



SENATE OF THE FEDERAL REPUBLIC OF NIGERIA

VOTES AND PROCEEDINGS

Wednesday, 25th October, 2017

1. The Senate met at 11:02 a.m. The Senate President read Prayers.
2. **Votes and Proceedings:**
The Senate examined the Votes and Proceedings of Tuesday, 24th October, 2017.

Question was put and the Votes and Proceedings were approved.

3. **Announcements:**

- (a) **Reminder on the Service of Songs for Princess Anne Nnenna Nnaji:**

The Senate President read a letter from Senator Chukwuka G. Utazi (Enugu North) as follows:



**THE SENATE
FEDERAL REPUBLIC OF NIGERIA**

Sen. Chukwuka Utazi

Enugu North Senatorial District

Chairman, Senate Committee on Anti-Corruption & Financial Crimes

October 23, 2017

*The President of the Senate
Senate Chambers
National Assembly
Abuja*

**REMINDER ON THE SERVICE OF SONGS FOR
PRINCESS ANNE NNENNA NNAJI**

Distinguished Senators are reminded that the Service of Songs and Night of Tributes for Princess Anne Nnenna Nnaji, the late wife of Senator Gilbert Emeka Nnaji, are scheduled for today, Wednesday, October 25, 2017.

Time: 4pm

Venue: Sen. Gilbert Nnaji's residence, 13 Chuba Okadigbo Street, Apo Legislative Quarters, Apo, Abuja

Distinguished Senators are kindly requested to attend the Service of Songs and Night of Tributes.

(Signed)

Senator Chukwuka Utazi

Coordinating Chairman, Burial Committee

(b) Committee Retreat in Lagos:

The Senate President read a letter from Senator Samuel N. Anyanwu (*Imo East*) as follows:



**THE SENATE
FEDERAL REPUBLIC OF NIGERIA
COMMITTEE ON ETHICS, PRIVILEGES & PUBLIC PETITIONS
NATIONAL ASSEMBLY COMPLEX**

His Excellency,

24th October, 2017

*The President of the Senate,
National Assembly,
Abuja.*

Committee Retreat in Lagos

I write to inform Your Excellency, the Senate President, that the Senate Committee on Ethics, Privileges and Public Petitions would be proceeding on a 2-Day Retreat to Lagos as follows:

Date: Thursday, 26th - Friday, 27th October, 2017

Venue: Intercontinental Hotel, Victoria Island, Lagos

Time: 9:00am - 5:00pm daily.

Thank you, sir, for your attention.

(Signed)

Senator Samuel N. Anyanwu
Chairman

(c) National Breakfast:

The Senate President read a letter from Senator Sunny O. Ogbuoji (*Ebonyi South*) as follows:



**THE SENATE
FEDERAL REPUBLIC OF NIGERIA
Senator Sunny O. Ogbuoji (*Ebonyi South*)**

NATIONAL BREAKFAST

All Distinguished Senators are cordially invited to attend the National Prayer Breakfast holding as follows:

Venue: International Conference Centre

Date: Thursday, 26th October, 2017

Time: 7:00 a.m. to 9:00 a.m.

(Signed)

Senator Sunny O. Ogbuoji

Co-ordinator

Christian Legislators' Fellowship

4. Petitions:

- (i) Rising on Rule 41, Senator Dino Melaye (*Kogi West*) drew the attention of the Senate to a petition from his constituent, Jimoh Oloruntoba (EX-79NA/17135), against the Nigerian Army, over his wrongful dismissal. 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 James E. Manager (*Delta South*) drew the attention of the Senate to a petition from his constituent, Mr. Daniel Adehor, against the Nigeria National Petroleum Corporation (NNPC), over premature retirement. 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 Mohammed S. Lafiagi (*Kwara North*) drew the attention of the Senate to a petition from his constituent, Mr. Bello Sambo, against the Skye Bank Plc, over his wrongful dismissal. 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 Samuel O. Egwu (*Ebonyi North*) drew the attention of the Senate to a petition from his constituent, Sunday Umeh, against the Nigerian Army, over his wrongful dismissal. 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.

- (v) Rising on Rule 41, Senator Matthew A. Urhoghide (*Edo South*) drew the attention of the Senate to two (2) petitions from:

(a) Kingsley Enehikhare & Co. on behalf of Imasuen O. Ese, against the Standard Chartered Bank Limited, over unlawful withholding of funds; and

(b) Bekele Jones & Associates on behalf of Parsley Consults Limited and Emagu Nigerian Limited, against Shell Petroleum Development Company of Nigeria Limited (SPDC), over non-payment of land reacquisition fees and rentals.

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.

- (vi) Rising on Rule 41, Senator Andrew I. Uchendu (*Rivers East*) drew the attention of the Senate to a petition from his constituent, Amadi O. Stephen, against the Nigerian Prisons Service, over his unlawful dismissal. 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. Matter of Urgent Public Importance:

Rising on Rules 42 and 52, Senator Olusola Adeyeye (*Osun Central*) drew the attention of the Senate to the plight of Nigerians studying abroad under the various Federal Government Scholarship Schemes. He sought and obtained the leave of the Senate to present the matter forthwith:

The Senate notes that there are a number of Nigerian students in various countries across the globe under numerous Federal Government scholarship schemes; Petroleum Development Trust Fund (PTDF); National Universities Commission (NUC); and Tertiary Education Trust Fund (TETFUND);

further notes that these students and scholars are Nigerians that have distinguished themselves in their previous Universities before going abroad to further their studies;

privileged to interact with some of these students studying in Russia during the Inter-Parliamentary Union (IPU) conference which was attended by the Senate President and a number of Senators;

alarmed that the students shared endless stories of sufferings as a result of non-payment of their tuition, feeding; transport and accommodation for months which made it impossible to continue with their studies; and

disturbed that this unwanted development has exposed many of our students abroad to crimes and causing embarrassment to the nation.

Accordingly resolves:

That the various agencies responsible for scholarship to Nigerian students be summoned to meet with the Senate President with a view to bringing the plight of the students to an end.

Debate:

Proposed Resolution:

Question: That the various agencies responsible for scholarship to Nigerian students be summoned to meet with the Senate President with a view to bringing the plight of the students to an end —
Agreed to.

Additional Proposed Resolution:

Insert Additional Proposed Resolution as follows:

“That the Senate do commend Dr. Okoli and his Firm for paying some Students tuition fees this was a rare show of patriotism to our country and urge the Amnesty Programme through the Federal Government to immediately pay the Firm of Eman Logistics Limited all outstanding debts” (*Senator Akpan A. Bassey — Akwa Ibom North-East*).

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

Resolved:

- (i) That the various agencies responsible for scholarship to Nigerian students be summoned to meet with the Senate President with a view to bringing the plight of the students to an end; and

- (ii) that the Senate do commend Dr. Okoli and his Firm for paying some Students tuition fees this was a rare show of patriotism to our country and urge the Amnesty Programme through the Federal Government to immediately pay the Firm of Eman Logistics Limited all outstanding debts (*S/Res/098/03/17*).

6. Personal Explanation:

Rising on Rule 43, Senator Dino Melaye (*Kogi West*) drew the attention of the Senate to the pitiable situation of civil servants in Kogi State, where workers have not been paid their salaries for between fifteen (15) to twenty-one (21) months. He explained that the situation is so bad that Mr. Edward Soje committed suicide. This has warranted the President, Nigerian Labour Congress (NLC) to called for relief materials to be sent to Kogi State civil servants. He appealed to the Senate President to intervene through Mr. President, Commander-in-Chief of the Armed Forces of the Federation, to resolve the issue of unpaid salaries of workers in Kogi State.

7. Presentation of a Bill:

Federal Capital Territory (FCT) Statutory Appropriation Bill, 2017 — *Read the First Time*.

8. Committee on Poverty Alleviation and Social Welfare:

Report on the Constituency Sustainable Development Fund Bill, 2017 (SB.103):

Motion made: That the Senate do receive the Report of the Committee on Poverty Alleviation and Social Welfare on the Constituency Sustainable Development Fund Bill, 2017 (*Senator Mallam A. Wakili — Bauchi South*).

Question put and agreed to.

Report Laid.

9. 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. Engr. Y.Y. Sani, against the Federal Ministry of Industry, Trade and Investment for Non-payment of Outstanding Monitoring Fees of USD1,776, 873.84 and ₦276,158.92 paid by International Oil and Gas Companies Exporting Crude Oil and Gas from Nigeria;
- b. Mr. Atiku Saleh and three others, against the Pension Transition Arrangement Directorate (PTAD) for Unfair Termination of Appointment by the Directorate;
- c. TMDK Oil Traders Limited, against Flour Mills of Nigeria Plc (FMN) for Non-Payment of ₦2,500,000,000 for contract executed; and
- d. ACP Joseph I. Ogbeide, against the Nigeria Police for not allowing him to resume duty after being reinstated by the Police Service Commission (PSC) (*Senator Samuel N. Anyanwu — Imo East*).

Question put and agreed to.

Reports Laid.

10. Ad hoc Committee on Alleged Mis-use, Under-Remittance and Other Fraudulent Activities: Interim Report of the Ad-Hoc Committee on Alleged Mis-use, Under-Remittance and Other Fraudulent Activities:

Motion made: That the Senate do consider the Interim Report of the Ad hoc Committee on Alleged Mis-use, Under-Remittance and Other Fraudulent Activities in Collection, Remittance and Expenditure of Internally Generated Revenue (IGR) by Revenue Generating Agencies (*Senator Solomon O. Adeola — Lagos West*).

Question put and agreed to.

Report presented.

Debate:

Proposed Resolution (i):

Question: That the Senate should amend the laws where necessary to make it mandatory for all Revenue Generating Agencies to accommodate resident Auditors to be posted by the Auditor General of the Federation that will have access to all financial records and books, and to ensure compliance with section 120(i) of the 1999 Constitution of the Federal Republic of Nigeria (as amended).

Proposed Resolution (ii):

Question: The Fiscal Responsibility Act should be amended in a way to compel all Agencies and institutions of Government on compliance with financial regulations regarding income generation, accounting and remittances.

Proposed Resolution (iii):

Question: That the Senate should also amend the laws where necessary to make it mandatory for all Revenue Generating Agencies to accommodate resident Treasury Officers to be posted by the Accountant General of the Federation that will have access to all financial records and books.

Proposed Resolution (iv):

Question: The National Assembly should direct the immediate stoppage of the implementation of the contents of the Memo by the former Minister of Finance and Agencies and institutions should adopt the new mode of remittances as approved by the Senate.

Proposed Resolution (v):

Question: The Fiscal Responsibility Act (2007) should further be amended to make all Revenue Generating Agencies to pay 30% of their income generated monthly to the Consolidated Revenue Account before any expenditure.

Proposed Resolution (vi):

Question: Equally, the operational modalities of certain Agencies or services rendered could not permit serious revenue generation, like the Hospitals and Educational Institutions, thus, they should be exempted from Agencies expected to make money available to the CRF except where there is surplus declared.

Proposed Resolution (vii):

Question: The Federal Government should strengthen the Revenue Generating Agencies with manpower and qualitative staff to fill in the gaps needed for a viable workforce and revenue generation.

Proposed Resolution (viii):

Question: Where Agencies of Government have the capacity to carry out certain functions/activities, as in the case of Nigeria Immigration Service, such functions/activities should not be contracted out to consultants; therefore, the Nigeria Immigration Service's contracts be revoked.

Proposed Resolution (ix):

Question: Relevant Committees of the Senate should look into some of these Agencies and their expenditure profile with the view to instilling prudent financial management and accountability.

Proposed Resolution (x):

Question: All Commercialize Government Agencies should not be provided for in the Federal Government Appropriation. This could be fully implemented after 3 years grace period. Such agencies as N.T.A., FRCN, NEPZA, NIPC, NEPC, Oil & Gas Free Trade Zone among others fall into this category.

Proposed Resolution (xi):

Question: The office of the Auditor-General of the Federation should sit-up in its activities. Situation where Agencies of Government prefer external auditors to Federal Government Auditors does not ensure full disclosure.

Proposed Resolution (xii):

Question: The Federal Government should institute a plan to recover huge debts owed NCAA, FAAN, AIB, N.P.A., NIMASA, TBS Management Board and Lagos Trade Fair Management Board by concessionaires. This will enable these Agencies meet up with their obligations to the CRF.

Proposed Resolution (xiii):

Question: The Committee hereby request the Senate to grant it eight (8) more weeks to complete its assignment.

Amendment Proposed:

Leave out Proposed Resolutions (i) to (xiii) and *insert* the following instead thereof:

“(i) That the *Ad hoc* Committee in consultation with the Committee on Judiciary, Human Rights and Legal Matters should review the Report and bring up the legal amendments required for the Agencies” (Senator James E. Manager — Delta South).

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

“(ii) That the *Ad hoc* Committee recommend sanctions to Agencies that refused to forward their annual remittance” (Senator Peter O. Nwaoboshi — Delta North).

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

“(iii) That the Senate do grant the *Ad hoc* Committee six (6) weeks to complete its assignment” (Senator Solomon O. Adeola — Lagos West).

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

Resolved:

(i) That the *Ad hoc* Committee in consultation with the Committee on Judiciary, Human Rights and Legal Matters should review the Report and bring up the legal amendments required for the Agencies;

(ii) That the *Ad hoc* Committee recommend sanctions to Agencies that refused to forward their annual remittance; and

(iii) That the Senate do grant the *Ad hoc* Committee six (6) weeks to complete its assignment (S/Res/099/03/17).

11. 2017 Federal Capital Territory (FCT) Appropriation Bill, 2017:

Consideration of Bill deferred to another Legislative Day.

12. Nigerian Tax Academy (Establishment, etc.) Bill, 2017 (SB. 330):

Consideration of Bill deferred to another Legislative Day.

13. Agricultural Research Council of Nigeria Bill, 2017 (SB.315):

Consideration of Bill deferred to another Legislative Day.

14. **Legal Practitioners Act CAP C11 LFN 2004 (Amendment) Bill, 2017 (SB. 435):**
Consideration of Bill deferred to another Legislative Day.
15. **National Tea and Coffee Development Council (Establishment, etc.) Bill, 2017 (SB. 462):**
Consideration of Bill deferred to another Legislative Day.
16. **National Orientation Agency Act CAP N100 LFN 2004 (Amendment) Bill, 2017 (SB.333):**
Consideration of Bill deferred to another Legislative Day.
17. **Legal, Fiscal and Regulatory Framework for Sustainable Energy Development in Nigeria Bill, 2017 (SB.431):**
Consideration of Bill deferred to another Legislative Day.
18. **Federal Capital Territory (FCT) Act CAP F6 LFN 2004 Amendment Bill, 2017 (SB. 115):**
Consideration of Bill deferred to another Legislative Day.
19. **National Youth Development Commission (Establishment, etc.) Bill, 2017 (SB. 385):**
Consideration of Bill deferred to another Legislative Day.
20. **Nigerian Bank of Industry (Establishment, etc.) Bill, 2017 (SB.366):**
Consideration of Bill deferred to another Legislative Day.
21. **Nigerian Institute of Management Act No.14 2003 (Amendment) Bill, 2017 (SB.13):**
Consideration of Bill deferred to another Legislative Day.
22. **Metallurgical Regulation Bill, 2017 (SB.260):**
Consideration of Bill deferred to another Legislative Day.
23. **National Institute of Credit Administration (Establishment, etc.) Bill, 2017 (SB.153):**
Consideration of Bill deferred to another Legislative Day.
24. **Nigerian Council for Food Science and Technology (Establishment, etc.) Bill, 2017 (SB.92):**
Consideration of Bill deferred to another Legislative Day.
25. **Federal Polytechnic Silame, Sokoto State, Bill, 2017 (SB. 406):**
Consideration of Bill deferred to another Legislative Day.
26. **Federal University of Agriculture and Technology Oke-Ogun, Bill, 2017 (SB.466):**
Consideration of Bill deferred to another Legislative Day.
27. **Federal polytechnic Kabo, Bill, 2017 (SB. 407):**
Consideration of Bill deferred to another Legislative Day.

28. Adjournment:

Motion made: That the Senate do now adjourn till Thursday, 26th October, 2017 at 10:00 a.m.
(Deputy Senate Leader).

Adjourned accordingly at 1:29 p.m.

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