



SENATE OF THE FEDERAL REPUBLIC OF NIGERIA VOTES AND PROCEEDINGS

Thursday, 19th March, 2009

1. The Senate met at 10.20 a.m. The Deputy Senate President read prayers.
2. **Votes and Proceedings:**
The Deputy Senate President announced that he had examined the Votes and Proceedings of Wednesday, 18th March, 2009 and approved same.

By unanimous consent, the Votes and Proceedings were approved.

3. **Announcement:**
Acknowledgement:
The Deputy Senate President acknowledged the presence of the following who were in the gallery to observe Senate proceedings:

- (i) Staff and Students of Freedom International School, New Karu, Nasarawa State; and
- (ii) Staff and Students of British Nigerian Academy, Duboyi District, Abuja.

4. **Committee on National Planning, Economic Affairs and Poverty Alleviation:**
Report on the screening of nominee:
Motion made: That the Senate do receive the Report of the Committee on National Planning, Economic Affairs and Poverty Alleviation, on the screening of Mr. Dambo Nimitembofa (Bayelsa State) as a Commissioner in the Revenue Mobilization, Allocation and Fiscal Commission (RMAFC) (*Senator Zaynab A. Kure*).

Question put and agreed to.

Report Laid.

5. **Committee on Federal Character and Inter-Governmental Affairs:**
Report on the screening of nominee:
Motion made: That the Senate do receive the Report of the Committee on Federal Character and Inter-Governmental Affairs, on the screening of Chief (Mrs.) Margaret Gom (Benue State) as a Commissioner in the Federal Character Commission (FCC) (*Senator Smart Adeyemi*).

Question put and agreed to.

Report Laid.

6. Committee on Federal Capital Territory (FCT):

Report on the FCT Statutory Appropriation Bill 2009 (SB: 238):

Motion made: That the Senate do consider the Report of the Committee on Federal Capital Territory (FCT) on FCT Statutory Appropriation Bill 2009 (*Senator Abubakar D. Sodangi*).

Question put and agreed to.

Report presented.

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

Question put and agreed to.

(SENATE IN THE COMMITTEE OF SUPPLY)

Consideration of the Report of the Committee on Federal Capital Territory, on the Federal Capital Territory Statutory Appropriation Bill 2009.

SCHEDULE

PART A - RECURRENT NON - DEBT EXPENDITURE

FEDERAL CAPITAL TERRITORY FIRST LINE CHARGE

	APPROPRIATION
1. Federal Capital Territory Administration:	
Personnel Costs	15,402,094
Overhead Costs	<u>2,172,000,000</u>
Sub-Total:	2,187,402,094
<i>Question,</i>	
That the Expenditure of Two Billion, One Hundred and Eighty-Seven Million, Four Hundred and Two Thousand, and Ninety Four Naira (₦2,187,402,094) for the purposes set out under Recurrent for the Personnel Costs and Overhead Costs stand part of the Schedule to the Federal Capital Territory Statutory Appropriation Bill 2009 — <i>Agreed to.</i>	
2. Protocol Department:	
Personnel Costs	23,840,590
Overhead Costs	<u>727,000,000</u>
Sub-Total	750,840,590
<i>Question,</i>	
That the Expenditure of Seven Hundred and Fifty Million, Eight Hundred and Forty Thousand, Five Hundred and Ninety Naira (₦750,840,590) for the purposes set out under Recurrent for the Personnel Costs and Overhead Costs stand part of the Schedule to the Federal Capital Territory Statutory Appropriation Bill 2009 — <i>Agreed to.</i>	
3. Security Services Department:	
Personnel Costs	12,093,960
Overhead Costs	<u>324,821,600</u>
Sub-Total	336,915,560

Question,

That the Expenditure of Three Hundred and Thirty Six Million, Nine Hundred and Fifteen Thousand, Five Hundred and Sixty Naira (₦336,915,560) for the purposes set out under Recurrent for the Personnel Costs and Overhead Costs stand part of the Schedule to the Federal Capital Territory Statutory Appropriation Bill 2009 — *Agreed to.*

4. Treasury:

Personnel Costs	1,562,224,506
Overhead Costs	<u>3,934,229,961</u>
Sub-Total	5,496,454,467

Question,

That the Expenditure of Five Billion, Four Hundred and Ninety-Six Million, Four Hundred and Fifty-Four Thousand, Four Hundred and Sixty-Seven Naira (₦5,496,454,467) for the purposes set out under Recurrent for the Personnel Costs and Overhead Costs stand part of the Schedule to the Federal Capital Territory Statutory Appropriation Bill 2009 — *Agreed to.*

5. FCT Establishment and Training Department:

Personnel Costs	614,821,509
Overhead Costs	<u>1,475,896,005</u>
Sub-Total	2,090,717,514

Question,

That the Expenditure of Two Billion, Ninety Million, Seven Hundred and Seventeen Thousand, Five Hundred and Fourteen Naira (₦2,090,717,514) for the purposes set out under Recurrent for the Personnel Costs and Overhead Costs stand part of the Schedule to the Federal Capital Territory Statutory Appropriation Bill 2009 — *Agreed to.*

6. FCT Audit Department:

Personnel Costs	104,491,240
Overhead Costs	<u>31,200,000</u>
Sub-Total:	135,691,240

Question,

That the Expenditure of One Hundred and Thirty-Five Million, Six Hundred and Ninety-One Thousand, Two Hundred and Forty Naira (₦135,691,240) for the purposes set out under Recurrent for the Personnel Costs and Overhead Costs stand part of the Schedule to the Federal Capital Territory Statutory Appropriation Bill 2009 — *Agreed to.*

7. Department of Monitoring and Inspection:

Personnel Costs	19,735,746
Overhead Costs	<u>13,120,000</u>
Sub-Total	32,855,213

Question,

That the Expenditure of Thirty-Two Million, Eight Hundred and Fifty-Five Thousand, Two Hundred and Thirteen Naira (₦32,855,213) for the purposes set out under Recurrent for the Personnel Costs and Overhead Costs stand part of the Schedule to the Federal Capital Territory Statutory Appropriation Bill 2009 — *Agreed to.*

8. Land Administration Department:

Personnel Costs	263,023,313
Overhead Costs	<u>92,400,000</u>
Sub-Total	355,423,313

Question,

That the Expenditure of Three Hundred and Fifty-Five Million, Four Hundred and Twenty-Three Thousand, Three Hundred and Thirteen Naira (₦355,423,313) for the purposes set out under Recurrent for the Personnel Costs and Overhead Costs stand part of the Schedule to the Federal Capital Territory Statutory Appropriation Bill 2009 — *Agreed to.*

9. Procurement Department:

Personnel Costs	16,446,507
Overhead Costs	<u>17,480,000</u>
Sub-Total	33,926,507

Question,

That the Expenditure of Thirty-Three Million, Nine Hundred and Twenty-Six Thousand, Five Hundred and Seven Naira (₦33,926,507) for the purposes set out under Recurrent for the Personnel Costs and Overhead Costs stand part of the Schedule to the Federal Capital Territory Statutory Appropriation Bill 2009 — *Agreed to.*

10. FCDA Administration:

Personnel Costs	18,186,391
Overhead Costs	<u>284,000,000</u>
Sub-Total	302,186,391

Question,

That the Expenditure of Three Hundred and Two Million, One Hundred and Eighty-Six Thousand, Three Hundred and Ninety-One Naira (₦302,186,391) for the purposes set out under Recurrent for the Personnel Costs and Overhead Costs stand part of the Schedule to the Federal Capital Territory Statutory Appropriation Bill 2009 — *Agreed to.*

11. Finance and Administration:

Personnel Costs	549,587,306
Overhead Costs	<u>67,200,000</u>
Sub-Total	616,787,306

Question,

That the Expenditure of Six Hundred and Sixteen Million, Seven Hundred and Eighty-Seven Thousand, Three Hundred and Six Naira (₦616,787,306) for the purposes set out under Recurrent for the Personnel Costs and Overhead Costs stand part of the Schedule to the Federal Capital Territory Statutory Appropriation Bill 2009 — *Agreed to.*

12. Engineering Services:

Personnel Costs	390,927,810
Overhead Costs	<u>42,240,000</u>
Sub-Total	433,167,810

Question,

That the Expenditure of Four Hundred and Thirty-Three Million, One Hundred and Sixty-Seven Thousand, Eight Hundred and Ten Naira (₦433,167,810) for the purposes set out under Recurrent for the Personnel Costs and Overhead Costs stand part of the Schedule to the Federal Capital Territory Statutory Appropriation Bill 2009 — *Agreed to.*

13. Public Building:

Personnel Costs	278,504,746
Overhead Costs	<u>18,400,000</u>
Sub-Total	296,904,746

Question,

That the Expenditure of Two Hundred and Ninety-Six Million, Nine Hundred and Four Thousand, Seven Hundred and Forty-Six Naira (₦296,904,746) for the purposes set out under Recurrent for the Personnel Costs and Overhead Costs stand part of the Schedule to the Federal Capital Territory Statutory Appropriation Bill 2009 — *Agreed to.*

14. Resettlement and Compensation Department

Personnel Costs	75,425,380
Overhead Costs	<u>7,200,000</u>
Sub-Total	82,625,380

Question,

That the Expenditure of Eight-Two Million, Six Hundred and Twenty-Five Thousand, Three Hundred and Eighty Naira (₦82,625,380) for the purposes set out under Recurrent for the Personnel Costs and Overhead Costs stand part of the Schedule to the Federal Capital Territory Statutory Appropriation Bill 2009 — *Agreed to.*

15. Urban and Regional Planning:

Personnel Costs	98,281,600
Overhead Costs	<u>19,090,000</u>
Sub-Total:	117,371,600

Question,

That the Expenditure of One Hundred and Seventeen Million, Three Hundred and Seventy-One Thousand, Six Hundred Naira (₦117,371,600) for the purposes set out under Recurrent for the Personnel Costs and Overhead Costs stand part of the Schedule to the Federal Capital Territory Statutory Appropriation Bill 2009 — *Agreed to.*

16. Survey and Mapping:

Personnel Costs	65,617,777
Overhead Costs	<u>21,600,000</u>
Sub-Total	87,217,777

Question,

That the Expenditure of Eighty-Seven Million, Two Hundred and Seventeen Thousand, Seven Hundred and Seven Naira (₦87,217,777) for the purposes set out under Recurrent for the Personnel Costs and Overhead Costs stand part of the Schedule to the Federal Capital Territory Statutory Appropriation Bill 2009 — *Agreed to.*

17. Satellite Towns Infrastructure Department:

Personnel Costs	85,885,949
Overhead Costs	<u>38,880,000</u>
Sub-Total:	124,765,949

Question,

That the Expenditure of One and Twenty-Four Million, Seven Hundred and Sixty-Five Thousand, Nine Hundred and Forty-Nine Naira (₦124,765,949) for the purposes set out under Recurrent for the Personnel Costs and Overhead Costs stand part of the Schedule to the Federal Capital Territory Statutory Appropriation Bill 2009 — *Agreed to.*

18. Mass Housing Department:

Personnel Costs	24,024,236
Overhead Costs	<u>38,960,000</u>
Sub-Total	62,984,236

Question,

That the Expenditure of Sixty-Two Million, Nine Hundred and Eighty-Four Thousand, Two Hundred and Thirty-Six Naira (₦62,984,236) for the purposes set out under Recurrent for the Personnel Costs and Overhead Costs stand part of the Schedule to the Federal Capital Territory Statutory Appropriation Bill 2009 — *Agreed to.*

19. Procurement Department:

Personnel Costs	14,092,740
Overhead Costs	<u>43,680,000</u>
Sub-Total	57,772,740

Question,

That the Expenditure of Fifty Seven Million, Seven Hundred and Seventy-Two Thousand, Seven Hundred and Forty Naira (₦57,772,740) for the purposes set out under Recurrent for the Personnel Costs and Overhead Costs stand part of the Schedule to the Federal Capital Territory Statutory Appropriation Bill 2009 — *Agreed to.*

20. Internal Audit:

Personnel Costs	14,111,692
Overhead Costs	<u>8,338,275</u>
Sub-Total	22,449,967

Question,

That the Expenditure of Twenty-Two Million, Four Hundred and Forty-Nine Thousand, Nine Hundred and Sixty-Seven Naira (₦22,449,967) for the purposes set out under Recurrent for the Personnel Costs and Overhead Costs stand part of the Schedule to the Federal Capital Territory Statutory Appropriation Bill 2009 — *Agreed to.*

21. Public Relations:

Personnel Costs	34,688,788
Overhead Costs	<u>17,440,000</u>
Sub-Total	52,128,788

Question,

That the Expenditure of Fifty-Two Million, One Hundred and Twenty-Eight Thousand, Seven Hundred and Eighty-Eight Naira (₦52,128,788) for the purposes set out under Recurrent for the Personnel Costs and Overhead Costs stand part of the Schedule to the Federal Capital Territory Statutory Appropriation Bill 2009 — *Agreed to.*

22. FCT Legal Secretariat:

Personnel Costs	28,186,733
Overhead Costs	<u>258,000,000</u>
Sub-Total	286,186,733

Question,

That the Expenditure of Two Hundred and Eighty-Six Million, One Hundred and Eighty-Six Thousand, Seven Hundred and Thirty-Three Naira (₦286,186,733) for the purposes set out under Recurrent for the Personnel Costs and Overhead Costs stand part of the Schedule to the Federal Capital Territory Statutory Appropriation Bill 2009 — *Agreed to.*

23. Litigation Department:

Personnel Costs	44,587,763
Overhead Costs	<u>24,960,000</u>
Sub-Total	69,547,763

Question,

That the Expenditure of Sixty-Nine Million, Five Hundred and Forty-Seven Thousand, Seven Hundred and Sixty-Three Naira (₦69,547,763) for the purposes set out under Recurrent for the Personnel Costs and Overhead Costs stand part of the Schedule to the Federal Capital Territory Statutory Appropriation Bill 2009 — *Agreed to.*

24. Corporate Services Department:

Personnel Costs	11,798,931
Overhead Costs	<u>17,360,000</u>
Sub-Total	29,158,931

Question,

That the Expenditure of Twenty-Nine Million, One Hundred and Fifty-Eight Thousand, Nine Hundred and Thirty-One Naira (₦29,158,931) for the purposes set out under Recurrent for the Personnel Costs and Overhead Costs stand part of the Schedule to the Federal Capital Territory Statutory Appropriation Bill 2009 — *Agreed to.*

25. Department of Drafting:

Personnel Costs	12,915,342
Overhead Costs	<u>22,560,000</u>
Sub-Total	35,475,342

Question,

That the Expenditure of Thirty-Five Million, Four Hundred and Seventy-Five Thousand, Three Hundred and Forty-Two Naira (₦35,475,342) for the purposes set out under Recurrent for the Personnel Costs and Overhead Costs stand part of the Schedule to the Federal Capital Territory Statutory Appropriation Bill 2009 — *Agreed to.*

26. Advisory Services Department:

Personnel Costs	10,087,301
Overhead Costs	<u>8,160,000</u>
Sub-Total	18,247,301

Question,

That the Expenditure of Eighteen Million, Two Hundred and Forty-Seven Thousand, Three Hundred and One Naira (₦18,247,301) for the purposes set out under Recurrent for the Personnel Costs and Overhead Costs stand part of the Schedule to the Federal Capital Territory Statutory Appropriation Bill 2009 — *Agreed to.*

27. Area Council Secretariat:

Personnel Costs	110,118,826
Overhead Costs	<u>90,140,000</u>
Sub-Total	200,258,826

Question,

That the Expenditure of Two Hundred Million, Two Hundred and Fifty-Eight Thousand, Eight Hundred and Twenty-Six Naira (₦200,258,826) for the purposes set out under Recurrent for the Personnel Costs and Overhead Costs stand part of the Schedule to the Federal Capital Territory Statutory Appropriation Bill 2009 — *Agreed to.*

28. Council of Graded Chiefs:

Personnel Costs	0
Overhead Costs	<u>61,800,000</u>
Sub-Total	61,800,000

Question,

That the Expenditure of Sixty-One Million, Eight Hundred Thousand Naira (₦61,800,000) for the purposes set out under Recurrent for the Personnel Costs and Overhead Costs stand part of the Schedule to the Federal Capital Territory Statutory Appropriation Bill 2009 — *Agreed to.*

29. Transport Secretariat:

Personnel Costs	153,151,757
Overhead Costs	<u>27,840,000</u>
Sub-Total	180,991,757

Question,

That the Expenditure of One Hundred and Eighty Million, Nine Hundred and Ninety-One Thousand, Seven Hundred and Fifty-Seven Naira (₦180,991,757) for the purposes set out under Recurrent for the Personnel Costs and Overhead Costs stand part of the Schedule to the Federal Capital Territory Statutory Appropriation Bill 2009 — *Agreed to.*

30. Road Traffic Services:

Personnel Costs	567,240,625
Overhead Costs	<u>238,499,200</u>
Sub-Total	805,739,825

Question,

That the Expenditure of Eight Hundred and Five Million, Seven Hundred and Thirty-Nine Thousand, Eight Hundred and Twenty-Five Naira (₦805,739,825) for the purposes set out under Recurrent for the Personnel Costs and Overhead Costs stand part of the Schedule to the Federal Capital Territory Statutory Appropriation Bill 2009 — *Agreed to.*

31. Education Secretariat:

Personnel Costs	584,455,268
Overhead Costs	<u>162,850,000</u>
Sub-Total	747,305,286

Question,

That the Expenditure of Seven Hundred and Forty-Seven Million, Three Hundred and Five Thousand, Two Hundred and Eighty-Six Naira (₦747,305,286) for the purposes set out under Recurrent for the Personnel Costs and Overhead Costs stand part of the Schedule to the Federal Capital Territory Statutory Appropriation Bill 2009 — *Agreed to.*

32. Agency for Mass Education:

Personnel Costs	418,509,252
Overhead Costs	<u>43,400,000</u>
Sub-Total	461,909,252

Question,

That the Expenditure of Four Hundred and Sixty-One Million, Nine Hundred and Nine Thousand, Two Hundred and Fifty-Two Naira (₦461,909,252) for the purposes set out under Recurrent for the Personnel Costs and Overhead Costs stand part of the Schedule to the Federal Capital Territory Statutory Appropriation Bill 2009 — *Agreed to.*

33. FCT Education Resource Centre:

Personnel Costs	193,232,506
Overhead Costs	<u>131,455,000</u>
Sub-Total	324,687,506

Question,

That the Expenditure of Three Hundred and Twenty-Four Million, Six Hundred and Eighty-Seven Thousand, Five Hundred and Six Naira (₦324,687,506) for the purposes set out under Recurrent for the Personnel Costs and Overhead Costs stand part of the Schedule to the Federal Capital Territory Statutory Appropriation Bill 2009 — *Agreed to.*

34. FCT Universal Basic Education:

Personnel Costs	4,071,529,783
Overhead Costs	<u>515,939,900</u>
Sub-Total	4,587,469,683

Question,

That the Expenditure of Four Billion, Five Hundred and Eighty-Seven Million, Four Hundred and Sixty-Nine Thousand, Six Hundred and Eighty-Three Naira (₦4,587,469,683) for the purposes set out under Recurrent for the Personnel Costs and Overhead Costs stand part of the Schedule to the Federal Capital Territory Statutory Appropriation Bill 2009 — *Agreed to.*

35. FCT Secondary Education Board:

Personnel Costs	3,076,847,532
Overhead Costs	<u>367,869,043</u>
Sub-Total	3,444,716,575

Question,

That the Expenditure of Three Billion, Four Hundred and Forty-Four Million, Seven Hundred and Sixteen Thousand, Five Hundred and Seventy-Five Naira (₦3,444,716,575) for the purposes set out under Recurrent for the Personnel Costs and Overhead Costs stand part of the Schedule to the Federal Capital Territory Statutory Appropriation Bill 2009 — *Agreed to.*

36. FCT College of Education Zuba:

Personnel Costs	455,000,003
Overhead Costs	<u>62,330,000</u>
Sub-Total	517,330,003

Question,

That the Expenditure of Five Hundred and Seventeen Million, Three Hundred and Thirty Thousand, Three Naira (₦517,330,003) for the purposes set out under Recurrent for the Personnel Costs and Overhead Costs stand part of the Schedule to the Federal Capital Territory Statutory Appropriation Bill 2009 — *Agreed to.*

37. FCT Agency for Science and Technology:

Personnel Costs	131,507,138
Overhead Costs	<u>140,400,000</u>
Sub-Total	271,907,138

Question,

That the Expenditure of Two Hundred and Seventy-One Million, Nine Hundred and Seven Thousand, One Hundred and Thirty-Eight Naira (₦271,907,138) for the purposes set out under Recurrent for the Personnel Costs and Overhead Costs stand part of the Schedule to the Federal Capital Territory Statutory Appropriation Bill 2009 — *Agreed to.*

38. Health and Human Services Department:

Personnel Costs	662,662,051
Overhead Costs	<u>946,012,000</u>
Sub-Total	1,608,674,051

Question,

That the Expenditure of One Billion, Six Hundred and Eight Million, Six Hundred and Seventy Four Thousand, Fifty-One Naira (~~₦~~1,608,674,051) for the purposes set out under Recurrent for the Personnel Costs and Overhead Costs stand part of the Schedule to the Federal Capital Territory Statutory Appropriation Bill 2009 — *Agreed to.*

39. School of Nursing and Midwifery:

Personnel Costs	190,734,418
Overhead Costs	<u>20,525,000</u>
Sub-Total	211,259,418

Question,

That the Expenditure of Two Hundred and Eleven Million, Two Hundred and Fifty-Nine Thousand, Four Hundred and Eighteen Naira (~~₦~~211,259,418) for the purposes set out under Recurrent for the Personnel Costs and Overhead Costs stand part of the Schedule to the Federal Capital Territory Statutory Appropriation Bill 2009 — *Agreed to.*

40. Health Management Board:

Personnel Costs	4,303,584,760
Overhead Costs	<u>40,120,000</u>
Sub-Total	4,343,704,760

Question,

That the Expenditure of Four Billion, Three Hundred and Forty-Three Million, Seven Hundred and Four Thousand , Seven Hundred and Sixty Naira (~~₦~~4,343,704,760) for the purposes set out under Recurrent for the Personnel Costs and Overhead Costs stand part of the Schedule to the Federal Capital Territory Statutory Appropriation Bill 2009 — *Agreed to.*

Debate:

Report recommitted to the Committee for further legislative action.

Chairman to report progress.

(SENATE IN PLENARY)

The Deputy Senate President reported that the Senate in the Committee of Supply considered the Report of the Committee on Federal Capital Territory on the Federal Capital Territory Statutory Appropriation Bill 2009 and approved as follows:

Part A - Recurrent Non-Debt Expenditure 1 - 40 — As recommended.

Report recommitted to the Committee for further legislative action.

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

7. Committee on Health:

Report on the National Hospital Act (Amendment) Bill 2009 (SB. 37):

Motion made: That the Senate do resume consideration of the Report of the Committee on Health on the National Hospital Act (Amendment) Bill 2009 (*Senate Leader*).

Question put and agreed to.

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

Question put and agreed to.

(SENATE IN THE COMMITTEE OF THE WHOLE)

Resumed consideration of the Report of the Committee on Health on the National Hospital Act (Amendment) Bill 2009:

PART V — General

Clause 21: Discipline of Students:

- (1) Notwithstanding anything to the contrary contained in any other enactment, where it appears to the Board that any student of the Hospital has been guilty of misconduct, the Board may, without prejudice to any other disciplinary powers conferred on it by regulations, direct-
 - (a) that the student shall not, during such period as may be specified in the direction, participate in such activities of the Hospital, or make use of such facilities of the Hospital as may be so specified; or
 - (b) that the activities of the student shall, during such period as may be specified in the direction, be restricted in such manner as may be so specified; or
 - (c) that the student be rusticated for such period as may be specified in the direction; or
 - (d) that the student be expelled from the Hospital.
- (2) The fact that an appeal from a direction is brought in pursuance of subsection (1) of this section shall not affect the operation of the direction while the appeal is pending.
- (3) The Board may delegate its powers under this section to Disciplinary Committee consisting of such members of the Hospital as the Board may nominate.
- (4) Nothing in this Section shall be construed as preventing the restriction or termination of students activities at the Hospital other wise than on the grounds of misconduct.
- (5) A direction ordered under subsection (1) (a) of this Section may be combined with a direction issued under Subsection (1) (b) of this Section.
- (6) Nothing in this act shall affect the provision of any enactment relating to the discipline of medical practitioners, pharmacists, midwives, nurses or members of any other professions or calling.

Committee's Recommendation:

That the provision in Clause 21 be retained (*Senator Iyabo Obasanjo-Bello*).

Amendment Proposed:

Immediately after the word "student" in Subclause 21(1), in line 2, *leave out* the word "of" and *insert* the words "pursuing a course run by" instead thereof (*Senator Jubril M. Aminu*).

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

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

Clause 22: Removal and Discipline of Clinical, Administrative and Technical Staff:

(1) If it appears to the Board that there are reasons for believing that any person employed as a member of the Clinical, Administrative or Technical Staff of the Hospital, other than the Chief Medical Director, should be removed from his of employment, the Board shall require the Director of Administration to -

- (a) give notice of those reasons to the person in question;
- (b) afford him an opportunity of making representations in person on the matter to the Board; and
- (c) if the person in question so requests within a period of 1 month beginning with the date of notice, make arrangements for -
 - (i) a Committee to investigate the matter and report on it to the Board; and
 - (ii) the person in question to be afforded an opportunity of appearing before and being heard by an investigating Committee set up with respect to the matter.

And if the Board, after considering the report of the investigating Committee, is satisfied that the person in question should be removed as aforesaid, the Board may so remove by a letter signed on the direction of the Board.

- (2) The Chief Medical Director may, in a case of misconduct by a member of the staff which in the opinion of the Chief Medical Director is prejudicial to the interest of the Hospital, suspend any such member and any such suspension shall forthwith be reported to the Board.
- (3) For good cause any member of staff may be suspended from his duties or his appointment may be terminated or he may be dismissed by the Board and for the purposes of this Section good cause means-
 - (a) a conviction for any offence which the Board considers to be such as to render the person unfit for the discharge of the functions of his office; or
 - (b) any physical or mental incapacity which the Board, after obtaining medical advice, considers to be such as to render the person concerned unfit to continue to hold his office; or
 - (c) conduct of a scandalous or other disgraceful nature which the Board considers to be such as to render the person concerned unfit to continue to hold his office; or

- (d) conduct which the Board considers to be such as to constitute a failure or inability of the person concerned to discharge the function of his office or to comply with the terms and conditions of his service.
- (4) Any person suspended shall, subject to Subsection (2) and (3) of this Section be on half pay and the Board shall before the expiration of a period of three months after the date of such suspension consider the case against that person and come to a decision as to-
 - (a) whether to continue the person's suspension and if so, on what terms (including the proportion of his emoluments to be paid to him); or
 - (b) whether to reinstate the person, in which case the Board shall restore his full emoluments to him with effect from the date of suspension; or
 - (c) whether to terminate the appointment of the person concerned, in which case he shall not be entitled to the proportion of his emoluments withheld during the period of suspension; or
 - (d) whether to take such lesser disciplinary action against the person (including the restoration of his emoluments that might have been withheld), as the Board may determine.

And in any case where the Board, pursuant to this Section, decides to continue a person's suspension or decides to take further disciplinary action against a person, the Board shall before the expiration of a period of three months from such decision come to a final determination in respect of the case concerning any such person.

- (5) It shall be the duty of the person by whom a letter of removal is signed in pursuant of Subsection (1) of this Section to use his best endeavours to cause a copy of the letter to be served as soon as reasonably practicable on the person to whom it relates.
- (6) Nothing in the foregoing provisions of this Section shall preclude the Board from making such regulations not inconsistent with the provisions of this Act for the discipline of students and all other categories of employees of the Hospital as the Board may prescribe.
- (7) Regulations made under Subsection (6) of this Section need not be published in the Gazette but the Board shall cause them to be brought to the notice of all affected persons in such manner as it may, from time to time, determine.

Committee's Recommendation:

That the provision in Clause 22 be retained (*Senator Iyabo Obasanjo-Bello*) —
Agreed to.

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

Clause 23: Discipline of Junior Staff:

- (1) If any junior staff is accused of misconduct or inefficiency, the Chief Medical Director may suspend him for not more than a period of 3 months and shall direct a Committee to -
 - (a) consider the case; and
 - (b) make recommendation as to the appropriate action to be taken by the Chief Medical Director.
- (2) In all cases under this Section of this Act, the officer shall be informed of the charge against him and given a reasonable opportunity to defend himself.
- (3) The chief Medical Director may, after considering the recommendation made pursuant to subsection (1) (b) of this section, dismiss or take such other disciplinary action against the officer concerned.
- (4) Any person aggrieved by this decision of the Chief Medical Director made under Subsection (3) of this Section may, within a period of 21 days from the date of the letter communicating the decision to him, address a petition to the Board to reconsider his case.

Committee's Recommendation:

That the provision in Clause 23 be retained (*Senator Iyabo Obasanjo-Bello*) — Agreed to.

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

PART VI — Miscellaneous**Clause 24: Regulations:**

- (1) The Board may, with the approval of the Minister, make regulations-
 - (a) as to the access of members of the public either generally or of a particular class, to premises under the control of the Board and as to the orderly conduct of members of the public on those premises; and
 - (b) for safeguarding any property belonging to or controlled by the Board from damage by members of the public.
- (2) Bye-laws under this Section shall not come into force until they are confirmed (with or without modification) by the Minister and published in such manner as he may direct.

Committee's Recommendation:

That the provision in Clause 24 be retained (*Senator Iyabo Obasanjo-Bello*) — Agreed to.

Question that Clause 24 as recommended do stand part of the Bill, put and agreed to.

Clause 25: Power to give Directives:

The President may give to the Board directions of a general character or relating generally to particular matter (but not to any individual person or case) with regard to the exercise by the Board of its functions under this Act, and shall be the duty of the Board to comply with the directions; but no direction shall be given which is inconsistent with the duties of the Board under this Act.

Committee's Recommendation:

Leave out the word "President" and substituting with the word "Minister" instead thereof (Senator Iyabo Obasanjo-Bello) — Agreed to.

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

Clause 26: Interpretation:

In this Act, unless the context other wise requires -

"Associate Universities" means the universities whose medical students receive aspects of their training from the Hospital;

Question, that the words "Associate Universities" be as defined in the Interpretation to this Act, put and agreed to.

"Board" means the Board of Management of the Hospital:

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

"Chairman" means the Chairman of the Board;

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

"Functions" include powers and duties;

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

"Hospital" means the National Hospital for Women and Children, Abuja;

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

"Junior Staff" means staff of such grade as may be determined, from time to time, by the Board;

Question, that the words "Junior Staff" be as defined in the Interpretation to this Act, put and agreed to.

"Medical Student" means a student whose course of instruction is -

- (a) designed (either alone or in conjunction with other courses) to enable him to qualify as a medical practitioner; or
- (b) designed for the further training of medical practitioner.

Question, that the words "Medical Student" be as defined in the Interpretation to this Act, put and agreed to.

"Minister" means the Minister charged with responsibility for matters relating to health and "Ministry" shall be construed accordingly;

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

"Student" means a person enrolled at an Institution controlled by the Board for the purpose of pursuing a course of instruction at the Institution.

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

Clause 27:

Short Title:

This Act may be cited as the National Hospital for Women and Children, Abuja (Establishment, etc.) Act.

Committee's Recommendation:

Citation:

This Act may be cited as the National Hospital and Centre for Women and Children, Abuja Act (Amendment,) Bill 2009 (*Senator Iyabo Obasanjo-Bello*) — Agreed to.

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

SCHEDULE

[Section 3 (3).]

Supplementary Provisions Relating to the Board, etc

Proceedings of the Board

1. (1) Subject to this Act and Section 27 of the Interpretation Act, the Board may make standing orders regulating its proceedings or those of any of its Committees. [Cap. 123].
- (2) The quorum of the Board shall be the Chairman or the person presiding at the meeting and 5 other members of the Board, 2 of whom shall be Ex-Officio members, and the quorum of any Committee of the Board shall be as determined by the Board.
2. (1) The Board shall meet whenever it is summoned by the Chairman and if the Chairman is required to do so by notice given to him by not less than 8 other members, he shall summon a meeting of the Board to be held within 14 days from the date on which the notice is given.
- (2) At any meeting of the Board, the Chairman shall preside but if he is absent, the members present at the meeting shall appoint one of their numbers to preside at the meeting.
- (3) Where the Board desires to obtain the advice of any person on a particular matter, the Board may co-opt him to the Board for such period as it deems fit, but a person who is in attendance by virtue of this sub-paragraph shall not be entitled to vote at any meeting of the Board and shall not count towards a quorum.

Question that Paragraphs 1 and 2 under the head "Proceedings of the Board" stand part of Schedule to the Bill, put and agreed to.

Committees

3. (1) The Board may appoint one or more Committees to carry out, on behalf of the Board, such functions as the Board may determine.
- (2) A Committee appointed under this paragraph shall consist of such number of persons as may be determined by the Board and a person shall hold office on the Committee on accordance with the terms of his appointment.
- (3) A decision of a Committee of the Board shall be of no effect until it is confirmed by the Board.

Question that Paragraph 3 under the head "Committees" stand part of Schedule to the Bill, put and agreed to.

Miscellaneous

4. (1) The fixing of the seal of the Hospital shall be authenticated by the signatures of the Chairman, the Chief Medical Director or any person generally or specifically authorized by the Board to act for that purpose.
- (2) Any contract or instrument which, if made or executed 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 Hospital by the Chief Medical Director or any person generally or specifically authorized by the Board to act for that purpose.
- (3) A document purporting to be a document duly executed under the seal of the Hospital shall be received in evidence and shall, unless and until the contrary is proved, be presumed to be so executed.
5. The validity of any proceeding of the Board or of a Committee shall not be adversely affected by -
 - (a) a vacancy in the membership of the Board or Committee; or
 - (b) a defect in the appointment of a member of the Board or Committee; or
 - (c) reason that a person not entitled to do so took part in the proceeding of the Board or Committee.

Question that Paragraphs 4 and 5 under the head "Miscellaneous " stand part of Schedule to the Bill, put and agreed to.

Chairman to report Bill.

(SENATE IN PLENARY)

The Deputy Senate President reported that the Senate in the Committee of the Whole resumed consideration of the Report of the Committee on Health on the National Hospital Act (Amendment) Bill 2009 and approved as follows:

Clause 21	—	As Amended
Clauses 22 - 27	—	As Recommended

Schedule — As Recommended

Long Title — As Amended

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

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

Question put and agreed to.

Bill accordingly read the Third Time and passed.

8. Nigeria Mining Cadastral Office (Establishment, etc) Bill 2009(SB. 207):

Consideration of the Bill deferred to another legislative day.

9. Independent Corrupt Practices and Other Related Offences Commission (Establishment) Act (Amendment) Bill 2009 (SB. 206):

Consideration of the Bill deferred to another legislative day.

10. Adjournment:

Motion made: That the Senate do adjourn till Tuesday, 24th March, 2009 at 10.00 a.m. (*Senate Leader*).

Adjourned accordingly at 12.40 p.m.

Ike Ekweremadu, CFR
Deputy President,
Senate of the Federal Republic of Nigeria.