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**Thursday
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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**

Thursday, 30th April, 2009

The Senate met at 10.35 a.m.

PRAYERS

(The President in the Chair)

VOTES AND PROCEEDINGS

The President: Distinguished Senators, we have the Votes and Proceedings of Wednesday, 29th April, 2009 before us for approval. We have pages 673, 674, 675, 676 and 677.

Senator Bukar Abba Ibrahim (Yobe East): Mr. President, I rise to move that the Votes and Proceedings of Wednesday, 29th April, 2009 be approved.

Senator Mohammed Mohammed (Bauchi Central) Mr. President, I rise to second the Motion that the Votes and Proceedings of Wednesday, 29th April, 2009 be approved.

Question put and agreed to.

Resolved: That the Votes and Proceedings of Wednesday, 29th April, 2009 be approved.

ANNOUNCEMENT

Birthday Wishes

The President: As we will not be here on Sunday, we will do this announcement today and again on Wednesday. I will like to wish distinguished Senator Gbemisola Rekia Saraki a happy birthday. Her birthday is on 3rd May, 2009. She is celebrating the anniversary of her 18th birthday. *(Laughter)*

Then, 4th May will be that of distinguished Senator Danso Bako Dahiru and also distinguished Senator Bassey Ewa-Henshaw. We will like to wish them happy birthday in advance and we will do that again on Tuesday.

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PRESENTATION OF BILLS

**Passport (Miscellaneous Provision)
(Amendment)
Bill, 2009 (HB.64)**

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 Passport (Miscellaneous Provision) (Amendment) Bill, 2009.

You may wish to invite the Clerk of the Senate to read the Short Title of the Bill.

Passport (Miscellaneous Provision)
(Amendment) Bill, 2009 - *read the First Time.*

**National Projects Monitoring Agency
(Establishment) Bill, 2009 (HB.101)**

Mr. President, the second business of the day is also another House Bill standing in my name on the National Projects Monitoring Agency (Establishment) Bill, 2009.

You may wish to invite the Clerk of the Senate to read the Short Title of the Bill.

National Projects Monitoring Agency
(Establishment) Bill, 2009 - *read the First Time.*

**Nigerian Football Association (Repeal, etc.)
Bill 2009 (HB.104)**

The third business of the day is the presentation of yet another House Bill standing in my name on the Nigerian Football Association (Repeal, etc) Bill, 2009.

You may wish to invite the Clerk of the Senate to read the Short Title of the Bill.

Nigerian Football Association (Repeal etc.)
Bill, 2009 - *read the First Time*

**National Food Reserves Agency (Establishment,
etc.) Bill, 2009 (HB.123)**

The fourth business of the day is the presentation of another House Bill standing in my name on the National Food Reserves Agency (Establishment, etc) Bill, 2009.

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You may wish to invite the Clerk of the Senate to read the Short Title of the Bill.

National Food Reserves Agency (Establishment, etc) Bill, 2009 - *read the First Time.*

PRESENTATION OF REPORTS

Annual Report of the Auditor-General of the Federation on Government Parastatals

The fifth business of the day is the presentation of the Report of the Auditor-General of the Federation on the Accounts of the following Federal Government Parastatals in accordance with Section 85(2) and (5) of the 1999 Constitution of the Federal Republic of Nigeria. The Agencies are:

- i. The National Automotive Council Audited Accounts for the Year Ended 31st December, 2005;
- ii. Federal Polytechnic, Oko, Audited Accounts for the Year Ended 31st December 2004;
- iii. Education Trust Fund Audited Accounts for the Year Ended 31st December, 2003 – 2006
- iv. Petroleum Technology Development Fund Audited Accounts for the Year Ended 31st December 2002

These Reports have been scheduled on the Order Paper in accordance with Section 85(5) of the 1999 Constitution which states *inter alia* that each House shall cause the Report to be considered by the appropriate Committee of the National Assembly responsible for Public Accounts.

With your kind permission, I wish to move the Motion for the Senate to receive the Reports.

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

Question put and agreed to.

Resolved: That the Senate do receive the Report of the Auditor-General of the Federation on the Accounts of the various Federal Government

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Parastatals in accordance with Section 85(2) and (5) of the 1999 of the Federal Republic of Nigeria.

(Reports accordingly laid on the Table)

The President: These Reports are to be referred to the Public Accounts Committee. Is it not so?

Senator Bukar Ibrahim Abba (Yobe East): Yes, Sir, you are right.

The President: It is all right. We will refer them to the Public Accounts Committee. Vice Chairman, Public Accounts Committee, I am sure we can get them back in four weeks. So, you are to report back in four weeks time.

(Reports accordingly referred to the Senate Public Accounts Committee to report back in four weeks)

ORDERS OF THE DAY

MOTIONS

Confirmation of the Nomination of Elder Bolaji Akpan Anani

Senator Teslim Kolawole Folarin: Mr. President, the first Order of the Day is a Motion requesting the Senate to consider the request of Mr. President, Commander-in-Chief for the confirmation of the nomination of Elder Bolaji Akpan Anani of Cross River State as a Member of the Revenue Mobilisation, Allocation and Fiscal Commission in accordance with Section 154(1) of the 1999 Constitution of the Federal Republic of Nigeria.

The purpose of this Motion on the Order Paper is for the request of Mr. President, Commander-in-Chief to be referred to the relevant Committee for further legislative action. I, therefore, move that this Senate do consider the request of Mr. President, Commander-in-Chief for the confirmation of the nomination of Elder Bolaji Akpan Anani, Cross River State, as a Member of the Revenue Mobilisation, Allocation and Fiscal Commission in accordance with Section 154(1) of the 1999 Constitution of the Federal Republic of Nigeria.

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Senator Adeleke Olorunnimbe Mamowora: Mr. President, I rise to second the Motion as moved by the Senate Leader that Mr. President's request in respect of Elder Bolaji Akpan Anani be considered in respect of his nomination as a Member of the Revenue Mobilisation, Allocation and Fiscal Commission.

Question put and agreed to.

The President: This Motion is referred to the Senate Committee on National Planning and to be returned in seven days.

Resolved: That the Senate do consider the request of Mr. President, Commander-in-Chief for the confirmation of the nomination of Elder Bolaji Akpan Anani, Cross River State as a Member of the Revenue Mobilisation, Allocation and Fiscal Commission in accordance with Section 154(1) of the 1999 Constitution of the Federal Republic of Nigeria and it was accordingly referred to the Committee on National Planning to be returned in seven days.

CONSIDERATION OF BILLS

Liquefied Petroleum Gas Council of Nigeria (Establishment) Bill, 2009

A Bill for an Act to Establish the Liquefied Petroleum Gas Council of Nigeria and for the Purpose of Regulating and Controlling the Operations of Personnel Engaged in the Liquefied Petroleum Gas Sub-Sector and for Matters Connected Thereto.

Senator Teslim Kolawole Folarin: Mr. President, the second Order of the Day is the Second Reading of the Liquefied Petroleum Gas Council of Nigeria (Establishment) Bill, 2009. The Bill was read the First Time in this hallowed Chamber on Thursday, 15th May, 2008. You may now invite Senator Osita Izunaso to move the Motion for the Bill to be read the Second Time.

Senator Osita B. Izunaso (Imo West): Mr. President, I thank you for the opportunity to lead the debate on the general principles of a Bill for an Act to Establish the Liquefied Petroleum Gas Council of Nigeria and for the Purpose of Regulating and Controlling the Operations of Personnel Engaged in the Liquefied Petroleum Gas Sub-Sector and for Matters Connected Thereto.

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This Bill was first read in this hallowed Chamber on the 15th May, 2008.

It is a known fact that Nigeria is sitting on a deposit of natural gas resources that will in the long run have more value than crude oil in terms of commercial abundance. For this reason, many geologists have labeled Nigeria as a gas producing country, rather than an oil producing giant as currently reckoned by the International Community for decades now. However, this resource cannot be adequately harnessed and channeled for optimal use as there is no legally backed organisation to regulate the activities of the Liquefied Petroleum Gas Sector. The usage of the LPG, otherwise known as cooking gas in Nigeria is consequently going down each day.

It is very worrisome that in a country of over a 140 million people, the per annum consumption of LPG in the last ten years has been fluctuating between 40,000 and 50,000 metric tons. The percentage usage of LPG in Nigeria, according to the World Bank Report, is less than 0.5 *per cent*. This is very appalling

The LPG Sector Policy and Regulatory Framework Project, 2006, (I am trying to quote the authority). This is the lowest in comparable terms to Ghana. The LPG usage in Ghana is over 65 *per cent*, Senegal is over 90 *per cent* and Nigeria is 0.05 *per cent* in a country that has such abundant gas resources. Despite the very embarrassing consumption level, supply had been very erratic, most times unavailable and the price unaffordable and beyond the reach of most Nigerians due to scarcity, irregular supply and human factor.

Nigeria as one of the largest producers of LPG in the world still cannot afford this very important product. LPG users-accessories including cylinders and burners are also beyond the reach of the average Nigerian and even when found, are characterised by substandard accessories. This necessitated my Motion on the Alarming Increase in the Use of Sub-standard Refilling Gas Cylinders which was passed in this hallowed Chamber on 24th February, 2009. The quality of gas cylinders as well as accessories in circulation is abysmally low while storage facility is grossly inadequate.

In recent times, 150,000 metric tons of LPG is supplied by Nigerian Liquefied Natural Gas into Nigerian market which cannot be fully utilised

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because of obvious bottlenecks arising from non supervision of the sector by a legally backed Association.

The World Bank and the IMF have several packages for Liquefied Petroleum Gas Associations all over the world. But as of today, Nigeria cannot benefit from the World LPG Association's incentives and other largesse because we do not have an Association that is legally backed.

The fierce global demand for energy and particularly the traditional crude oil based sources make it imperative for Nigeria to take deliberate steps to maximise the benefits of its gas resources for socio-economic growth, hence this Bill. This Bill, therefore, seeks to organise the operations of stakeholders in the Liquefied Petroleum Gas Sector under one umbrella in order to ensure professionalism and efficiency in the sector.

We must be aware that liquefied petroleum gas culminates in a mega segment on the entire petroleum chart and as such, the professional body will help sharpen the reality of investment in the sub-sector rather than leaving it in a state of inefficiency. It tends to participate in conjunction with such government regulatory bodies as the DPR, SON, and PPMC *et cetera* in the process leading to the grant of appropriate operational licensing within the LPG sphere and with aforesaid bodies carried out regulatory functions in so far as the LPG sub-sector is concerned. This will certainly ensure a well coordinated distribution of LPG at the realistic production and distribution costs.

In this vein, the sector is poised to derive amongst others:

- (i) benefits from the World LPG Association;
- (ii) benefits from the World Bank and IMF;
- (iii) training and capacity building;
- (iv) good health for Nigerians;
- (v) reduction in prices of LPG;
- (vi) increase gas usage as the current usage is abysmally low;
- (vii) reduction of pressure on petrol and diesel;
- (viii) provision of LPG cylinders and accessories to Nigerians;

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- (ix) reduction of pressure on kerosene and firewood;
- (x) ensuring that only standard and certified gas cylinders and other accessories are used in the market.

The thrust of this Bill is highlighted in Clause 2, which includes the following:

- (a) to determine the operators in the Liquefied Petroleum Gas sector in the Federal Republic of Nigeria;
- (b) to determine the standard of knowledge and skill to be attained by persons or organisations seeking to become operators and the review of such standards from time to time;
- (c) set training standards and syllabi for the Liquefied Petroleum Gas Training Council.
- (d) registration and maintenance of the register of all classes of members of the Council and the publication of same from time to time;
- (e) to regulate and control the operations of persons involved in the sector as approved by law;
- (f) to gather statistical information on liquefied petroleum gas sales and usage by members of the public.

This Bill invariably provides for Corporate Membership of the Council to include Companies involved in the extraction, processing, procurement and sale of LPG in Nigeria just as employees and former employees of the Nigerian Petroleum Industry are also recognised as Members. It also provides for Council Membership open to consultants, installers, dealers, stockiest or other small companies while persons and bodies other than those earlier described are in the affiliate category; they are mere supporters of the Association's policies.

I want to inform the distinguished Senators that this Body is already in place, I am sure, in the last nine years, but it is not backed up by Law that is why they cannot even get started

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This Council shall have a Governing Board to ensure the supervision and guidance of its activities. The Board which shall consist of 16 persons will be headed by a Chairman and a representative of the Ministry of Petroleum Resources and a Secretary who shall be the head of the administration and custodian of the same. Other Members shall be elected at the Annual General Conference to represent regional branches.

The Council shall be self-funding and has no financial implication. Its funding shall be derived from the following sources:

- (i) all fees and subscriptions accruing from the registration of members;
- (ii) rentage of its property;
- (iii) sales of information and publications;
- (iv) return on investment;
- (v) foreign aids and assistance from bilateral agencies; and
- (vi) all other funds which may, from time to time, accrue to the Council

It should be noted that these funds so accrued would be judiciously utilised for the benefit of the Council. To ensure accountability and probity, the accounts of the Council shall be audited annually by Auditors to be appointed by the Council in accordance with the Companies and Allied Matters Act.

This Bill when passed into law shall ensure professionalism and proactivity in our Liquefied Petroleum Gas sector. It will also accelerate Nigeria's quest in making gas available for both domestic and industrial users for local and international markets; thus increasing the volume of foreign exchange coming into Nigeria's coffers for infrastructural development. This will definitely enhance Nigeria's vision to be amongst the first 20 most developed economies by the year, 2020. It is not only the oil and gas sector but Nigeria as a nation stands to gain immensely from the passage of this Bill.

I urge you all, my Colleagues, for the love of our country and nation, to support this Bill and give it accelerated passage into law.

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Senator Omar Hambagda (Borno South): Mr. President, I will start by commending the sponsor of this Bill. It is apt. We have been having a lot of problem with the use of firewood and that encourages desertification and associated ills.

My only reservation is that in the area I may consider as the behavioural objectives of the Bill, that is, the output of what we expect to gain from the Bill, I see that it has two groups of purposes. The first is to regulate the sector and the other component is to promote usage of gas thereby reducing reliance on other sources of fuel, especially wood.

Unfortunately, the second part that the sponsor calls the thrust of the Bill, he talks about setting standards, writing professional examinations and so on. I do not know what type of examination you are going to write or which part of discipline it is going to be. Is it going to be engineering discipline, social science discipline, marketing discipline or how to market Liquefied Gas, is it legal of how to regulate gas? I do not know what this professional component is going to be and that is misplacement. It is good we need a regulatory and promotional agency to promote the use of gas and then to also regulate the operations so that an important sector like this is not left on its own.

Once it is a Council, you cannot say they are going to operate on their own. A Council must involve government participation. Therefore, they can be registered as a Limited Liability Company as NACCIMA or Manufacturers Association of Nigeria but we are talking about something to be used to promote the use of this vital component, promote its production, give incentives of all kinds and also put hammer where it is necessary.

So, I think that the Council should be government sponsored and the component of examination should be handed by an Institute. Councils do not conduct professional examinations unless the name is going to be changed, then the components of training and examination should be carried out separately by some other agencies. That is to say if there is really a developed body of knowledge that can be called professional knowledge related to liquefied natural gas.

Senator James Ebiowou Manager (Delta South): Mr. President, I do not have problems with this Bill and I want to commend the effort of the

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sponsor, Senator Osita Izunaso, Chairman, Senate Committee on Gas.

As highlighted in the Bill, it has been proved by experts that Nigeria is richer in gas than even oil and gas as we know, from what we have been told by the experts is a wealth for not just today but for tomorrow. By the time oil is exhausted, it is very likely that the mainstay of the economy of this country would be gas, therefore, we must do everything humanly possible to ensure that we have a regulatory framework for this all important natural product in this country endowed on us by God Almighty.

I just have a slight problem that is not harmful to the Bill. It is about the comprehensive Gas Bill that this Senate and, of course, the entire National Assembly was considering just before the end of the last National Assembly. There was a comprehensive Gas Bill that was sponsored by the Executive. If you look at the oil and gas industry, whatever that is gas is being operated under the laws governing oil. Therefore, the Executive thought it wise to sponsor a comprehensive Gas Bill as distinct from the laws guarding the petroleum industry.

The Bill had gone through First and Second Readings and it was referred to the Committee on Gas at the time. Luckily, I had the opportunity of serving on that Committee and we went round countries that are rich in gas and we made our report. I do not know what has become of that particular Gas Bill. Maybe, the Chairman Senate Committee on Gas would have something to say on this so that whatever we are doing must be within the framework of what is being proposed already. This is because there we were talking about a Council. I do know that there is a provision like that in that Gas Bill.

Mr. President has said it loudly and clearly that there is a comprehensive Executive Bill on the oil and gas industry in this country. Let us be doing these things comprehensively and robustly so that we will get it right from the very beginning.

I support this Bill except that it must be within the confines of what is already before the Senate. I want to urge my Colleagues to also support this Bill.

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Senator Gyang Dalyop Dantong (Plateau North): Mr. President, this Bill is a very important Bill. Let me join others in congratulating my Chairman of Gas Committee in which we are all Members and co-sponsors of this Bill.

This is a Bill for the common man. Actually, if we think of the common man, we think of this Bill. This is a Bill that has a lot of advantages. For example, we have been talking of desertification in this Chamber. This Bill will reduce the incidence of desertification because it will reduce the usage of firewood and the pressure on kerosene. This Bill will go a long way to bring food back to our tables which is very important. We do not even need to talk of the health implications that this Bill will have. It will improve our health systems. This Bill will also improve our economic values and give us employment opportunities in this country. I would like us to look at this Bill very seriously with the aim of passing it very quickly so that this Council can start work and our lives in Nigeria and our economic life will be improved.

With these few remarks, I will plead with all our Colleagues to sincerely support this Bill and pass it with the speed it deserves.

Senator Bassey Ewa-Henshaw (Cross River South): Mr. President, I support this Bill but the Committee needs to examine the objectives of the Bill a little further to see whether it makes sense to limit it to dealing with LPG or whether they need to make it more comprehensive to include people dealing in gas in any form. This is because gas is a very large area. Clearly, you need standards to be established not just for LPG cylinders but even the filling stations where you fill the cylinders. People must be able to meet certain minimum standards before they are allowed to set up filling plants for LPGs.

There must be regulation as to how to pipe gas to industries. There is also need to educate ordinary Nigerians on the use of gas because it is a very dangerous commodity. It explodes; when it leaks, it does not spell it just poisons and kills you. There have been many instances where people had gone to sleep and their cylinders leaked and when they woke up in the morning and walked into the kitchen and struck a match the whole place went into flames. So, there is need for education and for setting standards. There is also need for ensuring safety in conveying gas to industries. Also there is

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need for ensuring that those who fill cylinders or distribute them in any form must meet certain minimum criteria.

That is why I said that the Committee needs to examine whether it makes sense to limit the scope of the Bill to dealing with those that operate within the LPG area or whether it makes more sense to make the Bill a little more comprehensive but I do support the Bill.

Senator Joy Emodi (Anambra North): Mr. President, I stand to support this very important Bill in its entirety because we know that the mainstay of Nigeria's economy today is oil and gas and it is unfortunate that it is a sector that is not properly administered. It is very unfortunate. Look at Ghana and other West African countries they do not even produce these products but the usage there is very high and the people are enjoying it. But Nigeria that is the sixth main producer of gas in the world, the usage is just 0.05. That calls for concern. I place the situation at the door step of inefficiency and lack of professionalism. That is what I think the Bill seeks to achieve, to make the product available and at very good price. I call it an economic Bill. It is true that gas is dangerous but it is still very important to the people who want to access it at very reasonable price.

It is unfortunate that Senator Grace Bent is not in the Chamber today, I know that if she has been around she would have contributed to this Bill. One major importance of this Bill is environment. The problem we have in this country today is deforestation. We are dealing with cutting the forest in order to get firewood, but if we are able to have good standard in the establishment and administration of this sector, gas will be accessible for domestic use which is more important to us than any other thing; and there will be less pressure on our forest.

Another attraction in this Bill is the non-financial implication. The Government will spend nothing. There is no pressure on the meager resources of the Government because it is self-financial sustaining. I, therefore, support this Bill in its entirety and I urge my Colleagues to do so because it is a straight forward Bill so to say.

Senator Abubakar Sodangi (Nasarawa West): Mr. President, I stand to speak in support of this very important Bill brought by our good Friend

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and Colleague, Senator Osita Izunaso. The intention of the Bill is well appreciated going by what he has presented if you had listened to him very carefully. It is meant to give a legal backing to the Association of Liquefied Petroleum Gas members who are dealing with this very important marketable product within Nigeria and international. In order words, they are asking for a platform to operate as an association which is already in existence but they presently lacks legal backing. With this legal backing they will be able to benefit meaningfully and gainfully from other colleagues of theirs in other countries. Anybody who reads this Bill will surely commend Senator Izunaso.

Nigeria cannot afford to be an island onto herself or disconnect from other international bodies when she has abundant natural resources. Tapping these resources is one thing and utilizing them is another very important thing. The benefits and the risks of the members involved must also be protected legally. There are lots of gains monetarily deriving from being members. This are gains from IMF in terms of aids. They could be given loan, they could gain from capacity building, training and re-training. I urge all my Colleagues to support the Bill. I commend all of us to support it.

The President: Senator Osita Izunaso, it is good for you to note down the points that have been raised. It is an important Bill there is no doubt about that, and gas is not something we can allow the marketers, selling it by the roadside like they are dealing in petrol, kerosene and diesel. We need to regulate it properly.

The point that Senator Hambagda raised is very important that people have to take examinations and who among this class of people will take examinations to regulate those at that level and those who are, perhaps, not very educated but have the well withal to be able to market gas properly.

The contributors have all raised very valid points and because of the dangerous nature of gas itself it has to be handled with a lot of care. With these few remarks I should put the Question on the Second Reading of the Bill unless if there is anybody against it. *(No response)*

Question put and agreed to.

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The President: There was actually the Bill that Senator James Manager, talked of; you should take a look at it also so that, at least, anything in this Bill does not contradict that General Bill. So, you report back in two weeks.

Bill read a Second Time and referred to the Committee on Gas and Petroleum to be returned in two weeks.

National Institute for Educational Planning and Administration

A Bill for an Act to Establish the National Institute for Educational Planning and Administration and for Other Related Matters, 2009, (SB.123)

Senator Teslim Folarin: Mr. President, the third and last Order of the Day is the Second Reading of the National Institute for Educational Planning and Administration Related Matters, 2009. The Bill was read the First Time in this Chamber on Wednesday, 9th July, 2008.

You may now invite Senator Joy Emodi to move the Motion for the Bill to be a read a Second Time.

Senator Ifeyinwa Joy Emodi: Mr. President, this Bill is very unique. It shows the lackadaisical attitude of the way the education sector is being looked at in this country. It is a Bill seeking to establish a National Institute for Educational Planning and Administration and for Matters Connected Therewith.

Why I said that it is a unique Bill is because this institution has been in existence for the past 17 years without any law backing it up. It was during our oversight function that we were able to discover this. It is shameful that we have a very important institution responsible for the training of our educational administrators and planners existing for the past 17 years without any law backing it. It was facilitated by UNESCO when it observed that the standard of education in this country was falling. Since it was established it has been carrying out its functions dutifully and efficiently. We have gone there twice on oversight function.

The need to enact a Law establishing the National Institute for Educational Planning and Administration, Ondo, is a paramount concern. The

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fact that the Nigerian educational system today has suffered a serious drift is no longer news. This drift has largely been occasioned by gross ineptitude of system Administrators and the consequence of policy flip-flops, poor planning, inefficient resource management and improper programmes execution.

In order that this sector drain may be arrested, the Federal Government saw the need for a systematic provision and conscious effort to streamline the study and practice of educational planning and administration in the country. Hence, the National Institute for Educational Planning and Administration, Ondo, was established in 1992 without an enabling law. The Institute has since then been in operation but hindered by the absence of an establishing Act.

The Institute, therefore, requires a legal backing in order to effectively carry out its very important functions. This Bill entitled A Bill for An Act to Provide for the Establishment of the National Institute for Educational Planning and Administration and for Other Matters Connected Therewith is therefore a positive conception.

The objective of the proposed Bill seeks to provide legal backing for the establishment of an Institute charged with the responsibility of promoting the study and practice of educational planning and administration in Nigeria and exploring all relevant and available avenues, potentials and resources necessary to make the Institute achieve the following status:

- i. An active learning centre in skills acquisition, in educational planning and administration and
- ii. A national centre of excellence for capacity building in the education sector.

Functions of the Institute

The Institute shall, as its major function, develop an essential and critical mass of education sector planners and managers for the effective and efficient planning and management of the Nigerian Educational System through capacity building, continuous training, research and information dissemination, orientation of education workers and simulation of general concepts and practices of education.

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Highlights of the Bill

The Bill is divided into six parts, twenty-eight Clauses and two schedules as follows:

Part I covers Clauses 1 to 7. It provides for the Establishment of the National Institute for Educational Planning and Administration, Objectives of the Institute, Membership of the Governing Council, Tenure of Office of Members, Emoluments and Allowances of Members and Functions of the Council.

Part II is made up of Clauses 8 and 9 and deal with functions and powers of the Institute.

Part III is subdivided into Clauses 10 to 13 and deal with staff of the Institute and their conditions of service.

Part IV is subdivided into Clauses 14 and 15 which deal with the establishment of the Academic Board of the Institute and its functions.

Part V covers Clauses 16 to 22 and deal with financial provisions of the Institute.

Part VI covers Clauses 23 to 28 and deal with miscellaneous provisions such as legal proceedings, directives by the Minister, mandatory training for officers in the education sector and the Institute, power to make regulations and interpretations.

First Schedule Section 3(4): This Schedule deals with supplementary provisions relating to the Governing Council of the Institute.

Second Schedule Section 13 (4): This deals with supplementary provisions relating to Removal and Discipline of staff of the Institute.

Implications

Financial Implication: The Institute was established in 1992 and has since been receiving budgetary allocation and attention. It, therefore, would not pose any financial adversity to the Government.

Economic Implication: The Institute would provide the needed training for better management and development of the educational system. It would also provide employment opportunities for the Nigerian people.

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Legal Implication: Currently, there is no law on the subject. The Institute already established in 1992 is operating without an enabling law.

Conclusion

We all know that education is the threshold on which the development of any nation hinges. For benefits to be derived from any system or project there must be good planning and administration. Effective planning and administration rests on correct knowledge. The National Institute of Educational Planning and Administration provides the essential knowledge for effective educational management for the overall development of Nigeria.

Distinguished Senators, are therefore urged to give every support to the Bill to ensure its speedy passage.

Senator Enyinnaya H. Abaribe: Mr. President, I rise to support in its entirety this Bill. The reasons are as follows. I was Chairman of the Governing Council of this Institute from 2005 till I was elected to this Senate and throughout that time we made efforts to bring this Bill to be passed by the National Assembly. Let me go back to history to tell you why it has taken time to get to this point.

At the particular time that a Professor from Imo State was a Minister, they were to bring this Bill to this hallowed Chamber as a Executive Bill but when he ran foul of the law and was removed and Governor Liyel Imoke became the supervising Minister, it became very difficult for them to actually bring this Bill to this point. This is a Bill that has been with the Executive for a very long time and I am very glad today that the Committee on Education and its Chairman, Senator Joy Emodi have decided to take the bull by the horns just to formalise something that has existed since 1992.

The Government makes financial provisions for this Institute. This Institute has been training Nigerians all this while and there is no impediment to the realisation of the objectives of this Institute.

I will urge my Colleagues that for the mere fact that this Institution has been an ongoing one that has been doing work in the educational sector, recognised by Government on its own side but without a backing law. We should all, please,

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support and ensure that this Bill is given a very speedy passage.

Senator Ahmed Ibrahim Lawan (Yobe North): Mr. President, the fact that we are today discussing the Bill that will establish the National Institute for Educational Planning and Administration tells a lot. That means, perhaps, we have many Government organisations that are not backed by law and this calls to duty the National Assembly to find out how many more of National Institute for Educational Planning and Administrations that exist and enjoy annual budgetary provisions.

This Institute, I can say, is a very vital. However, because it was not backed by law hence we have not been able to enjoy very successful planning of education in Nigeria. Perhaps, today will mark the beginning of a very effective planning Institute for Education in Nigeria. We all know that the education administration of this country is characterised by discontinuities. It is either 6-3-3-4; 9-3-4 or maybe 7-5-4 and we have never allowed ourselves to enjoy the fruits of any of the systems ever practised in Nigeria.

With legislative backing for this Institute the point needs to be made that the Institute has to be re-engineered and be focused. We are not sure what educational system we are running in this country. We were expected to start 9-3-4 in September, 2008 but that did not materialize. If that had started we would have discarded the 6-3-3-4 currently in practice. So, it is a serious confusion for the system and, of course, for the country. What we require today in our educational sector is a stable planning and administration and if we are able to do that, we must focus our attention to achieve a functional education for this country. The Vision 2020 or whatever we want to achieve cannot be achieved without a stable planning and administration of education in Nigeria.

In fact, if you allow me, I would say that whatever level of development we want to achieve, it is only through educational system that such achievement could be made. There are so many countries in the world without oil or agricultural lands but their economies are strong simply because their educational systems are stable and focused and they are able to achieve knowledge driven economies.

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So, I believe that this Bill is timely and I would also urge my Colleagues to look at other government institutions that are enjoying annual budgetary allocations without any legal backing

Senator Ibrahim M. Ida (Katsina Central): Mr. President, I want to join my Colleagues in commending Senator Joy Emodi for coming up with this ill. It is timely and all right. But there are certain issues that need to be addressed for this Bill to sail through legislative process.

The first issue has been touched upon by the last speaker. In the remarks the sponsor made she was very clear that there is no financial implication because the proposed Institute has already been receiving budgetary allocations. But in the same paragraph she said it has been operating since 1992 without an enabling law. Now the question is, does it mean that our government is now giving money to entities that have no legal existence? It is a very serious issue which should be noted.

Secondly, I also noticed that among the Governing Council of the Institute, would be a Representative of UNESCO which is an international organisation. It is not subject to Nigerian laws, therefore, there is a legal implication, which should be seriously canvassed because there is no precedent that one can think of wherein an international organisation is made a member of a Governing Council of an Institution established by our laws. This is because the requirement is that whosoever sits on that Council should be subject to Nigerian Laws to meet the qualifications, *et cetera*. That is also another thing that should be looked into.

Thirdly, the sponsor mentioned employment opportunities. I want to get it very clear. Is it the establishment of the Institute itself that would create the employment opportunities? Or is it the products that it would ultimately graduate? If it is the first, then we should be very careful. We should not be setting up institutions purely and simply because we want to provide employment opportunities. If we do so, then there would be no end to such.

Another issue is that I have gone through the Bill and I find it difficult to really appreciate what it would lead to ultimately. What type of qualification does it confer on its graduands? First of all, is it going to confer professional qualifications to its

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graduands or academic qualifications? Is it going to complement what the existing institutions of higher learning are conferring? Or is it going to supplement it? We have universities and polytechnics that specialise in the training of people that handle educational planning and administration.

If I were to have my way or offer an advice, I would say that the Institution being canvassed for should be a regular training body rather than an institution that would compete with our universities in the training of experts in the area of education and administration planning.

In any event, the Bill says in general that it is going to award diplomas and certificates. Now we have institutions that award degrees in this discipline, so really of what benefit would it be for you to go to such an institution that only awards diplomas and certificates when you have universities that are offering the same discipline and awarding degrees?

It is a good Bill but I hope that by the time it goes through the legislative processes, these issues would be thoroughly looked into and addressed. Unless, that is done there would be a serious lacuna in the law.

Senator Iyabo Olusola Obasanjo-Bello (Ogun Central): Mr. President, I rise to support this Bill and commend my Chairman, Senator Joy Emodi for bringing this Bill forward given the length of time it has taken in bringing such an important Institution to the attention of the Senate.

Educational planning and administration is a very important aspect of educational sector. If we do not plan how we would run the educational system it would all fall apart. The issue at hand goes to show the importance we accord educational planning and administration in this country. Hence that Institute was established without a law and left to operate for 17 years to be exact. It also shows the haphazard nature of our planning in education. We went from 6-3-3-4 which was the system that came into being as I was finishing my Secondary School to a new system of 9-3-4 without any planning. The problem of going from 6-3-3-4 to 9-3-4 is still there in the educational system. Institutions were told to go to nine years without given them time and adequate facilities. They did not even give adequate space for students to spend

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extra three years in the first tier which is the primary. In fact, there is chaos in our educational system due to lack of planning and adequate administrators.

So, this is a very important Bill and hopefully once it is passed this Institute will be put on firm footing and will start to function appropriately.

I also want to mention something that Senator Ibrahim Ida talked about in terms of profession. My understanding is that people coming to this Institute would have had their degrees. This is a professional qualification. No university teaches educational planning. You get a degree and if you then want to become an Educational Administrator, you go for this diploma which qualifies you to be in the administration side of education instead of the teaching side alone. So, this is a very important diploma. It does not take away from the degree that you already have. Therefore, anybody in the professional area understands that. You have your degree and now you have a diploma that is a professional qualification that sets you up in an area of your field. So, it is very important that we pass this Bill.

The President: I am sure the Comrades would like to make some comments on education.

Senator Dahiru A. Kuta (Niger East): Mr. President, I am surprised that since 1992 we have an Institute of this nature yet our educational system is ridden with planlessness, frequent change of policies, under-funding and mismanagement. Today, most of our children are dropping out of school. The rich people take their children to elitists' schools because there is no longer proper organisation in our educational system.

What we used to know about instructional materials are no longer being developed. So, one is surprised that we have an institution of this nature yet we are not addressing issues of education properly.

As we give legal backing to this Institution that it is very important that it focuses more attention on how to develop instructional materials. It should also consider that the learning environment is hampering educational growth in this country. We see our children all over the places particularly; we the common people whose children now receive

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lessons on bare floor. The planners are supposed to know that things are moving from bad to worse as far as education administration is concerned. But because most of our children are attend private schools, nobody cares. Public schools are supposed to meet international standards for educational advancement.

As this Institution is set at having legal backing it should focus more on how to ensure that we get improvement on the standard of education we give to our children.

Senator Munirudeen Adekunle Muse (Lagos Central): Mr. President, I am in full support of this Bill for the simple reason that it will give opportunities to people who cannot gain admission into universities. This is comparable to the polytechnics. If the Bill is allowed to sail through, many more students who cannot gain admission into the universities will have the opportunity to, at least, have a diploma from such an Institution. So, I support the Bill.

Senator George Anthony Manzo (Taraba North): Mr. President, I want to align myself with the previous speakers in support of this Bill so ably put together by the Joy of the Senate, Senator Joy Emodi.

In supporting this Bill, I want to state that education is the basis of any meaningful development and planning education is something we ought to do in a very proper way. It is unfortunate that the Institution was established in a haphazard manner. The Institution had been in place as an administrative entity since 1992 but it is only now that it is getting legal backing. But as it is usually said, it is better late than never. So, this is a good Bill.

My experience with educational planning dates back to the UBE years when we started to develop the template for primary education between 1976 and 1979. At that time, people with Grade II Certificates were sent to Ahmadu Bello University, Zaria, which offers diploma course in Educational Planning. Perhaps, as some of my Colleagues have said, as a logical extension, it should offer degree courses so that we train people that plan our educational sector. Particularly, planning at the nursery and primary school levels which in my opinion, forms the basis for any meaningful development.

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I fully support this Bill. I associate myself with my Sister from Anambra State, Senator Joy Emodi. I hope that the Bill will be read the Second Time without any difficulty.

The President: I am going to put the Question, but before then, let me have the last two contributions from Senator Mujitaba and Senator Iyiola Omisore.

Senator Mujitaba Mohammed (Jigawa South West): Mr. President, before continuing, permit me to say that the children of Senator Kuta are comfortably studying in one of the best schools in Abuja. They are not studying on bare floor as he said.

A lot has been said on this particular Bill, which I believe is very important, strategic and significant to the development of our education sector. No educational system can develop without proper planning and administration. Unfortunately, in Nigeria, this area has been neglected for quite a long time. That is why we have been witnessing the ups and downs in our educational sector.

There is obviously the need to further train and groom our educational professionals from the universities in an institution of this nature so that the practice of educational administration and planning can become professionalised. Moreso, if we look at one of the functions of this Institute, function (h) which is to promote research into the theory and practice, including problems of education planning and administration in Nigeria, we can see the very essence and importance of this Bill.

As I have said at the very beginning, a lot has been said on this Bill, but as a mark of support to the presenter of this Bill and other co-sponsors, I will like to appeal to my distinguished Colleagues to support this important Bill for the overall development of the educational sector in Nigeria.

Senator Iyiola Omisore (Osun East): Mr. President, I want to support this Bill. This Institution is supposed to be a Center of Excellence for capacity building in the education sector. This Institution has been in existence since 1992 without an enabling law.

On the issue of cost does not arise at all because provisions are being made to the Institute

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in the budget for the past 17 years. We will only continue the process of budgeting for it.

You will recollect that in 1973 the school calendar was changed instead of from January to December it became from August to July. About three years ago there was a new school system 6-3-3-4. All these had been done haphazardly without any reason whatsoever. This Institution will basically enable education administrators to have a firm grip of who will be taught education management.

The Bill is long overdue. It is unfortunate that for the past six years there is no particular institution for the training of educationists in this country. I believe that this Bill has come at the right time and I want to support it fully. I recommend it to pass through the stages and be passed by the Senate.

The President: Before I put the Question, let me add that truly we cannot overemphasise the importance of education in this country. I strongly believe that over 60 *per cent* of our problems in this country are because of our poor educational standards or lack of functional education among the people. We have a situation where we do not have a standard or a good system. You see people with first degrees yet they cannot make simple sentences. Some construct sentences without verbs in proper places. For those of you who went to school when we had Class I, Class II, and Primary I to 6 and then to secondary school, you will understand the difference between what you went through in those days and what is happening now. Any institution at all that will ensure proper standard of education as well as good administration with good planning; and the welfare of all those involved in educational system is well taken care of is an encouraging institution. So, I believe we should all support this Bill.

I also believe that the Joy of the Senate, distinguished Senator Joy Emodi, through this Bill, has brought joy to us for the weekend. I will now put the Question for the Second Reading of the Bill.

Question put and agreed to.

The Bill is referred to the Committee on Education and to be reported back in two weeks.

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Bill read the Second Time and referred to the Committee on Education to be reported back in two weeks.

ANNOUNCEMENTS

National Health Bill, 2008

Distinguished Colleagues, you will recall that the Senate passed the National Health Bill, 2008, on 15th May, 2008 and sent it for concurrence to the House of Representatives. The House has concurred to the Bill with some Amendments. We, therefore, have to set up a Conference Committee on the Bill. The Senate will be represented by:

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|---------------------------------|----------|
| 1. Senator Gyang Dalyop Dantong | Chairman |
| 2. Senator Anthony Manzo | Member |
| 3. Senator Mujitaba Mohammed | Member |
| 4. Senator Eme Ufot Ekaette | Member |
| 5. Senator Adeleke O. Mamowora | Member |
| 6. Senator Chris Anyanwu | Member |

Burial Ceremony of Senator Melford Okilo

For those of you who were here from 1999 to 2003, I am sure, will remember Senator Melford Okilo. He was a very active Member of this Chamber. He was always present in the Chamber during any sitting day. We are sending a delegation for his burial on Saturday, 2nd May, 2009. The delegation will be led by distinguished Senator Kabiru Ibrahim Gaya. Other s as members are:

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|-------------------------------|--------|
| 1. Senator Mujitab Mohammed | Member |
| 2. Senator Gyang D. Dantong | Member |
| 3. Senator Andrew A. Babalola | Member |
| 4. Senator Heineken Lokpobiri | Member |
| 5. Senator Anyim C. Ude | Member |

You will liaise with Senator Heineken Lokpobiri so that you represent us on Saturday, 2nd May, 2009. The burial and other activities will be in Yenogoa, the Bayelsa State Capital.

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Official Trip to Lagos

For those who have signed to go to Lagos with me tomorrow, you already know your names. The departure will be 8.00 o' clock in the morning from the Presidential Wing of Nnamdi Azikiwe International Airport. We will be back on Saturday morning or tomorrow evening for those who would want to do a day return.

Joint Rally

Distinguished Senators Umar Hambagda and Uche Chukwumerije, I thought that you would have told us something about the May Day coming tomorrow. Apparently there are no more Comrades in the Senate. This applies to Distinguished Senator Smart Adeyemi and Bassey Ewa-Henshaw who was a labour man for so long. They all have lost touch with the people. However, there will be a Joint Rally tomorrow for those who would want to go but you must walk and not drive in an air conditioned car.

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ADJOURNMENT

Senator Teslim Kolawole Folarin: Mr. President, having exhausted all items on the Order Paper, I move that this Senate do adjourn till Tuesday, 5th May, 2009 at 10.00 a.m.

Senator Adeleke Olorunnimbe Mamowora: Mr. President, I rise to second the Motion as moved by the Senate Leader.

Question put and agreed to.

Resolved: That the Senate do adjourn till Tuesday, 5th May, 2009 at 10.00 a.m.

The Senate adjourned accordingly at 12.05 p.m.