



SENATE OF THE FEDERAL REPUBLIC OF NIGERIA

VOTES AND PROCEEDINGS

Wednesday, 9th November, 2005

1. The Senate met at 10:15 a.m. The Deputy Senate President read Prayers.
2. **Votes and Proceedings:**
The Deputy Senate President announced that he had examined the Votes and Proceedings of Tuesday, 8th November, 2005 and approved same.

By unanimous consent, the Votes and Proceedings were adopted.

3. **Message from the President:**
The Deputy Senate President announced that he had received a letter from the President, Commander-in-Chief which he read as follows:



**PRESIDENT,
FEDERAL REPUBLIC OF NIGERIA**

PRES/134

25 October, 2005.

*The Senate President, Senate
Chambers, National
Assembly Complex, Three
Arms Zone, Asokoro -
Abuja.*

Dear Senate President,

**A BILL FOR AN ACT FOR A SUPPLEMENTARY BUDGET OF
\$12.4 BILLION US DOLLARS TO PAY OUTSTANDING
DEBT TO PARIS CLUB OF CREDITORS**

I hereby present, for formal consideration and passage into law by the Senate the attached Bill which provides for the issue out of the Federation Account an additional total sum of N1, 612,000,000,000:00 or equivalent of US\$12,400,000,000:00 for the payment of outstanding debt to the Paris Club of creditors.

I hope the Bill will receive prompt attention of Distinguished Members of the Senate.

Yours Sincerely,

*Signed: OLUSEGUN
OBASANJO*

4. **Announcement:**
The Deputy Senate President acknowledged the presence of students of Bishop James Yisa Memorial School, Kwamba-Suleja, Niger State who came to observe Senate proceedings from the gallery.
5. **Presentation of Bills:**
 - (i) Nigeria Export Promotion Council Act (Amendment) Bill 2005 (SB. 244) — *Read the First Time.*
 - (ii) Nigeria Export-Import Bank Act (Amendment) Bill 2005 (SB. 245) — *Read the First Time.*
6. **Committee on Employment, Labour Productivity;**
Report on the strike action embarked upon by Members of NUJ, RATTAWU and AUPCTRE over the non-implementation of their monetization benefits:
Motion made and Question Proposed; That the Senate do receive the Report of the Committee on Employment, Labour and Productivity on the Committee's intervention on the strike action embarked upon by Members of NUJ, RATTAWU and AUPCTRE over the non-implementation of their monetization benefits (*Senator Bassey Ewa-Henshaw*).

Question put and agreed to.

Report Laid.

7. **Confirmation of Appointment:**
Motion made and Question Proposed. That the Senate do refer to the appropriate Committee the request by Mr, President, Commander-in-Chief for confirmation of the appointment of Mrs. Titilayo Oluremilekun Iroche as Director-General, National Lottery Regulatory Commission (*Acting Senate Leader*).

Question put and agreed to.

Request accordingly referred to the Committee on Sports and Social Development to report within one week.

8. **Motion:**
The Deteriorating State of Our Federal Highways and the Increase in the Spate of Road Accidents:
Motion made and Question Proposed: That whereas there have been daily reports in the mass media on the spate of road accidents on our roads;

WHEREAS there is no Senator and indeed any Member of the National Assembly who has not had an experience of an accident or have no relations who were victims of accidents on our highways;

WHEREAS in the last week of 22nd October, 2005 about 223 persons lost their lives in various road accidents across the country from Lagos to Gombe and from Sokoto to Abakaliki;

WHEREAS the high incidents of these accidents on our roads have led to disruption, dislocation and devastation of families;

WHEREAS it is the general belief that these accidents are attributable to recklessness, over speeding, burst tyres, carelessness, police checkpoints, potholes on our roads, armed robbery and a myriad of other non-scientific reasons;

WHEREAS the deteriorating state of Federal Highways across the country such as the Lagos-Sagamu-Ibadan expressway, Lagos-Sagamu-Benin highway, Onitsha-Owerri-Aba highway, Jos-Makurdi-Oturkpo, Nsukka—Enugu, Kano-Maiduguri highways calls for serious concern by distinguished Senators and all well-meaning Nigerians;

Be it resolved:

- (i) That the Senate do hereby express its serious concern on the increase in spate of road accidents across the country and the deteriorating state of federal highways;

- (ii) That the Senate do hereby direct its Committees on Works, Federal Character and Governmental Affairs to investigate and determine the level of maintenance, safety and traffic implementation on Federal Roads/Highways and make recommendations to the Senate within four (4) weeks (*Senator O. Olatokunbo Ogunbanjo*).

Debate:

Amendment Proposed:

Leave out all the provisions in prayer (i) and (ii) above, and *insert* the following new prayers instead thereof:

Prayer (I):

That the Senate do mandate its Committee on Works to investigate the state of all the major highways in the country;

Prayer (ii):

That the Committee do determine the extent of accidents and fatalities on these highways;

Prayer (Hi):

That the Committee do determine the extent to which these accidents and fatalities are attributable to the state of the highways or any other factors; and

Prayer (iv):

That the Committee do determine the extent of monitoring, maintenance and oversight carried out by the Federal Agencies (Ministry of Works, Federal Road Safety Corps, etc) that are charged with the repairs, maintenance, safety and traffic implementation on Federal Roads/Highways and make appropriate recommendations to the Senate on the matter (*Senator David Mark*).

Question that the amendment be made put and agreed to.

Another Amendment Proposed:

Insert a new prayer (v) as follows:

"That the Senate do urge the Federal Ministry of Information in consultation with the Federal Road Safety Corps to appeal to the Nation's media especially the television stations to mount enlightenment programmes including the use of animation on safety on roads and good driving habits (*Senator O. A. Osunbor*).

Question that the amendment be made put and agreed to.

Debate concluded.

Prayer (i):

Question: That the Senate do mandate its Committee on Works to investigate the state of all the major highways in the country — *Agreed to.*

Prayer (ii):

Question: That the Committee do determine the extent of accidents and fatalities on these highways — *Agreed to.*

Prayer (Hi):

Question: That the Committee do determine the extent to which these accidents and fatalities are attributable to the state of the highways or any other factors — *Agreed to.*

Prayer (iv):

Question: That the Committee do determine the extent of monitoring, maintenance and oversight carried out by the Federal Agencies (Ministry of Works, Federal Road Safety Corps etc) that are charged with the repair, maintenance, safety and traffic implementation on Federal Roads/Highways and make appropriate recommendations to the Senate on the matter — *Agreed to.*

Prayer (v):

Question: That the Senate do urge the Federal Ministry of Information in consultation with the Federal Road Safety Corps to appeal to the Nation's media especially the television stations to mount enlightenment programmes including the use of animation on safety on roads and good driving habits— *Agreed to.*

Resolved:

- (i) That the Senate do mandate its Committee on Works to investigate the state of all the major highways in the country;
- (ii) That the Committee do determine the extent of accidents and fatalities on these highways;
- (iii) **That** the Committee do determine the extent to which these accidents and fatalities are attributable to the state of the highways or any other factors;
- (iv) That the Committee do determine the extent of monitoring, maintenance and oversight carried out by the Federal Agencies (Ministry of Works, Federal Road Safety Corps etc) that are charged with the repair, maintenance, safety and traffic implementation on Federal Roads/Highways and make appropriate recommendations to the Senate on the matter; and
- (v) That the Senate do urge the Federal Ministry of Information in consultation with the Federal Road Safety Corps to appeal to the Nation's media especially the television stations to mount enlightenment programmes including the use of animation on safety on roads and good driving habits. *Res/032/05*).

9. Protective Helmets (Mandatory Use) Bill 2005 (SB. 104):

Motion made and Question Proposed: That the Protective Helmets (Mandatory Use) Bill 2005 be read the Second Time (*Senator Gbemisola Saraki-Fowora*).

Debate:

Question put and agreed to.

Bill accordingly read the Second Time and referred to the Committee on Federal Character and Governmental Affairs to report within four (4) weeks.

10. Committee on Petroleum Resources (Upstream):

Report on Indigenous Oil Companies (Regulations and Fiscal Terms) Bill 2005 (SB. 04): Motion made and Question Proposed: That the Senate do receive and consider the Report of the Committee on Petroleum Resources (Upstream) on Indigenous Oil Companies (Regulations and Fiscal Terms) Bill 2005 (SB. 04) (*Senator Lee Maeba*).

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 (*Acting Senate Leader*).

Question put and agreed to.

(SENATE IN THE COMMITTEE OF THE WHOLE) A Bill for an Act to

Amend the Indigenous Oil Companies (Regulations and Fiscal Terms) Bill 2005.

Clause 1: Application of the Bill:

Notwithstanding anything to the contrary contained in any other enactment or law, the provisions of this Bill shall apply to Oil Prospecting Licenses, Oil Mining Leases held, whether before or after the Commencement date of this Bill, by Indigenous Oil Companies and to Petroleum operations pursuant to such licenses or leases.

Committee's Recommendation:

That the provision in Clause 1 be retained (*Senator Lee Maeba*) — *Agreed to.*

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

GENERAL TERMS

- Clause 2: Exemption from Government Participation Cap. 350 LFN:
Notwithstanding the provisions of paragraph 34 of the First Schedule to the Petroleum Act Cap 350 Laws of the Federation of Nigeria (which provides in part for participation of the Federal Government in the ownership and operations of prospecting licenses and oil mining leases held by private oil companies) participation by Federal Government shall not be applicable to Petroleum Operations carried out by an Indigenous Oil Company whose aggregate production from Petroleum Operations carried out by such company is not more than 50TBD of crude oil or natural gas equivalent.

Committee's Recommendation:

That the provision in Clause 2 be retained (*Senator Lee Maeba*) — *Agreed to.*

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

- Clause 3: Award of OPL under special conditions:
All oil prospecting licenses in respect of areas that revert to the Federal Government of Nigeria as a result of revocation, relinquishment, surrender, cancellation, expiration or termination of oil prospecting licenses or oil mining leases pursuant to the Petroleum Act Cap. 350 Laws of the Federation of Nigeria or any other reversion of such licenses or leases by operation of any other enactment, shall be granted only to Indigenous Oil Companies in accordance with such guidelines, procedures, terms and conditions of an oil prospecting license allocation round organized by the Minister from time to time.

Committee's Recommendation:

That the provision in Clause 3 be retained (*Senator Lee Maeba*) — *Agreed to.*

Question that Clause 3 stand part of the Bill put and agreed to.

- Clause 4: Exemption from Commercial Variations:
An Indigenous Oil Company whose aggregate production of crude oil is not more than 35 TBD shall be allowed to produce up to the technical allowable set for the license, lease or sublease by the Department of Petroleum Resources.

Committee's Recommendation:

That the provision in Clause 4 be retained (*Senator Lee Maeba*) — *Agreed to.*

Question that Clause 4 stand part of the Bill put and agreed to.

- Clause 5: Power to make Regulation or set Target:
(1) The Minister shall by regulation or other periodic guidelines prescribe clearly defined targets and programmes for continuously increasing the level of indigenous participation in the Nigeria Petroleum Industry.

Committee's Recommendation:

Leave out all the words in sub-clause 5(1) and insert the following

"(1) The Minister shall by regulation or other periodic guidelines prescribe clearly defined targets and programmes for continuously increasing the level of indigenous participation in the Nigerian petroleum industry and generally to give full effect to the provisions of this Bill" (*Senator Lee Maeba*) — *Agreed to.*

- (2) Without prejudice to the foregoing provisions of Subsection (1) and the powers of the Minister to make general regulations or guidelines for indigenous participation in the petroleum industry, the regulation or guideline referred to in Subsection (1) above shall set out, among others, targets for indigenous oil and gas reserves and production, personnel content and other measurable parameters for determining the level of indigenous participation from time to time.

- (3) Such targets and parameters shall be reviewed from time to time as the Minister may deem necessary and if upon such review, the level or target set to be achieved by the guideline or regulation are not met, the regulation or guidelines shall be reviewed accordingly to ensure the attainment of an enhanced indigenous participation in the Nigerian Petroleum Industry.

Committee's Recommendation:

Leave out all the words in sub-clause 5(3) and insert the following

- "(3) Such targets and parameters shall be reviewed from time to time as the Minister may deem necessary and if upon such review, the level or target set to be achieved by the guideline or regulation are not met, the regulation or guidelines shall be reviewed accordingly to ensure the attainment of an enhanced indigenous participation in the Nigerian petroleum industry" (*Senator Lee Maeba*) — *Agreed to.*

Committee's Recommendation:

Insert a new sub-clause 5(4) as follows:

- "(4) Without prejudice to the foregoing provisions of subsection (3), the Minister shall, not later than three years after the commencement of this Bill and thereafter at intervals of two years, undertake a general review of the set targets, parameters and programmes for continuous increase in the level of indigenous participation in the Nigerian petroleum industry and set such new targets, parameters and programmes as shall be necessary to give full effect to the provisions of this Bill" (*Senator Lee Maeba*) — *Agreed to.*

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

Clause 6:

Relinquishment of Undeveloped Oil Blocs:

All oil blocks given to oil companies on lease other than indigenous oil companies shall have 50% local content

Amendment Proposed:

Leave out the word "given" in sub-clause 6(a) and insert the word "awarded" instead thereof (Senator Victor I. Oyofo).

Question that the amendment be made put and agreed to.

- (a) Oil blocks given to oil companies other than indigenous oil companies on lease that remain 100% undeveloped after 10 years shall revert to indigenous oil companies

Amendment Proposed:

Leave out all the words in sub-clause 6(a) and insert the following

- "(a) Oil block awarded to indigenous companies that remain 100 % undeveloped after ten years shall revert to Government" (*Senator Victor I. Oyofo*).

Question that the amendment be made put and agreed to.

- (b) If after 10 [ten] years of lease and not more than 50% of the block on lease had been developed/exploited by the lease, then the total percentage of block not developed shall be reverted to the indigenous operators on conditions that shall be decided by the Minister of Petroleum Resources.

Amendment Proposed:

Leave out all the words in sub-clause 6(b) and insert the following: "(b) If after 10 [ten] years of lease and not more than 50% of the blocks on lease had been converted to Oil Mining Lease (OML) by the lease, then the total percentage of block not converted shall revert to the Government (Senator Victor I. Oyofo),

Question that the amendment be made put and agreed to.

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

Exemption from Applications of certain Enactments Cap. 350. Cap. 338:

Clause 7:

- (1) Subject to the provisions of this Bill, an Indigenous Oil Company shall be subject to all rights, powers, obligations and duties to which a licensee or lessee by virtue of the Petroleum Act Cap. 350 Laws of the Federation of Nigeria and a licensee and the holder of a permit by virtue of the Oil Pipelines Act Cap. 338 Laws of the Federation of Nigeria are subject, so however that in the application thereof:
 - (a) paragraph 12 of the First Schedule to the Petroleum Act (which provides for the relinquishment of one-half of the leased area after ten years after the grant of an oil mining lease; and
 - (b) paragraphs 3 and 6 of the said Schedule (which relate to the duration of an oil exploration license and oil prospecting license respectively); and
 - (c) such other provisions of those enactments as the Minister may from time to time specify by public notice shall be excluded.
- (2) Notwithstanding anything to the contrary contained in any other enactments or law, the duration of an oil prospecting license held by an Indigenous Oil Company shall be determined by the Minister and shall be for a minimum period of 5 years and an aggregate period of 10 years.

Committee's Recommendation:

That the provision in Clause 7 be retained (*Senator Lee Maeba*) — *Agreed to.*

Question that Clause 7 stand part of the Bill put and agreed to.

Clause 8:

Delegation of Powers of the Minister:

The power conferred on the Minister by the provision of Section 5 above may be exercised by the Director of Petroleum Resources or any officer of the Ministry of Petroleum Resources designated in that behalf by the Minister.

Committee's Recommendation:

That the provision in Clause 8 be retained (*Senator Lee Maeba*) — *Agreed to.*

Question that Clause 8 stand part of the Bill put and agreed to.

FISCAL TERMS

Clause 9:

Payment of Petroleum Profit Tax, Cap. 354 LFN:

- (1) Determination and payment of petroleum profits tax shall be in accordance with the Petroleum Profits Tax, provided, however, that the tax rate to be applicable to Petroleum Operations carried out by Indigenous Oil Companies shall be a flat **rate** of 60%.

Committee's Recommendation:

Insert new sub-clause 9(2) as follows:

"(2) Nothing contained in this Bill shall be construed as having exempted an Indigenous Oil company from payment of any other taxes imposed by the Federal Government" (*Senator Lee Maeba*) — *Agreed to.*

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

Clause 10:

Royalty:

The payment of Royalty of Petroleum Operations carried out by an Indigenous Oil Companies in areas less than 200 metres water depth shall be graduated according to production branches and zones of operation as follows.

Trenches of Production	Onshore	Areas less than 100 meters water depth	Areas greater than 100 meters but less than 200 me)
Greater than 25 TBD	20%	18%	16.65%
Greater than 15 TBD but not more than 25 TBD	20%	18.5%	16.65%
Greater than 10 TBD but not more than 15 TBD	16%	12.5%	10%
Greater than 5 TBD but not more than 10 TBD	12%	7.5%	5%
Greater than 2 TBD but not more than 5 TBD	5%	2.; 2%	
Up to 2 TBD	5%	2.5%	2%

Committee's Recommendation:

That the provision in Clause 10 be retained (*Senator Lee Maeba*) — *Agreed to.*

Question that Clause 10 stand part of the Bill put and agreed to.

Clause 11:

Application of Fiscal Terms:

The fiscal terms under Section 7 to 9 of this Bill shall only be applicable to Petroleum Operations of an Indigenous Oil Company for aggregate production of not more than 50TBD. Above 50TBD, fiscal terms shall be in accordance with the Petroleum Profits Tax Act and the first schedule to the Petroleum Act Cap. 350 LFN.

Committee's Recommendation:

That the provision in Clause 11 be retained (*Senator Lee Maeba*) — *Agreed to.*

Question that Clause 11 stand part of the Bill put and agreed to.

Clause 12:

Signature Bonus:

Indigenous oil exploration and production companies shall pay signature bonus in indigenous currency.

Amendment Proposed:

Leave out the word "indigenous" in line 2 and *insert* the word "local" instead thereof (*Senator Ike Ekwerenmadu*).

Question that the amendment be made put and agreed to.

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

Clause 13:

Time Frame:

Indigenous oil companies should be given 300% of the time allotted to non-indigenous companies to pay their signature bonus.

Amendment Proposed:

Immediately before the word "indigenous" in line 1 *insert* the words "Notwithstanding the provision of any other enactments or guidelines" (*Senator Bassey Ewa-Henshaw*).

Question that the amendment be made put and agreed to.

Another Amendment Proposed:

Leave out the figure "300%" in line 1 and *insert* the word "twice" instead thereof (*Senator Ike Ekwerenmadu*).

Question that the amendment be made put and agreed to.

Question that Clause 13 as amended stand part of the Bill put and agreed to.

Clause 14:

Saving Provisions:

The relevant provisions of all existing enactments or laws including the Petroleum Act, as amended and the Petroleum Profits Tax Act as amended shall be read with such modifications as to bring them into conformity with the provisions of this Bill.

Committee's Recommendation:

That the provision in Clause 14 be retained (*Senator Lee Maeba*) — *Agreed to.*

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

Clause 15:

Interpretations:

"Deep Offshore and Inland Basin" shall have the meaning ascribed to it in the Deep Offshore and inland Basin Decree 1999.

Question, That the meaning of the words "Deep Offshore and Inland Basin" be as defined in the Interpretation to this Act, put and agreed to.

"Indigenous Oil Company" means a company incorporated under the laws of the Federal Government of Nigeria for the purpose of exploration for and production of crude oil and natural gas of which 60% or more of its shares are beneficially owned by citizens of Nigeria and/or associations of such citizens; and

Question, That the meaning of the words "Indigenous OH Company" be as defined in the Interpretation to this Act, put and agreed to.

"Minister" means the Minister charged with responsibility for matters relating to Petroleum.

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

"Petroleum Operations" shall have the same meaning as in the Petroleum Profits Tax Act 1959 as amended.

Question, That the meaning of the words "Petroleum Operations" be as defined in the Interpretation to this Act, put and agreed to.

"Realizable Price" means the net price realizable from sales of Nigerian crude Oil at the market after deducting the cost of production and freight.

Question, That the meaning of the words "Realizable Price" be as defined in the Interpretation to this Act, put and agreed to.

"TBD" means Thousand Barrels Per Day.

Question, That the meaning of the letters "TBD" be as defined in the Interpretation to this Act, put and agreed to.

Question that Clause 15 Stand part of the Bill put and agreed to.

Clause 16:

Short Title:

This Bill may be cited as the Indigenous Oil Companies (Regulations and Fiscal Terms) Bill 2005.

Committee's Recommendation:

That the provision in Clause 16 be retained (*Senator Lee Maeba*) — *Agreed to.*

Question that Clause 16 stand part of 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 considered the Report of the Committee on Petroleum Resources (Upstream) on the Indigenous Oil Companies (Regulations and Fiscal Terms) Bill 2005 and approves as follows:-

Clause 1	—	As recommended
Clause 2	—	As recommended
Clause 3	—	As recommended
Clause 4	—	As recommended
Clause 5	—	As recommended
Clause 6	—	As amended
Clause 7	—	As recommended
Clause 8	—	As recommended
Clause 9	—	As recommended
Clause 10	—	As recommended
Clause 11	—	As recommended
Clause 12	—	As amended
Clause 13	—	As amended
Clause 14	—	As recommended
Clause 15	—	As recommended
Clause 16	—	As recommended

Question:

That the Senate do adopt the Report of the Committee of the Whole — resolved in *the*. Affirmative.

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

Question put and agreed to.

Bill accordingly read the Third Time and Passed.

11,

Committees on Judiciary, Human Rights and Legal Matters and Employment, Labour and Productivity:

Report on National Industrial Court Bill 2005 (SB. 164): Consideration

of Bill by leave of Senate deferred till next legislative day.

12.

Extension of Time of Sitting:

Motion made and Question Proposed: That the Senate do sit (this day) beyond the time appointed for the termination of the sitting of the Senate (Acting Senate Leader).

Question put and agreed to.

13. Committee on Culture and Tourism:

Report on National Park Service Act (Amendment) Bill 2005 (SB. 134):

Motion made and Question Proposed: That the Senate do receive and consider the Report of the Committee on Culture and Tourism on the National Park Service Act (Amendment) Bill 2005 (*Senator Iyiola Omisore*).

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 {*Acting Senate Leader*}.

Question put and agreed to.

(SENATE IN COMMITTEE OF THE WHOLE)

A BILL FOR AN ACT TO AMEND THE NATIONAL PARK SERVICE ACT SO AS TO PROVIDE FOR THE RETURN OF THE YANKARI GAME RESERVE TO THE BAUCHI STATE GOVERNMENT AND FOR RELATED PURPOSES

Clause 1: Establishment of the National Park Service: (Cap. N65 2004):

The National Park Service Act (hereinafter referred to as "the principal Act") is amended as set out in this Act.

Committee's Recommendation:

That the provision in Clause 1 be retained (*Senator Iyiola Omisore*) — *Agreed to.*

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

Clause 2: Secretary and other Staff: (Section 10):

Section 10 of the principal Act is amended by inserting new subsections (4) and (5) that is -

"(4) Any person who immediately before the commencement of this Act is a holder of any office either by employment, transfer of service, contract, secondment or posted to the Yankari National Park is transfer to the services of the Bauchi State Government.

Committee's Recommendation:

Leave out all the provision in sub-clause 2(4) *and insert* a new sub-clause as follows:

"(4) Any person who is holder of any office in the Yankari National Park, either by employment, transfer of service, contract, secondment or posting shall at the commencement of this Act be transferred to the service of the Bauchi State Government" (*Senator Iyiola Omisore*) — *Agreed to.*

"(5) All issues related to the welfare, conditions of service, staff regulations and pensions amongst others before the commencement of this Act shall be transferred to the Bauchi State Government."

Committee's Recommendation:

Leave out all the provision in sub-clause 2(5) *and insert* a new sub-clause as follows:

"(5) All issues related to the welfare, conditions of service, staff regulations and pensions amongst others before the commencement of this Act shall be transferred to the Bauchi State Government." (*Senator Iyiola Omisore*) — *Agreed to.*

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

Clause 3: Establishment of the National Park (Section 18):

Subject to this Act the President may by order published in the Gazette —

Committee's Recommendation:

Immediately after the word "President" **insert** "with the concurrence of the National Assembly" (*Senator lyiola Omisore*) — *Agreed to.*

Question that Clause 3 stand part of the Bill put and agreed to.

Clause 4:**Repeals, Savings and Transfer of Assets and Liabilities(Section 50):**

Section 50 of the Principal Act is amended as follows, that is -(a) in subsection (2), by deleting paragraph (f) and consequentially renumbering the existing paragraphs (g) and (h) as paragraphs(f) and (g);

- (a) the Chad Basin National Park;
- (b) the Cross River NATIONAL Park;
- (c) the Gashaka-Gumti National Park;
- (d) the Kainji Lake National Park;
- (e) the Old Oyo National Park;
- if) the Yankari National Park;
- (g) Kamuku National Park; and
- (h) Okomu National Park'

Committee's Recommendation:

Leave out item "(f) the Yakari National Park" and renumber the existing items (g) and (h) consequentially (*Senator lyiola Omisore*) — *Agreed to.*

"7 (a) The rights, interests, obligations and liabilities under the repealed Act existing before this Act under any contract or instrument, or in law or equity apart from any contract or instrument, shall by virtue of this Act be assigned to and vested in the Service".

Committee's Recommendation:

Leave out the provision in sub-clause 7(a) (*Senator lyiola Omisore*) — *Agreed to.*

"7 (b) The statutory functions, rights, interests, obligations and liabilities of the Yankari National Park under any contract or instrument entered into under the Principal Act shall by virtue of this Act be assigned to and vested in the Bauchi State Government."

Committee's Recommendation:

Leave out the provision in sub-clause 7(b) **and insert** a new sub-clause 7(b) as follows "7(b) The statutory function, title, interest, right, obligation and liabilities of the Yankari National Park under any instrument or contract shall at the commencement of this Act be assigned to and vested in the Bauchi State Government" (*Senator lyiola Omisore*) — *Agreed to.*

Committee's Recommendation:

Insert a new sub-section c(11)(b) as follows

"11(b) The assets, funds, resources and any other movable or immovable property which immediately before the commencement of this Act were vested in the Board responsible for die administration and maintenance of the Yankari National Park shall be vested in the Bauchi State Government" (*Senator lyiola Omisore*) — *Agreed to.*

Committee's Recommendation:

Insert a new sub-section (14) as follows

"(14) The Yankari Game Reserve listed among the National Parks in the second schedule of the Privatization and Commercialization Act for partial privatization and

Committee's Recommendation:

Immediately after the word "President" insert "with the concurrence of the National Assembly" (*Senator Iyiola Omisore*) — *Agreed to.*

Question that Clause 3 stand part of the Bill put and agreed to.

Clause 4:

Repeals, Savings and Transfer of Assets and Liabilities (Section 50):

Section 50 of the Principal Act is amended as follows, that is -(a) in subsection (2), by deleting paragraph (1) and consequentially renumbering the existing paragraphs (g) and (h) as paragraphs (f) and (g);

- (a) the Chad Basin National Park;
- (b) the Cross River NATIONAL Park;
- (c) the Gashaka-Gumti National Park;
- (d) the Kainji Lake National Park;
- (e) the Old Oyo National Park;
- (f) the Yankari National Park;
- (g) Kamuku National Park; and
- (h) Okomu National Park¹

Committee's Recommendation:

Leave out item "(f) the Yankari National Park" and renumber the existing items (g) and (h) consequentially (*Senator Iyiola Omisore*) — *Agreed to.*

"7 (a) The rights, interests, obligations and liabilities under the repealed Act existing before this Act under any contract or instrument, or in law or equity apart from any contract or instrument, shall by virtue of this Act be assigned to and vested in the Service".

Committee's Recommendation:

Leave out the provision in sub-clause 7(a) (*Senator Iyiola Omisore*) — *Agreed to.*

"7(b) The statutory functions, rights, interests, obligations and liabilities of the Yankari National Park under any contract or instrument entered into under the Principal Act shall by virtue of this Act be assigned to and vested in the Bauchi State Government."

Committee's Recommendation:

Leave out the provision in sub-clause 7(b) a new sub-clause 7(b) as follows "7(b) The statutory function, title, interest, right, obligation and liabilities of the Yankari National Park under any instrument or contract shall at the commencement of this Act be assigned to and vested in the Bauchi State Government" (*Senator Iyiola Omisore*) — *Agreed to.*

Committee's Recommendation:

Insert a new sub-section c(11)(b) as follows

"11 (b) The assets, funds, resources and any other movable or immovable property which immediately before the commencement of this Act were vested in the Board responsible for the administration and maintenance of the Yankari National Park shall be vested in the Bauchi State Government" (*Senator Iyiola Omisore*) — *Agreed to.*

Committee's Recommendation:

Insert a new sub-section (14) as follows

"(14) The Yankari Game Reserve listed among the National Parks in the second schedule of the Privatization and Commercialization Act for partial privatisation and

commercialization is consequentially deleted from the said list and ceases to be a national park" (*Senator Iyiola Omisore*) — *Agreed to.*

Question that Clause 4 as recommended stand part of the Bill put and agreed to.

Clause 5:

Citation:

This Act may be cited as the National Park Service Act (Amendment) Act 2005.

Committee's Recommendation:

That the provision in Clause 5 be retained (*Senator Iyiola Omisore*) — *Agreed to.*

Question that Clause 5 stand part of 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 considered the Report of the Committee on Culture and Tourism on the National Park Service Act (Amendment) Bill 2005 and approves as follows:-

Clause 1	—	As
Clause 2	—	As
		recommended
Clause 3	—	As
		recommended
Clause 4	—	As
		recommended
Clause 5	—	As

Question:

That the Senate do adopt the Report of the Committee of the Whole — resolved in the Affirmative.

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

Question put and agreed to.

Bill accordingly read the Third Time and Passed.

14. **Adjournment:**

And it being 2.15 p. m. the Deputy Senate President adjourned the Senate till Thursday, 10th November, 2005 at 10.00 a.m.

Adjourned accordingly at 2. 15 p.m.

Ibrahim N. Mantu
Deputy Senate President