



SENATE OF THE FEDERAL REPUBLIC OF NIGERIA

VOTES AND PROCEEDINGS

Tuesday, 21st June, 2016

1. The Senate met at 10:57 a.m. The Deputy Senate President read Prayers.

2. **Closed Session:**

Closed Session — 11:00 a.m.

Open Session — 12:39 p.m.

The Deputy Senate President reported that the Senate in a Closed Session deliberated on issues relating to the smooth running of the Senate and other national matters.

3. **Votes and Proceedings:**

The Senate examined the Votes and Proceedings of Thursday, 16th June, 2016.

Question was put and the Votes and Proceedings were approved.

4. **Message from Mr. President:**

The Deputy Senate President announced that he had received a letter from Mr. President, Commander-in-Chief of the Armed Forces of the Federation, which he read as follows:

Resumption of Office:



**PRESIDENT,
FEDERAL REPUBLIC OF NIGERIA**

20th June, 2016

*Distinguished Senator Abubakar Bukola Saraki,
President of the Senate,
National Assembly Complex,
Three Arms Zone,
Abuja.*

Dear Distinguished Senate President,

RESUMPTION OF OFFICE

In compliance with Section 145 of the 1999 Constitution (as amended), I write to intimate the Senate that I have resumed my functions as the President of the Federal Republic of Nigeria with effect from Monday, June 20, 2016, after my short vacation.

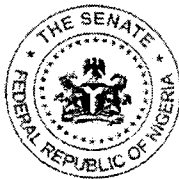
2. *Please accept as always, assurances of my esteemed consideration.*

*Yours Sincerely
(Signed)
Muhammadu Buhari*

5. Announcement:

(a) Peoples Democratic Party (PDP) Caucus:

The Deputy Senate President read a letter from Senator Emmanuel Bwacha (*Taraba South*) as follows:



Senator Emmanuel Bwacha

(Taraba South - Senatorial District)
Federal Republic of Nigeria

21st June, 2016

NOTICE OF MEETING

There will be a meeting of the Peoples Democratic Party (PDP) Caucus of the Senate and House of Representatives with the Caretaker Committee of the Peoples Democratic Party (PDP) today, in Room 022 (Senate New Wing).

(Signed)

Senator Emmanuel Bwacha
Deputy Minority Leader.

(b) Acknowledgement:

The Senate President acknowledged the presence of the following who were in the gallery to observe Senate Proceedings:

- (i) Students of Department of Political Science and Administration, Adamawa State University, Mubi, Adamawa State;
- (ii) Students of Rufus Giwa Polytechnic, Owo, Ondo State;
- (iii) Students' Representative Council, Students' Union, Federal College of Animal Health and Production Technology, Ibadan, Oyo State;
- (iv) Staff and Students of School for the Gifted, Gwagwalada, Abuja; and
- (v) Staff and Students of Kingdom Heritage Model School, Kubwa, Abuja.

6. Petitions:

- (i) Rising on Rule 41, Senator Albert A. Bassey (*Akwa Ibom North-East*) drew the attention of the Senate to two petitions from his constituents:

- (a) Sgt. Peter John, over illegal conversion and diversion of his salaries and allowances by the Nigeria Police; and

- (b) Mr. Aniekan Umoh, over his victimisation by Shell Petroleum Development Company of Nigeria.

He urged the Senate to look into the matters.

Petitions laid and accordingly referred to the Committee on Ethics, Privileges and Public Petitions [Rule 41(3)] to report within two (2) weeks.

- (ii) Rising on Rule 41, Senator Obinna J. Ogba (*Ebonyi Central*) drew the attention of the Senate to two petitions from his constituents:

- (a) Mr. Arinze John, over wrongful retirement by the Nigerian Prisons Service; and
(b) A. S. Nwokeocha, Esq, on behalf of Late Mr. Chibuike Edu, allegedly tortured to death by the Special Anti Robbery Squad (SARS) in Ishielu Local Government Area of Ebonyi State.

He urged the Senate to look into the matters.

Petitions laid and accordingly referred to the Committee on Ethics, Privileges and Public Petitions [Rule 41(3)] to report within two (2) weeks.

- (iii) Rising on Rule 41, Senator Donald O. Alasoadura (*Ondo Central*) drew the attention of the Senate to a petition from his constituent, Otunba Noah O. Fadayomi, against Engr. Akinbiyi E. Olusina and the Corporate Affairs Commission (CAC), over criminal conspiracy. He urged the Senate to look into the matter.

Petition laid and accordingly referred to the Committee on Ethics, Privileges and Public Petitions [Rule 41(3)] to report within two (2) weeks.

- (iv) Rising on Rule 41, Senator Yusuf A. Yusuf (*Taraba Central*) drew the attention of the Senate to a petition from his constituent, Grace Chia Sani, over the list of the forty-seven (47) Career Ambassadorial Nominees sent by Mr. President, Commander-in-Chief of the Armed Forces of the Federation for confirmation. He observed that her name was excluded from the list. He urged the Senate to look into the matter before any action is taken on it.

The Committee on Foreign Affairs to look into the matter when considering the screening of nominees.

- (v) Rising on Rule 41, Senator Ovie A. Omo-Agege (*Delta Central*) drew the attention of the Senate to a petition from his constituent, Mr. Philips Ororho, over wrongful dismissal from the Federal Medical Centre, Asaba, Delta State. He urged the Senate to look into the matter.

Petition laid and accordingly referred to the Committee on Ethics, Privileges and Public Petitions [Rule 41(3)] to report within two (2) weeks.

7. Matter of Urgent Public Importance:

Rising on Rules 42 and 52, Senator Dino Melaye (*Kogi West*) drew the attention of the Senate on the imminent threat to Nigerian democracy with unfounded allegations and charges instituted against the Senate Presiding Officers by the Attorney General of the Federation (AGF). He sought and obtained the leave of the Senate to present the matter forthwith:

The Senate:

observes, the ongoing systematic degradation and abuse of the office of the leadership of the National Assembly by the Executive Arm of Government through intimidation and harassment;

notes, regrettably, that the Executive Arm of Government as presently constituted is still to come to terms with the Constitutional tenets of separation of powers and the independence of the Legislative Arm of Government;

observes further that notwithstanding the maturity and nationalistic commitment of the National Assembly to ensure the survival of democracy and the enthronement of order and national development through bipartisan initiatives and support for the Executive, there remains a grand design not only to distract the National Assembly but also to intimidate it into silence and enthrone a one-man rule;

notes also the lack of respect for judicial decisions and the resolutions of the National Assembly by the Executive which is beginning to arrogate to itself the unified powers of the Federation;

notes that the current attempt to arraign the leadership of the Senate over an internal matter of the Senate and claim spuriously a forgery that does not exist is a smoke-screen for an impending attempt to overthrow the Legislative Arm;

notes further that the Judiciary had through several rulings, and in a recent case Suit No. FHC/ABJ/CS/646/2015 on the same issue, warned the Executive from treading on this part of criminalizing or interfering in the running of the internal affairs of the Senate;

acknowledge the grave implication this emerging trend poses to the security, continuing existence, unity and survival of our dear country;

aware, that the legislature is empowered, subject to the provisions of the Constitution to regulate its own procedures as explicitly stated in section 60 of the Constitution of the Federal Republic of Nigeria 1999 (as amended) which we have all sworn to uphold;

disturbed that instead of applying itself to the myriad of problems confronting the nation, including the escalating cost of living, upsurge in violent extremism, worsening insecurity, rising ethnic divisions, skyrocketing unemployment, declining national productivity and a nose-diving economy into recession, the Executive continues to be hellbent on chasing rat while the Federation burns;

further disturbed that of all these problems, what is of paramount concern to the Executive is to neutralize the independence of the Parliament and create effigies of fear to shut down demand for accountability by whipping up sentiments, trying to create crimes where none exist and divert attention;

observes that this present state of affairs represents the greatest threat to our corporate existence and the gravest rape of our Constitution, the basis upon which we exercise power; and

notes with regret the defiant act of the Attorney General of the Federation (AGF) and his office of contemptuously disregarding a binding decision of a Federal High Court without a pending appeal by the Police and the AGF on the same matter in which the Federal High Court had decided, to file charges against the leadership of the National Assembly, is a gross violation of the AGF's official calling and an attempt to overthrow the Legislative Arm of Government and foist autocracy on our body polity.

Accordingly resolves:

- (i) that the Committee on Judiciary, Human Rights and Legal Matters to within two days summon the Attorney General of the Federation (AGF) to explain and justify with evidence the basis for his action and why it does not constitute gross misconduct, incompetence, contempt of Court and abuse of office; and
- (ii) that the Senate Standing Orders 2015 was not forged and it is the authentic Rule of the Senate.

Debate:

Proposed Resolution (i):

Question: That the Committee on Judiciary, Human Rights and Legal Matters to within two days summon the Attorney General of the Federation (AGF) to explain and justify with evidence the basis for his action and why it does not constitute gross misconduct, incompetence, contempt of Court and abuse of office — *Agreed to.*

Proposed Resolution (ii):

Question: That the Senate Standing Orders 2015 was not forged and it is the authentic Rule of the Senate — *Agreed to.*

Resolved:

- (i) That the Committee on Judiciary, Human Rights and Legal Matters to within two days summon the Attorney General of the Federation (AGF) to explain and justify with evidence the basis for his action and why it does not constitute gross misconduct, incompetence, contempt of Court and abuse of office; and
- (ii) That the Senate Standing Orders 2015 was not forged and it is the authentic Rule of the Senate (*S/Res/004/02/16*).

8. Presentation of Bills:

- (i) Anti-Torture Bill, 2016 (HB. 120).

Presentation of Bill deferred to another Legislative Day.

- (ii) Telecommunications and Postal Offences Act, CAP T5, LFN 2004 (Amendment) Bill, 2016 (HB. 216).

Presentation of Bill deferred to another Legislative Day.

- (iii) National Crop Varieties and Livestock Breeds (Registration, etc.) Act, CAP N27, LFN 2004 (Amendment) Bill, 2016 (HB. 218).

Presentation of Bill deferred to another Legislative Day.

- (iv) Produce (Enforcement of Export Standards) Act, CAP P32 LFN 2004 (Amendment) Bill, 2016 (HB. 219).

Presentation of Bill deferred to another Legislative Day.

- (v) Corrupt Practices and Other Related Offences Act, No.5 of 2000 (Amendment) Bill, 2016 (HB. 232).

Presentation of Bill deferred to another Legislative Day.

9. Amendment of the Senate Standing Orders of the Senate, 2015 — (First Allotted day):

Motion for Amendment of the Senate Standing Orders 2015, pursuant to Order 110 of the Senate Standing Orders 2015:

Consideration of Motion deferred to another Legislative Day.

10. **Committee on Land Transport:**
Report on the Nigerian Railway Corporation Act, 1955 (Repeal and Re-enactment) Bill, 2016 (SB.01):

Consideration of Report deferred to another Legislative Day.

11. **Committee on Tertiary Institutions and TETFUND:**
Report on the Federal University of Petroleum Resources, Effurun (Establishment, etc.) Bill, 2016 (SB. 226):

Consideration of Report deferred to another Legislative Day.

12. **National Open University Act, No 6 1983 (Amendment) Bill, 2016 (SB. 066):**

Consideration of Bill deferred to another Legislative Day.

13. **Employee's Compensation Act, 2010 (Amendment) Bill, 2016 (SB. 170):**

Consideration of Bill deferred to another Legislative Day.

14. **Foreign Exchange (Monitoring and Miscellaneous Provisions) Act, Chapter F34, LFN 2004 (Repeal and Re-enactment) Bill, 2016 (SB.181):**

Consideration of Bill deferred to another Legislative Day.

15. **Adjournment:**

Motion made: That the Senate do now adjourn till Wednesday, 22nd June, 2016 at 10:00 a.m.
(Deputy Senate Leader).

Adjourned accordingly at 1:38 p.m.

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