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FEDERAL REPUBLIC OF NIGERIA

NATIONAL ASSEMBLY DEBATES

FOURTH REPUBLIC

THIRD ASSEMBLY (SIXTH SENATE)

SECOND SESSION

THE SENATE OFFICIAL REPORT

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**SENATE OF THE FEDERAL
REPUBLIC OF NIGERIA**

Wednesday, 25th February, 2009

The Senate met at 10.15 a. m.

PRAYERS

(The President in the Chair)

VOTES AND PROCEEDINGS

The President: Distinguished Senators we have the Votes and Proceedings of Tuesday, 24th February, 2009 for approval. Page 495, 496, 497, 498, 499. Is there any comment?

Senator Patrick Enebeli Osakwe (Delta North): Mr. President, unfortunately, I was not in the Senate yesterday, so it would be unfair for me to move for the adoption of the Votes and Proceedings, but with your special permission, I can move for the adoption.

The President: No, this is not minutes of a meeting but the Proceeding of the Senate. Whether or not you were here you can still move a Motion for the adoption of it.

Senator Patrick Osakwe: Mr. President, then I rise to move for the approval of the Votes and Proceedings of Tuesday, 24th February, 2009.

Senator Nuhu Lado Aliyu (Niger North): Mr. President, just as much as my distinguished Colleague, Senator Osakwe was not here yesterday I was not here either. You were very much aware of where I was because I told you where I was going. All the same, I second the Motion as ably moved by distinguished Senator Patrick Osakwe that the Votes and Proceedings of Tuesday, 24th February, 2009 be approved.

Question put and agreed to.

Resolved: That the Votes and Proceedings of Tuesday, 24th February, 2009 be approved.

ANNOUNCEMENTS

The President: We have a number of announcements.

Meeting of South West Senators (PDP)

There would be a meeting of all the PDP South West Senators in the Office of the Leader of the Senate immediately after today's sitting.

(Signed)

Senator Teslim Kolawole Folarin

Saint Mulumbas' Harvest Thanksgiving

This is to thank all my distinguished Colleagues who have redeemed their pledges towards Saint Mulumbas' Harvest Thanksgiving. We want to use this opportunity to plead with those who have not redeemed their pledges to please, do so for this divine service to the Almighty God.

May God replenish the pocket of a cheerful giver?

(Signed)

*Senator Patrick Enebeli Osakwe
Chairman Finance Committee*

**Visit of the Staff and Students of SamKings
Science College, Karu, Abuja**

I wish to acknowledge the presence of Staff and Students of SamKings Science College, Karu, Abuja who are in the Gallery to observe Senate proceedings.

We wish all of you fruitful observation of the Senate proceedings. *(The visitor rose for recognition.)*

Thank you and seat down, please.

Lenten Wishes to Christians

On behalf of all of us we wish all our Christian Brothers and Sisters a fruitful and happy Lenten Season.

Birthday Wishes

On behalf of all of us we would like to congratulate distinguished Senator Ramoni Olalekan Mustapha (Ogun East) who is celebrating his birthday today, 25th February.

PRESENTATION OF A BILL

Senator Teslim Kolawole Folarin (Oyo Central): Mr. President, the first business of the day is the presentation of a House Bill standing in my name on the Institute of Cost and Management Accountants Bill, 2009. You may wish to invite the Clerk of the Senate to read the Short Title of the Bill.

Institute of Cost and Management Accountants Bill, 2009 – read the First Time.

PRESENTATION OF A REPORT

Senator Teslim K. Folarin: Mr. President, the second business of the day is the presentation of the

Annual Report of the Auditor-General of the Federation on the Audited Accounts of Seven Federal Government Parastatals in accordance with Section 85(2) and (5) of the 1999 Constitution of the Federal Republic of Nigeria. The Parastatals are:

1. Independent National Electoral Commission (Electoral Funds) Audited Accounts for 16 months ended 31st July, 2003.
2. Federal College of Agriculture, Akure, Audited Account for the year ended 31st December, 2001.
3. Federal Polytechnic, Oko, Audited Account for the year ended 31st December, 2003.
4. NAC - Automotive Development Fund, Audited Accounts for the year ended 31st December, 2004.
5. National Directorate of Employment, Audited Accounts for the year ended 31st December, 2006.
6. Lagos International Trade Fair Complex Management Board, Audited Accounts for the year ended 31st December, 2006.
7. Akanu Ibiam Federal Polytechnic, Uwana Afikpo, Audited Accounts for the year ended 31st December 2006.

These Reports have been scheduled in the Order Paper in compliance with Section 85(5) of the 1999 Constitution which states *inter alia* that: ...each House shall cause the reports to be considered by a committee of the House of the National Assembly responsible for public accounts. With your kind permission I, therefore, wish to move the Motion for the Senate to receive these Reports.

Senator Adeleke Olorunnimbe Mamora (Lagos East): Mr. Senate President, I rise to second the Motion as ably moved by the Leader that the Senate do receive the Reports as stated on the Order Paper.

Question put and agreed to.

Resolved: That the Senate do receive the Reports of the Auditor-General for the Federation on Accounts of the listed Federal Government Parastatals in accordance with Section 85(2) and (5) of the 1999 Constitution of the Federal Republic of Nigeria.

The President: Senate Leader lay the Reports on the Table please.

(The Reports were accordingly laid on the Table)

ORDERS OF THE DAY

MOTION

Gruesome Murder of Seven Members of the Ocean Boys Football Club Supporters Club

Senator Teslim K. Folarin: Mr. President, the First Order of the Day is the Motion standing in the name of Senator Nimi Barigha-Amange on the gruesome murder of seven members of the Ocean Boys Football Club Supporters Club.

You will recall that yesterday Tuesday, 24th February, 2009, the Senate vide Order 42(2) of our Standing Orders approved that this Motion be moved on the next legislative day which is today. You may now invite Senator Barigha-Amange to move his Motion.

Senator Nimi Barigha-Amange (Bayelsa East): Mr. President, I bring to the Floor a pathetic incident that happened on Saturday, 21st February, 2009.

I wish to move a Motion on the gruesome murder of seven members of Ocean Boys Football Club Supporters Club which happened on 21st February, 2009.

The Senate:

Notes the gruesome murder of seven members of the Supporters Club of Ocean Boys Football Club of Brass on Saturday, 21st February, 2009.

Observes that the Supporters Club was allegedly trailed by gun-men on their way to Ughelli Township Stadium where the Club was due to honour a football march;

Further notes that the incident occurred following an attack on the vehicle in which the Supporters were travelling with between Patani and Ughelli on the Port Harcourt – Warri Road in Delta State;

Worried that the incidence of armed attack by unidentified men in the country has become a recurrent decimal.

Accordingly resolves to:

- (i) Observe a minute silence in honour of the departed seven members of the Ocean Boys Supporters Club;
- (ii) Send a letter of condolence to the Government and people of Bayelsa State.

I so moved.

Senator Hassan Mohammed Gusau (Zamfara Central): Mr. President, I rise to second the Motion which was moved by my distinguished Brother Senator Barigha-Amange. This Motion is a sad one and it is quite unfortunate. Actually, this incident must be condemned by all of us because it is quite sad and unbecoming.

In seconding this Motion, I would like to use this opportunity to also present a similar incident that happened to Zamfara United Football Club of Zamfara on their way to Gombe to honour a Premier League match on Friday, 20th February, 2009. It happened when they collided with another bus and two of the players died other seven players sustained severe injuries. I want to join this incident with Senator Amange's own so as to adopt the same Prayers. Since the incidents are similar they should be merged.

The President: Really, we should not waste time on this because it is straight forward. The point raised by Senator Hassan Gasau is worthy of note because it is a similar incident involving players. While death is the main issue here the mode of the death is secondary in my candid opinion.

Senator Nuhu Aliyu (Niger North): Mr. President, the Motion ably moved by the distinguished Senator Barigha-Amange is an issue that is most unfortunate. These were young men whose ambition was to support their players and enjoy themselves with their colleagues, unfortunately, some mischievous and unprogressive Nigerians attacked and killed some of them. It is most unfortunate. It is an issue that all of us should condemn and may it not repeat again.

I agree with the Senator from Zamfara State who had similar incident. It is very unfortunate. All we have to do is that whenever we are going out for any assignment be it football or whatsoever caution should be the watch word. People should take it for granted that the roads are not safe so that one can be safeguarded from incident like the one that happened. Honestly, I send my condolence and that of the people of my Senatorial District to the Government and people of Bayelsa and Zamfara States. May the souls of those that died rest in perfect peace, Amen.

The President: What we need to do is that in the Prayers here we add that of Senator Hassan Gusau. Here, we have to be careful because what is good for the goose is also good for and gender. When Adamawa players died in an accident we also took a Motion on them here. Let us not emphasise on the mode of death as the main issue here. The fact is that these were group of young boys going together. Mind you in the case from Senator Barigha-Amange it was not footballers that were involved but the Supporters Club.

So, many people various often are attacked on the road but because these people were going specifically for football that is the reason we decided to take this Motion. As a similar incident occurred in the case of the two players from Zamfara who lost their lives, I believe we could easily combine the Prayers. The Prayers are straight forward; observe a minute silence and send a message of condolence to the people and government of the states involved. Those are the two straight forward Prayers.

Therefore, I will put the Questions on the Prayers straight away. Prayer (1) would now read as follows: *That the Senate observes a minute silence in honour of the departed seven members of the Supporters Club of Ocean Boys Football Club and the two players of Zamfara United Football Club.*

Question put and agreed to.

Prayer (2) will equally be amended to read thus: *Send a letter of condolence to the Government and people of Bayelsa and Zamfara States.*

Question put and agreed to.

Is there any additional Prayer? *(No response)*

Resolved: To accordingly:

- (i) Observe a minute silence in honour of the departed seven members of the Supporters Club of Ocean Boys Football Club and the two players of Zamfara United Football Club.*
- (ii) Send a letter of condolence to the Government and people of Bayelsa and Zamfara States.*

So, let us observe the one minute silence. *(One minute silence accordingly observed in honour of the departed football players and supporters)*

CONSIDERATION OF BILLS

Institute of Registered Safety Professionals of Nigeria (IESPON), 2008

A Bill for an Act to Establish the Institute of Registered Safety Professionals of Nigeria and for Matters Connected Therewith. 2008.

Senator Teslim K. Folarin: Mr. President, the second Order of the Day is the Second Reading of the Institute of Registered Safety Professionals of Nigeria Bill, 2009. This Bill was read the First Time in this Chamber on Wednesday, 15th October, 2008.

You may now wish to invite Senator T. U. Wada to move the Motion for the Bill to be read the Second Time.

Senator Tawar Umbi Wada (Gombe South):
Mr. President, I thank you for giving me the opportunity to lead the debate on this very important Bill and with the kind permission of my President, I will commence the debate.

It gives me a great pleasure and satisfaction to lead the debate on the general principles of this important Bill before us today. The Bill was read the First Time on October 15, 2008.

The Bill before us today has a long legislative history having been introduced into the Senate in 1999 as an Executive Bill, but only passed through the First and Second Reading stages before the end of that Senate. It was again re-introduced in 2003 with the First and Second Readings taken on 17th December, 2003 and 26th May, 2004 respectively; while the passage was made on 7th February, 2007 and transmitted to the House of Representatives for concurrence.

The Bill was passed by the House of Representatives on 2nd May, 2007 after the First and Second Readings on 22nd February and 15th March, 2007 respectively. Unfortunately, the Bill was not given assent by Mr. President because of its late passage.

The re-introduction of this Bill is motivated by the need to prevent industrial accident and to promote occupational health and welfare of all professionals in the work place. It is also motivated by the unforeseen circumstances relating to the improvement of knowledge in the field of science and technology introduced in our industries as it relates to manufacturing and production of goods and services in work places, and safety implications of the environment in which labour operate in this country.

It is my firm believe that the hazards in our work place, factories and companies are so numerous and have contributed to untold deaths, maiming and incapacitations of the several highly priced citizens of this country. A few years ago, we all witnessed a factory accident in Ikorodu Plastic Company around Ikorodu area of Lagos State where over 200 Nigerians employed by Indians were killed and incapacitated. Another time an industrial explosion occurred in the Universal Steel Company, Ikeja and about 10 persons died with several others injured. Investigations later revealed that safety standards were not observed in those factories. In fact, there were no guarantees, therefore, no compensation.

These valuable Nigerians lost their lives and others remained maimed and useless to society until today. This situation has been replicated across the country over the years with the attendant incapacitation of many other persons.

We cannot fold our hands while experienced Nigerians who have been trained and are skilled in various professional endeavour are wasted in the work place due to lack of safety standards. This Bill, therefore, seeks among other things:

- To establish safety standards in work place;
- To ensure safety standards are maintained in companies, factories and workplaces in general;
- Determine who safety processionalals are;
- Conduct research into strategic areas of safety management;
- To determine safety and skills to be acquired by persons seeking to be registered as safety professionals;
- To constantly review current safety standards and measures in collaboration with similar international organisations;
- To regularly provide relevant solutions to prevailing occupational safety, health and environmental problems in Nigeria.

In conclusion, the Nigerian Society of Safety Professionals is a body corporate which was incorporated in 1980 as the technical arm of the National Industrial Safety Council of Nigeria, with the sole aim of preventing industrial accidents and to promote occupational health and welfare of all professions.

You will agree with me that it has become imperative for us to do something by way of legislation to correct and institutionalise this very important body. Most of you will agree with me that if we go on our oversight functions, and we get in touch with some international organisations such as IOC, before they conduct you anywhere, they will tell you safety first. Then they would tell you the safety routes in case of fire and what you need to do. Even inside this building, we should have a safety professional that would take care of people's safety around this building. Visitors to this complex ought to be advised on how to get out of the building if there is any fire accident or any form of mishap. To allow quacks to handle those safety rules is the problem. Therefore, the establishment of this Safety Professional Institute to regulate this very important aspect of Nigerian life is very important.

Furthermore, our President was privileged to have been on the Committee that approved this Bill when he was a member of the Senate Committee on Labour and Employment. Again, this hallowed Chamber considered the wisdom and passed it. The House of Representatives also passed it. It is only in

consonance with our rules that we are all again beginning afresh, if not, we would just urge you to adopt this Bill and pass it for assent.

With these few remarks, I urge my Colleagues to, please, support this Bill for Second Reading and then send it to the relevant Committee to do the nitty-gritty and then let us pass it once and for all. I thank you for listening to me.

Senator Lee Ledogo Maeba (Rivers South East): Mr. President, I thank you for giving me the opportunity to be the first to speak in support of this very commendable Bill.

It will interest you to know that I am a Member of the Nigerian Institute of Safety Professionals. This is a landmark Bill because when the work place is unsafe the workman is unsafe and the work itself is unsafe. So, the work place must be safe for the work itself to be safe and for the workman to be safe, too. This is the three cardinal objectives of safety.

In trying to address this issue the Bill is comprehensive enough to ensure the safety of the work place; the safety of the work itself and the safety of the workman because if the work place is unsafe there is nothing the workman can do to be safe. A lot of accidents resulting to deaths had occurred because the work itself is unsafe. So, the company that gives the workman unsafe work has committed an offence.

This Bill does not even dwell on the issue of penalising companies that give unsafe work to workmen and thereby endangering the lives of the workmen.

When this Bill goes to the Committee, a lot more work would be done to ensure that everybody has a penalty. If the employer gives an employee an unsafe work or if the employee participates in unsafe professional practices to discharge his work and gets injured, all these will be put in place when the Bill gets to the Committee.

It is also good to note that the Workmen Compensation Act in Nigeria which this Bill must address is the most inappropriate and inadequate labour law in the world. Today, a workman is entitled to about ₦56,000 if he loses his thumb in the course of his work. If he loses his foot, he is given about ₦60,000. So, companies have been capitalising on this to maim workmen and send them home with nothing and they go home to become a burden to their families.

On today's Order Paper, you will see about three Bills dealing on the same subject matter; they are all interwoven. When all these various Bills dealing with safety go to the Committee, there will be need for harmonisation so that we can come out with one Bill

that will ensure the safety of employees and dictate to employers how to conduct safety in factories.

The International Institute of Safety Professionals has written severally to their Nigerian counterpart that the abuse of safety practices in Nigerian factories is so much that people are dying every day. We do not keep to standard even in driving motor vehicles. People obtain all sorts of certificates from quack organisations thereby increasing the incidence of unsafe practices around the country.

Every company that is involved in safety practices should adapt to certain safety standards. Every distinguished Senator has heard it that it is good to stop in error than to be stopped by error. That is the safety jingle you will hear in every safety school you go. We have been moving in error in our factories and in our daily lives. So, it is good that we stop in this error by the emergence of this Bill so that we can repair all our unsafe practices to move forward.

Senator Ibrahim Mohammed Ida (Katsina Central): Point of Order, Mr. President!

The President: What is the point of Order, Senator Ibrahim Ida?

Senator Ibrahim M. Ida: It is Order 77(3) of our Standing Orders 2007 as amended and it says: *A compendium of the background information and financial implication shall accompany every Bill.* I have not seen anything of such accompanying this Bill.

The President: I do not think there is any financial implication if you glance through the Bill. Senator T. U Wada, is there any financial implication here?

Senator T. U Wada: Mr. President, there is no financial implication. This is a body that is going to be run by the professionals themselves. They will run it from collections they receive. The government is not going to give subvention to it but if the government decides to do so, that is different, but there is no place where it confirms that it is going to cost the government anything to establish this institute. It is going to be run by the professionals themselves.

Senator Mahmud Kanti Bello (Katsina North): Mr. President, if you look at Clause 3(1) of the proposed Bill, it states thus: *The Institute established shall maintain a fund for the purpose of this Act.*

Clause 3(2) provides that: *There shall be paid into the fund of the Institute –*

a) *Statutory allocation from the Federal Government.* It is clearly written there. It goes further to state that:

- b) *All fees and other monies payable to the Institute in pursuance of the Act.*

Therefore, financial implication is there because the Federal Government money is a public fund that is going to be used in this Bill. Research grants are provided for under Clause 27 of the Bill.

Senator Lee Ledogo Maeba: Mr. President, it will interest my distinguished Colleagues to note that there is a Nigerian Institute of Safety Professionals that has been in operation since. How do they get their money? Companies looking for certification in every aspect of safety pay fees to this Institute.

If you take a look at the membership list, the President of the Nigerian Institute of Safety Professionals is the Chairman of the Board. Clause 2(c) of the Bill says:

Five persons to be appointed by the Hon. Minister of whom one shall be appointed from the Ministry under his control and the other persons from among other Ministries and Parastatals with interest in the field of occupational, health and safety.

It is even not mandatory. The Ministry of Technology says that their employees who are involved in doing work that requires safety standards should subscribe to the Institute. So it is completely not mandatory for any ministry to subscribe to it. This Institute will run with subscriptions from members and shall not have any financial implication on the government of Nigeria.

The President: Senator Lee Maeba, the problem here is this. That strategy would not make this to survive. There is financial implication and as this Bill would go to the Committee, in my opinion, the Committee should remove any financial commitment to government by the time they bring it back.

Senator T. U Wada, the problem you have here is that your Section 3(2)(a) talks about statutory allocation from the Federal Government. Unless you delete that straightway it cannot survive.

Senator Olorunnimbe Mamora (Lagos East): Mr. President, I was just going to reason along the line of what you said earlier. My experience in this Senate is that we had passed many Bills or we had allowed Second Readings and then ask the Committee at the Committee stage to look at the Bill. We have not at all times enforced this aspect of the financial implication. I am saying that there is need for us to establish consistency so that it would not be seen as if we are having selective application of the rules.

Several Bills have been allowed for Second Reading in this Senate without asking for financial

implication. We tend to leave it to the Committee to determine because they would have all the facts, and the people that would face them to really determine whether or not there is any financial implication.

Senator Mohammed A. Mohammed (Bauchi Central): Mr. President, was the last speaker saying that we should suspend our Rules on this issue? What are the Rules for? We should follow our Rules since we have established them.

The President: Even if we had allowed Bills for Second Reading and it was not raised it could only be classified as an oversight. If it is an oversight, we should not make it a habit. Our Rule requires financial compendium and that is the standard. Senator T. U. Wada, you can cure the ill here or we send the Bill back to you. The ball is in your court.

Senator T. U Wada: I will ask that this paragraph be deleted. That is my application and I am sure somebody will second that application. However, let me explain for purposes of posterity of this Senate. When you put a Clause like this that *there shall be statutory allocation from Federal Government*, what financial implication can you see? Can you predict what the statutory allocation can be? You cannot.

The meaning of financial compendium is when you are creating an Institute with a Director General and buying cars and other things then you can foresee the financial implication. But a simple sentence that statutory allocation may or shall be as a proposal of a Bill, you cannot say what financial implication it would be. If you say you can it means you are placing yourself in the position of the government to say what that statutory allocation would be. That is my understanding.

Nevertheless, if this House still feels that this Clause means that it has financial implication I would move that this Clause be deleted from the Bill because we do not need financial contribution from the government at all.

Senator Jibril Aminu (Adamawa Central): Mr. President, we should not throw away the baby with the birth water. Let me also appeal to Senator T. U. Wada not to mutilate his Bill. You sat down and applied a very clear mind and wrote this Bill now, it appears he is being rushed by comments to change it on this Floor. This Bill could be sent back to him.

Let me appeal to Senate, I take the point of distinguished Senator Mohammed but we have been here for sometime and we have been passing Bills without insisting on financial compendium. From today let us determine to apply the Rules, but let him have this. We have almost passed it.

This is a Professional Regulatory Council because he talked about defining who is a Health Safety Professional. He talks about the Minister appointing people. I have considered the Minister having the right to make regulations. This is a Professional Regulatory Council like the Medical Council which is being run by doctors but it is a Parastatal of the Federal Ministry of Health. So, I think this is what it is. Therefore, he should not be rushed into changing the whole essence of his Bill because of comments on the Floor.

However, let me, please, appeal to the distinguished Senators to allow this Bill to pass and let the Committee make sure that he submits the entire financial requirements. By the time they submit it here for the Third Reading all of these things should have been there.

The President: Once more, I have to go through this. If we have been allowing Second Reading of Bills and nobody has raised or observed that there were no financial compendiums, we cannot be held liable for that. But this has been pointed out. Therefore, to say that because we have been doing it before we must allow it is wrong. We cannot do that.

The only area where we need financial explanation from government is *there shall be paid into a statutory allocation* and in my opinion; he can cure that by just removing that statutory payment. If that Clause goes then there is no more financial commitment. Now, when it goes back to the Committee whether they treat it like NMA or the Bar Association, it can come back. But if this remains and there is going to be an allocation from government, even if he says it will be N10 allocation from government that will also cure this problem because that can be said verbally. We cannot sit down here to say how much government would contribute to that body. It is a professional body and they run it professionally like the Pharmacist Association. I do not know if my explanation makes sense.

Senator Eme Ufot Ekaette (Akwa Ibom South): Mr. President, this Bill as it stands actually is not just a professional regulatory body because you have representatives from the ministries. So, this body will definitely be one of the Parastatals under the Ministry and so there will be financial implication. But if you are talking of professional body you do not have representation from any ministry and so they regulate their bodies and collect their fees. This Bill has a lot of financial implications even if it is the allowances that would be paid to the people who attend their meetings, it is still money and it is coming from government

The President: Can we cure this remedy now? It is how to cure it that we have to look at because it has been pointed out.

Senator Joy Emodi (Anambra North): This is a very important Bill and if we allow this debate to go on, I am 100 *per cent* sure that this Bill will be killed. So, I suggest that we stand it down to enable my Colleague, Senator Wada to go back and make a provision for the financial implication because this is a very important Bill. That is my suggestion.

Senator Patrick E. Osakwe (Delta North): We have to appreciate the fact that this is a Bill according to the Senator that introduced it that has been in the legislative mill for ten years. He said that this Bill has been on from 1999 to 2003 and from 2003 to now. Now we are talking about curing an ailment; the mere fact that we have identified that there must be financial implication goes to show that something was missing.

Having said that, it is not so incurable that it will abort the Bill at this stage because the Committee that would be saddled with the responsibility of analysing and going through this Bill has the duty to come to this Senate to show the financial implication attached to the Bill or there will be no financial implication. So, I feel that this Bill can survive our debate and if it will die at all, let it die when the Committee brings it to this Senate; then we would see what is missing and what is not missing. But at this stage, the debate can go on because the idea and the principle behind it is for all workers; having shown all the examples of Nigerians that have died because of ignorance or lack of care or people who do not appreciate the duty of care that is attached to them, I want to plead that this Bill can go ahead and I have no doubt in my mind that it will survive this Senate.

The President: We are not trying to throw the Bill away. We all agree that this is an important Bill and that we should try and get the Bill through; but there is an obvious problem that has been pointed out and we cannot gloss over it.

Senator Kolawole Folarin: Mr. President, I have listened to what my Colleagues have said. For me the issue is not about the importance of this Bill; we all know that it is very important; but the issue is about due process; rules and rules and they must be followed and adhered to. Without wasting time I want to suggest that my very good Friend Senator Wada withdraws this important Bill and re-present it another time.

Senator T. U. Wada: Mr. President, I want to thank my Colleagues for having accepted that this is a very important Bill and for also having accepted that although we have not been religious in our observation of the Rules, I want to agree that this has become the guinea pig of that Rule. In that circumstance, I want to most humbly step down this Bill to the next legislative date to enable me bring in a

financial compendium by tomorrow and then continue the debate.

The President: Thank you Senator T. U. Wada but let me rule on Senator Ida's Point of Order first.

Senator Ida I thank you for pointing it out. You know, we have fired the salvo now and we must be consistent. Those of you who will bring Bills next time make sure that you follow the system. We have become extremely rigid in this, in my opinion. We should have been flexible in this one because truly, Rule 77(3) does not say when the financial compendium should be brought forward. It could be brought forward now or when the Bill is in the Committee.

I am a bit reluctant in ruling on this but since Senator T. U. Wada has withdrawn his Bill your Point of Order is *ab initio* not on the Floor any more.

Senator Ida your observation and Point of Order is correct but it does not apply now because Senator T.U. Wada has withdrawn his Bill. My ruling is that your Point of Order and observation is timely but it is not applicable at this point.

Senator T. U. Wada your Bill is withdrawn till the next legislative date.

(Bill accordingly stood down till the next legislative date)

Factories Act (Repeal) Bill, 2009

A Bill for an Act to Repeal the Factories Act and make Comprehensive Provisions for Occupational Safety and Health in Workplaces for Matters Connected Therewith, 2009 (SB.191)

Senator Teslim Folarin: Mr. President, the second and third Orders of the Day are Bills that are very similar in nature. One is an Executive Bill which is being sponsored by my humble self and the other is a Bill belonging to Senator Chris Anyanwu. What we have decided to do is for me to do my lead debate and immediately invite Senator Chris Anyanwu to do hers and then we can have one single debate on both Bills.

I want to move the Motion that these Bills be read the Second Time.

The President: Are you going to combine the reading of your own Bill and that of Senator Chris Anyanwu?

Senator Teslim Folarin: No, Sir. I will do mine because mine is an Executive Bill, and she would follow. There would be no debate after mine but after Senator Chris Anyanwu's own, we would have one single debate for both Bills.

The President: You may proceed.

Senator Teslim Folarin: Mr. President, I thank you for the opportunity to lead the debate on the general principles of a Bill for an Act to Repeal the Factories Act and make Comprehensive Provisions for Occupational Safety and Health in Workplaces for Matters Connected Therewith, 2009. The Bill was read in this hallowed Chamber on Wednesday, 8th October, 2008.

This Bill seeks to address fundamental lapses that are inherent in the extant Act. Some of these lapses include-

- (a) Absence of a framework to protect young persons from carrying out hazardous jobs in workplaces;
- (b) Lack of any form of protection for working pregnant women, and
- (c) Absence of a body to ensure proper supervision and enforcement of the provisions of the Act in all workplaces.

This Bill also considers it necessary to establish a Governing Board which will be composed of persons from related institutions to oversee the activities of the Council.

It also seeks to establish a Workplace and Safety Committee in workplaces to be made of non-managerial staff vested with the responsibility of forwarding reports of dangerous or hazardous situations in their workplaces to the Council or Trade Unions. Among other things the Bill seeks to:

1. Promote safe and healthy work environment for employees and protect them from injury and illness in the workplace;
2. Develop and promote public awareness and enlightenment on the measures to prevent accidents and injuries at the workplaces;
3. Ensure the safety of life and property at workplace;
4. Provide a legal basis for a national policy on occupational safety and health;
5. Achieve constant improvement of the wellbeing of employees at the workplaces.

The provisions of this Act shall apply to all workplaces, employees and employers except those whose occupational safety and health conditions are governed by specific laws. The advantages to be derived from the enactment of this law are many:

1. It will ensure that all categories of workers, no matter the kind of employment, perform their duties in a healthy, peaceful and friendly atmosphere;
2. It will also ensure that employees who suffer bodily injuries in the course of performing their official work shall be entitled to full medical attention;
3. All employees who suffer some kind of disabilities will be entitled to some kind of workman compensation to be determined by the law.

Our news media are inundated with stories of some foreign factory owners and their Nigerian accomplices who operate their factories without the provision of basic safety gadgets. Workers in these factories are treated like animals, who are neither allowed to complain nor demand for appropriate and adequate tools. The passage of this Bill will definitely spell doom to those employers of labour who tend to dehumanise their workers by subjecting them to inhuman conditions in the workplace. This Bill will equally minimize workers/employers friction and enthrone an environment conducive and friendly to labour activities.

The Bill also gives the greatest priority for the provision of primary, secondary and even tertiary health care. A healthy workplace will definitely result to improved and enhanced productivity.

Due to the importance of this Bill to our industrial growth, I urge you all to support its passage into law. Thank you for listening.

The President: Since this is similar to distinguished Senator Chris Anyanwu's Bill, she also should take her Second Reading and then we combine the comments.

Securing the Safety, Health and Welfare of Persons at Work Bill, 2008

A Bill for an Act to make further provisions for securing the safety, health and welfare of persons at work, for protecting others against risks, safety or health in connection with activities of persons at work, establish the National Council for Occupational Safety and Health and for related issues, 2008 (SB.130)

Senator Chris N. D. Anyanwu (Imo East): Mr. President, this Bill has not lasted ten years like Senator T. U. Wada's own Bill but it has lasted about six months and it has had quite a journey. I am very pleased that it has come up now for discussion and the fact that there are two Bills with similar purpose

shows the importance of the goal of ensuring the safety and health of the Nigerian worker.

This Bill is a sweeping and far reaching document aimed at filling the dangerous vacuum in our law books in providing protection for the Nigerian worker. It has been compelled by the fact that Nigeria's growth in industrialisation in the past decade has not been matched by introduction of a statutory regime to protect workers from many hazards in the workplace. For many employers, it is easier to replace wounded or dead employees than to introduce safety measures.

Of particular note is the explosion of small factories working with an array of chemical compounds. Many Nigerian workers exposed to prolonged high levels of these harmful compounds have become victims in the face of inadequate workplace protection laws and archaic insurance policies that do not recognise these emerging situations.

The Occupational Safety and Health (OSH) Bill sets up a Council for Occupational Safety and Health (OSH) which shall have the authority to set and enforce work place health and safety standards.

The Occupational Safety and Health (OSH) is to function as the regulatory agency in the Nigerian workplace, working to prevent the loss of man hours through accidents arising in the course of work, prescribe safety equipment to be used in each work place and monitor compliance as well as punish violations.

The Council will develop a code of practice on occupational health and safety which all workplaces will be expected to conform with. It will have the power to enter any workplace, forcibly if necessary, in order to establish their compliance, and investigate violations or reported accidents or hazards. Council staff can open or evaluate any machinery, substance and equipment while in the premises of an organisation which they believe will aid their work of monitoring or investigation.

They can also examine books and records of a workplace, seize any machinery, equipment, tool, and instrument or chemical that has been deemed to have been used in the violation.

Having established a violation, the Council is to send a citation of the violation to the employer stating the penalties. An employer has the right to contest the citation within a stipulated period. If the Council maintains its ruling, he also has the option to take his case to the Occupational Safety and Health Tribunal for adjudication. The final arbiter in these cases is the Court of Appeal.

The Bill spells out the duty of employers and employees. For example, under certain work conditions, protective clothing is required. It compels employers to ensure safe, handling, storage and transportation of articles and substances used for work that may have a short or long term effect on the health of workers.

The Bill compels employers to establish and maintain plants and systems in their workplaces that are safe and without risk to the health of workers; to provide adequate First Aid, adequate training of workers on the use of equipment and proper supervision in the course of work to avert accidents.

The employer is also compelled to record and report all occupational safety and health incidents, be they accidents, poisoning, disease outbreak, etc to the Council within a stipulated time.

Each employer of over 40 people is to set up a Safety and Health Committee made up of workers to monitor internal compliance. Finally, employers are to compensate workers on work-related disabilities.

Since the Leader of the Senate had already presented the government Bill, I would like to quickly run through the points of convergence and points of disagreement to ease your discussion.

First of all, in terms of application, this law will apply to all formal and informal workplaces. The only point of disagreement is that the Executive Bill makes exception for those workplaces whose activities are covered by specific laws and my argument is that all Nigerian workers except those working in Embassies or international agencies that are covered by International Convention should be covered by this law.

Another very critical point that needs to be understood is that while the government Bill exempts residential premises, my own Bill includes all workplaces including those residences in which commercial activities are being done.

The government Bill compels all workplaces to register with the Council and they are going to form a database. This is a very good and innovative development because we are going to know who is doing what. We would know the kind of activities you are doing so that the government can respond to issues.

Every workplace will apply to be registered for a fee and will be issued a certificate which they must post at their workplace. If you are using your home as a workplace that now converts your home into a workplace and you must register it and that is what my own Bill is arguing about.

The government Bill is saying that this registration is renewable and I am saying that it should be a one-off registration because renewal will be prone to abuse by even the implementors themselves.

On the issue of penalty, both Bills call for penalty for violations. My Bill is very detailed on the offences, the process of evaluation of the offence and the penalty. It goes further to state the penalty for any official who goes to inspect a workplace without permission from the Council. Therefore, people who work for the Council cannot just take off without being instructed to do so and extort money from the operators of business.

On the issue of offences, my Bill gives the Council teeth by setting up a tribunal. It gives details on how to report cases of violations and how to deal with the offences. It sets up the Occupational Safety and Health Tribunal. The judicial review lies with the Court of Appeal. Those who want to contest the decisions of the Tribunal can go to the Court of Appeal.

On the other hand, the Executive Bill gives the judicial review to the Industrial Court. The Industrial Court is an existing institution but we will have to be very careful in studying the scope of responsibility of the Industrial Court right now to see that it covers the areas outside industries that would be covered by this Occupational Health and Safety Law.

My Bill has an element of whistle blowers protection. Cases of discrimination or retaliatory action against employees of a workplace who report violations are filed with the Council and the Council will go to the Federal High Court, if necessary, for action if action is not redressed. In other words, if your employee blows the whistle on you and you take retaliatory action he can get redress from the Occupational Health Council.

On preventive measures, my Bill also has an element of preventive measures against imminent danger. In other words, if an employee sees that this wall will cave in and kill people and he talks to his employer and he is not doing anything about it, he has the right to report the matter. There is provision for filing cases to prevent situations that can result to death or harm in a workplace.

On false report, my own Bill has an element barring false report and it spells out punishment. An employee cannot enter a false report against his workplace. If he does so and it is established to be false he will be punished under this law.

On the issue of Safety and Health Committee, both Bills agree that there should be a Safety and Health Committee in the workplace but while my Bill

is saying that it applies to only places that employ forty people, the Executive Bill wants it to apply to ten employees. I agree with the Executive Bill because the majority of workplaces in Nigeria are small operations and keeping it at a level of ten will sweep in, at least, 90 *per cent* of workplaces in Nigeria.

The two Bills agree on the basic functions of the Safety and Health Committee, but the Executive Bill compels the Committee to report to the Council directly on a quarterly basis its findings on safety and health compliance by its place of work.

I foresee a lot of problems arising here because I see some employees of a workplace having difficulty to formally rise on their own to file quarterly reports to the Council without consulting their employers. That will really lead to some problems and we have to look at that element.

In all these things for the employees to be able to file all the things that they are expected to file under the government Bill, their capacity to understand (*Interruptions*)

The President: Hold on, Senator Chris Anyanwu. Where is the copy of your own Bill?

Senator Chris N. D. Anyanwu: It has been circulated to distinguished Senators.

The President: Do you have copies?

Some distinguished Senators: Yes.

Some distinguished Senators: No.

The President: I am not referring to the copy of what she is reading. Do you have copies of the Bill?

Senator Chris N. D. Anyanwu: Every distinguished Senator has been given a copy of this Bill. It has long been circulated.

The President: We have a copy of the lead debate but the copy of the Bill itself is not here.

Senator Chris N. D. Anyanwu: Mr. President, the Bill itself was circulated to Members through their offices with the attachment of the lead debate a long time ago.

The President: Conclude your lead debate.

Senator Chris N. D. Anyanwu: Distinguished Senators, there is an element of this Bill that you need to know about. There is a provision for Institute for Occupational and Safety Health and this Institute is to conduct research of various safety health problems, provide technical assistance to OSH and recommend

standards for the Occupational Council's adoption. While conducting its research, it may make workplace investigation, gather testimonies from employees and employers and require employers to measure and report employees' exposure to potentially hazardous materials. This is very much in conformity with what the earlier Bill that Senator T. U Wada had introduced is talking about. This is the research arm of the Council that will be providing this information.

The Occupational Safety and Health Bill is warehouse on the National Council. Both Bills agree that there should be a National Council on Occupational Safety and Health Bill, but they disagree on the supervisory ministry. This is really administrative and when people read the two Bills, they would find it easy to reconcile them. But, the main point is that while my own Bill is arguing that the Council should be domiciled in the Ministry of Health, the government Bill asked for it to be domiciled in the Ministry of Labour. There are strong arguments on both sides, which the Committee that will consider these Bills will reconcile.

Finally, these Bills when worked out have the makings of a very strong piece of legislation with far-reaching positive impact on the Nigerian workers. It will save lives; preserve health, increase productivity and infuse a sense of responsibility in the Nigerian employer. It would deal with imagining health and safety challenges for the workplace and bring Nigeria in tune with the rest of the world.

Thank you for listening to me.

The President: Distinguished Colleagues, she would urge you to support her Bill. (*Laughter*)

Senator Tawar Umbi Wada: Mr. President, I have a Point of Order.

The President: What is your Point of Order, distinguished Senator Tawar Umbi Wada?

Senator Tawar Umbi Wada: I am coming under Order 77(3) and 78(4). Order 77(3) says: *A compendium of the background information and financial implication shall accompany every bill.* That is one.

Order 78(4) says that: *A printed copy of the bill shall as soon as possible be sent to every Senator before the consideration of the bill before the Senate.*

No copy of either of the two Bills that are being introduced by both the Senate Leader and my distinguished Colleague. I cannot imagine how we can consider the Bills properly when we do not even have the Bills. The debate is hanging in the air (*Laughter*)

In terms of financial implication, even the Leader's Bill says, it is supposed to cure the absence of a body, which presupposes the creation of a body to supervise and that has financial implication.

Distinguished Senator Chris Anyanwu's Bill is also talking of creating a Health Tribunal whose appeal lies to the Court of Appeal. To create a tribunal has tremendous financial implication. (*Laughter*) On both sides, the two Bills should have financial compendium and copies of the Bills should follow the lead debate so that Members can understand.

While raising this Point of Order, I am relying on the ruling of my Senate President, who said that Senator Idah's Point of Order was appropriate only that it was overtaken by event, which means that if it had not been overtaken by event, it would have been ruled in order. So, basically, those things need to be in place before we can continue with these Bills. This is my Point of Order.

The President: All right, distinguished Senator Tawar Umbi Wada, just before I rule, I would like you to read Rule 25(f) and (h) to us because you referred to my earlier ruling.

Senator Tawar Umbi Wada: If I read further, I would explain why I referred to your earlier ruling.

Senator Nicholas Ugbane (Kogi North): Withdraw that statement.

Senator Tawar Umbi Wada: All right. I am withdrawing the statement that I am relying on Mr. President's earlier ruling. (*Laughter*)

The President: You have withdrawn the one that made reference to my earlier ruling.

Senator Tawar Umbi Wada: Yes. (*Prolonged laughter*)

The President: All right. I have to rule on this Point of Order, first. We combined the two Bills because they are similar. Actually, I wanted your Bill to be combined with theirs, too, because reading through your Bill it is almost the same. Ideally, the three Bills should have come together. When she was reading her own, I have a copy of the Senate Leader's Bill, which is published in our Journal and our Journal has been distributed. I have no problem with the Senate Leader's Bill as regards distribution.

The Senate Leader's Bill and your Bill are identical. Since you have taken your own off today, my suggestion will be that you bring your Bill tomorrow and we merge it with these two if we could go through these ones today. Senate Leader's own is just repealing an existing Act; therefore, there is no financial implication. It has been published in the

Journal already, so that covers the distribution of his Bill. If you discuss Senate Leader's Bill alone it is as good as discussing that of Senator Chris Anyanwu's but you can make cross reference in the course of the discussion. So, distinguished Senator Tawar Umbi Wada, your Point of Order is noted, but I rule you Out of Order.

Senator Lee Ledogo Maeba: I have a Point of Order.

The President: What is your Point of Order Senator Lee Ledogo Maeba?

Senator Lee Ledogo Maeba: It is Order 1(b) and if you permit, I may read it.

The President: Yes, please.

Senator Lee Ledogo Maeba: Order 1(b) says: *In all cases, not provided for hereinafter or by Sessional or other Orders or practice of the Senate, the Senate shall by Resolution regulate its procedure.*

I am reading this Order in attachment to Order 77(3) that has been widely abused this morning. Why I am saying 1(b) is that Order 77(3) does not indicate at what point the financial compendium must be attended. It may be at the First Reading, Second Reading or at the Report stage. I believe that the financial compendium would be assumed not to be available when the Bill is being reported at the Third Reading. I believe that this issue is neither here nor there. You may wish to interpret.

The President: Distinguished Lee Ledogo Maeba, I know that you were here but apparently, your mind was not here. I said so because I made that same point that Order 77(3) does not say when the financial compendium should be supplied. I said so and that is adequately covered. In any case, on your Order 1(b), we have a Standing Rule, so Order 1(b) cannot cover that because it is a proper Standing Rule.

Now, why I wanted distinguished Tawar Umbi Wada to read Order 25(f) and if I may just help you to read it, it says that the Senate President *shall interpret the rules*. He did not say that you will interpret the rules and that is what you are doing. You are interpreting the rules. I made that explanation before that this Rule does not say when the financial compendium should be supplied. That is covered and you are saying that is not covered. So, I ruled you out of Order. You are asking for a place where it is not covered. Senator Lee Maeba, I rule you out of Order.

Senator Iyabo Olusola Obasanjo-Bello (Ogun Central): Mr. President, I believe these two Bills are very important to every working Nigerian. As a Comrade, I believe that the working people of Nigeria need this Law in order to be able to actualise the

essentials of life and work safely in their work environment. I believe the health and safety of every Nigerian is important and in the Constitution, the health of every Nigerian is part of the responsibility of the Federal Government. Section 17(b) of the Constitution says that the government will ensure health for every Nigerian and health in the workplace is very important but it has been abused especially by foreign companies within our country.

Senator Chris Anyanwu said that her Bill covers residential areas but I am concerned that some of the abuse is actually for domestic workers. How do we cover domestic workers in something like this? I am not sure that this Bill covers it. It needs to be thought about and debated and see how we can actually cover domestic employees not just people in defined workplace. I believe it is a good thing to have such a Bill to regulate the safety of our people across the country.

Senator Isiaka Adetunji Adeleke (Osun West): Mr. President, I have a Point of Order coming under Order 53(6) which says:

It shall be out of order to attempt to reconsider any specific question upon which the Senate has come to a conclusion during the current session except upon a substantive motion for rescission.

I believe that we have decided on Senator T. U. Wada's Bill and to now go back to debate it would mean to reconsider what we had come to a conclusion on the debate.

The President: Senator Adeleke I am a bit lost. Are we discussing Senator Wada's Bill? We are not discussing Senator Wada's Bill rather we are discussing the Senate Leader's and Senator Chris Anyanwu's Bills. What I said was that they are similar and when Senator Wada brings his own tomorrow, when we finish, it would just be referred for all of them to be combined. Is your Point of Order still valid after my explanation?

Senator Adeleke: Mr. President, I withdraw it.

Senator Patrick Osakwe: Mr. President, as has been said these two Bills are quite related and they are very important to our working populace. You will agree with me that we have not actually shown enough care. That duty of care has eluded us especially where it has to do with workplace. As was explained, when you enter any well organised factory, the first thing they do would be to show you the safety devices and how you could get out in case there is fire, commotion or riot. To my mind, we have not been religious enough in practicing this because people are not punished for not doing so. But by the time a Bill like this metamorphosis into an Act of the

National Assembly, people will know that if they fail to do certain things there would be punishment for not doing such things. But now nothing happens because we neglect to take care or we pretend not to know that the lives of those who are working in our factories and companies are as important as our own lives.

These Bills when combined will be very apt, very relevant and to the point and I have no doubt in my mind that by the time we pass it, it will regulate our actions and inactions. We will also know our duties and our rights and when you employ a worker, the worker himself would know his rights, so that when something happens to him in the workplace there would be enough compensation and care. It would no longer be that when something happens to him he would be told that he is on his own.

I will implore my Colleagues to look into these Bills properly because they are very relevant to the realities of today and tomorrow and it will guide our activities especially in the workplace and even in our homes. So, I support these Bills in their entirety.

Senator Uche Chukwumerije: Mr. President, let me first commend you on the decision you have taken about these three Bills that Senator Wada's own would come up tomorrow and these two would also be combined with that for another discussion. I commend you for that because these three Bills put together could define an important landmark in the history of labour in Nigeria. Individually and collectively, they are very important Bills.

As I move forward, may I correct the impression being given by Senator Obasanjo-Bello that she is a Comrade? The fact that one mosquito winds around her ears in a Police Station for only three hours; it did not even bite her, in fact, the mosquito was even too afraid to come near to bite her, she has become a Comrade. *(Laughter)*

If you allow me to anticipate tomorrow, I have read through Senator Wada's Bill and I have also read through these two other Bills. What struck me first and foremost is the remarkable similarity of the Bills and agreements on basic issues. The three Bills seem to agree on a kind of general regulatory organisational framework to deal with the issue of safety and health in workplaces. This unanimity is to me, something that is very noteworthy to observers and very good news to labour. Noteworthy to observers because they give an evidence of the increasing readiness of Nigeria to update her Laws on labour rights.

To me also, it is good news to labour because the suppressed voices of working class leaders from the time of Imodu through Adams Oshimhole to the present leader, Waheed Umaru, are gradually finding a constitutional voice in Nigeria's statute books and this is a long overdue counter to the corporate voice

that had dominated Nigeria's economic scene in the last 40 years.

Before I go forward, let me point out how these three Bills differ from existing legislation although one is more of a repeal Bill. Before I go to the main differences let me say that the existing legislation on the issue of definition of health and safety standards is superior to all these three Bills. They very well explain in detail especially the Factory's Act of 1987, which in the entire 10 Parts explain all the aspects of safety on the factory floor and the working place. But on the issue of enforcement of rules, of organisational framework to enforce these rules, these three Bills are filling a very important vacuum in the existing legislation and they are filling it exactly in three main places.

The first is on the issue of the immediate enforcement organ on the factory floor, about regulating procedures. Senator Chris Anyanwu's Bill and the intended Executive Bill are filling a very important vacuum. The Executive Bill is hinting about making a provision for a Workplace and Safety Committee, which will be a kind of factory floor management platform controlled by workers to be able to monitor the hazards and report to unions.

Senator Chris Anyanwu's Bill is talking about Safety and Health Committee which will more or less be owned by the company but with a very effective presence of the workers. In terms of enforcement organ, these two Bills in particular, are superior to anything existing. In fact, nothing is existing on that area at all.

In terms of the strength of this organ, they are far superior. What do I mean by that? The two organs are participatory; they are making allowance for the involvement of working class in the implementation of these laws but the existing law is an anaemic one line structural government owned device in which we only have a director cum supervisor which really says little. Therefore, in terms of enforcement of these laws, you will find that these two Bills in particular, are going to carry labour rights far higher than it is now. But let me point out briefly to the strength and weakness of all the Bills.

First of all, in the area of conceptualisation of health and safety, all the three Bills are weak. None of them conceptualised this and if they are to conceptualise it, they will have to up-date it to reach the global standard index developed by the United Nations since 1902 and a Labour Section in that global standard index have shown that labour safety and health go beyond the working place only. It involves something far more than the working place.

Secondly, in the three Bills, I want to commend in particular the Bill of Senator Chris Anyanwu. It is

far the most comprehensive in terms of organisational framework for action and the three novel organs which she is recommending, if they become part of the Bill, and if they are operationally efficient, they will go a long way in making a thing of the past the issue of the scandalous things we see today in the work place.

Senator Annie Okonkwo (Anambra Central): Mr. President, I want to first of all, say a big congratulations to the Senate Leader and distinguished Colleague Senator Chris Anyanwu, for coming up with this important Bill. Anything that concerns health, even if it is going to take legislation for us to get it to the front burner; I will urge this hallowed Chamber to support it.

Of course, there are one or two things that are involved. What happens in the workplaces is that sometimes a simple fire extinguisher cannot be found. This is dangerous because anything can happen at any time. The environment has to be suitable. During construction of the workplace such as electric wiring are not fixed properly. With this type of Bill it will awaken the consciousness of employers. It is not only in workplaces but also in our homes. It is important that we must provide all essential safety equipment because nobody can predict when hazardous event will happen. So, we must have some thing to prevent it. Big corporations or companies should be able to provide ambulance vehicles. We have lost people who suddenly develop one sickness or the other and there was no ambulance vehicle to take the person to the hospital. These are basic things that should be put in place in workplaces. If that is done, it will boost the confidence of the worker that, at least, he or she is safe and whatever he or she is doing, he or she will be committed to it.

I believe that this Bill would be passed. As has been said, there are differences in the two Bills but I believe that when they go to the Committee they will harmonise the differences and come up with a single Bill that all of us will be very proud of.

Senator Ayogu Eze (Enugu North): Mr. President, in rising to support this battery of Bills talking about the health of our people in their workplaces, I will lend my voice to those who had spoken earlier commending the people that have envisioned these Bills; the Senate Leader, Senator T. U. Wada and Senator Chris Anyanwu. It shows that, indeed, they are alive to some of the tenets of our contract with the people of Nigeria to ensure that we speak for them and make laws that govern their lives in many ways. There is nothing that can bring out the import of what we are doing here today better than what happened in Lagos two years ago in a factor somewhere in Ikorodu. The company was owned by a foreigner.

The factory owner locked up some of his Nigerian workers on a night duty. The factory suddenly caught fire that night and the Nigerian workers were roasted like chickens because safety standards were not observed. The entrance and exist doors were not properly executed. To worsen the situation the workers were chained. Even when neighbours came around help could not be offered to them.

We should extend the application of the law even to other public places outside the factories. I say so because I was in Lagos over the weekend to attend a wedding, inside the church, I noticed that the church workers had locked up all the doors except the main entrance. The church was built on the air corridor and a plane was flying over it. I joked with the man sitting next to me and I said, what if this plane lands on this church right now what would happen to all the people gathered here?

So, it is important that we come up with this type of law and popularise it because the security consciousness of our people is very low. People enter places and are not properly educated on how to get out in case of trouble. Even in the Senate here where we are I am sure we have never done any security drill in this place. People who come in here are never subjected to any security drill in case of an emergency and that happens in all the public buildings, factories and all workplaces in Nigeria. This is a golden opportunity for us to bring all the issues that would change the way our people look at security issues.

One issue we should look at more closely when we go to Committee level is the recommendation by Senator Chris Anyanwu that from the Tribunal appeals would go to the Court of Appeal. That is a quantum leap. I think that a case coming from that kind of Tribunal should first of all go to a High Court before going to the Appeal Court. I do not think it is proper for us to jump from the Tribunal to the Court of Appeal. That is one of the things that lawyers who are going to serve in that Committee will have to take another look at.

With these remarks, I associate myself with the sentiments of Senator Uche Chukwumerije that this is a Bill whose time has come. We should all rise as a body to support the passage when we must have merged the three of them and come up with a composite comprehensive Bill that will regulate safety in this country.

Senator Eme Ufot Ekaette: Mr. President, we are addressing a very important topic today because there is nothing else you can give a worker other than safety, health and good environment.

We have been talking about health and safety but we have not addressed the issue of environment

because the three of them go together. I believe that when we are merging these Bills into a single Bill we should be able to address the issue of environment.

I will cite a typical example of what happened to us when we were in Kano. The floor had tiles that were quiet dangerous to the women on high hills. That is an issue. We were almost looking for walking sticks because the tiles were very slippery. These are the issues. We forget the environment very easily. We cannot but address these issues for our people. We take a lot of issues for granted when we are building houses, factories and schools.

These Bills are very timely and I support them. I will also support the concise Bill. I want us to work with speed to bring it out because there are lots of violations in most of the industries that we have in this country; in public places and everywhere. We just violate these rules and get free. We should not waste time talking about money. We can take it and concise them into what the Executive Bill seeks to achieve so that we can address the issues properly. I support the timing of this and the outcome will be very useful to the public.

Senator Grace Folashade Bent: Mr. President, I rise to lend my voice to this very important Bill. Looking at it from the point of view of its interconnectivity to the environment, there is no way you can discuss the health and safety of Nigerian workers without considering the level of compliance to environmental standards.

It may interest you to know that during one of our oversight visits to a major factory, precisely the Dangote Cement Factory at Obajana, we were amazed to discover that we could find a factory in Nigeria that had complied fully with environment standards as it affects the health and safety of their workers. We embarked on the inspection of the factory basically to see the level of compliance to safety standards. We checked on their concern for the health of their workers; operators of their equipment and so on and so forth especially by such factories that use very dangerous chemicals which workers inhale all the time.

Nigeria is one place that anything goes but I was surprised with our discovery at Obajana and I think it is worthy of mention. These Bills are very important to the Nigerian workers. Before now there has been flagrant violation of the rights of workers to the extent that their lives are being threatened by the kind of danger they are exposed to in their various places of work.

Of course, a lot of workers have died prematurely without people knowing it. Overnight you just discover outbreak of a terminal disease such as cancer as a result of various dangerous substances that they

inhale. It is time this Senate makes this Bill a priority. Now that you have decided in your wisdom that these three Bills be merged, it will make it more credible and richer and solid enough to carry the nitty-gritty of protecting the lives of the Nigerian workers.

I was worried at a point in time. When you go to some public buildings; of course, you will see fire safety equipment and signals of exit in case of fire. If you go to public hotels, for example, you will see the signal that if there is any fire outbreak you should not use the lift, but to go through the stairs and so on and so forth. How many people understand those signals just as my distinguish Colleague has just mentioned.

Once this Bill sails through the final passage, there must be a conscious effort to sensitise Nigerians on their responsibilities in even protecting their health and lives in such public places. There will be a regulatory body that will enforce this Bill, just like we have in the Environment Ministry. That regulatory body will go round to ensure that all environmental standards are adequately complied with and any erring organisation is sanctioned. This Bill must establish such a regulatory body which would be saddled with the responsibility of taking erring organisation to the court rather than individuals going directly to the court. Once there is a regulatory body it makes it easier. One can always go to the regulatory body to report ones matter as a worker and the regulatory body takes it up.

I must commend the sponsors of this Bill and I believe it is a very good beginning in the right direction.

Senator Suleiman Adokwe (Nasarawa South): Mr. President, I rise to lend my support to the sponsors of this Bill, particularly, the Bill from my Colleague Senator Chris Anyanwu. I support this Bill because if you look at the Acts that provide for safety at workplaces, most of them predate our Independence, I am referring to such Acts as the Factory Act and the Workmen Compensation Act. Some of the reviews that came up later did not go far enough especially in the area of enforcement of some of the provisions. I noticed that these two Bills have gone a long way, not only to provide for regulatory bodies, but also judicial bodies that can adjudicate on issues that arise at the workplace.

Importantly, the previous Acts make it impossible for the workman to pursue his rights to any level because he does not, in the first place, have the ability to even go to court to pursue any compensation that arose from the hazard that he faced everyday at the work place. But with these provisions that will now be put in place, that right at the factory level, you have head committees to which workers themselves are members, it gives them the statutory right to ask for the right things to be put in place. Before then, all we

had was the colonial masters exploiting the labour and anything that would minimise their labour cost was what they provided in the previous Acts.

Certainly, the workplace is becoming more complicated these days because of chemicals and toxic substances that are used in the production process. It becomes more compelling that we should be able to address comprehensively the issues of health at workplaces.

Some of the capital equipment that we bring in to this country are prehistoric that nobody would touch them with a pole in Europe anymore. Some of the machineries we import into this country are ones that have been discarded long time ago and nobody is in a position to even say they are not fit to be put in place in our factories.

The vehicles that are used to convey workers to their working places in Nigeria are eye sore. It is almost like carrying people in *Black Maria* to workplaces. Vehicles that you will never see in Europe and America, the foreign companies operating here convey their workers in such vehicles. We see them everyday in Abuja going to Karu dumping their workers in places that they will not even want to use as toilets.

Ordinary eating houses in factory places are nothing to look at. The mere place you can sit down and have a decent meal during break is not provided. It is better to go into town to *mama put* joint than to eat at your workplace.

I believe that with the opportunity we have, we require to look at the concept of safety and health in workplaces comprehensively. I am particularly excited about the provisions for adjudication because most workers do not have the capacity to prosecute their cases. If we have a regular tribunal and enforcement agencies they should be playing the parts that workers would normally have done.

With this I will like to lend my support to my distinguished Colleagues for bringing this Bill which is even overdue. The sooner we are able to pass it the better for this nation and safety at workplaces.

Senator Abubakar Argungu (Kebbi North): Mr. President, I rise to lend my support to the Occupational Safety and Health Bill and to commend you on the merger of the three Bills because of their similarities.

The two Bills seek to protect Nigerian workers from the hazards at their workplaces. Any legislation that would regulate or put measures to minimise accidents of the workforce at their various workplaces is long overdue. Prevention, they say, is always better than cure. Whatever measures we are going to put in

place that will minimise accidents would be a welcome development.

It will interest you to note that Nigeria is a signatory to a number of Occupational Safety and Health Conventions of the International Labour Organisation and World Health Organisation. It will interest you also to note that 25th April every year is being observed globally as World Day for Safety and Health at work. So I believe this Bill is long overdue.

Nigeria is trying to become one of the biggest industrialised nations by Year 2020. Nigeria surely deserves the establishment of National Council for Occupational Safety and Health now.

The National Council for Occupational Safety and Health when established, I believe, will among other things formulate and review national programmes on occupational safety and health in accordance with the International Labour Conventions and recommendations. It will also promote national preventive safety and health culture by seeking to raise public awareness on occupational safety and health hazards through national campaigns. It will also introduce hazard risk and protection concepts in educational and vocational training programmes based on guidelines on occupational safety and health management systems of ILO (International Labour Organisation) to which Nigeria is a signatory.

Senator Wilson Asinobi Ake (Rivers West):
Mr. President, these two Bills have come at a very right time. If you look at the two Bills, the first one is repealing the Factories Act and making comprehensive provisions while the second one is saying a Bill for an Act to make Further Provisions. It means that their intentions are to make the workplace a much better place for our workers. I want to assure us that these Bills, if passed, would return confidence, commitment and improved productivity of workers.

There are provisions in these Bills that will allow workers to seek redress in the court and that will add confidence and commitment to them. It is something that had been ignored and neglected over the years. The current laws that we have concerning workplaces are never taken seriously because factories are never properly checked or monitored. As somebody had said, homes are today converted to workplaces. How would they be put together to be monitored and ensure that people who work at these places are protected? The health of workers should not be taken for granted if we are to ensure the level of productivity that we are preaching for.

We have looked at the situation we have on hand today, it is not just the factories but every workplace where Nigerians are working and earning their living is supposed to be guided; provisions are supposed to be made to ensure the safety and health of workers.

Like what Senator Ufot Ekaete said here, environment is inclusive and that is why in most companies you have Health, Safety and Environment (HSE) officers and they conduct daily enlightenment campaigns among their workers. They do comprehensive training for their safety staff. I believe that if this is encouraged, it will increase the safety awareness of this country. I want to use this opportunity to commend some of the oil companies. In spite of not being monitored closely from outside, they have made safety issues very prominent. Shell is number one; they even carry it beyond their premises. The level of health awareness of some of the companies is impressive and they require commendations.

As somebody mentioned here, safety of workers cannot be limited to the workplace; how we convey workers to the place is also important. Before some of them get to their workplaces, they had been exhausted as a result of being thrown up and down in the trucks carrying them to their workplaces. Sometimes they would be asked to stand for long hours working beyond expected eight hours for a normal working period. I believe that when these Bills are put together and throw it up in a Public Hearing the final out put would bring our labour laws in conformity with ILO requirements and our workers will be better for it.

Senator Kabiru Ibrahim Gaya (Kano South):
Mr. President, I want to commend my Leader, Senator Teslim Folarin (OFR), Senator T U. Wada and Senator Chris Anyanwu for raising concern on these issues.

First, I will say that charity should begin at home. Our Chambers has a lot of problems in terms of safety. We do not have fire hydrants and fire extinguishers here. We have not been drilled in a way in which we can get out from this building in case of fire. We have never had the occasional drilling as mentioned by Senator Ayogu Eze. So, we have to start making the law by making things better for ourselves. This Chamber is not disable friendly.

There should be a need to have this safety professional body that can examine all our public buildings, at least, once in every six months. I remember last month when the Deputy Senate President, the Deputy Speaker, myself and a few others visited the Parliament of Netherlands, before we were conducted round, we had to go through drills of fire safety. I do not think that our visitors at the Gallery go through that kind of exercise before they are let in. As Mr. President is the Chairman of the National Assembly, the ball is now in your court.

I also want to say that it is really unfortunate that these safety devices are not provided in our factories. As Senator Chris Anyawu said, it is sad that the factory owners feel it is easier to replace wounded or dead employee than ensuring that regulations for fire

safety are observed. There is need to look at these issues and take serious decisions about them. I will stop here to allow other Members time to contribute.

Senator Ibrahim Mohammed Ida: Mr. President, I want to lend my voice in supporting the efforts of our Leader and my two very distinguished Colleagues, Senator N. D. Anyanwu and Senator T. U. Wada.

There are certain issues that arose from this debate which I think need a little bit of clarification. There already exists an Inspectorate Division in the Federal Ministry of Industry that is responsible for inspecting factory premises and ensuring that all Safety Regulations are complied with. What is needed is not the establishment of a new framework but rather the enforcement of the existing one.

Again, in the Bill proposed by Senator Chris Anyanwu, she raised the issue of the establishment of a tribunal to arbitrate on issues. I want to say that a tribunal does not arbitrate rather a tribunal tries, it is a Panel that really arbitrates and already there is the Industrial Arbitration Panel that is responsible for arbitration in labour disputes such as between employers and employees as regards safety at workplace.

Following this clarification, I want to make a suggestion. As we go about harmonising these three Bills, there are certain things we should avoid. One of it is establishing new institutions like the proposed tribunal. The existing legal framework such as the High Court and the already existing Arbitration Panels are quite sufficient. What may be needed is possibly to re-enforce this framework.

We should also appreciate that safety is a function of three things: two of them are internal while the other one is external. The internal ones are the standard of care and the commitment and here it applies to both employer and the employee. That is, the entrepreneur who owns the factory and the people who work there. From the perspective of the employee, every employee should be mindful of the fact that his or her life or limbs depends to a large extent on how he or she fares in cases of emergency. Employees should take it upon themselves to point out to their employers all lapses regarding security and safety.

On the other hand, the employers themselves should take every possible care to see that they protect the interest of their employees because the human resource is the most valuable resource in all entrepreneurship.

Finally, those charged with the responsibility of inspecting and enforcing laws especially the Inspectorate Division of the Ministry of Industry

should be empowered and be made to perform the role for which it is established. When that is done, we will solve a lot of the safety issues that have been raised.

With these few comments, I support this Bill and I hope that the harmonisation will be done quickly so that we can pass this Bill this time around. Let us make history by being the Senate that pass the Bill that started since 1999. Let us be the one that will pass it.

Senator Salihu Oturu Ohinze (Kogi Central): Mr. President, I want to start by lending my support to the triple Bills. Any law that is made to improve the welfare of people of Nigeria and to protect their lives and health certainly has to be supported by every well-meaning Senator.

I want to address is an area that is not envisaged by the Bills. Any law that must stand the test of time has to be all encompassing. I am referring to the neighbouring environment to a factory. Some people have spoken on the premises of a factory or a company and the workers there, but I am talking about the neighbourhood of a factory. At times incidents occurring in a factory affect those living in the neighbourhood, too. I would make reference to two situations that I have read about.

There was a case of a rock crushing company at Mpape in Abuja, where fragments of rocks flew from the Quarry and injured some women in Mpape market. About three women were seriously injured. The Company actually took immediate steps to offer them first aid treatment. After that they were abandoned at the hospital to their fate. Some newspapers later came up with reports of the situation of the victims and up till today nobody knows if the company has done anything to attend to the injuries suffered by the victims. If there is a law safeguarding the interest of the neighbouring environment, such law would have been utilised to force the company to bear the treatment of those women.

There was another case we witnessed in the course of our oversight function by the Ad-hoc Committee on Transport. There is a village close to Jos. I cannot remember the name of the village. The activities of a Construction Company there visited the villagers with strange ailment. When we got to the company's headquarters, we confronted the management of the Company with what we saw in the village and they never had any answers to the questions we asked them. The reason is that there is no law compelling them to address situations that arose from their activities in the area. The Company felt unconcerned. They do not believe they have any responsibility to address any injury suffered by people living within their neighbourhood arising for their company activities. I appreciate your decision that the three Bills should be merged. I suggest that the

interest of the neighbouring environment to any factory should also be taken into consideration when the Bill is finally passed into law.

Senator Chris N. D. Anyanwu: I have a Point of Order, Mr. President!

The President: What is the Point of Order, Senator Chris Anyanwu?

Senator Chris N. D. Anyanwu: It is Order 53(11) and (12) of our Standing Orders, 2007 as amended.

The President: Please, read it.

Senator Chris N. D. Anyanwu: Order 53(11) says:

No Senator shall speak more than once to the same question without leave of the Senate unless he be the mover, proposer or introducer of the matter pending, in which case he shall be permitted to speak in reply but not until those chosen to speak shall have spoken.

(12) The Senator reporting the measure under consideration from a Committee may open and close where general debate has been had thereon and if it shall extend beyond one day, he shall be entitled to forty minutes to close notwithstanding he may have used thirty minutes in opening.

The President: Distinguished Senator, first, we have not concluded the debate; it is still ongoing and what we have read does not ask you to come in anywhere at the centre of the debate. So, I do not know why you raised the Point of Order now.

Senator Chris N. D. Anyanwu: The debate is winding down and I just want to give notice as it were.

The President: In fact, I am even surprised that you have come by way of Point of Order because by the Point of Order you have read, first of all, nobody has spoken twice on the same subject matter. So, that bit of the Point of Order is not relevant. The second one is that you are the one who can speak on it at the conclusion of the debate.

So, I will first rule on Order 53(11) which states: *No Senator shall speak more than once to the same question without leave of the Senate unless he be the mover, proposer or introducer of the matter pending, in which case he shall be permitted to speak in reply but not until those chosen to speak shall have spoken.* Those I have chosen to speak are still talking and no Senator has spoken twice. Has any Senator spoken twice?

Some distinguished Senators: No.

The President: No Senator has spoken twice. So, that Point of Order is not relevant. I rule you out of Order in respect of Order 53(11).

The next one is Order 53(12) which states: *The Senator reporting the measure under consideration from a Committee may open and close where general debate has been had thereon and if it shall extend beyond one day, he shall be entitled to forty minutes to close notwithstanding he may have used thirty minutes in the opening.*

This matter has not gone to the Committee yet. This is what should happen when the Committee brings its report back. I think I am right?

Some distinguished Senators: Yes.

The President: Again, I rule you out of Order, Senator Anyanwu.

Senator Satty D. Gogwim (Plateau Central): Mr. President, may I refer you to Section 45(1)(a) of the 1999 Constitution. With your permission, I read:

Nothing in Sections 37, 38, 39, 40 and 41 of this Constitution shall invalidate any law that is reasonably justifiable in a democratic society –

(a) in the interest of defence, public safety, public order, public morality or public health;

I have listened to a lot of contributions geared towards supporting the three Bills. These Bills came at the right time. In particular the one introduced by Senator T. U. Wada has been on for almost ten years and it has not seen the light of the day. The other two Bills are similar and a lot has been said about the three Bills and once the three Bills are consolidated, I would like everyone to look at issues that bother on industrial or labour harmony and particularly problems regarding the non-performance of industries in respect of safety and health hazards of their workers.

A lot has been said, therefore, I am not going to speak for too long but there are areas that had been forgotten and once these three Bills are consolidated and harmonised and sent to the Committee, it should also look at the need to provide insurance cover for workers. Most industries do not have insurance cover for their workers.

Again, most times consider Bills without taking into consideration domestic servants who go through lots of health hazards without adequate compensation or even any compensation at all. I would want the Committee to which the three Bills would be referred

to look at that area. Since a lot has been said, I do not want to go beyond here.

The President: I am at a loss as to why you raised Section 45(1)(a) of the Constitution. I have gone through Sections 37, 38, 39, 40 and 41. What is the relevance?

Senator Satty D. Gogwim: Section 45(1)(a) is relevant in the area of public health.

The President: Section 45(1)(a) says: *Nothing in Sections 37, 38, 39, 40 and 41 of this Constitution shall invalidate any law that is reasonably justifiable in a democratic society –*

(a) *in the interest of defence, public safety, public order, public morality or public health.*

Senator Satty D. Gogwim: The Constitution is by that guaranteeing public safety and public health.

The President: That is all right. We have taken quite a lot on this and I should really put the Question. Since the two Bills have been taken separately, I would put the Question for the Second Reading separately.

Question put and agreed to.

Senator Adeleke O. Mamora: Point of Order, Mr. President!

The President: What is the point of Order, Senator Mamora?

Senator Adeleke O. Mamora: Mr. Senate President, my Point of Order is under Order 90 which deals on Bills on the same subject matter. It says:

More than one bill of the same subject matter may be introduced but when the second reading of the bill has been agreed to, or negatived, the question shall not be proposed for the second reading of another bill of the same subject matter during the same session. On the order of the day relating to such a Bill being read the President of the Senate shall direct that the Bill be withdrawn.

I am just seeking your guidance on this particular Order, particularly having ruled earlier on which we all agreed that the three Bills, the government Bill presented by the Senate Leader, the one presented by Senator T. U. Wada and the one presented by Senator Chris Anyanwu are all on the same subject matter. I just wonder how we would proceed from this taking cognisance of this Rule 90.

The President: For today's own, we are still in order. It is tomorrow's own that will become a problem.

Senator Tawar Umbi Wada: It is today's own that we are in problem, not tomorrow's own because these are several issues. They are not to be read the same day or the same session, in order of the relating Bills. Fundamentally, ours have been stood down till tomorrow and tomorrow, it can just be referred to the Committee if we provide the financial compendium.

The second Bill should be referred to the Committee silently having read the first one. I think that is what this Section 90 is saying. The first one had been taken and Senator Anyanwu's Bill should now be consolidated and passed silently. Tomorrow on my own after presentation of the compendium of the Bill it should be referred directly to the Committee for consideration. That is exactly the point.

The President: Senator Mamora, you are right because we should not read Senator Anyanwu's second reading any more, having read this one. Senator Anyanwu's Bill would be referred to the Committee. That is what it should be. However, the catch word there is that *more than one Bill of the same subject matter may be introduced*. They have been introduced and you are right so I sustain your Point of Order.

Senator Chris Anyanwu: I have a Point of Order, Mr. President.

The President: What is your Point of Order?

Senator Chris Anyanwu: My Point of Order is Order 43.

The President: Order 43, yes, you may read.

Senator Chris N.D. Anyanwu: Order 43 reads:

By the indulgence of the Senate and by the leave of President of the Senate, a Senator may make a Personal Explanation although there may be no question before the Senate; but no controversial matter may be brought forward nor may debate arise upon the Explanation. The terms of the proposed statement shall be submitted in detail to the President of the Senate when his leave to make it is sought.

I want to explain that the primary function of Senators and legislators is lawmaking. By this decision today, we have given the Executive legislative initiative, they make the Laws and they also execute them.

The President: Excuse me, not that I understand the explanation you made but first of all, this matter is before the Senate because it is on the two Bills, is it not it?

Secondly, you know it is a matter that we are already considering. Now that you have raised it, debate may arise out of it because you have raised an issue and I am not sure of how many people that would agree with you. You have really raised a controversial issue.

You may read Order 39(9) on the arrangement of the business of the day. You have struggled to make further explanation but truly, you have not come under the proper Order. In any case, I rule you out of order.

The key issue in all the Bills is actually safety, therefore, they should be referred to the Committees on Labour and Health.

Senator Mahmud Kanti-Bello: I have listened to the contributions, and people have been talking about factories catching fire, *et cetera*, I believe the Ministry of Industry should also be involved in this Bill.

The President: Then, the three of them should be involved, that is, Labour, Health and Industry.

Senator Nimi Barigha-Amange: Sir, I think Committee on Environment is the proper Committee to have the referral because health, safety and environment go together.

The President: Well you tried for your neighbour but I do not think you got it. We are going to refer Senator T. U. Wada's own tomorrow. What I want to plead and urge is that we should have these Bills back as quickly as possible when we do refer T. U. Wada's own tomorrow. Therefore, they are referred to those three Committees on Health, Labour and Industries. This is truly, a labour matter so Committee on Labour should chair it.

Senator Ibrahim Mohammed Ida: Sir, I think industrial safety is really handled by Ministry of Industries, so Committee on Industries should lead it.

The President: Industrial safety, yes, but where does industrial arbitration go to, Senator Ida, because you are a lawyer.

Senator Ibrahim Mohammed Ida: Issues emanating from industrial safety, of course, go to labour but industrial panel is under industry and not under labour.

The President: In my candid opinion, labour should lead. Therefore, labour is the Chairman and the other two Chairmen will join.

Bill read the Second Time and referred to the Committees on Labour, Health and Industries.

ADJOURMENT

Senator Teslim K. Folarin: Mr. President, having exhausted the items on the Order Paper, I move that the Senate do adjourn till Thursday, 26th February, 2009 at 10.00 am.

Senator Adeleke Olorunnimbe Mamora: Mr. President, I second the Motion that the Senate do adjourn till tomorrow, Thursday, 26th February, 2009 at 10.00 am.

Question put and agreed to.

Resolved: That the Senate do adjourn till Thursday, 26th February, 2009 at 10.00 am.

The Senate accordingly adjourned at 1.25 p.m.