



SENATE OF THE FEDERAL REPUBLIC OF NIGERIA VOTES AND PROCEEDINGS

Tuesday, 24th June, 2008

1. The Senate met at 10.20 a.m. The Senate President read prayers.
2. Votes and Proceedings:
The Senate President announced that he had examined the Votes and Proceedings of Thursday, 19th June, 2008 and approved same.

By unanimous consent, the Votes and Proceedings were approved.

3. Message from Mr. President:
The Senate President announced that he had received a letter from the President, Commander-in-Chief of the Armed Forces of the Federal Republic of Nigeria, which he read as follows:



PRESIDENT,
FEDERAL REPUBLIC OF NIGERIA

PRES/134

June 16, 2008

*Distinguished Senator David Mark,
President of the Senate, Senate
Chambers, National Assembly
Complex, Abuja.*

Dear Brother,

BILLS FOR CONSIDERATION AND ENACTMENT INTO LAW

*I hereby introduce for formal consideration and enactment into law, the following Bills,
which were not finalised before the expiration of the tenure of the last National Assembly.*

- (a) *Labour Standards Bill;*
- (b) *Collective Labour Relations Bill;*
- (c) *Labour Institutions Bill; and*
- (d) *Occupational Safety and Health Bill.*

While I hope that the Bills will receive the usual prompt attention of the distinguished Members of the Senate, please accept the assurances of my highest consideration.

Yours Sincerely,

Signed:

UMARU MUSA YAR'ADUA

4. Petition:

Senator Uche Chukwumerije presented a petition from Mr Stephen Ibeabuchi in respect of his son, Ike Ibeabuchi, who presently has been in jail for the past eight and half years without trial in the United States. He therefore sought the assistance of the distinguished Senate.

The Petition was Laid and remained referred to the Committee on Ethics, Privileges and Public Petitions.

5. Matter of Urgent Public Importance:

Rising on Rule 42, Senator Nimi Barigha-Amange drew the attention of the Senate to the political situation in Zimbabwe. He sought and obtained leave of the Senate for the matter to be debated the next legislative day.

Matter to stand over till the next legislative day {Rule 42(2)}.

6. Presentation of Bill:

Gas Flaring (Prohibition and Punishment) Bill 2008 (SB. 126) — *Read the First Time.*

7. Committee on National Identity Card and National Population Commission:

Report on the screening of the Nominees:

Motion made: That the Senate do receive and consider the Report of the Committee on National Identity Card and National Population Commission on the screening of the following persons as Members of the National Population Commission (NPC):

(i)	Alhaji Abashe Iro	—	Katsina	Member
(ii)	Mr. Sani Abdullahi Sulaiman	—	FCT	Member
(iii)	Alhaji Hassan Bashir	—	Bauchi	Member
(iv)	Mr. Stephen Eruwetere Egbivbie	—	Delta	Member
(v)	Mr. Raphael Fola Adedayo	—	Ekiti	Member
(vi)	Alhaji Umaru Abdullahi Yelwa	—	Kebbi	Member

Question put and agreed to.

Report presented and Laid.

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

Question put and agreed to.

(SENATE IN COMMITTEE OF THE WHOLE)

Consideration of the Report of the Committee on National Identity Card and National Population Commission on the screening of the underlisted persons as Members of the National Population Commission (NPC):

Nominees recommended:

(i)	Alhaji Abashe Iro	—	Katsina	Member
(ii)	Mr. Sani Abdullahi Sulaiman	—	FCT	Member
(iii)	Alhaji Hassan Bashir	—	Bauchi	Member
(iv)	Mr. Stephen Eruwetere Egbivbie	—	Delta	Member
(v)	Mr. Raphael Fola Adedayo	—	Ekiti	Member
(vi)	Alhaji Umaru Abdullahi Yelwa	—	Kebbi	Member

Debate:

Question:

"Will the Committee approve the nomination of Alhaji Abashe Iro (Katsina State) as a Member of the National Population Commission (NPC)?" — *Agreed to.*

Question:

"Will the Committee approve the nomination of Mr. Sani Abdullahi Sulaiman (Federal Capital Territory) as a Member of the National Population Commission (NPC)?" — *Agreed to.*

Question:

"Will the Committee approve the nomination of Alhaji Hassan Bashir (Bauchi State) as a Member of the National Population Commission (NPC)?" — *Agreed to.*

Question:

"Will the Committee approve the nomination of Mr. Stephen Eruwetere Egbivbie (Delta State) as a Member of the National Population Commission (NPC)?" — *Agreed to.*

Question:

"Will the Committee approve the nomination of Mr. Raphael Fola Adedayo (Ekiti State) as a Member of the National Population Commission (NPC)?" — *Agreed to.*

Question:

"Will the Committee approve the nomination of Alhaji Umaru Abdullahi Yelwa (Kebbi State) as a Member of the National Population Commission (NPC)?" — *Negated.*

Chairman to report progress.

(SENATE IN PLENARY)

The Senate President reported that the Senate in the Committee of the Whole, considered the Report of the Committee on National Identity Card and National Population Commission on the screening of the underlisted persons as Members of the National Population Commission (NPC) and approved as follows:

- (i) Alhaji Abashe Iro — Katsina State Member — *Approved*,
- (ii) Mr. Sani Abdullah! Sulaiman — FCT Member — *Approved*.
- (iii) Alhaji Hassan Bashir — Bauchi State Member — *Approved*,
- (iv) Mr. Stephen Eruwetere Egbivbie — Delta State Member — *Approved*,
- (v) Mr. Raphael Fola Adedayo — Ekiti State Member — *Approved*,
- (vi) Alhaji Umaru Abdullahi Yelwa — Kebbi State Member — *Not Approved*.

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

Confirmation of nominees:*Question:*

"Will the Senate confirm the nomination of Alhaji Abashe Iro (Katsina State) as a Member of the National Population Commission (NPC)?" — *Resolved in the Affirmative*.

Nomination of Alhaji Abashe Iro (Katsina State) as a Member of the National Population Commission (NPC) accordingly confirmed.

Question:

"Will the Senate confirm the nomination of Mr. Sani Abdullahi Sulaiman (Federal Capital Territory) as a Member of the National Population Commission (NPC)?" — *Resolved in the Affirmative*.

Nomination of Mr. Sani Abdullahi Sulaiman (Federal Capital Territory) as a Member of the National Population Commission (NPC) accordingly confirmed.

Question:

"Will the Senate confirm the nomination of Alhaji Hassan Bashir (Bauchi State) as a Member of the National Population Commission (NPC)?" — *Resolved in the Affirmative*.

Nomination of Alhaji Hassan Bashir (Bauchi State) as a Member of the National Population Commission (NPC) accordingly confirmed.

Question:

"Will the Senate confirm the nomination of Mr. Stephen Eruwetere Egbivbie (Delta State) as a Member of the National Population Commission (NPC)?" — *Resolved in the Affirmative*.

Nomination of Mr. Stephen Eruwetere Egbivbie (Delta State) as a Member of the National Population Commission (NPC) accordingly confirmed.

Question:

"Will the Senate confirm the nomination of Mr. Raphael Fola Adedayo (Ekiti State) as a Member of the National Population Commission (NPC)?" — *Resolved in the Affirmative.*

Nomination of Mr. Raphael Fola Adedayo (Ekiti State) as a Member of the National Population Commission (NPC) accordingly confirmed.

Question:

"Will the Senate confirm the nomination of Alhaji Umaru Abdullahi Yelwa (Kebbi State) as a Member of the National Population Commission (NPC)?" — *Negated.*

Nomination of Alhaji Umaru Abdullahi Yelwa (Kebbi State) as a Member of the National Population Commission (NPC) accordingly not confirmed.

8. Committee on Defence and Army:

Report on the National War College Act (CAP. 82 2004) (Amendment) Bill 2008 (SB, 18):

Motion made: That the Senate do receive and consider the Report of the Committee on Defence and Army, on **the** National War College Act (CAP. 82 2004) (Amendment) Bill 2008 (*Senator Ibrahim M. Ida*).

Question put and agreed to.

Report presented and Laid.

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

Question put and agreed to.

(SENATE IN THE COMMITTEE OF THE WHOLE)

A BILL FOR AN ACT TO AMEND THE NATIONAL WAR COLLEGE ACT NO. N82 2004 TO PROVIDE FOR CHANGE OF NAME TO NATIONAL DEFENCE COLLEGE AND FOR OTHER CONNECTED PURPOSES

Section 1: The National War College Act Cap N82 2004 (in this Bill) referred to as (Principal Act) is hereby amended as set out in this Bill.

Committee's Recommendation:

That the provision in Section 1 be retained (*Senator Ibrahim M. Ida*) — *Agreed to.*

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

Section 2: 1(1) of the Principal Act is hereby amended by substituting National War College with National Defence College "in line 1 and Wherever it appears in the Act.

Committee's Recommendation:

That the provision in Section 2 be retained (*Senator Ibrahim M. Ida*) — *Agreed to.*

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

Section 3: Membership of the Board:

The Board shall consist of-

- (a) A chairman who shall be the Minister of Defence;
- (b) The Chief of Defence Staff;
- (c) The Chief of Army Staff;
- (d) The Chief of Naval Staff;
- (e) The Chief of Air Staff;
- (f) The Commandant of the College; and
- (g) The Director General of the Ministry who shall serve as Secretary to the Board.

Committee's Recommendation:

Leave out the provision in Section 3 of the Extant Act and **insert** a new Section 3 as follows:

The Board shall consist of -

- (a) A Chairman who shall be the Minister of Defence;
- (b) The Chief of Defence Staff;
- (c) The Chief of Army Staff;
- (d) The Chief of Naval Staff;
- (e) The Chief of Air Staff;
- (f) The Inspector General of Police;
- (g) A retired Ambassador or a Professor in the relevant academic discipline;
- (h) The Commandant of the College; and
- (i) The Permanent Secretary of the Ministry who shall serve as Secretary to the Board" (*Senator Ibrahim M. Ida*) — *Agreed to.*

3(g) of the Principal Act is hereby amended by substituting the word "Director General" with "Permanent Secretary".

Committee's Recommendation:

That the provision in Section 3(g) be retained (*Senator Ibrahim M. Ida*) — *Agreed to.*

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

Section 4: 4(b) of the Principal Act is amended by substituting "Fellow War College" and "FWC" with "Fellow Defence College" and "FDC" respectively and wherever it appears in the Act.

Committee's Recommendation:

That the provision in Section 4 be retained (*Senator Ibrahim M. Ida*) —Agreed to.

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

Section 5: 5(1) is amended by substituting "Centre for Peace Research and Conflict Resolution" with "African Centre for Strategic Research and Studies".

Committee's Recommendation:

Leave out the provision in Section 5 of the Bill and insert a new Section 5 as follows:

"Section 5: Section 5 of the Principal Act is to be amended by deleting the entire provision and replacing it with the following:

- (1) There is hereby established for the College, a centre to be known as the Centre for Strategic Research and Studies (in this Act referred to as "the Centre") which shall be charged with the responsibility of supporting the college in the conduct of research, documentation and publication of research findings in the Broad area of strategic studies (*Senator Ibrahim M. Ida*) — Agreed to.
- (2) Notwithstanding the provision of subsection (1) of this section, the Centre shall-
 - (a) propagate a sustainable and Comprehensive peace and security Formula as a global agenda for the 21st Century and beyond;
 - (b) organize and facilitate researches on National, regional and global basis in the fields of conflict sources, conflict Monitoring, conflict prevention, conflict resolution, peace-making, peace Keeping, peace enforcement, peace Building, and capacity building;
 - (c) initiate actions and take such other Steps which will enhance the Resolution of conflicts, both Domestically and internationally;
 - (d) co-ordinate peace keeping training in Nigeria;
 - (e) explore and document for posterity, Nigeria's role and contributions to Peace keeping in particular and International peace and security in General;
 - (f) promote or undertake such other Activities which in the opinion of the Board are necessary or expedient for the purpose of achieving the Objectives of the Centre.

Committee's Recommendation:

Leave out the provision in Section 5(2) (a) - (f) of the Extant Act and **insert** a new Section 5(2) (a) - (k) as follows:

"Section 5(2) Notwithstanding the provision of subsection (1) of this section, the centre shall:

- (a) Serve as a think tank for the College, the three Services and the nation in the areas of defence, security, conflict management and peacekeeping.
- (b) Serve as a centre for Strategic level training and research in peace support operations.
- (c) Carry out research and training programmes in areas relevant to national security and development,
- (d) Monitor events and developments and trends around the world, which affect the security of Nigeria in particular and Africa at large;
- (e) Organise regular workshops, seminars, dialogue sessions and conferences on topical security and defence issues in Nigeria, Africa and the world at large;
- (f) Organise training programmes for civilian and military personnel going for peace keeping management and diplomatic operations;
- (g) Participate in collaboration with regional and continental organizations on relevant issues of defence, security, strategic studies and peacekeeping;
- (h) Network and collaborate with similar institutions within and outside the country in areas of research and training;
- (i) Provide internship and visiting fellowship for scholars within and outside Nigeria;
- (j) Raise funds to meet research requirements; and
- (k) Publish and disseminate its research findings in journals, books, the Internet and any other medium"
(Senator Ibrahim M. Ida) — Agreed to.

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

Section 6: 10(7) (a) not be less than the rank of a one star-general:

Committee's Recommendation:

Leave out the word "one" and insert the word "two" instead thereof (Senator Ibrahim M. Ida) — Agreed to.

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

Section 7: Section 11 (1) (a) of the Principal Act is amended by deleting the word "Provost" and inserting the word "Dean" and wherever it appears in the Act

Committee's Recommendation:

Leave out the provision in Section 7 of the Bill and insert a new Section 7 as follows:

"7. 11 (l) There shall be appointed for the College by the Board the following officers-

- (a) The Provost of the Centre shall be a retired two star-general or a retired Vice-Chancellor, or a retired ambassador.
- (b) Section 11(1) (b) of the Principal Act is amended by inserting immediately after the word "College", the phrase "who shall be a 2-star General or its equivalent in the other Services.
- (c) Section 11(1) (c) is amended by deleting the word "Director" and inserting the words "Head of Department".
- (d) Section 11(1) (d) is amended by substituting the word "Coordinating" with the word "Coordination"; and inserting the phrase "who shall be a 2-star General, immediately after the word "Coordination" (*Senator Ibrahim M. Ida*) — Agreed to.

Section 11(1) (e) is amended by deleting the words "Principal Staff Officer" and substituting them with the words "Director of"

Committee's Recommendation:

Leave out the provision in Section 11(1) (e) of the Bill and inserts new Section 11(1) (e) as follows:

"(e) Section 11(1) (e) - (f) are amended by deleting the word "Principal Staff Officer" and substituting same with the words "Director of" wherever they appear in the Act; and inserting the phrase "who shall not be less than a colonel or equivalent in the other Services", immediately after the words "Administration" in Paragraph (e) and "and" in Paragraph (f) respectively" (*Senator Ibrahim M. Ida*) — Agreed to.

11(2) (a) of the Principal Act is amended by deleting the word "Provost" and insert the word "Dean" instead thereof wherever it appears in the Act.

Committee's Recommendation:

Leave out the provision in 11 (2) (a) and revert to the provision of the Extant Act (*Senator Ibrahim M. Ida*) — Agreed to.

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

Section 8: Section 15(1) The Board may, with the consent or in accordance with any general authority given by the President, borrow by way of loan or overdraft from any source any specified amount of money required by the College for meeting its obligations and discharging its functions under this Act so however that where the sum or the aggregate of the sums involved at any one time does not exceed N1, 000, 000 no such consent or authority shall be required:

Committee's Recommendation:

Leave out the figure "N 1,000,000.00" and insert the figure "N 25,000,000.00" instead thereof (Senator Ibrahim M. Ida) — Agreed to.

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

Section 9: Interpretation:

"Centre" means the African Centre for Strategic Research and Studies established by Section 5 of this Act.

Committee's Recommendation:

Leave out the word "African" in line 1 (Senator Ibrahim M. Ida)—Agreed to.

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

"College" means the National Defence College established under section 1 of this Act.

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

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

Section 10: Short Title:

This Act may be cited as National Defence College Act (Amendment) Bill 2008.

Committee's Recommendation:

That the provision in Section 10 be retained (*Senator Ibrahim M. Ida*)—Agreed to.

Question that Section 10 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 Defence and Army, on the National War College Act (Amendment) Bill 2008 and approved as follows:

Sections 1-5 As Recommended

Sections 6-10 As Recommended

Short Title	As Recommended
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Question: That the Senate do approve the Report of the Committee of the Whole —*Resolved in the Affirmative.*

Motion made: That the Bill be read the Third Time (*Senate Leader*).

Question put and agreed to.

Bill accordingly read the Third Time and passed.

9. National Human Rights Commission Act (Amendment) Bill 2008 (SB. 73):

Motion made: That the Bill for an Act to Amend the National Human Rights Commission Act (Amendment) Bill 2008 be read the Second Time (*Senator Victor Ndoma-Egba*).

Debate:

Question put and agreed to.

Bill accordingly read the Second Time and referred to the Committee on Judiciary, Human Rights and Legal Matters to report within 4 weeks.

10. Nigerian Accounting Standards Board Act (Repeal and Re-Enactment) Bill 2008 (SB. 100):

Consideration of Bill deferred to another legislative day.

11. Niger Delta Development Commission (NDDC) Appropriation Bill 2008 (SB. 121):

Consideration of Bill deferred to another legislative day.

12. Adjournment:

Motion made: That the Senate do adjourn till Wednesday, 25th June, 2008 at 10.00 a.m. (*Senate Leader*).

Adjourned accordingly at 1.15 p.m.

David A. B. Mark, GCON
President of the Senate