



SENATE OF THE FEDERAL REPUBLIC OF NIGERIA VOTES AND PROCEEDINGS

Wednesday, 7th February, 2007

1. The Senate met at 10:25 a.m. The Senate President read Prayers.
2. **Votes and Proceedings:**
The Senate President announced that he had examined the Votes and Proceedings of Tuesday, 6th February, 2007 and approved same.

By unanimous consent, the Votes and Proceedings were approved.

3. **Re-Conference Committee:**
Council for the Regulation of Freight Forwarders in Nigeria Bill 2007 (HB. 128): Invoking Rule 53 (6), the Senate Majority Leader moved that the Senate do rescind its resolution of Tuesday, 6th February, 2007 on the Senate Composition of the Conference Committee on Council for the Regulation of Freight Forwarders in Nigeria Bill 2007 for the Committee to be re-constituted as follows:

(i)	Senator Ugochukwu Uba	—	Chairman
(ii)	Senator Musiliu M. Obanikoro	—	Member
(iii)	Senator Jonathan S. Zwingina	—	Member
(iv)	Senator Cosmas G. Niagwan	—	Member
(v)	Senator Lawal Shuaibu	—	Member
(vi)	Senator Patrick E. Osakwe	—	Member
(vii)	Senator Ike Ekweremadu	—	Member (<i>Senate Majority Leader</i>).

Question put and agreed to.

4. **Re-Conference Committee:**
Agricultural Development Fund (Establishment, etc) Bill 2007 (SB, 98):
Invoking Rule 53 (6), the Senate Majority Leader moved that the Senate do rescind its resolution of Tuesday, 6th February, 2007 on the Senate Composition of the Conference Committee on Agricultural Development Fund (Establishment, etc) Bill 2007 for the Committee to be re-constituted as follows:

(i)	Senator Oladapo H. Ehinlanwo	—	Chairman
(ii)	Senator Bassey Ewa-Henshaw	—	Member

- (iii) Senator Muktar M. Aruwa Member Member Member Member
- (iv) Senator Ifeanyi G. Araraume Member (*Senate Majority Leader*).
- (v) Senator Usman S. Danboyi
- (vi) Senator Shehu U. Albishir
- (vii) Senator Musiliu M. Obanikoro

Question put and agreed to.

5. Matter of Urgent Public Importance:
Rising on Rules 42 and 52, Senator John K. Brambaifa, invited the attention of the Senate to the plight of depositors who had their monies trapped in failed banks. He stated that he had been inundated with calls from aggrieved customers from his Senatorial District. He sought the leave of the Senate to introduce a Motion on the issue.

Matter to stand over to the next legislative day.

6. Committee on Employment, Labour and Productivity:
Report on the Institute of Safety Professionals of Nigeria (ISPON) Bill 2007 (SB. 39):
Motion made and Question Proposed: That the Senate do resolve into the Committee of the Whole to resume the consideration of the Report on the Institute of Safety Professionals of Nigeria (ISPON) Bill 2007 (*Senate Majority Leader*).

Question put and agreed to.

(SENATE IN THE COMMITTEE OF THE WHOLE) A BILL FOR AN ACT TO

ESTABLISH THE INSTITUTE OF SAFETY PROFESSIONALS OF NIGERIA (ISPON)

New Clause 16: Interpretation:
"A Safety Professional" means any person qualified in an engineering discipline, occupational health sciences, environmental sciences or other scientist or specialist in a related discipline with an acceptable qualification who has acquired knowledge in the practice of safety management and whose name is in the Register of the Institute.

Committee's Recommendation:
That the provision in new Clause 16 be retained (*Senator Bassey Ewa-Henshaw*)
— *Agreed to.*

Question that Clause 16 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 resumed consideration of the Report of the Committee on Employment, Labour and Productivity on the Institute of Safety Professionals of Nigeria. (ISPON) Bill 2007 and approved as follows:

New Clause 16 As Recommended

Question; That the Senate do approve the Report of the Committee of the Whole — *Resolved in 'the Affirmative.*

Motion made and Question Proposed: That the Institute of Safety Professionals of Nigeria (ISPON) Bill 2007 be read the Third Time (*Senate Majority Leader*).

Question put and agreed to.

Bill accordingly read the Third Time and passed.

7. Committee on Banking, Insurance and Other Financial Institutions:
Conference Report on the Chartered Institute of Bankers of Nigeria Bill 2007 (SB. 170):
Motion made and Question Proposed: That the Senate do receive the Conference Report on the Chartered Institute of Bankers of Nigeria Bill 2007 (*Senator Yushau M. Arika*).

Question put and agreed to. Report presented and

Laid. Consideration of Report stood down to a later date.

8. Committee on Cooperation and Integration in Africa/NEPAD:
Report on the Institute for Peace and Conflict Resolution (Establishment, etc) Bill 2007 (HB. 107):
Motion made and Question Proposed: That the Senate do receive and consider the Report of the Committee on Cooperation and Integration in Africa/NEPAD, on the Institute for Peace and Conflict Resolution (Establishment, etc) Bill 2007 (*Senator Robert B. Koleosho*).

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 Report (*Senate Majority Leader*).

Question put and agreed to.

(SENATE IN THE COMMITTEE OF THE WHOLE)

A BILL FOR AN ACT TO ESTABLISH THE INSTITUTE FOR PEACE AND CONFLICT RESOLUTION AND FOR MATTERS CONNECTED THEREWITH:

PART I

ESTABLISHMENT OF THE INSTITUTE FOR PEACE AND CONFLICT RESOLUTION (IPCR):

- Clause 1: Establishment of the Institute for Peace and Conflict Resolution:
- (1) There is hereby established an Institute to be known as the Institute for Peace and Conflict Resolution (in this Act referred to as "the Institute").
 - (2) The Institute-
 - (a) shall be a body corporate with perpetual succession and a common seal; and
 - (b) may sue and be sued in its corporate name.

Committee's Recommendation:

That the provision in Clause 1 be retained (*Senator Robert B. Koleosho*) — *Agreed to.*

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

- Clause 2: Establishment of the Governing Council:
 There is hereby established for the Institute a Governing Council (in this Act referred to as "the Council") which shall be constituted and have the functions set out in this Act.

Committee's Recommendation:

That the provision in Clause 2 be retained (*Senator Robert B. Koleosho*) — *Agreed to.*

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

- Clause 3: Membership of Council:
- (1) The Council shall consist of-(a)
 a Chairman;

- (b) a representative of the Foreign Affairs;
- (c) a representative of the Ministry of Defence
- (d) A female representative

Amendment Proposed:

Leave out the provision in Subclause (3) (1) (d) and insert the following instead thereof:

"a representative who must be a woman" (*Senator Tawar V. Wada*).

Question that the amendment be made put and agreed to.

- (e) a nominee from each of the six geo-political zones.
- (f) a representative of the Presidency
- (g) a representative of the University community.
- (h) a representative of Civil Society Organizations;
- (i) a representative of Ministry of Interior;

Another Amendment Proposed:

Leave out the provision in Subclause (3) (1)(i) and **insert** the following instead thereof:

A representative of the Ministry in charge of Internal Affairs (*Senator Daniel I, Saror*).

Question that the amendment be made put and agreed to.

- (j) the Director-General of the Institute
- (2) The Chairman and other members of the council shall be appointed by the President of the Federal Republic of Nigeria.
- (3) The supplementary provisions set out in the schedule to this act shall have effect with respect to the proceedings of the Council and the other matters contained therein.

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

Clause 4:**Tenure of Office, etc:**

The Chairman and other members of the Council, other than ex-officio members-(a) shall each hold office for a period of 4 years on such terms and conditions as may be specified in their letter of appointment;

- (b) may be re-appointed for one another period of 4 years and no more.

Amendment Proposed:

Leave out the word "one" in Subclause (4)(b) (*Senator Olatokunbo O. Ogunbanjo*). _

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:**Removal from Office:**

- (I) Notwithstanding, the provisions of section 4 of this Act, a member of the council may at any time be removed from office by the President for inability to discharge the functions of his office (whether arising from infirmity of mind or body or any other cause) or for misconduct.

- (2) A member of the Council may resign his appointment by a notice in writing under his hand addressed to the President and that member shall, on the date of the receipt of the notice by the President cease to be a member of the Council.

Committee's Recommendation:

That the provision in Clause 5 be retained (*Senator Robert B. Koleosho*) — *Agreed to.*

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

Clause 6: Emolument, etc:
The Chairman and members of the Council shall be paid emoluments, allowances as may be determined from time to time by the Revenue Mobilization, Allocation and Fiscal Commission.

Committee's Recommendation:

That the provision in Clause 6 be retained (*Senator Robert B. Koleosho*) — *Agreed to.*

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

PART II — FUNCTIONS OF THE COUNCIL

Clause 7: Functions of the Council:
(1) The Council shall be responsible for the determination of the long range plan of activities of the Institute including Budgetary and Policy matters.

Amendment Proposed:

Leave out the word "range" in line 1 and *insert* the word "term" instead thereof (*Senator Olatokunbo O. Ogunbajo*).

Question that the amendment be made put and agreed to.

Another Amendment Proposed:

Leave out the provision in Subclause (7)(1) and insert the following instead thereof:

- (1) The Council shall be responsible for the determination of the overall policy of the Institute and formulation of long term plans and budget and ensuring implementation of such policies and plans (*Senator Omar A. Hambagda*).

Question that the amendment be made put and agreed to.

- (2) Without prejudice to the generality of subsection (1) of this section, the Council shall-

- *
- (a) approve the research and training programmes of the Institute;
 - (b) determine the fees to be paid for research, consultations, training and any other services that may be offered by the Institute; and
 - (c) promote or undertake such other activities as are expedient or necessary in the opinion of the Council for the discharge of its responsibilities under this Act.

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

* PART III — FUNCTIONS OF THE INSTITUTE

Clause 8: Functions of the Institute:
(1) The Institute shall be responsible for-

- (a) promoting peace and security internally within Nigeria and externally in Africa.
- (b) conducting research into the cause, patterns, dynamics, actors and

- (c) publishing and disseminating case studies from its researches with a view to offering insights into the success or failure in conflict resolution and peace building;
- (d) identifying the actors, issues, historical phases, capacities and the balance of power of different groups in a conflict situation;
- (e) promoting a culture of transparent, credible and peaceful democratic succession as a mechanism for conflict prevention;
- (f) getting practically involved in the task of mediation, conflict management and conflict resolution;
- (g) encouraging the establishment of regional affiliates of the Institute in Africa and other parts of the world and fostering collaboration with those affiliates;
- (h) designing strategies for funding people centred development programmes to support peace;
- (i) providing Government with relevant policy options on fundamental issues required in designing an effective and durable peace process;
- (j) initiating, encouraging, organising, hosting, arranging and conducting policy-relevant courses, national or international seminars, symposia, conferences, workshops, training programmes and other actions that are incidental to peace making, and peace building as part of its intensive efforts in capacity building;
- (k) carrying out other relevant activities that may be assigned to it by the President.

- (2) Without prejudice to the generality of the functions specified in subsection (1) of this section, the Institute shall take over the functions, assets and liabilities of the Department known and referred to as the Centre for Peace, Research and Conflict Resolution of the National War College established under section 5 of the National War College Act.

Committee's Recommendation:

That the provision in Clause 8 be retained (*Senator Robert B. Koleosho*) — *Agreed to* —
Question that Clause 8 do stand part of the Bill, put and agreed to.

PART IV — STAFF OF THE INSTITUTE

Clause 9:

Director-General of the Institute:

- (1) There shall be for the Institute a Director-General who shall be appointed by the President.
- (2) The Director-General shall, be the chief executive, chief research and accounting officer of the Institute, the head of the secretariat of the council and shall be responsible for the execution of the Policy and the day to day administration of the affairs of the Institute.
- (3) The Director-General shall hold office-
 - (a) for a term of 4 years in the first instance and may be reappointed for a further term of 4 years and no more; and
 - (b) on such terms and conditions as may be specified in his letter of appointment.

Committee's Recommendation:

That the provision in Clause 9 be retained (*Senator Robert B. Koleosho*) — *Agreed to.*

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

Clause 10: Principal Officers of the Institute:

(1) The other principal officers of the Institute shall be-

Amendment Proposed:

Leave out the words "other Principal Officers" and *insert* the word "Directorate" instead thereof (*Senator Daniel I. Saror*),

Question that the amendment be made put and agreed to.

- (a) Director, Finance and Administration;
- (b) Director, Research and Policy Analysis;
- (c) Director, Democracy and Development Studies;
- (d) Director, External Conflict Prevention and Resolution;
- (e) Director, Internal Conflict Prevention and Resolution;
- (f) Director, Defence and Security Studies.

Amendment Proposed:

Leave out the provision in Subclause 10 (a) to (f) and *insert* the following instead thereof:

"The Institute shall have the following Directorates:

- (a) Finance and Administration;
- (b) Research and Policy Analysis;
- (c) Democracy and Development Studies;
- (d) External Conflict Prevention and Resolution;
- (e) Internal Conflict Prevention and Resolution;
- (f) Defence and Security Studies; and
- (g) Any such other Directorate as may be deemed necessary" (*Senator Dalhatu S. Tafida*).

Question that the amendment be made put and agreed to.

Question that Clause 10 as amended do stand part of the Bill, put and agreed to.

Clause 11: Other Employees of the Institute:

- (1) The Council shall appoint for the Institute such officers and other employees as ^t may, from time to time, deem necessary for the purposes of the Institute
- (2) The terms and conditions of service (including remuneration, allowances, benefits and pensions) of officers and employees of the Institute shall be as applicable to similar Institutes.

Amendment Proposed:

Leave out the provision in Subclause (11) (2) and *insert* the following instead thereof:

"(2) The terms and conditions of service (including remuneration, allowances, benefits and pensions) of officers and employees of the Institute shall be as

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Question that the amendment be made put and agreed to.

- (3) Without prejudice to the generality of Subsection (1) of this section, the Council may appoint persons as employees of the Institute, either by way of transfer or secondment from any of the public services in the Federation or otherwise howsoever, as it considers necessary.

Question that Clause 11 as amended do stand pan of the Bill, put and agreed to.

Clause 12: Pensions Cap. 346 LFN:

- (1) It is hereby declared that service in the Institute shall be approved service for purpose of enjoying Pension under the Pension Reform Act 2004. Accordingly, employees of the Institute shall be entitled to Pensions, gratuities and other retirement benefits as are prescribed under the Act, and other benefits as approved by the Council.

Amendment Proposed:

(i) *Leave out* the words "enjoying pension under" in line 2; and

(ii) *Leave out* the words "Act, and other benefits as approved by the Council" and *insert* the words "said Pension Reform Act" instead thereof (*Senator Tawar U. Wada*).

Question that the amendment be made put and agreed to.

- (2) Notwithstanding the provisions of Subsection (1) of this section, nothing in this Act shall prevent the appointment of a person to any office on terms which preclude the grant of a pension, gratuity or other retirement benefit in respect of that office.
- (3) For the purposes of the application of the provisions of the Act, any power exercisable by the Council or any authority of the Federal Government, other than the power to make regulation under the relevant Section of the Act, is hereby vested in and shall be exercisable by the Council and not by any other person or authority.

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

PARTV — FINANCIAL PROVISIONS

Clause 13: Financial Provisions:

- (1) There shall be established and maintained for the Institute a fund into which shall be paid and credited—»
- (a) all subventions and budgetary allocation from the Government of the Federation;
- (b) the take off grant from the Federal Government;
- (c) gifts, loans, grants-in-aid from national, bilateral and multilateral agencies;
- (d) rent, fees and other internally generated revenues from service provided by the Institute and
- (e) all other sums accruing to the Institute, from time to time.

Committee's Recommendation:

That the provision in Clause 13 be retained (*Senator Robert B. Koleosho*) — *Agreed to.*

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

Clause 14:**Expenditure of the Institute:**

The Institute may from time to time, apply the proceeds of the fund established in pursuance of section 14 of this Act -

- (a) to the cost of administration of the Institute;
- (b) to the paying of the emoluments, allowances and benefits of members of the council and for reimbursing members of the Council or of any committee of the Council for such expenses as may be expressly authorized by the Council;
- (c) to the payment of the salaries, fees or other remuneration or allowances, gratuities and pensions, and other benefits payable to the officers and other employees of the Institute, so however that no payment of any kind under this paragraph (except such as may be expressly authorized by the Council) shall be made to any person who is in receipt of emoluments from the Federal or State Government;
- (d) for the development and maintenance of any property vested in or owned by the Institute; and
- (e) for and in connection with all or any of its functions under this Act.

Committee's Recommendation:

That the provision in Clause 14 be retained (*Senator Robert B. Koleosho*) — Agreed to. »

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

Clause 15: Annual Estimates and Accounts:

- (1) The Institute shall, not later than 30th September in each year, submit to the Council an estimate of its expenditure and income (including payments to the Institute's fund) for the next succeeding year.

Amendment Proposed:

Leave out the word "Council" and insert the word "Minister" (*Senator Tawar U. Wada*).

Question that the amendment be made put and agreed to.

Another Amendment Proposed:

Leave out the words "not later than 30* September" in line 1 (*Senator Omar A. Hambagda*).

Question that the amendment be made put and agreed to.

- (2) The Institute shall keep proper accounts in respect of each year and proper records in relation to those accounts and shall cause its accounts to be audited within six months after the end of each year by auditors appointed and in accordance with the guidelines supplied by the Auditor-General of the Federation.

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

Clause 16:**Annual Reports:**

The Institute shall prepare and submit to the Federal Executive Council, not later than six months after the end of each year, a report on the activities of the Institute during the immediate preceding year, and shall include in such report a copy of the audited accounts of the Institute for the year and the auditor's report on the accounts.

Amendment Proposed:

Leave out the words "Federal Executive Council" in line 1 and insert the word "Minister" instead thereof (*Senator Bode Olowoporoku*).

Question that the amendment be made put and agreed to.

Question that Clause 16 as amended do stand part of the Bill, put and agreed to.

- Clause 17: Power to Accept Gifts:
- (1) The Institute may accept any gift of land, money or other property on such terms and conditions, if any, as may be specified by the person or organisation making the gift.
 - (2) The Institute shall not accept any gift if the conditions attached by the person or organization offering the gift are inconsistent with the functions and objectives of the Institute.

Committee's Recommendation:

That the provision in Clause 17 be retained (*Senator Robert B. Koleosho*) ~ *Agreed to.*

Question that Clause 17 do stand part of the Bill, put and agreed to.

- Clause 18: Power to Borrow:
- (1) The Institute may from time to time, borrow money by overdraft or otherwise such as it may require for the performance of its functions under this Act.
 - (2) The Institute shall not with out the approval of the Council, borrow money which exceeds, at any time, the amount set by the Council
 - (3) Notwithstanding the provisions of Subsection (1) of this section, where the sum to be borrowed is in foreign currency, the Institute shall not borrow the sum without the prior approval of the Federal Government of Nigeria.

Committee's Recommendation:

That the provision in Clause 18 be retained (*Senator Robert B. Koleosho*) — *Agreed to.*

Question that Clause 18 do stand part of the Bill, put and agreed to.

- Clause 19: Investment, Cap 449, LFN:
- The Institute may, subject to the provisions of this Act and the conditions of any trust created in respect of any property, invest all or any of its funds in any security prescribed by the Trustees Investment Act or in such other securities as may, from time to time, be approved by the Council.

Committee's Recommendation:

That the provision in Clause 19 be retained (*Senator Robert B. Koleosho*) — *Agreed to.*

Question that Clause 19 do stand part of the Bill, put and agreed to.

- Clause 20: Exemption from Tax:
- (1) The Institute shall be exempted from payment of income tax or any income accruing from investments made by the Council for the Institute or otherwise howsoever.
 - (2) The provisions of any enactment relating to the taxation of companies o,r trust funds shall not apply to the Institute or the Council.

Committee's Recommendation:

That the provision in Clause 20 be retained (*Senator Robert B. Koleosho*) — *Agreed to.*

Question that Clause 20 do stand part of the Bill, put and agreed to.

PART VI — LEGAL PROCEEDING

- Clause 21: General Restrictions as to Power of the Institute:
- Nothing in this Act shall be construed as conferring on the Institute or the Council the

Committee's Recommendation:

That the provision in Clause 21 be retained (*Senator Robert B. Koleosho*) — *Agreed to.*

Question that Clause 21 do stand part of the Bill, put and agreed to.

- Clause 22: Limitation of suit against the Institute Cap 379 LFN:
Subject to the provisions of this Act, the provisions of the Public Officers Protection Act shall apply in relation to any suit instituted against an officer or employee of the Institute.

Committee's Recommendation:

That the provision in Clause 22 be retained (*Senator Robert B. Koleosho*) — *Agreed to.*

Question that Clause 22 do stand part of the Bill, put and agreed to.

- Clause 23: Service of Documents:
A notice, summons or other document required or authorized to be served on the Institute under the provision of this Act or any other enactment or law may be served by delivering it to the Director-General or by sending it by registered post addressed to the Director-General at the principal office of the Institute.

Committee's Recommendation:

That the provision in Clause 23 be retained (*Senator Robert B. Koleosho*) — *Agreed to.*

Question that Clause 23 do stand part of the Bill, put and agreed to.

- Clause 24: Restriction on Execution against Property of the Institute:
- (1) In any action or suit against the Institute, no execution or attachment of process in any nature thereof shall be issued against the Institute unless not less than three months notice of the intention to execute or attach has been given to the Institute.
 - (2) Any sum of money which by the judgement of any court has been awarded against the Institute shall, subject to any direction give by the court, where notice of appeal against the judgement has been given, be paid from the fund of the Institute.

Committee's Recommendation:

Leave out the provision in Clause 24 (*Senator Robert B. Koleosho*) — *Agreed to.*

- Clause 25: Indemnity of Officers:
A member of the Council or the Director-General or any officer or employee of the Institute shall be indemnified out of the assets of the Institute against any liability incurred by him in defending any proceeding, whether civil or criminal, if the proceeding is brought against him in his capacity as a member, Director-General, officer or other employee of the Institute.

Committee's Recommendation:

That the provision in Clause 25 be retained (*Senator Robert B. Koleosho*) — *Agreed to.*

Question that Clause 25 do stand part of the Bill, put and agreed to.

- Clause 26: Secrecy: ⁴
- (1) A member of the Council or the Director-General or any other officer, or employee of the Institute shall-
 - (a) not, for his personal gain, make use of any information which has come to his knowledge in the exercise of his powers or is obtained by him in the ordinary course of his duty as a member of the Council or as the Director-General, officer or employee of the Institute;
 - (b) treat as confidential any information which has come to his knowledge in the exercise of his powers or is obtained by him in the performance of his duties under this Act;

- (c) Not disclose any information referred to under paragraph (b) of this subsection, except when required to do so by a court or in such other circumstances as may be prescribed by the Council, from time to time.

- (2) Any person who contravenes the provisions of Subsection (1) of this section commits an offence and is liable on conviction to a fine of not less than One Hundred Thousand Naira (N100, 000) or imprisonment for a term not exceeding 2 years or both such fine and imprisonment.

Committee's Recommendation:

That the provision in Clause 26 be retained (*Senator Robert B. Koleosho*) —

Agreed to.

Question that Clause 26 do stand part of the Bill, put and agreed to.

PART VII - GENERAL

Clause 27:

Staff Regulation:

- (1) The Council may, subject to the provisions of this Act, make staff regulations relating generally to the conditions of service of the officers and employees as applicable to other Institutes and without prejudice to the generality of the foregoing, such regulations may provide for-

Amendment Proposed:

Leave out the words "applicable to other Institutes" in line 3 and wherever appearing in the Bill and *insert* the words "determined by the Council" instead thereof (*Senator Tawar V. Wada*).

Question that the amendment be made put and agreed to.

- (a) the appointment, promotion and disciplinary control (including dismissal) of the officers and employees of the Institutes.
- (b) appeals by such officers and employees against dismissal or other disciplinary measures, and until such regulations are made, any instrument relating to the conditions of service in the civil service of the Federation shall be applicable, with such modifications as may be necessary, to the officers and employees of the Institute.
- (2) Staff regulations made under Subsection (1) of this section, shall not have effect until approved by the Council, and when so approved they need not be published in the Federal Gazette but the Council shall cause them to be brought to the notice of all affected persons in such manner as it may, from time to time, determine and as applicable in similar Institute.

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Question that Clause 27 as amended do stand part of the Bill, put and agreed to.

PART VII — MISCELLANEOUS

Clause 28:

Provision of Library Facilities:

The Institute shall provide and maintain a library comprising such books and publications as may be provided by the Institute for the advancement of the knowledge of peace and conflict resolution, for research purposes, and for other purposes connected with the objectives and functions of the Institute.

Committee's Recommendation:

That the provision in Clause 28 be retained (*Senator Robert B. Koleosho*) — *Agreed to.*

Question that Clause 28 do stand part of the Bill, put and agreed to.

Clause 29: Dissolution of Sani Abacha Foundation for Peace and Unity:
The body known and referred to as "The Sani Abacha Foundation for Peace and Unity" (in this section referred to as "the Foundation") which had been voluntarily ceded to the Federal Government of Nigeria shall cease to exist and by this Act replaced by the "Institute for Peace and Conflict Resolution".

Committee's Recommendation:

That the provision in Clause 29 be retained (*Senator Robert B. Koleosho*) — *Agreed to.*

Question that Clause 29 do stand part of the Bill, put and agreed to.

Clause 30: Transfer of Rights, etc:
(1) Accordingly, the functions, rights, interests, obligations and liabilities of the Foundation, existing before commencement of this Act under any contract or instrument, or in law or in equity shall by virtue of this Act be deemed to have been assigned to and vested in the Institute established by this Act.
(2) Any such contract or instrument as is mentioned in Subsection (1) of this section shall be of the same force and effect against or in favour of the Institute established by this Act and shall be enforceable as fully and effectively as if instead of the conditions existing before the commencement of this Act, the Institute established by this Act had been named therein or had been a party thereto.

Committee's Recommendation:

That the provision in Clause 30 be retained (*Senator Robert B. Koleosho*) — *Agreed to.*

Question that Clause 30 do stand part of the Bill, put and agreed to.

Clause 31: Obligations and Liabilities:
The Institute established by this Act shall be subject to all the obligations and liabilities to which the Foundation existing before the commencement of this Act was subject to immediately before the commencement of this Act and all other persons shall have the same rights, powers and remedies against the Institute established by this Act as they had against the Foundation existing before the commencement of this Act.

Committee's Recommendation:

That the provision in Clause 31 be retained (*Senator Robert B. Koleosho*) — *Agreed to.*

Question that Clause 31 do stand part of the Bill, put and agreed to.

Clause 32: Pending or existing Proceedings or Cause of Action:
Any proceeding or cause of action pending or existing immediately before the commencement of this Act by or against the Foundation existing before the commencement of this Act in respect of any right, interest, obligation or liability of the Foundation existing before the commencement of this Act may be continued or as the case may be commenced and any determination of the court of law, tribunal or other authority or person may be enforced by or against the Institute established by this Act to the same extent that such proceeding or cause of action or determination might have been continued, commenced or enforced by or against the Foundation existing before the commencement of this Act.

** Committee's Recommendation:*

That the provision in Clause 32 be retained (*Senator Robert B. Koleosho*) — *Agreed to.*

Question that Clause 32 do stand part of the Bill, put and agreed to.

Clause 33: Vesting of Assets:
All assets, funds, resources and other moveable or immoveable property which immediately before commencement of this Act were vested in the Foundation existing before the commencement of this Act shall by virtue of this Act and without further assurance, be vested in the Institute established by this Act.

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Committee's Recommendation:

That the provision in Clause 33 be retained (*Senator Robert B. Koleosho*) — *Agreed to.*

Question that Clause 33 do stand part of the Bill, put and agreed to.

Clause 34: Holders of Office in the Foundation to continue in the Institute:

Any person who immediately before the coming into force of this Act is the holder of an office in the Foundation existing before the commencement of this Act shall on the commencement of this continue in office and be deemed to have been appointed to his office by the Institute established by this Act, unless the authority by which the person was appointed terminates the appointment.

Committee's Recommendation:

That the provision in Clause 34 be retained (*Senator Robert B. Koleosho*) — *Agreed to.*

Question that Clause 34 do stand part of the Bill, put and agreed to.

Clause 35: Directives by the Council, etc:

The Council may give such directives of a general nature or relating generally to matters of policy with regard to the exercise by the Council of its functions under this Act and it shall be the duty of the Council to comply with the directives or cause them to be complied with.

Amendment Proposed:

Leave out the word "council" in line 1 and insert the word "Minister" instead thereof (Senator Bode Olowoporoku).

Question that the amendment be made put and agreed to.

Question that Clause 35 as amended do stand part of the Bill, put and agreed to.

Clause 36: Regulations:

The Institute may, with the approval of the Council, make such regulations as in its opinion are necessary or expedient to give full effect to the provisions of this Act and for the due administration of its provisions.

Committee's Recommendation:

That the provision in Clause 36 be retained (*Senator Robert B. Koleosho*) ~ *Agreed to.*

Question that Clause 36 do stand part of the Bill, put and agreed to.

Clause 37: Interpretation:

In this Act, except the context otherwise requires- "Board of Trustees" means former Trustees of the Sani Abacha Foundation for Peace and Unity;

Question, That the words "Board of Trustees " be as defined in the Interpretation to this Act, put and agreed to.

"Council" means the Governing Council of the Institute established pursuant to section 2 of this Act;

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

"Institute" means the Institute for Peace and Conflict Resolution established under Section 1 of this Act

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

"member" includes the Chairman of the Council;

Question, that the word "member" be as defined in the Interpretation to this Act, put and agreed to.

"Minister" means the Minister charged with the responsibility for matters relating to Cooperation and Integration in Africa.

Amendment Proposed:

Leave out the Provision under the word "Minister" and insert the following words instead thereof:

"Minister" means the Minister charged with the responsibility for matters relating to Peace and Conflict Resolution (*Senator Daniel Saror*).

Question that the amendment be made put and agreed to.

"President" means the President of the Federal Republic of Nigeria.

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

Question that Clause 37 as amended do stand part of the Bill, put and agreed to.

Clause 38: Short Title:
This Act may be cited as the Institute for Peace and Conflict Resolution (Establishment, etc.) Act, 2007.

Committee's Recommendation:

That the provision in Clause 38 be retained (*Senator Robert B. Koleosho*) — *Agreed to.*

Question that Clause 38 do stand part of the Bill, put and agreed to.

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Section 3(3)

SUPPLEMENTARY PROVISIONS RELATING TO THE COUNCIL, ETC.

Proceedings of the Council

1. Subject to this Act and section 27 of the Interpretation Act (which provides for decisions of a statutory body to be taken by majority of its members and for the person presiding at any meeting, when a vote is ordered, to have a second or casting vote), the Council may make standing orders regulating its proceedings or that of any of its committees.
2. At every meeting of the Council, the Chairman shall preside and in his absence the members present at the meeting shall appoint one of their members to preside at the meeting.
3. The quorum at a meeting of the Council shall consist of the Chairman (or, in an appropriate case, the person presiding at the meeting and 5 other members).
4. The Council shall for the purposes of this Act, meet not less than three times in each year and subject, thereto, the Council shall meet whenever it is summoned by the Chairman, and if required to do so, by notice given to him by not less than 8 other members, he shall summon a meeting of the Council to be held within 14 days from the date on which the notice is given.
5. Where the Council desires to obtain the advice of any person on a particular matter, the Council may co-opt him to the Council for such period as it thinks fit, but a person who is a member by virtue of this paragraph shall not be entitled to vote at any meeting of the Council and shall not count towards a quorum.

A member of the Council who is directly or indirectly interested in any matter being deliberated on by the Council, or is interested in any contract made or proposed to be made by the Institute shall, as soon as possible after the relevant facts have come to his knowledge disclose the nature of his interest at a meeting of the Council.

A disclosure under this paragraph shall be recorded in the Minutes of Meetings of the Council and the member concerned shall-

- (a) not, after the disclosure, take part in any deliberation or decision of the Council; and
- (b) be excluded for the purpose of constituting a quorum of any meeting of the Council for any deliberation or decision, with regard to the subject matter in respect of which his interest is so disclosed.

Question that Sections 1, 2, 3, 4, 5, 6 and 7 under Head "Proceedings of the Council" stand part of the Schedule to the Bill — Agreed to.

Committees

- (1) Subject to its standing orders, the Council may appoint such number of standing and ad-hoc committees as it thinks fit to consider and report on any matter with which the Institute is concerned.
- (2) A committee appointed under this paragraph shall consist of such number of persons (not necessarily members of the Council as may be determined by the Council), and a person, other than a member of the Council shall hold office on the committee in accordance with the terms of his appointment and the committee shall be presided over by a member of the Council.
- (3) The quorum of any committee set up by the Council shall be as may be determined by the Council. -
- (4) A decision of a committee of the Council shall be no effect until it is confirmed by the Council.

Question that Section 8 under Head "Committees " stand part of the Schedule to the Bill — Agreed to.

Miscellaneous

- 9. The fixing of the seal of the Institute shall be authenticated by the signature of the Chairman or any other person generally or specifically authorized by the Council, to act for that purpose and that of the Director-General.
- 10. Any contract or instrument which, if made by a person not being a body corporate, would not be required to be under seal may be made or executed on behalf of the Institute by the Director-General or by any other person generally or specially authorized by the Council to act for that purpose.
- 11. Any document purporting to be a contract, instrument or other document duly signed or sealed¹ on behalf of the Institute shall be received in evidence and shall, unless the contrary is proved, be presumed without further proof to have been so signed or sealed.
- 12. The validity of any proceedings of the Council or of any of its committees shall not be affected by-
 - fa,) any vacancy in the membership of the Council, or committee, or
 - (b) any defect in the appointment of a member, of the Council or committee; or
 - (c) reason that any person not entitled to do so took part in the proceedings of the Council or committee.

13. A member of a committee who has a personal interest in any contract or arrangement entered into or proposed to be considered by the committee and shall not vote on any question relating to the contract or arrangement.
14. No member of the Council shall be personally liable for any act or omission done or made in good faith while engaged in the business of the Institute.

Question that Sections 9, 10, 11, 12, 13 and 14 under Head "Miscellaneous" stand part of the Schedule to the Bill — 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 Cooperation and Integration in Africa/NEPAD on the Institute for Peace and Conflict Resolution (Establishment, etc) Bill 2007 and approved as follows:

Clauses 1 - 2	As Recommended
Clauses 3 - 4	As Amended As
Clauses 5 - 6	Recommended As
Clause 7	Amended As
Clauses 8 - 9	Recommended As
Clauses 10 - 12	Amended As
Clauses 13 - 14	Recommended As
Clauses 15 - 16	Amended As
Clauses 17-26	Recommended As
Clause 27	Amended As
Clauses 28 - 34	Recommended As
Clause 35	Amended As
Clause 36	Recommended As
Clause 37	Amended As
Clause 38	Recommended As
Schedule Title	Recommended As
	Recommended

Question, that the Report of the Committee of the Whole be approved — Resolved in the Affirmative.

Motion made and Question Proposed; That the Bill be read the Third Time (Senate Majority Leader). _

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Question put and agreed to.

Bill accordingly read the Third Time and Passed.

9.

Committee on Banking, Insurance and Other Financial Institutions:

Report on the Motor Vehicle (Third Party) Insurance Act (Amendment) Bill 2007 (SB. 279):

Consideration of the Bill stood down to the next legislative day.

10. Ekiti State 2006 Supplementary Appropriation Bill 2007 (SB.345B):

Consideration of the Bill stood down to the next legislative day.

11. Ekiti State 2007 Appropriation Bill (SB. 345A.):

Consideration of the Bill stood down to the next legislative day.

12. Investment and Security Act (Amendment) Bill, 2007 (SB. 288):

Consideration of the Bill stood down to the next legislative day.

13. Adjournment:

Motion made and Question Proposed: That the Senate do adjourn **till** Thursday, 8th February, 2007 **at** 10.00 a.m. (*Senate Majority Leader*).

Adjourned accordingly at 1.55 p.m.

Ken Nnamani, GCON
President of the Senate