007 (*Senator Gbemi R. Saraki*).

Question put and agreed to.

Report laid.

6. Committee on National Planning, Economic Affairs and Poverty Alleviation:

Report on the Statistics Bill 2007 (SB. 255):

Motion made and Question Proposed; That the Senate do receive the Report of the Committee on National Planning, Economic Affairs and Poverty Alleviation, on the Statistics Bill 2007 (Senator Gbemi R. Saraki).

Question put and agreed to.

Report laid.

7. Committee on National Planning, Economic Affairs and Poverty Alleviation:

Report on the Nigerian Council for Management Development (Amendment, etc) Bill 2007 (SB. 256): Motion made and Question Proposed That the Senate do receive the Report of the Committee on National Planning, Economic Affairs and Poverty Alleviation, Nigerian Council for Management Development (Amendment, etc) Bill 2007 (Senator Gbemi R. Saraki).

Question put and agreed to.

Report laid.

8. Committee on Establishment and Public Service Matters:

Report on the Pension Rights of Judicial Officers (Transfer of Responsibility and Administration) Bill 2007 (SB. 249):

Motion made and Question Proposed; That the Senate do consider the Report of the Committee on Establishment and Public Service Matters, on the Pension Rights of Judicial Officers (Transfer of Responsibility and Administration) Bill, 2007 (Senator Felix O. Ibru).

Question put and agreed to.

Report presented.

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

Question put and agreed to.

(SENATE IN THE COMMITTEE OF THE WHOLE)

AN ACT TO TRANSFER THE RESPONSIBILITY AND ADMINISTRATION OF PENSION OF FEDERAL JUDICIAL OFFICERS FROM THE DEPARTMENT OF ESTABLISHMENTS IN THE OFFICE OF HEAD OF CIVIL SERVICE OF THE FEDERATION TO THE NATIONAL JUDICIAL COUNCIL; AND FOR RELATED MATTERS

Clause 1: Transfer of Responsibility for the Administration and Payment of Pension of Federal Judicial Officers:

- (1) As from the commencement of this Act, the responsibility for the administration and payment of pension, to any federal judicial officer who had retired before or will retire after the commencement of this Act, from the Judicial Service of the Federal Republic of Nigeria, is hereby transferred to the National Judicial Council.
- (2) In that regard, as from the commencement of this Act, the payment of pension, of a retired or retiring federal judicial officer shall no longer devolve on, be administered or paid by the Department of Establishments in the Office of the Head of the Civil Service of the Federation or any other department, by whatever name called, which before the commencement of this Act was charged with such responsibility.

- (3) The Department of Establishments in the office of the Head of Service of the Federation shall, within three months from the commencement of this Act, transfer to the National Judicial Council all records, files and other documents connected with the administration and payment of pensions of federal judicial officers.

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: Law applicable to the Pension rights of the Federal Judicial Officers. CAP 367 LFN 1990:

The provisions of the pension Rights of Judges Act shall continue to apply and the Pensions Reform Act shall continue to apply and shall, in addition to this Act, regulate the pension right of Judges in accordance with the provisions of the Act, where such provisions are not in conflict with Section 291 of the Constitution of the Federal Republic of Nigeria 1999.

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: Authentic age of Judicial Officers and Notice of Retirement:

- (1) As from the commencement of this Act, the authentic age of a Judicial Officer shall be the age submitted by him upon entering the Civil Service or the Judicial Service of the Federation or a State, as the case may be; and no alteration shall be entertained thereafter, notwithstanding the emergence of new information or facts, to the contrary.

Amendment Proposed:

Leave out the word "As" in line 1 (Senator Uche Chukwumerije).

Question that the amendment be made put and agreed to.

Further Amendments Proposed:

- (i) *Leave out the word "authentic" in line 1 and insert the word "retiring" instead thereof (Senator Saidu M. Dansadau).*

Question that the amendment be made put and agreed to.

- (if) Immediately after the word "be" in line 2, insert the words "determined by" (*Senator Saidu M. Dansadau*).

Question that the amendment be made put and agreed to.

Another Amendment Proposed:

Immediately after the word "be" in line 3, leave out the words "and no alteration shall be entertained thereafter, notwithstanding the emergence of new information or facts, to the contrary" (*Senator Udoma U. Udoma*).

Question dial the amendment be made put and agreed to.

- (2) A Judicial Officer shall serve on the National Judicial Council a Notice of retirement not less than three months of his intention to retire.

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

Clause 4: Annual Budget:

The National Judicial Council shall submit to the National Assembly a proposal of the budgetary needs to meet the standing payment of pensions of retired or retiring judicial

Committee's Recommendation:

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

Amendment Proposed:

Leave out the provision in Clause 4 and insert the following instead thereof:

"The National Judicial Council shall include the Pension requirements of retired or retiring Judicial Officers in the Annual Budget submitted to the National Assembly" (*Senator Udoma U. Udoma*).

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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.

Further consideration deferred. Chairman to report progress.

(SENATE IN PLENARY)

The Deputy 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** Pension Rights of Judicial Officers (Transfer of Responsibility and Administration) Bill 2007 and approved as follows:

Clause 1	—	As Recommended
Clause 2	—	As Recommended
Clause 3	—	As Amended
Clause 4	—	As Amended

Bill recommitted to the Committee for further legislative action.

Question; that the Senate do approve the Report of the Committee of the Whole — Resolved in the Affirmative.

9. **Federal Capital Territory (FCT) Appropriation Bill 2007 (SB. 344):**

Motion made and Question Proposed: That the Federal Capital Territory (FCT) Appropriation Bill 2007 be read the Second Time (Senate Majority Leader).

Debate

Question put and agreed to.

Bill accordingly read the Second Time and referred to the Committee on Federal Capital Territory (FCT) for further legislative action.

10. **Mortgage Institute Act 1989 (Repeal and Re-enactment) Bill 2007 (SB. 287):**

Consideration stood down to the next legislative day.

11. **Institute of Capital Market Registrars of Nigeria Bill 2006 (HB. 201): ■'.**

Consideration stood down to the next legislative day.

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12. **Adjournment:**

Motion made and Question Proposed: That the Senate do adjourn till Thursday, 1st February, 2007 at 10.00 a.m. (Senate Majority Leader).

Adjourned accordingly at 1.35p.m.

Ibrahim N. Mantu
Deputy Senate President