



SENATE OF THE FEDERAL REPUBLIC OF NIGERIA VOTES AND PROCEEDINGS

Tuesday, 11th April, 2017

1. The Senate met at 10:34 a.m. The Senate President read Prayers.
2. **Votes and Proceedings:**
The Senate examined the Votes and Proceedings of Thursday, 6th April, 2017.
Question was put and the Votes and Proceedings were approved.
3. **Announcement:**
Burial arrangement of Late Distinguished Sen. Dr. Offia Nwali (OON):
The Senate President read a letter from Senator Obinna J. Ogba (*Ebonyi Central*) as follows:



Senator Obinna Joseph Ogba, FICA
CHAIRMAN SENATE COMMITTEE ON YOUTHS & SPORTS

*HIS Excellency,
DR. BUKOLA SARAKI,
President of the Senate,
National Assembly Complex,
Abuja.*

ANNOUNCEMENT **RE- LATE DISTINGUISHED SEN. DR. OFFIA NWALI (OON)**

I wish to bring to the attention of Mr. President, Distinguished Colleagues the burial arrangement of Late Distinguished Sen. (Dr.) Offia Nwali (OON) who died on 22nd May, 2016 as follows:

- *Tuesday, 25th April, 2017 - Public Lecture in Honour of Late Sen. Offia Nwali .*
- *Wed., 26th April, 2017 - Body leaves Federal Teaching Hospital Abakaliki (1) to Ebonyi State Government House/State Assembly for a joint valedictory session by National and State Assembly members (past & present) time 2pm.*
- *Friday, 28th April, 2017 - Lying in state at his country home Nwivenwe Amajim. Ameka, Time 8 a.m, 10 a.m Church Service at Onueke Township Stadium .*

- *Final interment will take place at his country home, Nwivenwe Farms, Amajim Ameka, Ezza South L.G.A.*

All Distinguished Senators are pleased requested to be in attendance especially the delegation approved by the Senate when the motion was first moved.

Thank you Mr. President my distinguished colleagues.

Yours Sincerely,

(Signed)

Senator Obinna Ogba

Chairman, Senate Committee on Youths & Sports

4. Petitions:

- (i) Rising on Rule 41, Senator Barau I. Jibrin (*Kano North*) drew the attention of the Senate to two petitions from:
 - (a) Atiku Saleh and three (3) others, over unfair termination of Directors' appointments by the Executive Secretary of Pension Transitional Arrangement Directorate (PTAD); and
 - (b) Salisu Alasan, over unlawful dismissal by the Nigeria Police.

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 George T. Sekibo (*Rivers East*) drew the attention of the Senate to a petition from his constituent, C. D. Ogbogu on behalf of others, over refusal to pay benefits to 530 disengaged workers by the Nigerian Ports Authority (NPA). 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.

- (iii) Rising on Rule 41, Senator Ovie A. Omo-Agege (*Delta Central*) drew the attention of the Senate to a petition from his constituent, Justice, High Chief, T. K. Dugbo (rtd), over mass disconnection and inflated electricity bills in Udu Local Government Area, 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.

5. Personal Explanation:

Rising on Rule 43, Senator George T. Sekibo (*Rivers East*) drew the attention of the Senate to his 60th birthday anniversary held in Port-Harcourt, Rivers State. He expressed gratitude to the Deputy Senate President and other Distinguished Senators who either attended or assisted with prayers. He donated and laid two (2) books of the anniversary to the Senate.

6. Presentation of Bills:

- (i) Marriage Act CAP M6 LFN 2004 (Repeal & Re-enactment) Bill, 2017 (SB. 189) — *Read the First Time.*
- (ii) National Social Integration Bill, 2017 (SB. 313) — *Read the First Time.*

- (iii) Maritime Piracy Bill, 2017 (SB. 364) — *Read the First Time.*
- (iv) Federal Polytechnic, Daura (Establishment, etc.) Bill, 2017 (SB. 465) — *Read the First Time.*
- (v) Federal University of Agriculture and Technology, Oke-Ogun, Oyo State (Establishment, etc.) Bill, 2017 (SB. 466) — *Read the First Time.*
- (vi) Federal University of Agriculture, Umuhuali Nkalagu, Ebonyi State (Establishment, etc.) Bill, 2017 (SB. 468) — *Read the First Time.*
- (vii) National Electoral Offences Commission (Establishment, etc.) Bill, 2017 (SB. 469) — *Read the First Time.*

7. Committee on Ethics, Privileges and Public Petitions:

Motion made: That the Senate do receive the Reports of the Committee on Ethics, Privileges and Public Petitions in respect of:

- a. Petition from Dr. Edet A. Ukpong against the National Pension Commission over Alleged Non-Payment of his Federal Pension since 2009; and
- b. Petition from Insp. Solomon Ojo Dalley against the Nigeria Police Force (NPF) for Unlawful Dismissal from the Force (*Senator Samuel N. Anyanwu — Imo East*).

Question put and agreed to.

Reports Laid.

8. Committee on Tertiary Education and TETFUND:

Report on the Maritime University of Nigeria, Okerenkoko (Establishment, etc.) Bill, 2017 (SB.295):

That the Senate do receive the Report of the Committee on Tertiary Education and TETFUND on the Maritime University of Nigeria, Okerenkoko (Establishment, etc.) Bill, 2017 (*Senator Barau I. Jibrin — Kano North*).

Question put and agreed to.

Report Laid.

9. Executive Communication:

Confirmation of Nominations:

Motion made: That the Senate do consider the request of Mr. President, Commander-in-Chief of the Armed Forces of the Federation on the confirmation of the nomination of the following persons for appointment as Members of the Niger Delta Development Commission (NDDC):

S/N	Name	Position	State
1.	Lucky Orimisan Aiyedatiwa	Non-Executive Director	Ondo
2.	Hon. Chuka Ama Nwauwa	Non-Executive Director	Imo
3.	Nwogu N. Nwogu	Non-Executive Director	Abia

(*Senate Leader*).

Question put and agreed to.

Request accordingly referred to the Committee on Niger Delta to report within two (2) weeks.

10. Motions:

(a) ***Harmonizing the different versions and copies of the Constitution of the Federal Republic of Nigeria in circulation into one authentic whole:***

Motion made: That the Senate recognizes that the Constitution of the Federal Republic of Nigeria came into force on May 29, 1999 with Eight Chapters, Three Hundred and Twenty Sections and Seven Schedules;

aware that the Constitution of any Country is the grand norm from which all other laws, instruments and institutions derive their authority, legitimacy and powers;

aware that since 1999, the Constitution has successfully gone through three alterations, in July 2010, November 2010 and March 2011 respectively and in each case, amending various provisions to bring them in conformity with contemporary democratic practice and realities;

concerned that these alterations are printed as separate provisions and there has not been an attempt to embed and graft them into the Constitution as one whole living document;

worried that there are different versions of the original 1999 Constitution and of the three alterations, with various copies in circulation. Worried that the Constitution is the heart-beat of the nation and its provisions should not be subjected to the caprices of printers or allowed to have different words and structure;

aware for instance that in some versions, Section 84 ends with subsection (6), while in other versions, the same Section 84 ends with subsection (7) while the first alteration has provided for subsection (8) of Section 84. This is also true of Section 66 (1) (h), which was deleted by Section 2 of the First Alteration Act, but which some versions of the constitution still retain. There are many other mix-ups and this creates confusion for Lawyers, Judges, Law Students, other Practitioners, Legislators at the various levels, those who consult our Constitution to determine the state of the law, and the general public; and

concerned that the existence of various versions of the Constitution makes it an unreliable source of law, whittles down its force as the fundamental authority for all laws in Nigeria and does not make for certainty of its provisions, dilutes its potency in the hierarchy of laws and makes it susceptible to misinterpretation by mischief-makers who may want to take advantage of the situation.

Accordingly resolves to:

mandate the Committee on Judiciary, Human Rights and Legal Matters to liaise with the National Judicial Council, the Office of the Attorney General of the Federation and the Law Reform Commission to constitute a Law Review Committee to withdraw the copies of the different versions of the Constitution in circulation and authorize the printing and distribution of the authentic, consolidated Constitution of the Federation with the different alterations embedded where they belong to make the Constitution one whole document to guide the generality of the Nigerian populace and the International community (*Senator Chukwuka G. Utazi (Enugu North)*).

Debate:

Proposed Resolution:

Question: That the Senate do mandate the Committee on Judiciary, Human Rights and Legal Matters to liaise with the National Judicial Council, the Office of the Attorney General of the Federation and the Law Reform Commission to constitute a Law Review Committee to withdraw the copies of the different versions of the Constitution in circulation and authorize the printing and distribution of the authentic, consolidated Constitution of the Federation with the different alterations embedded where they belong to make the Constitution one whole document to guide the generality of the Nigerian populace and the International community — *Agreed to.*

Resolved:

That the Senate do mandate the Committee on Judiciary, Human Rights and Legal Matters to liaise with the National Judicial Council, the Office of the Attorney General of the Federation and the Law Reform Commission to constitute a Law Review Committee to withdraw the copies of the different versions of the Constitution in circulation and authorize the printing and distribution of the authentic, consolidated Constitution of the Federation with the different alterations embedded where they belong to make the Constitution one whole document to guide the generality of the Nigerian populace and the International community (S/Res/140/02/17).

(b) ***Urgent need for the Nigerian Police Force and other Security Agencies to intervene in the increased rate of kidnapping in the Lagos East Senatorial District and secure the waterways:***

Motion made: That the Senate notes with urgent and grave concern the recent increase in the activities of criminal syndicates who specialize in kidnapping/militant activities in and around communities in the Lagos East Senatorial District, Particularly Epe, Ikorodu, Ibeju Lekki Local Government Areas;

concerned that the activities of these criminals have forced law-abiding residents of coastal/riverine communities of the affected communities to flee their communities and livelihood out of fear;

further concerned that on Friday, 7th April, 2017 one Mr. Ademola Salami, a 42 Year Old plank dealer was kidnapped in Ise community in Ibeju Lekki area of Lagos East Senatorial District by seven dare devil abductors, who escaped in a gunboat via the river. The abductors have now demanded the sum of 100 million Naira as ransom for his release;

notes that the situation has deteriorated so much that prominent citizens of Ise community, including HRM Kabiyesi Onise of Ise, Oba Ganiyu Adegbesan had to vacate the community due to high level of insecurity in the area;

disturbed that for the past seven years, a Divisional Police Station commissioned in Ise had been a ghost of itself as no police officers were deployed there until the recent attack;

recalls that the Tribune Online Newspapers of 23rd February, 2017 reported the case of two sand dredgers who were kidnapped in Ibeju Lekki by kidnappers who also stormed the community in a gunboat;

further recalls that between April and July, 2016 there were reports of militant activities in some communities in Ikorodu, including Elepete, Agbede, Ishawo and Igbo-Olomu, which led to the death of residents. These Militants were equally reported to have stormed the communities through the coastal waters using gunboats;

alarmed that the recent kidnap incidents has assumed a totally new and disturbing dimension of 9th April, 2017 an army Captain, identified as Muhammed, four policemen, and a civilian lost their lives after suspected militants attacked Ishawo, in the Ikorodu area of Lagos State. The late security operatives were responding to a distress call after the militants stormed and kidnapped some residents on Woodland Estate, close to the Ishawo creeks in about 10 speedboats; and

observes that the activities of these criminal syndicates have caused untold hardship to the people of Lagos East Senatorial District and the intervention of the Federal Government is urgently required.

Accordingly resolves to:

- (i) advise the Federal Government to direct the Inspector-General of Police to instruct the Commissioner of Police, Lagos State, to immediately beef up the strength of the task force already on ground in order to effectively secure all the affected creeks and communities;
- (ii) advise the Federal Government to direct the Inspector-General of Police to immediately make available sufficient helicopters for aerial surveillance and gunboats to the Marine Police department of the Lagos State Police Command to enable the State Command effectively tackle the activities of the Militants; and
- (iii) urge the Army, Navy and other Security Agencies to assist the Nigeria Police in its quest to rid Lagos State, particularly the creeks in Lagos East Senatorial District of criminal syndicates making use of its waterways to perpetrate crime (*Senator Bareehu O. Ashafa — Lagos East*).

Debate:

Proposed Resolution (i):

Question: That the Senate do advise the Federal Government to direct the Inspector-General of Police to instruct the Commissioner of Police, Lagos State, to immediately beef up the strength of the task force already on ground in order to effectively secure all the affected creeks and communities — *Agreed to*.

Proposed Resolution (ii):

Question: That the Senate do advise the Federal Government to direct the Inspector-General of Police to immediately make available sufficient helicopters for aerial surveillance and gunboats to the Marine Police department of the Lagos State Police Command to enable the State Command effectively tackle the activities of the Militants — *Agreed to*.

Proposed Resolution (iii):

Question: That the Senate do urge the Army, Navy and other Security Agencies to assist the Nigeria Police in its quest to rid Lagos State, particularly the creeks in Lagos East Senatorial District of criminal syndicates making use of its waterways to perpetrate crime — *Agreed to*.

Additional Proposed Resolution:

Insert Additional Proposed Resolution as follows:

“That the Senate do urge the Federal Government to assist the Security Agencies to extend their surveillance activities to Abuja and other parts of the country” (*Senator Joshau M. Lidani — Gombe South*).

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

Resolved:

That the Senate do:

- (i) advise the Federal Government to direct the Inspector-General of Police to instruct the Commissioner of Police, Lagos State, to immediately beef up the strength of the task force already on ground in order to effectively secure all the affected creeks and communities;
- (ii) advise the Federal Government to direct the Inspector-General of Police to immediately make available sufficient helicopters for aerial surveillance and gunboats to the Marine Police department of the Lagos State Police Command to enable the State Command effectively tackle the activities of the Militants;

- (iii) urge the Army, Navy and other Security Agencies to assist the Nigeria Police in its quest to rid Lagos State, particularly the creeks in Lagos East Senatorial District of criminal syndicates making use of its waterways to perpetrate crime; and
- (iv) urge the Federal Government to assist the Security Agencies to extend their surveillance activities to Abuja and other parts of the country (*S/Res/141/02/17*).

11. Committee on Ethics, Privileges and Public Petitions:

- a. *Report on the Petition from TRLP Law on behalf of Senator Buruji Kashamu against NDLEA, Former Chairman NDLEA Mr. Ahmad Giade and the Attorney-General of the Federation for the alleged intention to abduct Senator Buruji Kashamu and forcefully transport him to the USA without recourse to due process:***

Motion made: That the Senate do consider the Report of the Committee on Ethics, Privileges and Public Petitions in respect of Petition from TRLP Law on behalf of Senator Buruji Kashamu against NDLEA, Former Chairman NDLEA Mr. Ahmad Giade and the Attorney-General of the Federation for the alleged intention to abduct Senator Buruji Kashamu and forcefully transport him to the USA without recourse to due process (*Senator Samuel N. Anyanwu — Imo East*).

Question put and agreed to.

Report presented.

Debate:

Proposed Resolution:

Question: That the courts be allowed to handle the various aspects of the case before them without any interference — *Agreed to.*

Resolved:

That the courts be allowed to handle the various aspects of the case before them without any interference (*S/Res/142/02/17*).

- b. *Petition from Hyacinth Ahuruonye against the Nigerian Police for alleged Wrongful Dismissal from the Service:***

Motion made: That the Senate do consider the Report of the Committee on Ethics, Privileges and Public Petitions in respect of Petition from Hyacinth Ahuruonye against the Nigerian Police for alleged Wrongful Dismissal from the Service (*Senator Samuel N. Anyanwu — Imo East*).

Question put and agreed to.

Report presented.

Debate:

Proposed Resolution:

Question: That the decision of the Nigeria Police to reinstate the petitioner, retire him and pay his retirement benefits be sustained — *Agreed to.*

Resolved:

That the decision of the Nigeria Police to reinstate the petitioner, retire him and pay his retirement benefits be sustained (*S/Res/143/02/17*).

c. *Petition from Collins Chinonyerem Udeogu against the Nigerian Deposit Insurance Corporation (NDIC) for alleged Wrongful Dismissal from the Corporation:*

Motion made: That the Senate do consider the Report of the Committee on Ethics, Privileges and Public Petitions in respect of Petition from Collins Chinonyerem Udeogu against the Nigerian Deposit Insurance Corporation (NDIC) for alleged Wrongful Dismissal from the Corporation (*Senator Samuel N. Anyanwu — Imo East*).

Question put and agreed to.

Report presented.

Debate:

Proposed Resolution:

Question: That the dismissal of Mr. Collins Chinonyerem Udeogu be sustained since:

- (a) His dismissal was the decision of the Board of the Corporation and due process was followed; and
- (b) The Corporation had agreed to pay Mr. Collins Chinonyerem Udeogu the sum of ₦5,893,812.32 (Five Million, Eight Hundred and Ninety-Three Million, Eight Hundred and Twelve Naira, Thirty-two Kobo) being all his withheld allowances and wages for the period of suspension — *Agreed to.*

Resolved:

That the dismissal of Mr. Collins Chinonyerem Udeogu be sustained since:

- (a) His dismissal was the decision of the Board of the Corporation and due process was followed; and
- (b) The Corporation had agreed to pay Mr. Collins Chinonyerem Udeogu the sum of ₦5,893,812.32 (Five Million, Eight Hundred and Ninety-Three Million, Eight Hundred and Twelve Naira, Thirty-Two Kobo) being all his withheld allowances and wages for the period of suspension (*S/Res/144/02/17*).

d. *Petition from Ex-Cpl. Kamal Haruna against the Nigeria Police for alleged Unjust Dismissal from the Force:*

Motion made: That the Senate do consider the Report of the Committee on Ethics, Privileges and Public Petitions in respect of Petition from Ex-Cpl. Kamal Haruna against the Nigeria Police for alleged Unjust Dismissal from the Service (*Senator Samuel N. Anyanwu — Imo East*).

Question put and agreed to.

Report presented.

Debate:

Proposed Resolution (i):

Question: That the Senate do warn Ex-Cpl. Kamal Haruna to desist from illegal activities that could cause disaffection in the eyes of the public and portray the Nigeria Police in bad light — *Agreed to.*

Proposed Resolution (ii):

Question: That the Senate do commend the Nigeria Police for tempering justice with mercy by reinstating Ex-Cpl. Kamal Haruna back to the Service — *Agreed to.*

Resolved:

- (i) That the Senate do warn Ex-Cpl. Kamal Haruna to desist from illegal activities that could cause disaffection in the eyes of the public and portray the Nigeria Police in bad light; and
- (ii) That the Senate do commend the Nigeria Police for tempering justice with mercy by reinstating Ex-Cpl. Kamal Haruna back to the Service (*S/Res/145/02/17*).

12. Ad hoc Committee on Southern Kaduna Crisis and other Parts of the Country:

Motion made: That the Senate do consider the Interim Report of the *Ad hoc* Committee on Southern Kaduna Crisis and other Parts of the Country (*Senator Kabiru I. Gaya — Kano South*).

Question put and agreed to.

Report presented.

Debate:

The Senate mandated that the Ad hoc Committee to visit other affected States and come up with the final Report.

13. Local Government Act No.8 of 1976 (Amendment) Bill, 2017 (SB.365):

Motion made: That a Bill for an Act to Repeal Local Government Act No.8 of 1976 and for Related Matters, 2017 be read the Second Time (*Senator Peter O. Nwaoboshi — Delta North*)

Debate:

Question put and Negatived.

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

Motion made: That a Bill for an Act to provide for the establishment of the Federal University of Education, Zaria and for Other Matters Connected Therewith, 2017 be read the Second Time (*Senator Jibrin I. Barau — Kano North*).

Debate:

Question put and agreed to.

Bill accordingly read the Second Time and referred to the Committee on Tertiary Institutions and TETFUND to report within Four (4) weeks.

15. Nigeria Arabic Language Village, Ngala (Establishment, etc.) Bill, 2017 (SB.386):

Motion made: That a Bill for an Act to establish the Nigeria Arabic Language Village, Ngala and for Other Related Matters, 2017 (*Senator Baba Kaka Bashir Garbai — Borno Central*).

Debate:

Question put and agreed to.

Bill accordingly read the Second Time and referred to the Committee on Tertiary Institutions and TETFUND to report within Four (4) weeks.

16. Nigeria French Language Village, Badagry (Establishment, etc.) Bill, 2017 (SB.387):

Motion made: That a Bill for an Act to establish the Nigeria French Language Village, Badagry and Other Related Matters, 2017 be read the Second Time (*Senator Bareehu O. Ashafa — Lagos East*).

Debate:

Question put and agreed to.

Bill accordingly read the Second Time and referred to the Committee on Tertiary Institutions and TETFUND to report within Four (4) weeks.

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

Consideration of Bill deferred to another Legislative Day.

18. Federal College of Education, Gumel (Establishment, etc.) Bill, 2017 (SB.417):

Consideration of Bill deferred to another Legislative Day.

19. Personal Information Protection Bill, 2017 (SB.310):

Consideration of Bill deferred to another Legislative Day.

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

Consideration of Bill deferred to another Legislative Day.

21. Federal Entrepreneurship Centres at Local Government Areas (Establishment, etc.) Bill, 2017 (SB.133):

Consideration of Bill deferred to another Legislative Day.

22. Pension Reform Act CAP P4 LFN 2004 (Amendment) Bill, 2017 (SB. 281):

Consideration of Bill deferred to another Legislative Day.

23. Adjournment:

Motion made: That the Senate do now adjourn till Tuesday, 25th April, 2017 at 10:00 a.m. (*Senate Leader*).

Adjourned accordingly at 1:02 p.m.

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