



SENATE OF THE FEDERAL REPUBLIC OF NIGERIA

VOTES AND PROCEEDINGS

Tuesday, 6th December, 2016

1. The Senate met at 10:11 a.m. The Senate President read Prayers.
2. **Votes and Proceedings:**
The Senate examined the Votes and Proceedings of Thursday, 1st December, 2016.
Question was put and the Votes and Proceedings were approved.
3. **Message from Mr. President:**
The 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:
Presentation of 2017 Budget Proposal:



PRESIDENT,
FEDERAL REPUBLIC OF NIGERIA

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

5th December, 2016

Dear Distinguished Senate President,

**PRESENTATION OF THE 2017 BUDGET PROPOSAL
AND PLANS TO LEAD NIGERIA OUT OF RECESSION**

I crave the kind indulgence of the National Assembly to grant me the slot of 1000hrs on Wednesday, 14th December, 2016 to formally address a Joint Session of the National Assembly on the 2017 Budget Proposal and our plans to get the Country out of recession.

Please extend, Mr. Senate President, the assurances of my highest regards to the Distinguished Senators as I look forward to addressing the Joint Session.

*Yours Sincerely,
(Signed)
Muhammadu Buhari*

4. Announcements:

(a) Invitation:

The Senate President read a letter from Senator Rafiu I. Adebayo (*Kwara South*) as follows:



**SENATOR RAFIU ADEBAYO IBRAHIM Ph.D, FCIB
KWARA SOUTH SENATORIAL DISTRICT
CHAIRMAN COMMITTEE ON BANKING, INSURANCE
AND OTHER FINANCIAL INSTITUTIONS**

6th December, 2016

*The Senate President
National Assembly Complex
Abuja*

Your Excellency Sir,

ANNOUNCEMENT

The official Launching of Rafiu Ibrahim Bilal (RIB) Foundation and Constituency Empowerment Programme to mark the 50th birthday Anniversary of Senator Rafiu Adebayo Ibrahim will take place on Sunday the 11th day of December 2016 at Offa Descendent Union (O.D.U) hall in Offa, Kwara State by 12 noon.

Interested Senators should indicate and contact the Legislative Assistant (LA) to the Senator in Suite 2.12 Senate Wing, to enable him make adequate flight and accommodation arrangements.

*Yours sincerely
(Signed,
Senator Rafiu Adebayo Ibrahim Ph.D, FCIB*

(b) Report on Oversight:

The Senate President read a letter from Senator Mohammed A. Ndume (*Borno South*) as follows:



**OFFICE OF THE SENATE LEADER
FEDERAL REPUBLIC OF NIGERIA**

December 6, 2016

REPORT ON OVERSIGHT

The Chairmen of all Committees are hereby requested to lay the reports of 2016 Oversight on or before 15th December 2016

(Signed)

Mohammed A. Ndume
Senate Leader

(c) **Reminder: List of Legislative Aides:**

The Senate President read a letter from M. A. Sani-Omolori (CNA) as follows:

Clerk to the National Assembly
FEDERAL REPUBLIC OF NIGERIA
Three Arms Zone, PMB 141, Garki Abuja
Office No. 0816-500-9426 E-mail: msaniomolori@yahoo.com



6th December, 2016

ANNOUNCEMENT

REMINDER: LIST OF LEGISLATIVE AIDES

This is to remind the Distinguished Senators who are yet to submit a comprehensive list of their Aides (indicating their respective designations and grade levels) to promptly forward same to the office of the CNA.

As announced earlier, the National Assembly is updating the list of all the Legislative Aides of the 8th National Assembly towards effective planning of capacity building programmes and also for the purpose of maintaining a comprehensive list of legislative Aides. Please note that Legislative Aides whose names are not forwarded by their principals will not be scheduled for payment of salaries from January, 2017.

(Signed)

M. A. Sani-Omolori
Clerk to the National Assembly

(d) **Acknowledgment:**

The Senate President acknowledged the presence of the Staff and Students of Voyage International School, Suncity Estate, Abuja who were in the gallery to observe Senate Proceedings.

5. Petition:

Rising on Rule 41, Senator Oluremi S. Tinubu (*Lagos Central*) drew the attention of the Senate to a petition from Fredorosa Casollini Limited on behalf of Ikara Community, Edo State, over unabated massive oil pollution and environmental degradation. She 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.

6. Matter of Urgent Public Importance:

Rising on Rule 42, Senator Olusola Adeyeye (*Osun Cental*) drew the attention of the Senate to the last week death of two (2) Corps Members in Kano and Zamfara States respectively. These were First Class graduates who lost their lives due to health negligence at various Camps. He sought and obtained the leave of the Senate to present the matter.

Matter to stand over to the next Legislative Day [Rule 42(2)].

7. **Presentation of Bills:**
 (i) Chartered Polymer Institute (Establishment, etc.) Bill, 2016 (SB. 396) — *Read the First Time.*
 (ii) Adeyemi Federal University of Education, Akure (Establishment, etc.) Bill, 2016 (SB. 399) — *Read the First Time.*
 (iii) National Youth Development Commission (Establishment, etc.) Bill, 2016 (SB. 385) — *Read the First Time.*
8. **Conference Committee:**
Report on the Defence Space Agency (Establishment, etc.) Bill, 2016 (SB. 166):
Presentation of Report deferred to another Legislative Day.
9. **Conference Committee:**
Report on Virement of Funds:
Motion made: That the Senate do receive the Conference Committee Report on the Virement of Funds appropriated for Special Intervention (Recurrent) and Special Intervention (Capital) for funding of critical Recurrent and Capital items (*Senator Sunny O. Ogbuaji — Ebonyi South*).
Question put and agreed to.
Report Laid.
10. **Conference Committee:**
Report on the Forestry Research Institute of Nigeria (Establishment, etc.) Bill, 2016 (SB. 14):
Motion made: That the Senate do receive the Conference Committee Report on the Forestry Research Institute of Nigeria (Establishment, etc.) Bill, 2016 (*Senator Oluremi S. Tinubu — Lagos Central*).
Question put and agreed to.
Report Laid.
11. **Committee on Independent National Electoral Commission (INEC):**
Report on the Independent National Electoral Commission Act (Amendment) Bill, 2016. (SB. 231 & SB. 234):
Motion made: That the Senate do resolve into the Committee of the Whole to resume consideration of the Report of the Committee on Independent National Electoral Commission on the Independent National Electoral Commission Act (Amendment) Bill, 2016 (*Adjourned Consideration, Thursday, 1st December, 2016*) (*Senate Leader*).
Question put and agreed to.

(SENATE IN THE COMMITTEE OF THE WHOLE)

RESUMED CONSIDERATION OF A BILL FOR AN ACT TO AMEND THE ELECTORAL ACT NO. 6, 2010 AND FOR OTHER RELATED MATTERS.

Clause 18:

Substitution of Section 87:

Substitute for section 87 of the Principal Act a new section "87" as follows:
 "Nomination of Candidates by Parties

- (1) A political party seeking to nominate candidates for elections under this Act shall hold direct or indirect primaries for aspirants to all elective positions, which shall be monitored by the Commission and the result of every primary to elect candidates for an election to be conducted by the Commission shall be endorsed or certified by the Commission.

- (2) A political party shall not impose nomination qualification or disqualification criteria, measures, or conditions on any aspirant or candidate for any election in its constitution, guidelines, or rules for nomination of candidates for elections, except as prescribed under sections 65, 66, 106, 107, 131, 137, 177 and 187 of the Constitution of the Federal Republic of Nigeria, 1999 (as amended).
- (3) For the purpose of nomination of candidates for election, the total fees, charges, dues and any payment howsoever named imposed by a political party on an aspirant or candidate shall not exceed:
- (i) One Hundred and Fifty Thousand Naira (₦150,000) for a Ward Councillorship aspirant in the FCT;
 - (ii) Two Hundred and Fifty Thousand Naira (₦250,000) for an Area Council Chairmanship aspirant in the FCT;
 - (iii) Five Hundred Thousand Naira (₦500,000) for a House of Assembly aspirant;
 - (iv) One Million Naira (₦1,000,000) for a House of Representatives aspirant;
 - (v) Two Million Naira (₦2,000,000) for a Senatorial aspirant;
 - (vi) Five Million naira (₦5,000,000) for a Governorship aspirant; and
 - (vii) Ten Million Naira (₦10,000,000) for a Presidential aspirant.
- (4) Any requirement, criteria, measures, or conditions for the nomination of candidates for elections outside the provisions of subsections (2) or (3) of this section shall be invalid, null, void and of no effect whatsoever.
- (5) Every political party shall publish the venues, dates, times, guidelines, procedures and other relevant information of its primaries, conventions or any event conveyed for the purpose of nominating candidates for the party in, at least, two (2) national newspapers and, at least, ten (10) days before the date of the event to nominate candidates for the party.

Amendment Proposed:

Immediately after the word "party" in line 5, *insert* the words "except for rescheduled primaries for which two (2) days would be required" (*Senator Jibrin I. Barau — Kano North*).

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

Direct Primaries

- (6) A political party that adopts the system of direct primaries for the nomination of its candidate(s) for an election shall ensure that all aspirants are given equal opportunity of being voted for by registered members of the party and comply with the procedure outline below -
- (a) in the case of nominations to the position of Presidential candidate in a Presidential election, a political party shall, where it intends to sponsor a candidate:

- (i) conduct direct primaries in the registration areas in the 36 States of the Federation and the FCT where all registered members of the party shall be eligible to vote and may freely vote for any Presidential aspirant of their choice;
 - (ii) declare the Presidential Aspirant with the highest number of valid votes cast during the primaries across the 36 States of the Federation and the FCT as the winner of the Presidential primaries;
 - (iii) hold a National Convention where it shall present the winner of the primaries to the public as the Presidential candidate of the party; and
 - (iv) forward the name of the winner of the Presidential primaries to the Commission as the Presidential candidate of the party in the Presidential election.
- (b) in the case of nomination to the position of Governorship candidate in a Governorship election in a State, a political party shall, where it intends to sponsor a candidate:
 - (i) conduct direct primaries in the registration areas in each Local Government Area in the particular State where all registered members of the party in the State shall be eligible to vote and may freely vote for any Governorship aspirant of their choice;
 - (ii) declare the Governorship aspirant with the highest number of valid votes cast in all Local Government Areas in the particular State as the winner of the Governorship primaries in the State;
 - (iii) hold a State Congress where it shall present the winner of the Governorship primaries to the public as the Governorship Candidate of the party in the Governorship election; and
 - (iv) forward the name of the winner of the primaries to the Commission as the Governorship candidate of the party in the election for the State.
- (c) in the case of nominations to the position of Senatorial candidate, House of Representatives candidate and State House of Assembly candidate for a Senatorial District, a Federal Constituency and a State House Constituency respectively, a political party shall, where it intends to sponsor candidates in elections for these elective positions, :
 - (i) conduct direct primaries in the registration areas in each Local Government Area in the Senatorial District where all registered members of the party in the Senatorial District shall be eligible to vote and may freely vote for any Senatorial aspirant of their choice;

- (ii) conduct direct primaries in the registration areas in each Local Government Area in the Federal Constituency where all registered members of the party in the Federal Constituency shall be eligible to vote and may freely vote for any House of Representatives aspirant of their choice;
 - (iii) conduct direct primaries in the registration areas in each Local Government Area in the State Assembly Constituency where all registered members of the party in the State Assembly Constituency shall be eligible to vote and may freely vote for any State House of Assembly aspirant of their choice;
 - (iv) subject to sub-paragraph (i) of this paragraph, declare the Senatorial aspirant with the highest number of valid votes cast in all Local Government Areas in the particular Senatorial District as the winner of the primaries in the Senatorial District and forward the name of the winner to the Commission as the Senatorial candidate of the party in the election for the Senatorial District;
 - (v) subject to sub-paragraph (ii) of this paragraph, declare the House of Representatives aspirant with the highest number of votes in all Local Government Areas in the Federal Constituency as the winner of the primaries in the Federal Constituency and forward the name of the winner to the Commission as the House of Representatives candidate of the party in the election for the Federal Constituency; and
 - (vi) subject to sub-paragraph (iii) of this paragraph, declare the State House of Assembly Aspirant with the highest number of votes in all Local Government Areas in the House of Assembly Constituency as the winner of the primaries in the House of Assembly Constituency and forward the name of the winner to the Commission as the State House of Assembly Candidate of the party in the election for the State Assembly Constituency.
- (d) in the case of the position of a Chairmanship candidate of an Area Council in the Federal Capital Territory, a political party shall, where it intends to sponsor a candidate:
- (i) conduct direct primaries in the registration areas in the Area Council, where all registered members of the party in the Area Council shall be eligible to vote and may vote for any Chairmanship aspirant of their choice;
 - (ii) declare the Chairmanship aspirant with the highest number of votes in all registration areas in the Area Council as the winner of the Chairmanship primaries in the Area Council and forward the name of the winner of the Chairmanship primaries to the Commission as the Chairmanship candidate of the party in the election for the Area Council.

Election of Delegates for Indirect Primaries

- (7) A political party that adopts the system of indirect primaries for the nomination of its candidate(s) for election shall conduct a delegates election in all registration areas in the constituency where the election is to be held and all registered members of the party in that registration area shall be eligible to vote for any contestant who presents himself to be a delegate of the party,

PROVIDED that the delegates election shall be monitored by the Commission and the result of every delegates election shall be endorsed or certified by the Commission and such endorsed and certified list shall be used for the conduct of the primaries.

- (8) A political party leader or official who is not elected in his or her registration area as a delegate of his or her party under subsection (7) of this section shall not be a voting delegate of the party and shall not vote in his or her party's indirect primaries but may perform his or her functions in a neutral capacity as may be prescribed in his or her party's constitution in relation to indirect primaries,

PROVIDED that in performing his or her functions as a party leader or official in relation to indirect primaries, the party leader or official shall not conduct himself in any manner whatsoever to impact the election in favour of any aspirant in the indirect primaries.

- (9) A party leader or official who contravenes the provisions of subsection (8) of this section commits an offence and shall be liable on conviction to imprisonment for one (1) year or a fine of One Million Naira (₦1,000,000).

Amendment Proposed:

Insert a new subclause (10) as follows:

"Any INEC Official who issues a false report of a primary, commits an offence and shall be liable on conviction to imprisonment of one year or a fine of ₦1 million or both" *(Senator Ike Ekweremadu — Enugu West).*

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

Indirect Primaries

- (10) A political party that adopts the system of indirect primaries for the nomination of its candidate(s) for election shall ensure that all aspirants are given equal opportunity of being voted for by delegates of the party who shall be registered members of the party duly elected by registered members of the party as delegates in the indirect primaries under subsection (7) of this section.
- (11) A political party that adopts the system of indirect primaries for the nomination of its candidate(s) for an election shall comply with the procedure outlined below -
- (a) in the case of nominations to the position of Presidential candidate, a political party shall, where it intends to sponsor a candidate, -
- (i) hold a special convention in each of the 36 States of the Federation and Federal Capital Territory where, subject to subsection (7) of this section, duly elected delegates of the party shall be eligible to freely choose and vote for any Presidential aspirant of the party at designated centres in each State and the Federal Capital Territory on a date or dates specified by the party;

Amendment Proposed:

Leave out the provision in subclause (11)(a)(i) (Senator Dino Melaye — Kogi West).

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

Question that Clause 18[(1) -(11)(a)(i)] as amended do stand part of the Bill, put and agreed to.

Further consideration of the Bill deferred to another Legislative Day.

Chairman to report progress.

(SENATE IN PLENARY)

The Senate President reported that the Senate in the Committee of the Whole considered the Report of the Committee on Independent National Electoral Commission on the Independent National Electoral Commission Act 2010 (Amendment) Bill, 2016 and approved as follows:

Clause 18 [(1) -(11)(a)(i)] — As Amended

Further consideration of the Bill deferred to another Legislative Day.

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

12. Committee on Culture and Tourism:

Report on the 2016 Budget of the Nigerian Tourism Development Corporation (NIDC):

Consideration of Report deferred to another Legislative day.

13. Committee on Information and National Orientation:

Reports on the 2016 Budget of the following Agencies:

- a. National Broadcasting Commission (NBC);
- b. News Agency of Nigeria (NAN);
- c. Federal Radio Corporation of Nigeria (FRCN); and
- d. Nigerian Television Authority (NTA).

Consideration of Report deferred to another Legislative day.

14. Committee on Environment:

Report on the 2016 Budget of the National Environmental Standards and Regulations Enforcement Agency:

Consideration of Report deferred to another Legislative day.

15. Joint Committee on Downstream Petroleum Sector; Upstream Petroleum Resources; and Gas:
Report on the 2016 Budget of the Nigerian National Petroleum Corporation (NNPC):

Consideration of Report deferred to another Legislative day.

16. Report of the Committee on Education (Basic and Secondary):

Report on the 2016 Budget of the National Business and Technical Education Board:

Consideration of Report deferred to another Legislative day.

17. **Committee on Capital Market:**
Report on the 2016 Budget of the Securities and Exchange Commission (SEC):
Consideration of Report deferred to another Legislative day.
18. **Committee on Science and Technology:**
Reports on the 2016 Budget of the following Agencies:
a. National Agency for Science and Engineering Infrastructure; and
b. Raw Material Research and Development Council.
Consideration of Report deferred to another Legislative day.
19. **Committee on Health:**
Report on the 2016 Budget of the National Agency for Food and Drug Administration and Control (NAFDAC):
Consideration of Report deferred to another Legislative day.
20. **Committee on Interior:**
Report on the 2016 Budget of the Nigeria Immigration Service (NIS):
Consideration of Report deferred to another Legislative day.
21. **Committee on Housing:**
Report on the 2016 Budget of the following Agencies:
a. Federal Housing Authority; and
b. Federal Mortgage Bank.
Consideration of Report deferred to another Legislative day.
22. **Committee on Banking, Insurance and other Financial Institutions:**
Report on the 2016 Budget of the following Agencies:
a. National Insurance Commission;
b. Central Bank of Nigeria; and
c. Nigerian Deposit Insurance Corporation.
Consideration of Report deferred to another Legislative day.
23. **Motions:**
(a) *The need to oversight Bailout Funds disbursed to benefitting States in Nigeria relying on the provisions of Section 88 of the 1999 Constitution as Ammended:*
Consideration of Motion deferred to another Legislative Day.
(b) *Urgent need to Investigate Special Funds that Accrued to the Federation as provided by the Revenue Allocation Act 2004:*
Consideration of Motion deferred to another Legislative Day.
(c) *Urgent need to revisit the issue of Corporate Tax Incentives which is turning into a huge drain on Nigerian Economy:*
Consideration of Motion deferred to another Legislative Day.

- (d) *Deplorable State of the National Stadium, Surulere, Lagos:*
Consideration of Motion deferred to another Legislative Day.
- (e) *Cancer Treatment Infrastructure Crisis:*
Consideration of Motion deferred to another Legislative Day.
- (f) *Need to give Recognition to Enugu, Kogi and Anambra States as Oil Producing States, forestall further Hostilities between the warring Communities in Anambra, Enugu and Kogi States and resolving the controversy surrounding the ownership of the Acreage Area of OPL 915, 916 & 917.:*
Consideration of Motion deferred to another Legislative Day.
- (g) *Need for the Re-construction and Dualization of the Makurdi-9th Mile Trunk "A" Federal Highway:*
Consideration of Motion deferred to another Legislative Day.
- (h) *Urgent need to Re-organise Pension Transitional Arrangements Directorate (PTAD):*
Consideration of Motion deferred to another Legislative Day.
- (i) *Recruitment into the Nigerian Police Force; the need to adhere to Federal Character Guiding Principles:*
Consideration of Motion deferred to another Legislative Day.
- (j) *Amnesty International Report on the Killing of 150 Indigenous People of Biafra (IPOB) Members:*
Consideration of Motion deferred to another Legislative Day.
- (k) *The Need to Kick-start the construction of Greenfield Refineries sited in Kogi, Bayelsa and Lagos States:*
Consideration of Motion deferred to another Legislative Day.
24. **Adjournment:**
Motion made: That the Senate do now adjourn till Wednesday, 7th December, 2016 at 10:00 a.m.
(Senate Leader).
Adjourned accordingly at 1:04 p.m.

Abubakar Olubukola Saraki, CON
President,
Senate of the Federal Republic of Nigeria.