



SENATE OF THE FEDERAL REPUBLIC OF NIGERIA

VOTES AND PROCEEDINGS

Wednesday, 22nd March, 2017

1. The Senate met at 10:18 a.m. The Deputy Senate President read Prayers.

2. **Closed Session:**

Closed Session — 10:21 a.m.

Open Session — 11:58 a.m.

The Deputy Senate President reported that the Senate in a Closed Session deliberated on issues bordering on the workings of the Senate in particular and the National Assembly in general.

3. The Senate examined the Votes and Proceedings of Tuesday, 21st March, 2017.

Question was put and the Votes and Proceedings were approved as amended.

4. **Announcements:**

(a) ***Invitation to 60th Birthday Luncheon/Books Presentation:***

The Deputy Senate President read a letter from Senator Geroge T. Sekibo (*Rivers East*) as follows:



**THE SENATE
FEDERAL REPUBLIC OF NIGERIA**

Sen. George Thompson Sekibo
Chairman, Senate Committee on Interior

March 22, 2017

Dear Distinguished Colleagues,

ANNOUNCEMENT.

60TH BIRTHDAY LUNCHEON/BOOKS PRESENTATION.

Sequel to my earlier letter to you, I wish to once again invite you to my 60th Birthday Luncheon/Books Presentation and Thanksgiving Service taking place on April 1, 2017 and April 2, 2017 respectively in Rivers State.

I request that all those who are interested in attending should please leave their details with the Chamber Staff at the entrance of the Chamber for protocol and logistics.

While expecting you to join me at these events, please have the assurances of my sincere regards.

(Signed)

Senator George Thompson Sekibo, JP, CON
AFP, FNIM, F.Inst.GLT, FABS, FCE, FITFA, FNIOB, FICA
Rivers East Senatorial District.

(b) Acknowledgment:

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

- (i) Members of Nigerian Economics Students Association, Modibbo Adama, University of Technology, Yola, Adamawa State;
- (ii) Staff and Students of Foothold Academy, Kubwa, Abuja;
- (iii) Staff and Students of Wonders Kid's Foundation School, Gwagwalada, Abuja; and
- (iv) Staff and Students of Fatimatu Al-Zahrau, Model Science and Arabic School, Garki, Abuja.

5. Petitions:

- (i) Rising on Rule 41, Senator James E. Manager (*Delta South*) drew the attention of the Senate to a petition from his constituent, Mr. Jolomi Arenyeka and two others, against wrongful disengagement from the Service of Petroleum Technology Development Fund (PTDF). 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.

- (ii) Rising on Rule 41, Senator Theodore A. Orji (*Abia Central*) drew the attention of the Senate to a petition from his constituent, Prof. Maduiké C. O. Ezeibe, against Federal Ministry of Health, over his alleged invention of HIV/AIDS cure. 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 four (4) weeks.

- (iii) Rising on Rule 41, Senator Ovie A. Omo-Agege (*Delta Central*) drew the attention of the Senate to a petition from his constituent, Mrs. Alice J. Okologo, over non payment of gratuity and death benefits of her husband for over thirty (30) years by the Federal Ministry of Information and National Orientation. 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 four (4) weeks.

- (iv) Rising on Rule 41, Senator Mao A. Ohuabunwa (*Abia North*) drew the attention of the Senate to two (2) petitions from:
 - (a) Colonel C. K. Ukoha (rtd), over wrongful retirement from the Nigerian Army; and
 - (b) Jude Anyanwu on behalf of TransGlobal, against National Identity Management Commission, over failure/refusal to pay outstanding premium.

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 four (4) weeks.

- (v) Rising on Rule 41, Senator David Umaru (*Niger East*) drew the attention of the Senate to a petition from Mr. U. S. Kalu Daniel Nwankwo and Mrs. Nleanya M. O. Nkechi, over denial of promotion and conversion by the Arochukwu Local Government Council, Abia 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 four (4) weeks.

6. Presentation of Bills:

- (i) National Lottery Act (Amendment) Bill, 2017 (SB. 451) — *Read the First Time.*
- (ii) National Fertilizer Bill, 2017 (HB. 240) — *Read the First Time.*
- (iii) National Fertilizer Quality Control Bill, 2017 (SB. 259) — *Read the First Time.*
- (iv) Federal Colleges of Education Act (Amendment) Bill, 2017 (SB. 445) — *Read the First Time.*
- (v) Chartered Institute of Auctioneers of Nigeria Bill, 2017 (SB. 446) — *Read the First Time.*
- (vi) City University of Technology Auchu (Establishment, etc.) Bill, 2017 (SB. 447) — *Read the First Time.*
- (vii) Federal Task Force on Revenue Defaulters, Piracy and National Heritage Protection Bill, 2017 (SB. 449) — *Read the First Time.*
- (viii) Cyber Crime (Prohibition, Prevention, etc.) Act, 2015 (Repeal and Re-Enactment) Bill, 2017 (SB. 450) — *Read the First Time.*
- (ix) Nursing and Midwifery (Registration) Act CAP N143 LFN 2004 (Amendment) Bill, 2017 (SB. 451) — *Read the First Time.*
- (x) Nigerian Building and Road Research Institute (Establishment, etc.) Bill, 2017 (SB. 452) — *Read the First Time.*

7. Conference Committee:

Report on the Nigerian Air Force Institute of Technology (SB.180):

Motion made: That the Senate do receive the Conference Committee Report on Nigerian Air Force Institute of Technology Bill, 2017 (*Senator Duro S. Faseyi — Ekiti North*).

Question put and agreed to.

Report Laid.

8. Executive Communication:

Approval of the \$500m Eurobond in the International Capital Market:

Motion made: That the Senate do resolved into the Committee of the Whole to consider the request of Mr. President, Commander-in-Chief of the Armed Forces of the Federation, for the approval of the \$500m Eurobond in the International Capital Market for the funding of the 2016 Budget Deficit (*Deputy Senate Leader*).

Question put and agreed to.

(SENATE IN THE COMMITTEE OF THE WHOLE)

Consideration of the request of Mr. President, Commander-in-Chief of the Armed Forces of the Federation, for the approval of the \$500m Eurobond in the International Capital Market for the funding of the 2016 Budget Deficit.

Chairman to report progress.

(SENATE IN PLENARY)

The Deputy Senate President reported that the Senate in the Committee of the Whole considered the request of Mr. President, Commander-in-Chief of the Armed Forces of the Federation, for the approval of the \$500m Eurobond in the International Capital Market for the funding of the 2016 Budget Deficit and approved the request.

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

9. Briefing by the Comptroller General of Customs:

Motion made: That the Senate do receive the Comptroller General of Customs Service to brief this Distinguished Senate on the proposed retrospective duty payment on vehicles in Nigeria (*Deputy Senate Leader*).

The Deputy Senate President announced that the Clerk to the Senate received a letter from Attorney-General of the Federation and Minister of Justice, and the Clerk was mandated to read the letter as follows:

ATTORNEY-GENERAL OF THE FEDERATION AND MINISTER OF JUSTICE

P.M.B 192
Telegrams: Solicitor
Telephone 09-5235194
Telefax: 09-5235208



Federal Ministry of Justice
Plot 71 B
Shehu Shagari Way
Abuja, FCT
Nigeria

*HAGF /NASS/2017 /vol. 1/28
21st March, 2017*

*The Clerk,
Senate of the Federal Republic of Nigeria,
National Assembly Complex,
3 Arms Zone,
Abuja*

RE: SUIT NO. FHC/ABJ/CS/207/2017

MUHAMMAD IBRAHIM ESQ.

VS

COL. HAMEED IBRAHIM ALI (RTD) AND 4 ORS

I wish to formally intimate you that I am in receipt of a letter dated 20th March, 2017 wherein I have been served with an Originating summons in respect of the above subject matter, (Copy attached).

2. *The originating summons is seeking among other declarations "whether the oversight functions of the National Assembly extends to compelling and/or giving directives to the 1st Defendant to wear uniform"*

3. *In line with the principles of rule of law, Court decisions and most importantly, the declarations sought having been deeply rooted in the constitutional provisions; I hold the view that this matter is sub-judice.*

4. *In view of 3 above, it is in the interest of Justice and Rule of law to stay all actions in this case until the constitutional issues raised in the matters are resolved by the Law Court. I wish to further intimate you that as a Defendant in the said suit, I intend to file processes and pursue it to a logical conclusion.*

5. *Accept my warm regards.*

(Signed)

Abubakar Malami, SAN
*Hon. Attorney-General of the Federation
& Minister of Justice*

Debate:

Proposed Resolution (i):

Question: That the Senate do urge the Nigeria Customs Service (NCS) to outrightly cancel the policy/action /directive on payment of retrospective import duty on vehicles, while working on an efficient policy for collection of duties on imported vehicles at the points of entry (*Senator Aliyu S. Abdullahi — Niger North*).

Question put, and Agreed to.

Proposed Resolution (ii):

Question: That the Senate do condemn the Attorney- General of the Federation and Minister of Justice for attempting to derail the Senate from carrying out its legislative responsibility as enshrined in the 1999 Constitution (As Amended), especially in Sections 4, 5 and 6 that defines the separation of powers; and Sections 88 and 89 that empowers the National Assembly to carry out investigation on any person or authority (*Senator George T. Sekibo — River East*).

Question put, and Agreed to.

Proposed Resolution (iii):

Question: That the Senate do declare the Comptroller-General of Customs, Col. Hameed Ali (rtd) unfit to hold any public office and demands the Comptroller-General of Customs, Col. Hameed Ali (rtd) to resign from office forthwith (*Senator Enyinnaya H. Abaribe — Abia South*).

Question put, and Agreed to.

Proposed Resolution (iv):

Question: That the Senate do write a strongly worded letter to the Executive attaching the Resolutions on this issue, to serve as deterrent to other public officials who want to flout constitutional provisions (*Senator Biodun C. Olujimi — Ekiti South*).

Question put, and Agreed to.

Proposed Resolution (v):

Question: That the Senate do send its Resolutions on this matter to the House of Representatives for concurrence (*Senator Olusola Adeyeye — Osun Central*).

Question put, and Agreed to.

Resolved:

That the Senate do:

- (i) urge the Nigeria Customs Service (NCS) to outrightly cancel the policy/action /directive on payment of retrospective import duties on vehicles, while working on an efficient policy for collection of duty on imported vehicles at the points of entry;
- (ii) condemn the Attorney- General of the Federation and Minister of Justice for attempting to derail the Senate from carrying out its legislative responsibility as enshrined in the 1999 Constitution (As Amended), especially in Sections 4, 5 and 6 that defines the separation of powers; and Sections 88 and 89 that empowers the National Assembly to carry out investigation on any person or authority;
- (iii) declare the Comptroller-General of Customs, Col. Hameed Ali (rtd) unfit to hold any public office and demands the Comptroller-General of Customs, Col. Hameed Ali (rtd) to resign from office forthwith;
- (iv) write a strongly worded letter to the Executive attaching the Resolutions on this issue, to serve as deterrent to other public officials who want to flout constitutional provisions ; and
- (v) send its Resolutions on this matter to the House of Representatives for concurrence (S/Res/115/02/17).

10. **Nigeria Postal Services Act CAP N.127 LFN, 2004, (Repeal and re-enactment) Bill, 2017 (SB.437):**

Consideration of Bill deferred to another Legislative Day.

11. **Nigeria Postal Services Act CAP N.127 LFN, 2004, (Repeal and re-enactment) Bill, 2017 (SB.106):**

Consideration of Bill deferred to another Legislative Day.

12. **Adeyemi Federal University of Education, Akure (Establishment, etc.) Bill 2017 (SB.399):**

Consideration of Bill deferred to another Legislative Day.

13. **Central Bank of Nigeria (CBN) Act, CAP C4 LFN, 2007 (Amendment) Bill, 2017 (SB.64):**

Consideration of Bill deferred to another Legislative Day.

14. **Federal University of Education, Zaria (Establishment, etc.) Bill, 2017 (SB.400):**

Consideration of Bill deferred to another Legislative Day.

15. **Suppression of Piracy Bill, 2017 (SB.254):**

Consideration of Bill deferred to another Legislative Day.

16. **Federal Entrepreneurship Centres (Establishment, etc.) Bill, 2017 (SB.133):**

Consideration of Bill deferred to another Legislative Day.

17. Chartered Polymer Institute of Nigeria (Establishment, etc.) Bill, 2017 (SB.396):

Consideration of Bill deferred to another Legislative Day.

18. Chartered Institute of Fraud Examiners (Establishment, etc.) Bill, 2017 (SB.167):

Consideration of Bill deferred to another Legislative Day.

19. Nigerian Youth Service Corps Act, CAP N84 LFN 2004 (Amendment) Bill, 2017 (SB.147):

Consideration of Bill deferred to another Legislative Day.

20. National Institute of Credit Administration (Establishment, etc.) Bill, 2017 (SB.153):

Consideration of Bill deferred to another Legislative Day.

21. Adjournment:

Motion made: That the Senate do now adjourn till Thursday, 23rd March, 2017 at 10:00 a.m. (*Deputy Senate Leader*).

Adjourned accordingly at 1:21 p.m.

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