



FEDERATION OF NIGERIA

PARLIAMENTARY DEBATES

OFFICIAL REPORT

SENATE

Session 1960-61

Comprising Period
22nd—25th August, 1960

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THE SENATE

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Senator the Hon. E. A. Lagunju.
Senator the Hon. O. Somolu.

Nominated Senators :

Senator the Hon. Shettima Kashim, C.B.E., Waziri of Bornu.
Senator Dr the Hon. M. A. Majekodunmi.
Senator Dr the Hon. Professor Eni Njoku.
Senator the Hon. L. C. Daldry.

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Minister of State—Senator Dr the Hon. E. A. Esin.
Minister of State—Senator Dr the Hon. M. A. Majekodunmi.

SENATE OF THE FEDERATION OF
NIGERIA

Monday, 22nd August, 1960

The Senate met at 10 a.m.

The Clerk of the Parliaments : I have to inform the Senate of the absence of Mr President from this day's sitting and from subsequent sittings till adjournment, due to his being on vacation leave. Mr Deputy President will, therefore, take the Chair at this day's and subsequent sittings until adjournment, pursuant to the Standing Order. (*Applause*).

Whereupon the Deputy President went to the Table to read prayers and preside.

PRAYERS

(Mr Deputy President in the Chair)

OATHS

Oath of Allegiance was administered to the following new Member :—

M. Bello Malabu.

BUSINESS OF THE HOUSE

The Minister of State (Senator Dr the hon. M. A. Majekodunmi) : Mr Deputy President, Sir, to-day, 22nd August, 1960 there will be presentation of the following Bills :—

Supplementary Appropriation (1960-61) Bill and the debate on the second and third readings on Tuesday, 23rd August.

Presentation and all the other stages of the following Bills :

Prisons Bill

Borstal Institutions and Remand Centres Bill.

Borstal Training (Lagos) Bill

Nigerian Ex-servicemen's Welfare Association Bill

Criminal Procedure (Corporal Punishment) Bill

Electricity Corporation of Nigeria Bill

Royal Nigeria Military Forces Bill

Interpretation Ordinance (Amendment) Bill.

Nigerian Citizenship Bill
Moneylenders' Ordinance (Amendment) Bill

On Tuesday, 23rd August, 1960

Foreign Judgments (Reciprocal Enforcement) Bill

Railway Corporation Ordinance (Amendment) Bill.

Nigerian College of Arts, Science and Technology (Amendment) Bill.

Pensions (Special Application) Bill

Government Securities Ordinance (Amendment) Bill.

Loans (Regional Development No. 2) Ordinance 1960.

Citizenship and Leadership (Training Centre) Bill.

Bills of Exchange Ordinance (Amendment) Bill.

Nigerian Membership of International Finance Organisations Bill.

Military Pensions (Amendment) Bill

National Flag (Protection) Bill

Unauthorised Reproduction of Currency Bill.

Customs and Excise Management (Amendment) Bill.

Income Tax Administration (Amendment) Bill.

Nigerian Broadcasting Corporation Ordinance (Amendment) Bill.

Geneva Conventions Bill 1960

Red Cross Society Bill

Workmen's Compensations Ordinance (Amendment) Bill.

World Meteorological Organisation (Protection) Bill.

Motion on Operative Date of the Revised Edition of the Laws.

Second Reading and Final Stage of the Supplementary Appropriation Bill.

Wednesday, 24th August

Second and Third Readings of the Bills 1 to 10 inclusive presented on Tuesday, the 23rd August.

Thursday 25th August, 1960

Second and Third Readings of Bills Nos. 11 to 19 inclusive presented on Tuesday 23rd August.

[SENATOR DR MAJEKODUNMI]

Friday, 26th August, 1960

Business not completed on Thursday, 25th August, 1960.

Senator Chief O. A. Fagbenro-Beyioku : I have an observation to make, Mr Deputy President, Sir. I have observed that there is no allowance made for Private Members' Motions. Normally in the House of Representatives, Tuesdays are set aside for Private Members' Motion.

I know very well that there are many Senators here who would like to present some private Motions before this hon. House, although we have not yet settled down to real business. I would, therefore, suggest that Friday, being left for unfinished work, be earmarked for Private Members' Motions and any subsequent day for Private Members' Motions will be decided upon later.

The Minister of State (Senator Dr M. A. Majekodunmi) : Mr Deputy President, Sir, no Private Members' Motions have been received yet. There is a Business Committee of the Senate which will look into it, in consultation with the Leader of Government Business of the Senate, and arrange for debate if received.

Senator Fagbenro-Beyioku : Sir, with that assurance I am satisfied and a Motion will be presented accordingly.

PRESENTATION OF PUBLIC BILLS

SUPPLEMENTARY APPROPRIATION (1960-61) (AS AMENDED IN THE HOUSE OF REPRESENTATIVES) BILL

The Minister of Finance : *Second Reading*—This day.

PRISONS (AS AMENDED IN THE HOUSE OF REPRESENTATIVES) BILL

The Minister of Internal Affairs : *Second Reading*—This day.

BORSTAL INSTITUTIONS AND REMAND CENTRES BILL

The Minister of Internal Affairs : *Second Reading*—This day.

BORSTAL TRAINING BILL

The Minister of Internal Affairs : *Second Reading*—This day.

NIGERIAN EX-SERVICEMEN'S WELFARE ASSOCIATION BILL

The Minister of Internal Affairs : *Second Reading*—This day.

CRIMINAL PROCEDURE (CORPORAL PUNISHMENT) BILL

The Minister of Transport and Aviation : *Second Reading*—This day.

ELECTRICITY CORPORATION OF NIGERIA BILL

The Minister of Mines and Power : *Second Reading*—This day.

ROYAL NIGERIAN MILITARY FORCES (AS AMENDED IN THE HOUSE OF REPRESENTATIVES) BILL

The Minister of State (Senator Dr M. A. Majekodunmi) : *Second Reading*—This day.

INTERPRETATION BILL

The Minister of State (Senator Dr M. A. Majekodunmi) : *Second Reading*—This day.

NIGERIAN CITIZENSHIP (AS AMENDED IN THE HOUSE OF REPRESENTATIVES) BILL

The Minister of Internal Affairs : *Second Reading*—This day.

MONEYLENDERS (AS AMENDED IN THE HOUSE OF REPRESENTATIVES) BILL

The Minister of Internal Affairs : *Second Reading*—This day.

ORDER OF THE DAY

SUPPLEMENTARY (1960-61) APPROPRIATION BILL

Order for Second Reading read.

The Minister of Finance (Chief the hon. F. S. Okotie-Eboh) : Mr Deputy President, Sir, I beg to move that a Bill entitled a Bill for an Ordinance to make supplementary provision for the service of the Federation of Nigeria for the year ending on the Thirty-First day of March, One Thousand Nine Hundred and Sixty-One additionally to that made by the Appropriation (1960-61) Ordinance, 1960, be read a second time.

We have a lot of work to get through in a short time and I do not propose to worry Senators with a great deal of detail on this Supplementary Appropriation Bill. Nevertheless I propose to mention briefly its main features.

The first is Head 25—External Affairs. As was foreseen during the Budget Meeting in April very considerable supplementary provision is required to establish a Ministry to take

charge of Nigeria's foreign relations after independence to which we all look forward with such pride. The proposals made in these Supplementary Estimates for the last six months of the year are necessarily rather tentative, but the House will, I am sure, note with pleasure that they include doubled provision for the establishment of additional offices overseas.

The second item to which I must refer is the increase of £60,000 sought for the expenses of Ministerial tours overseas. This additional provision is sought in no spirit of apology. Until Nigerian overseas representation is fully established on a permanent basis, its needs and its aspirations can be made known to the world only through personal contact and personal negotiation.

Apart from these two items the House will notice that the Draft Supplementary Estimates reflect further details of the arrangements for the separation of the Cameroons Territories after Independence, and additional provision of £150,000 for Primary Education and of £500,000 as a contribution to the Development Fund in order to make possible a loan of this amount to the Ports Authority.

Neither of these large items represents new expenditure. For convenience of accounting we have decided that although the cost of public primary education in Lagos shall continue to be shared by Government and the L.T.C. as at present, the payments shall be made entirely from one pocket, the Government one, instead of from two. The L.T.C. will pay its share to Government and the increase in Government expenditure will thus be offset by an equivalent increase in revenue.

As regards the Ports Authority, negotiations are in progress towards raising a loan in the London and New York markets to finance capital development. In anticipation of a successful conclusion to these negotiations the Authority refunded earlier this year a sum of £500,000 from amounts previously lent to it by Government. More difficult conditions in the money market overseas have unfortunately prevented as speedy an end to negotiations as we had hoped, and it is necessary, therefore, for us to make provision for the repayment of the £500,000 to the Ports Authority, if this should prove necessary in order not to hold up essential development work.

The Draft Estimates also reflect the decision to inaugurate a Federal Library Service. This is reflected, for instance, in the provisions sought under Head 32—Ministry of Education, and under Head 58—Legislature.

Two Heads which appear in the Draft Estimates do not involve any additional provision, Head 42—Ministry of Lagos Affairs which shows a saving of £11,000, and Head 51—Ministry of Commerce and Industry. The Approved Estimates contain a provision of some £33,810 for the establishment of a Weights and Measures Inspectorate in the latter Ministry. The Draft Estimates now before you show how it is proposed to implement this and at a net saving of some £5,290. This Head is included in the Estimates primarily for the information of hon. Members, but it will also provide an instrument of control for the Accounting Officer and others concerned with the expenditure of this money.

With regard to revenue, I estimated in April that after allowing for the new taxation measures introduced the retained revenues of the Federal Government for the current year, revenue will amount to almost £53.7 million. Although it is too early in the year to be precise about figures, all the indications point to the fact that this estimate is still realistic. The total shown in the draft Supplementary Estimates before you shows a figure of £900,000 greater than this estimate, but this increase is due entirely to four special transactions which are set out in the footnote on page 2 of the Draft Estimates. The net effect is that after taking into account this increase of revenue and our proposed supplementary expenditure our estimated surplus for the year will amount to £1,187,060, which is by no means an unsatisfactory result.

So much, then, for the changes which this House is asked to approve. I should, however, mention one other important change which will take place but which does not require specific approval from the Legislature since it does not involve additional appropriation. This change is the reorganisation of the Governor-General's Office which will be made at independence. On the 1st of October the posts of Deputy Governor-General and Secretary to the Governor-General will be abolished and the office of the Secretary to the Governor-General will also cease to exist. The private

[MINISTER OF FINANCE]

office of the Governor-General will be placed under the control of a Principal Private Secretary with a staff slightly enlarged in order to reflect the constitutional duties which will be required of the Governor-General in an independent Nigeria. No additional provision is likely to be needed in the current year and there should in fact be savings on the estimate for the office of the Governor-General.

Sir, if I may refer very briefly to the Supplementary Estimates of capital expenditure which hon. Members will find in a separate volume, the major items, apart from the loan to the Ports Authority to which I have already referred, stem directly from independence. In the first place, it is now clear that we shall require a sum of £750,000 more than was originally voted for the Independence Celebrations. In addition we shall require a further £83,000 for the Nigerian Exhibition, although a considerable part of this will be offset by increased revenue.

I have also authorised by Special Warrant, since the House last met, two items. The first was £250,000 to be spent on the clearance of slums and general improvements to roads, drainage and street lighting in Lagos before independence, so that Lagos shall present a worthy appearance. The second was also for a similar purpose, £86,000 to enable the Marina to be extended to Ebute Ero Market. Both sums are offset by savings elsewhere in Economic Programme allocations. I am sure hon. Members will agree that these particular items of expenditure could not reasonably have been deferred until the Senate met.

The draft Capital Estimates also contain provision of £169,115 required to enable the Federal Government to pay half the cost of building training schools for Native Authority and Local Government Police at Kaduna and Ibadan. They also reflect certain other relatively minor changes, which can be financed without any alteration in overall Economic Programme allocations.

Mr Deputy President, Sir, I beg to move.

The hon. Minister of Labour (Hon. J. M. Johnson) : Sir, I beg to second.

Question proposed.

The Deputy President : Pursuant to Standing Orders, the Debate stands adjourned until tomorrow.

PRISONS BILL

Order for Second Reading read.

The Minister of Internal Affairs (Hon. Mallam Usman Sarki Sardaunan Bida) : Mr Deputy President, Sir, I rise to move the second reading of a Bill entitled an Ordinance to provide for the establishment of Prisons and for Regulating the government thereof.

The need for a new Prisons Ordinance has been evident for many years. The existing Prisons Ordinance was originally enacted in the year 1916, and it has, frankly, outlived its usefulness. The existing Prisons Ordinance is, to a very large extent, an instrument to provide for the locking up of offenders and to provide for punishing them. I need hardly say that this is a very out of date conception. It is out of date because it is, in a broad sense, inhumane, though frankly I do not very much like the sentimental approach to such matters. What is more important is that the conception of sending a man to prison simply for punishment is socially wasteful and is wasteful of the resources of the community. By that I mean we do not want people sent back to prison again and again to be punished again and again. What we want is to try to reform these offenders so that they do not come back to prison again.

That is the idea which is behind all modern penal practice, and it is incumbent upon us here in Nigeria to be in line with modern penal practice. It is incumbent upon us to do so, out of ordinary self-interest.

This Bill, Mr Deputy President, brings the Prisons Ordinance up to date, and provides the legal and practical basis for modern prison procedure and practice. It must be considered in the minds of Senators in conjunction with the two other Bills relating to Borstals which I shall introduce later. It will then be seen that we place emphasis not only on reform rather than on mere punishment, but that we place emphasis more particularly on reforming the young offenders.

Our Prisons to-day, Mr Deputy President, are grievously over-crowded, and the more people who can be reformed by prison treatment the fewer will come back to prison.

I commend this Bill to the Senators, and I beg to move, Sir.

The Minister of Health (Senator the hon. Mallam Waziri Ibrahim) : Sir, I beg to second.

Senator J. K. Nzerem : Mr Deputy President, Sir, I consider this is a very essential legislation. The days are gone, as the hon. Minister pointed out, when imprisonment meant just punishment. In this country, as in many countries in the civilised world, new ideas have come into prison offences. Instead of getting a gang of people to march out, day in and day out, under sun and rain, mishandled, a new conception has come over the whole thing.

This Bill before the House is one which, in my opinion, will not take a long time. There are certain aspects of it which I think do not even go far enough by way of improvement. I think a specific portion of the Bill should be devoted to education of prisoners. Adequate provision ought to be made about the industrial education of prisoners. Perhaps when the Bill comes to be studied in detail I shall move that a portion of the Bill which deals with prison offences be amended slightly.

With these preliminary observations, Mr Deputy President, I beg to support.

Senator Chief Fagbenro-Beyioku : Mr Deputy President, Sir, this is supposed to be a revolutionary Bill to give the prisons a new look, but as the last speaker has said it is not entirely complete. Before proceeding, Sir, I feel that the time has come when the Prisons Department should be completely Nigerianised. I do not see any reason why the Director of Prisons, the Assistant Director of Prisons and the Superintendent of Prisons should continue to be expatriates. I feel we have the material in Nigeria and if we want to bring about a change of heart in the prisoners in Nigeria I feel they are better handled by a Nigerian who knows more of their background.

In this Bill, Sir, there is another aspect which deals with the question of prison officers being allowed to use weapons, and the general interpretation of prison officers means any rank and file of the prison staff—maybe an ordinary third class Warder. There is a further provision which states that where a senior officer is present no prison officer may use weapons. Well, the man who may be regarded as a senior officer may be a third class Prison Warder of three years' service, and I feel, Sir, that it will be very dangerous for us to empower any rank and file of the prison staff to apply weapons on any pretext.

The occasions are definitely stated where weapons could be used, for instance, where the prison officer has reason to believe that he was about to be injured or something serious was going to happen to him he is authorised to use weapons. Although it is stated that the idea behind the use of the weapons should be to wound and not to kill, what if by accident the other man is killed through the indiscriminate use of weapons? So, I would feel that this hon. Senate must have to give serious consideration to this aspect of the Bill before we can give the assent which it requires.

Again, Sir, on the question of the serious illness of a prisoner there is a clause which states that it is only on the authority of the Director that a sick prisoner may be removed to the hospital. The Director may not necessarily be at the spot and the prisoner is seriously sick and it is necessary for the prisoner to be removed to a Hospital and perhaps the Director is in Lagos or Enugu or somewhere else. The prisoner may be in Umuahia or in one of the remote areas and then does it mean that until you have the authority of the Director nothing can be done?

Later in the very same Clause, Sir, there is a section which states that in emergency cases such removal may be made by the Superintendent of the Prisons upon the certificate of the medical officer of the prisons. I should think that every serious case is a case of emergency. In my opinion, Sir, I feel that we must have to give serious thought to that section with a view to ensuring that the Superintendent of the Prisons on the spot in his absolute discretion should be able to authorise the removal of the prisoner to hospital.

Then there is another provision there that where the term of imprisonment of a prisoner is determined and the Director of Prisons feels that for one reason or the other the prisoner must be repatriated in the public interest or at the request of the prisoner himself he can do so. I agree that if the prisoner wants to be repatriated he should be repatriated, but even then that clause does not say at whose expense the repatriation should be done. I think necessarily it should be at the expense of the Government, but I would not agree that, simply because the Director feels that in the public interest a prisoner should be repatriated, he can do it.

[SENATOR FAGBENRO-BEYIOKU]

The Director should not be competent to decide that, Sir. That should be a matter for the court to decide as to whether the continued existence of that man in that environment is to the best interest of the public. It is not for the Director to decide.

It is a dangerous thing, Sir, if we say the Director has absolute discretion to say that in his own opinion this man should not be retained here because it is not conducive to public interest. It is only the Court which should be competent to say that, Sir, otherwise we are taking away from the court certain functions which are the exclusive right and prerogative of the court.

Then there is the question of interchange of prisoners between the Government prisons and the Native Authority prisons. There is no harm, Sir, if we say this should be encouraged, but before this can be encouraged we have to satisfy ourselves that the standard of maintenance and standard of subsistence in the Local Authority prisons are just the same as what obtains in the Government prisons.

For all we know, Sir, at the moment prisoners in Local Authority prisons are not given the same standard of attention as those in Government prisons, and therefore before there should be any interchange of prisoners, particularly before taking prisoners from Government to Local Authority prisons, we must satisfy ourselves that when they get to the Local Authority prisons the same conditions as obtain in the Government prisons will obtain in the Local Authority prisons. This is a very important matter.

Again, Sir, I agree that if a prisoner is sick and is removed to hospital there is a risk of the prisoner, if he is a diehard or habitual criminal, escaping. The possibility is not remote. But at the same time, Sir, I have to be convinced. I do not see why, if the prisoner is in hospital, there should be any suggestion that he should be under a military guard. After all, the prison warders are there and if the prison warders are not efficient enough the Police are there. Why must we have to bring in the Army? After all, Sir, we are not in a totalitarian state.

The other aspect that I would like to comment upon is about medical officers. I feel that the time has come where we have a large number of prisoners in a prison just like the

Lagos Broad Street prison or the Port Harcourt prison or other large prisons, when instead of having part-time medical officers attached to the prisons we should have full-time medical officers attached to these prisons.

I feel the time has come when one must have full-time medical officers attached to these prisons. In some prisons you have as many as one thousand inhabitants, in some as many as two thousand inhabitants. Well, for a part-time Government man just to come at 8 o'clock to the prisons and then see as many as he can by 2 o'clock really is not good enough. I do not think, Sir, that the prisoners can possibly have enough medical attention under such circumstances. I would suggest that the time has come when medical officers should be appointed directly in charge of the prisons. It should be a direct appointment, not the question of a medical officer attached to the General Hospital being posted for what I call 'some sort of part time appointment in the prisons'. I feel the time has come when there must be some improvement in the medical facilities for our prisoners.

With these observations, Mr Deputy President, Sir, I support.

Senator H. O. Abaagu : Mr Deputy President, Sir, I just want to say a few words on the punishment of prisoners. I feel that the measure of punishment meted out to prisoners does not always fit the crime which has been committed. About twenty years ago nobody in Nigeria ever heard of murders being committed but now we are hearing of too many murders being committed. I think it would be better if some sort of public punishment were devised as a way of reducing this. I am suggesting that these chaps should be executed in public. When the British Government came to this country offenders of this crime were executed in public and people who saw that refrained from committing this crime. I think we should return to that method to stamp out this crime.

Another crime which has become so common again is theft which is committed nearly every day, every hour, every minute. I am suggesting that there should be a very stringent measure of punishment inflicted on those people. I would suggest that they should go to prison but when a man is convicted of theft and he is sent to prison, he should come out with a

mark either on his forehead or on a prominent part of his body so that anybody who sees him will know and make him an outcast to the society. Well I suggest that there should be a severe punishment meted out to offenders.

Now again I would like to suggest that there should be some sort of amnesty for political prisoners and I think the time of Nigeria's Independence in October would be a very good opportunity for granting some sort of amnesty to prisoners. Mr Deputy President, Sir, I have just got this Bill this morning and I would like to have more instruction on certain passages but I have not had time to get it, so with these few observations I think I had better postpone my remarks until tomorrow.

The Minister of Internal Affairs (The hon. Mallam Usman Sarki, Saraduanan Bida) : This Bill has been designed, as I said before, to improve the lot of prisoners. When I say improve, there is definitely room for improvement in the lot of our prisoners, but I mean improvement in the disciplinary action, so that they will be able to know exactly their mistake.

Now one Member has spoken about industrial education. Certainly at the moment, we have a lot of industries going on in the prisons department and there is, I know, a need to improve these industries, and in fact at the moment we are trying to recruit industrialists who will be on the staff of the prison so that they will be able to improve the industrial education of the prisons Department. We are doing that at the moment so I do not want the Senators to think that we are doing nothing, we have only brought this Bill to improve what we are doing at the moment.

One hon. Senator spoke about Nigerianisation in the Prisons Department. I think what is worrying the hon. Members is the post of Director of the Prisons. Well I am really alive to the urgent need of replacing the Director of Prisons by a Nigerian, and that will be done as soon as practicable. (*Hear, hear*).

This question of dangerous weapons really surprises me. It surprises me how some people can really entertain this sort of fear. In this country at the moment you have no prison warders who carry dangerous weapons. Under normal routine duty they will not be allowed to carry any dangerous weapons, as

you can see if you go anywhere in the whole country to-day. You will never see any prison warder carrying a dangerous weapon. Well I think the hon. Senators will agree with me that when somebody is sent out on a dangerous mission he should be allowed to defend himself if the occasion arises. You know what I mean by that and I think it is right and proper that warders should be safeguarded from any brutalities. That is the only reason for all these clauses in the Bill. It does not mean that a prison warder will have to carry weapons or be armed at any time, but only when he is sent out or if there is any likelihood of riot or mutiny or anything of that sort. I think it is only right he should be allowed to defend himself. I think this is right and proper.

Now this question of serious illness. This power given to the Director of Prisons can be delegated to any assistant or superintendent of prisons. For instance, the hon. Senator quoted Umuahia—well I know that there is a representative there to whom this power can be delegated, but in any case of serious illness certainly the Superintendent of Prisons can take any appropriate action.

The hon. Senator also spoke about repatriation. Let me give an example. We are not actually trying to take over or interfere with the powers or anything like that of the Court. But what we are trying to do is this; say somebody is sent to prison for five years; during the time of sentence the Court has nothing to do with him, only the Prison Director who will just be looking after him and who will know how dangerous he is and how dangerous he will be if let out too early. So the Director of Prisons is the right man to recommend that such and such a man must be repatriated in the interest of the public, and the repatriation expenses will be borne by the Government.

Interchange of prisoners. I think this is a very nice thing if a prisoner can be removed from any prison into a Government prison and from the Government prison to any prison. If you read the clause a bit further you will find out that any such interchange will not be done without prior consultation with the Regional Government concerned. So we are not going to do anything to interfere with the internal affairs of any Regional Government.

[MINISTER OF INTERNAL AFFAIRS]

In fact, this is the most important part of it. A prisoner in one of the local prisons may be required to be sent to a Government prison for better treatment. We then ask the Regional Government concerned whether they will allow that prisoner to be transferred to the Government prison. What we are therefore trying to do is to improve the lot of the prisoners.

The hon. Senator mentioned a prison containing over two thousand prisoners. I need to be told where such a prison exists in the country, where there are over two thousand prisoners. I need to see that prison so perhaps the hon. Senator can tell me where I can find it. As far as I am concerned there is no prison in this country which contains over two thousand prisoners.

Senator Beyioku mentioned execution. Well, I do not know whether the hon. Senator would like something like that to take place as a sort of deterrent to murders.—I do not know, but if he still insists he is free to put a substantive Motion which can be debated in this House.

Question put and agreed to.

Bill accordingly read a second time and committed to a Committee of the whole House.

Bill immediately considered in Committee.

(In the Committee)

Clause 1 agreed to.

Clause 2.

Senator Chief O. A. Fagbenro-Beyioku : Mr Chairman, Sir, Clause 2, subsection 3 "Where in this Ordinance a person is authorised to make an order under his hand for any purpose, an order so made need not be published in the *Gazette*." I just cannot consider the exact form of order this Ordinance has in mind.

In the normal manner, any order made under any ordinance has, necessarily, to be published in the *Gazette* because it is something which affects the public, something which the public is interested in and about which the public would like to know. I feel that any order made under this Ordinance, as in the case of other ordinances, should necessarily be published in the *Gazette*, other than administrative instructions.

The Minister of Internal Affairs : I think I can give an example of what we have in mind. When you require an order from

the Minister or from the Director, to remove one prisoner to an asylum you do not need to put such an order in the *Gazette*. This is the type of order we have in mind.

Clause 2 agreed to.

Clauses 3 to 7 agreed to.

Clause 8.

Senator Mrs Wuraola A. Esan : Mr Chairman, Sir, I am sorry but I shall have to say something about Clause 8. I feel that women should have the same human rights as men.

Up to this present time you have had men as higher officers in the prisons. Unfortunately you have women prisoners, but there are no high-ranking women officers for the prisons. Women wardresses, common ordinary women, are doing their best, but they are just able to see to the minimum comforts of women prisoners during the time they are in prison. You should include a matron, a highly qualified matron so that women prisoners can be well looked after.

Another thing, these women will, when they are in prison, require certain treatment that not all men prisoners need. Therefore, in order to be able to see that women are properly treated in prison, there should be experts who will look after their welfare. When these women leave prison and again take up their rightful position in the world we do not want them haggard looking, or wanting to kill themselves.

Women should be treated right and for this reason I want to have women officers of the rank I have just mentioned, because only qualified matrons who have been specially trained to take care of women are capable of treating women properly.

The Minister of Internal Affairs: (Hon. Usman Sarki, Sardaunan Bida) : Mr Chairman, Sir, I think it is now safe for me to announce that I am now pursuing the possibility of suggesting that qualified women should be appointed as Assistant Superintendents (Prisons). So, if the hon. Senator would advise me and if really qualified women will come forward, I shall be very pleased to take them. (*Hear, hear*)

Clause 8 agreed to.

Clauses 9 to 15 agreed to.

Clause 16.

Senator H. O. Abaagu : Mr Chairman, Sir, this clause empowers the Director of Prisons to move prisoners from one prison to another. The fear there is that there are certain prisons, especially those of the Native Authorities or Local Governments, where accommodation is really shocking. I am wondering what will happen to somebody whose constitution is weak but is sent to a prison where there is no accommodation. With this condition of health, he is put in a prison where there are about fifty prisoners in a cell of about 20 ft. by 30 ft. A place like that is not a very good and healthy place for human beings. After all, those prisoners are human beings too. We do not send them there to get worse; we send them there for correction.

I am therefore suggesting that Government should see that Native Authorities improve their prisons. It is funny that a special group is enjoying good health in its confinement.

The Minister of Internal Affairs : I would like to say that if any Regional Government asks for a grant to improve an N.A. or Local Government prison certainly the petition will be considered. But we cannot do that without first receiving petitions from the Regional Governments because if we do so it means that we are interfering with the internal affairs of the Regional Governments which, constitutionally we cannot do.

Clause 16 agreed to.

Clauses 17 to 20 agreed to.

Senator Chief Z. C. Obi : Mr Chairman, Sir, this Bill is being presented to us as an amended Bill by the House of Representatives. Can we know what part of the Bill has been amended?

The Minister of Internal Affairs : Clause.

Clauses 21 and 22 agreed to.

Clause 23.

Senator Chief O. A. Fagbenro-Beyioku : This Clause 23—I am still objecting to it as it stands. It reads, "In case of the serious illness of a prisoner confined in a prison in which there is not suitable accommodation for such prisoner, the Director may, on the certificate of the medical officer of the prison, by order under his hand direct his removal

to such hospital as may be specified in the order. In case of emergency such removal may be made by the superintendent of the prison upon the certificate of the medical officer of the prison." Sir, what is an "emergency"? What is "serious illness"? In another section of this Ordinance I refer to Clause 18 it is directed that—"The Director or, if so authorised in writing by the Director, any Assistant Director of Prisons, may by order under his hand. . . .". In this case, I should feel that in the case of serious illness of a prisoner confined in a prison in which there is no suitable accommodation for such prisoner it should be "The Director or, if so authorised by the Director". I mean to say the Superintendent of Prisons on the spot. Otherwise, Sir, by the time instructions or telegrams go to and fro—this Ordinance deals with serious illness and not just an ordinary illness—the man might have died. The intention is not to kill the man in prison.

The Minister of Internal Affairs : The Clause says, "In case of emergency".

Senator Fagbenro-Beyioku : No, Sir, it goes further than that. "In case of emergency"—Where do you draw the line between 'serious illness' and 'emergency'. I feel this Ordinance must have to be specific in this particular matter otherwise, we should be losing the lives of some people before we know that we have actually killed them.

The Minister of Internal Affairs : Mr Deputy President, Sir, I think it depends on what you call—'serious illness'. You can have a broken leg, that is a serious illness which may warrant the confinement of a prisoner, but that does not necessarily mean he will die. It is only when you have a very serious case that the Superintendent of Prisons can remove the prisoner upon the certificate signed by the Medical Officer of the Prisons.

The Superintendent of Prisons must get the advice of the Medical Officer before anything can be done. I think that proper and fair. You cannot say because somebody is seriously ill, for example, he has a broken arm, this is a very serious illness, but you cannot say if the prisoner will die immediately. It is when you have a very serious case, let us say somebody is at the point of death, automatically this becomes an emergency. That emergency now will be

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determined by a Medical Officer and straight away a certificate will be issued by the Medical Officer and the prisoner will be removed to the hospital. I think that is good enough.

Clause 23 agreed to.

Clauses 24 to 28 agreed to.

Clause 29.

Chief A. O. Fagbenro-Beyioku : This is another Clause, Sir. It reads—"Where it appears to the Director to be advisable in the public interest or in the interest of the prisoner that a prisoner undergoing a sentence of imprisonment should on discharge be sent back to the district wherein he has his usual place of abode or in which the court which passed sentence on him has jurisdiction, the Director may, on the termination of his term of imprisonment, direct that he shall be sent back to that district, and may further direct that all necessary and proper precautions shall be taken to ensure his arrival in that district."

Mr Deputy President, I feel that this Clause is a sort of arbitrary power being invested in the Director, because if the Director says—"In my opinion this man should be repatriated" then where is the civil right we enjoy? After all when a man is discharged, he has finished his term of imprisonment, he becomes a free man and he has some sort of civil right. Where is the right? I think the only man competent to order his removal from that place or that district should be the court.

That is my point, Sir. I think this Clause should be so amended as not to invest the Director with such a very large power.

The Minister of Internal Affairs : This is not the case at all. When a prisoner finishes his prison sentence and the Director of Prisons feels that in the interest of the prisoner he should be sent back home, he will be sent back to his home. That is what usually happens. For instance, if somebody is sent from Lagos to Kano or to Bornu, after finishing his prison sentence he may not like to go back to Lagos. He will be asked even if he comes from Bida if he likes to go back to Bida. It is proper for the Director of Prisons to see to that for the Government instead of allowing the prisoners to roam about in Lagos or in Bida or anywhere in Nigeria making a nuisance of themselves. I think that is good enough.

Clause 29 agreed to.

Clauses 30 to 32 agreed.

Clause 33.

Senator J. K. Nzerem : Clauses 33 to 37 mention offences of various degrees of gravity.

The Deputy President : I think we should take the Clauses one by one. Which Clause are you speaking on?

Senator Nzerem : Mr Deputy President, Sir, offences of various degrees of gravity are mentioned in Part VI of this Bill—Offences in Relation to Prisons. At the end it is said—"Any person who commits an offence under this Part shall be liable to a fine of one hundred pounds or to imprisonment for six months, or to both such fine and imprisonment." My contention is that with a slight offence, for instance—"Trying to communicate with a prisoner without the permission of the man in charge" a man convicted of that offence is fined £100. What would happen if a man directly or indirectly, instigates, commands, counsels, or solicits any mutiny, sedition—

The Deputy President : Order, what you have just read out is not in Clause 33.

Senator Nzerem : Mr Deputy President, it is very difficult to take them in isolation. I am suggesting that there should be various degrees of punishment. Instead of saying for any offence under "Offences in Relation to Prisons" a man should be fined £100 perhaps it might improve things if you say—"shall be liable to a fine not exceeding £100" so that the Magistrate or the Judge can be left some discretion to punish a man who has committed the slight offence of trying to communicate with a prisoner as against the offence of a man who has committed an offence of sedition. I am suggesting that the words "not exceeding £100" be added.

Clause 33 agreed to.

Clauses 34 to 45 agreed to.

Bill to be reported.

(Mr Deputy President resumed the Chair)

Bill reported without amendment, read the third time and passed.

BORSTAL INSTITUTIONS AND REMAND
CENTRES BILL

Order for Second Reading read.

The Minister of Internal Affairs : Mr Deputy President, Sir, I rise to move that a Bill entitled an Ordinance to provide for the establishment of Borstal Institutions and Remand Centres and for regulating the government thereof, be read a second time.

This Bill must be considered in conjunction with the Bill for a new Prisons Ordinance, with which the Senate recently dealt. I do not think that it is necessary for me to speak at length on the Bill, the object of which is to enable the Governments of the Federation to set up Borstal Institutions and Remand Centres. The object of setting up such institutions is to deal with the problem of the juvenile offender.

Most juvenile delinquency springs less from natural vice than from the very evident lack of discipline imposed upon the younger generation today. I consider discipline to be a very good thing, and the first objective of Borstal training is to impose discipline, give a sharp shock to the juvenile offender, and to knock some sense into his head. The idea is not to punish him—although he will be well and truly punished in the process—but to reform him, and to ensure that he does not become a hardened criminal.

This is an objective which will, I am sure, appeal to all hon. Senators.

It will be evident from the Bill that it does not deal with matters of detail, or with particular forms of treatment. The Bill provides the legal basis for setting up Borstal Institutions and Remand Centres and for their management. We have had no such legislation before—indeed, the absence of legislation on this subject is one of the major gaps in existing prison legislation.

This legislation will be welcomed by Regional Governments as well as by the Federal Government, and will also be welcome to those responsible for the administration of justice.

Sir, I beg to move.

The Minister of Health (Alhaji the hon. Waziri Ibrahim) : Sir, I beg to second.

Question proposed.

Senator J. K. Nzerem : Mr Deputy President, Sir, I have looked through the Bill and there seems to be no provision whatsoever about the education of officers who will be in charge of these Borstal Institutions. It is admittedly true that the work of Borstal Institutions can be very useful in this country, as it has been useful in many other countries. But if we are to run Borstal Institutions we must have prison officers adequately trained for the purpose, and the Bill does not seem to make adequate provision for such a training. I do not think it is a controversial Bill. It is a very good thing indeed, as I have said that with the increase of juvenile delinquency such provision seems called for. Perhaps the hon. Minister will tell us what administrative arrangements he is making, or has made for the education of prison officers who are to man our Borstal Institutions.

The Minister of Internal Affairs : Mr Deputy President, Sir, this is an institution which is similar to a school. When we want to establish a school the course of training for teachers does not arise. We are establishing a sort of school for convicted offenders. We do not want to train the officers who will run the school in the same institution. It certainly would be understood that these institutions are established on the understanding that people who are going to run them are well trained. That is the whole purpose of this Bill. We are not going to train officers in the same institutions, but officers who are going to run them must be trained.

Senator Dr N. Orizu : Mr Deputy President, Sir, I just want to make a very slight observation on this answer given by the hon. Minister.

The Deputy President : I think the Senators are not here to hear how far you are going to express your opinion. This House is going to close immediately after the Minister has spoken, but I believe the Minister would wish hon. Senators to have a say before his remarks.

Dr Orizu : I was going to criticize the Bill. The question of educating the teachers in the Borstal system is what I am talking about, because we should make it effective that a person who would be a modern Warder or a modern Teacher should know a little bit more about the modern science of sociology.

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I am saying this that we cannot solve the problem of establishing these things without first of all making a plan which will show the House that we have a prerequisite programme to make it possible for the establishment to mean anything. We want to be assured that if there is no plan as yet for the training of the would-be teachers there will be one without delay.

I would like to make a point of observation on the Bill that was just passed but it is a matter of Parliamentary procedure. I do not know whether it is out of the way.

The Deputy President : It is.

Question put and agreed to.

Sitting suspended : 11.30 a.m.

Sitting resumed : 12 noon.

Bill accordingly read a second time and committed to a Committee of the whole House.

Bill immediately considered in Committee.

(In the Committee)

Preamble agreed to.

Bill to be reported.

(Mr President resumed the Chair)

Bill reported without amendment, read the third time and passed.

BORSTAL TRAINING (LAGOS) BILL

Order for Second Reading read.

The Minister of Internal Affairs : Mr Deputy President, Sir, I rise to move that a Bill for an Ordinance to make provision for the award of sentences of Borstal training by Courts in the Federal territory of Lagos, be read a second time.

It will not be the desire of hon. Senators to hear me expatiate for the third time on the subject of penal administration and the treatment of offenders, and in introducing this Bill I shall be brief. This Bill is a necessary consequence of the Borstal Institutions and Remand Centres Bill, recently considered by Senators, and gives powers to the Courts in the Federal territory of Lagos, enabling them to pass sentences of Borstal training. At present no such powers are possessed by any Court.

It is anticipated that, as a consequence of the enactment of the Borstal Institutions and Remand Centres Ordinance, Regional Governments will find it necessary and desirable to enact legislation in similar terms to the Bill with which I am at present dealing. Senators will appreciate that it would be improper—and indeed impossible—for the Federal Government to enact legislation of this kind, of Regional application. Hence the restriction of the present Bill to the Federal territory of Lagos.

I commend the present Bill to Senators, as one which will strengthen the administration of justice, and which will be welcomed by those responsible for the administration of justice.

Sir, I beg to move.

The Minister of Health (Hon. Mallam Waziri Ibrahim) : Sir, I beg to second.

Question proposed.

Senator Chief Fagbenro-Beyioku : Mr Deputy President, Sir, there is one thing I observe and I would like to be educated on. The power to sentence to a Borstal Home in Lagos is vested only in Judges and Chief Magistrates. The Government must have their reasons why Magistrates, other than Grade I Magistrates, are not vested with this power.

Secondly, on the question of Borstal Training Centres I feel the general intention is to reclaim, particularly those young men who through association with evil friends, perhaps slide on the way. The idea is not to mar their career right at the beginning, but to give them an opportunity to make up, particularly in Lagos where you find several young men going amiss these days.

Under this, Sir, I do appreciate the fact that for the moment the Remand Homes and the Borstal Training Centres are under the direct supervision of the Prison Department, but I should rather have felt that these young men should be given an opportunity to reclaim themselves in an atmosphere entirely different from prison environment, and that those officers who will be in charge for the time being should not be those who wear warders' uniforms or anything to give them the impression of prison life ; although we know that in law they have been sentenced, nevertheless the intention is to give them an opportunity to start again in life.

According to the Ordinance which we have just passed there is provision for general supervision up to a period of about four years. That is fair enough, Sir, but equally there should be provision for the absorption of these young men in some sort of jobs when they finish their training in the Borstal Homes. Otherwise, whatever training they may receive in the Borstal Home, if immediately they are released or soon after they are released they have no opportunity of being engaged on some job, that will not be good enough because it is said that the devil finds jobs for idle minds. The more we can keep them away from the devil and the more we can keep their hands engaged, I think it is then we can enjoy whatever expenses we might have run on them during their training in the Borstal Home.

Under that, Sir, I feel strongly that while I would very much like to be educated as to why Magistrates, other than Magistrates Grade I, should not sentence these young offenders to Borstal Homes, at the same time I would like the Welfare Department to have a lot to do with these Borstal Homes more than the Prison Department. Now that we are instituting this thing, Nigerian officers of the Prisons or Nigerian officers of the Welfare Department should be given proper training on the administration of Borstal Homes because actually, Sir, prison life is a different life and Borstal Home life is another different thing.

Those of us who have read some literature on these two aspects of social reform will agree with me, Sir, that it may be a very dangerous thing if we leave these young men to feel that actually they are prisoners and that they are being reclaimed under prison environment. For that matter, Sir, I will suggest very strongly that while for the moment the Prison Department may be responsible for the administration, the immediate policy of the Government should be to make these Borstal Homes come under the direct supervision of a fully qualified Welfare Officer trained in the administration of Borstal Homes and not just the Director of Prisons or any of his staff who may be a very good administrator as far as prison life is concerned but may not necessarily be a good administrator in the matter of Borstal Homes.

The Minister of Internal Affairs : Well, I think, Mr Deputy President, that I have got

very little to say because I think this is very clear. After all, these young offenders are prisoners. They have been taken to court and convicted in court and given sentences. But I appreciate that a lot of young men's careers have been marred for no reasonable cause and that is why we have found it necessary to establish this institution so that instead of sending young men to prison to be handled by prison officers in the normal way they should rather be sent to this institution for training.

We just put "training" there to show the difference between a prison sentence and Borstal training. After all these people, as I said before, are real prisoners. They may be young prisoners, but in any case they are prisoners, and we cannot just run away from it. They are prisoners because they have committed an offence one way or the other before they were sent to court and convicted to a Borstal Institution. In fact I think this is very straightforward and clear.

Question put and agreed to.

Bill accordingly read a second time and committed to a Committee of the whole House.

Bill immediately considered in Committee.

(In the Committee)

Clauses 1 to 7 agreed to.

Schedule agreed to.

Bill to be reported.

(The Deputy-President resumed the Chair)

Bill reported, without amendment, read the third time and passed.

NIGERIAN EX-SERVICEMEN'S WELFARE
ASSOCIATION (AMENDMENT) BILL

Order for Second Reading read.

The Minister of Internal Affairs : Mr Deputy President, Sir, I rise to move that a Bill for an Ordinance to amend the Nigerian Ex-Servicemen's Welfare Association Ordinance be read a second time.

I need not detain hon. Senators by speaking at length. This is a short Bill. It comes before Senators at the instance of a Regional Government, which has represented to me that there has been a tendency in the past to appoint Chairman of Regional Councils of the Nigerian

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Ex-Servicemen's Welfare Association, and Members of such Regional Councils, without consulting the Governor of the Region as is required by the Ordinance. There is truth in this representation, and naturally steps have been taken to see that there is no further cause for complaint.

In considering the matter, however, it became clear that it would be more appropriate in present circumstances to consult the appropriate Minister of the Region, and not the Governor of the Region, and the object of the present Bill is simply to require consultation with the Regional Minister instead of the Regional Governor.

Sir, I beg to move.

The Minister of Health (Hon. Waziri Ibrahim): Sir, I beg to second.

Question put and agreed to.

Bill accordingly read a second time and committed to a Committee of the whole House.

Bill immediately considered in Committee.

(In the Committee)

Clauses 1 and 2 agreed to.

Bill to be reported.

(The Deputy President resumed the Chair)

Bill reported, without amendment, read the third time and passed.

CRIMINAL PROCEDURE (CORPORAL
PUNISHMENT) BILL

Order for Second Reading read.

The Minister of Transport and Aviation (Hon. R. A. Njoku): Mr Deputy President, Sir, I rise to move that a Bill entitled a Bill for an Ordinance to amend the law relating to corporal punishment be now read a second time. Sir, this is a very simple Bill and the object is to modify the law relating to corporal punishment in one respect.

The terms of the law, as it stands at present, refer to whipping and flogging when in reality only a large leather cane is used when whipping is ordered. The usage of these words with their misleading impressions has in the past given rise to sensational reports in the overseas press and I remember, Sir, that on a number of occasions questions have been asked in the House of Commons about this.

It is now felt that a less colourful word but one which nevertheless will hardly accurately describe the form of punishment actually administered should be substituted. I consider it highly desirable that the law in regard to whipping should be amended to reflect the true position, and the object of this Bill is to substitute the word "caning" whenever the use of a cane or whip is in fact provided for.

So far as the Federal Legislation is concerned the position is that whipping for juvenile offenders is prescribed for certain offences in the Criminal Code and Children and Young Persons Ordinance. In accordance with section 386, subsection 1 of the Criminal Procedure Ordinance, it should be carried out with a large rod or cane or birch or whip, but the number of strokes which must not exceed twelve, should be specified in the sentence. Although the expression used in the Ordinance is whipping, it is thought that nothing other than a light rod or cane has in fact been used in carrying out sentences of this kind, and the law officers have expressed the view that the word "caning" would now be more appropriate than the word "whipping" when referring to corporal punishment of juveniles.

Sir, I would like to mention that the views of Regional Governments have now been sought on this matter and that none of these Governments has expressed any objection to the present proposals. As I said this is very short and simple Bill which I also hope is non-controversial and I commend it to the House.

Sir, I beg to move.

The Minister of Labour (Hon. J. M. Johnson): Sir, I beg to second.

Question proposed.

Senator Chief Fagbenro-Beyioku: Mr Deputy President, Sir, on the whole the hon. Minister, in introducing the second reading gives us the impression that this has to do with the administration of justice on juveniles, and I think I would be right to take it that this has to do with caning in whatever form but would only refer or be applied to juveniles. The Federation of Nigeria is now agreeable that caning in whatever form is brutal and it is time it should be abandoned, because it is something which lowers the prestige of man and which degrades the dignity of man, never

mind whether he is an offender or not. On the whole caning in whatever form should be removed from our Statute books, particularly where it affects fully grown men.

But we do agree, like the Biblical injunction that to spare the rod is to spoil the child. We do agree that in the case of children, they should be given one or two lashes to get them back to their senses.

Again reference is now made to a light rod or cane or birch. I do not want to be an extremist, nor do I want to be a pessimist, but who decides, Sir, whether the rod used is a light one, who decides? Unless we have it in our statute book as to who should decide on the length, the diameter, or the size of the cane or birch to be used I cannot see how this will work out. If I am the man to administer justice I may feel that a stick of some size is right, but somebody else administering justice may say that a different size is right. I would prefer that this amendment should go further to tell us who decides whether the cane is right. Is it a medical officer, is it the Minister, is it the Director of Prisons, or is it the Magistrate passing the sentence? If I am sufficiently educated about this, Sir, I may be satisfied, otherwise I may, at the Committee stage, have to move an amendment to this.

Senator H. O. Abaagu : Mr Deputy President, Sir, I welcome this Bill. The fact is that caning or birching is the answer to some or most criminal offenders. I personally was in a court where an accused person was asking his lawyer to tell the magistrate that if he should sentence him to any caning or whipping he should substitute for one stroke of the cane a year's sentence. He would rather go to prison for one whole year than have one stroke of the cane! In certain parts of this country caning is necessary for criminals and I would oppose the Bill if the Minister's intention was to abolish caning altogether.

Therefore I am very grateful to the Minister for not abolishing caning. Caning is a deterrent and if somebody knows that if he commits an offence he is going to be caned, I think he will refrain from committing another offence. As I was telling this hon. House, I personally was present when an accused was asking his lawyer to plead for no caning. Therefore, I think the Bill is very welcome and I beg to support.

Senator A. E. Ukattah : Mr Deputy President, Sir, I do not think that this Bill requires a long speech. But what moves me to speak is the fact that all over the country now there is a tendency that whipping should be abolished in schools, and I feel that, as far as this law is concerned, the opinions we express here may go a long way toward showing what is recommended to some of our teachers and officials.

Caning, birching, lashing, call it what you wish. I believe in what Shakespeare says that a rose is a rose by any name. What matters is that caning or whipping or some form of corporal punishment should not be abolished. It is an age-long method of correcting people and, as a previous speaker has said, we would not like corporal punishment to be restricted to juveniles only. If a man needs it, he should have it. I would not like to see corporal punishment expelled from the laws of this country.

Senator A. S. Yesuf : Mr Deputy President, Sir, I think I truly recommend that corporal punishment should be extended not only to infants or boys but to men. This is an age where you find irresponsibility to be of a high standard. For instance, as a previous speaker has just said, he has seen and heard somebody pleading to a lawyer to speak to the magistrate to alter his punishment.

To-day you will find that in most parts of the country intelligence has risen and you will see that some men take pride in going to prison where they will be given free food and clothes and looked after. Some of them probably had no clothes before. I do not mind this. But there is a type of criminal who needs corporal punishment and the cane or birch or whip is the best remedy for such people.

Mr Deputy President, Sir, I support the Bill.

Senator H. Udoh : Mr Deputy President, Sir, I am personally not advocating that corporal punishment should be ruled out of our laws. There are people who are prepared to pay one hundred pounds instead of taking six strokes of the cane and their parents are their well-wishers who pay the fine and the true offenders do not suffer at all. And some prefer going to prison where they will be well cared

(The Deputy President resumed the Chair)

Bill reported without amendment, read the third time and passed.

ROYAL NIGERIAN MILITARY FORCES BILL

Order for Second Reading read.

The Minister of State (Senator Dr M. A. Majekodunmi): Mr Deputy President, Sir, I rise to move that a Bill for an Ordinance to consolidate and amend the law as to the establishment, government and discipline of the Royal Nigerian Military Forces and its reserves and to provide for appeals from courts-martial and performances connected therewith and incidental thereto be read a second time.

Sir, this Bill has been warmly received by all sides of the Lower House and I have no doubt that it will commend itself to hon. Senators as it is a progressive and forward-looking legislation the passing of which will add meaning and purpose to the independent status of this country.

The Bill, which it is hoped will come into operation on the 1st of October, consolidates the various Ordinances by which our present military organisations in Nigeria were set up and provides a complete military legal code better suited to the independent sovereign status of the Federation of Nigeria than the old Ordinances which are now being replaced.

The Bill is a progressive piece of legislation because of the major novel features which it contains. Part Two of the Bill provides for the establishment of a Royal Nigerian Military Forces Council which will be responsible for the discipline, control and administration of our Military Forces. The Forces Council comprises the Minister of Defence and his advisers, namely, the General Officer Commanding, and the Permanent Secretary. This system of control embodies a more democratic principle than control by a single individual in the person of the Commander-in-Chief. It also ensures that the Federal Government, through the Minister of Defence, is afforded intimate insight into the administration of the Armed Forces at all times.

The other major feature of this Ordinance which I feel sure will commend itself to hon. Senators is the provision of Clause 6 (2) which vests the overall direction for operational control of the Armed Forces in the Council of

Ministers. Hitherto, such directions have been exercised by the Governor-General acting in his discretion. This section also provides for the operational use of the Armed Forces for internal security in support of the Police in the maintenance of public safety and public order. In order that the use of the Army in this role may be carried out with speed and precision the Prime Minister is vested with authority to give directions direct to the Commander with regard to the use of the Army for internal security purposes in support of the civil authority.

Sitting suspended : 1 p.m.

Sitting resumed: 3.03 p.m.

The Minister of State (Senator Dr M. A. Majekodunmi) continuing: The use of the Army for internal security purposes is, of course, already provided for in section 98 (c) of the Constitution Order in Council, but it is now desired to provide for it in this Ordinance so that this law could cover all the foreseeable activities of our Military Forces. The Prime Minister's portfolio, of course, includes responsibility for security, public safety, and public order, therefore, the power which this Ordinance seeks to confer upon him has already been conferred upon him in respect of the Police Forces.

It is not my intention, Sir, to talk at length on all the different parts in which this Ordinance is divided, but I would like to draw particular attention to Part Five of the Ordinance which provides for the trial and punishment of military offences by a Military Court, the Summary Court of the Company and the Battalion Commander for minor offences and for a court-martial in the case of the more serious offences. This part also provides, as it is essential in a democratic Army, for a system of review by a higher authority of all the punishments imposed by a Summary Court, or by a Court-Martial. As an additional safeguard to the right of the soldier, Part Six of the Ordinance provides for the right of appeal from decisions of a Court-Martial to the Federal Supreme Court.

It will be observed that all members of the Armed Forces are subject to Military Law under this Ordinance, the only exception being British seconded personnel who, according to the terms of their secondment agreement, are

subject to the United Kingdom Army Act of 1955. The provisions of that law are broadly similar to those of the Ordinance which we are now debating and the only practical effect of exemption of seconded personnel from the provisions of the Nigerian Ordinance is that offences by seconded personnel could only be tried and punished in Nigeria under the United Kingdom Act.

Another important part of this Ordinance to which I would like to draw attention is Clause 80 which provides the maximum of twenty-eight days for summary awards of imprisonment and field punishment as opposed to the maximum of forty-two days in the old Ordinance.

I think, Sir, that Senators will be pleased to know that this Ordinance provides for the enlistment and commissioning of women to serve in the Nigerian Armed Forces. They will serve mostly in the Medical Unit as Nursing Sisters and Nurses.

Finally, Sir, I am sure Senators will be pleased that Her Majesty the Queen has graciously approved that on the attainment of Independence the title of the Nigerian Military Forces shall be changed to the Royal Nigerian Army. This, Sir, is a very welcome change because it brings our Army in line and on the same footing with the Army of the other countries of the Commonwealth. Her Majesty has also graciously approved that the new colours of the Queen's Own Nigeria Regiment be changed. At present, the Battalions of the Queen's Own Nigeria Regiment carry two colours, the Regimental Colour and the Queen's Colour. In times past, the Regimental Colour used to be carried into battle and was a rallying point round which the Regiment fought. It represented the valour and the tradition of the Regiment and consists of a Regimental Badge on a green background with Regimental Battle Honours embroidered on it.

The Queen's Colour which represents the Regiment's allegiance to Her Majesty the Queen of Nigeria at present consists of the Union Jack with the Crown surmounting the regimental ciphers. But on the attainment of independence, instead of the Union Jack, it will be on a background of the National Flag of the Federation of Nigeria. (*Hear, hear*). Mr Deputy President, Sir, I beg to move.

The Minister of State (Dr E. A. Esin) : Sir, I beg to second.

Question proposed.

Senator J. K. Nzerem : Mr Deputy President, Sir, this is no doubt a momentous Bill and I think that those who were responsible for drafting it should receive the congratulations of the nation. (*Hear, hear*).

It is very comprehensive and indeed very progressive. I have been reading it for the past two weeks and I think I can say without any fear of contradiction that it is very well got up. But there is one section that I thought should receive attention, and that is about the Royal Forces Council. The Royal Nigerian Military Forces Council, part 2 of the Bill—

Mr Deputy President : Order. If the hon. Senator wishes to refer to a particular portion of the Bill, he should wait until it comes to the Committee stage.

Senator Nzerem : Thank you Sir. In these preliminary remarks, I want again to express my gratitude and no doubt that of all the hon. Members of the Senate about this very necessary piece of legislation. Sir, I beg to support.

Senator Mrs W. Esan : Mr Deputy President, Sir, I dare say that I have been supported by the hon. Minister of State. In this legislation, I am very pleased that women are not forgotten. But of course it has been put down specifically that women should be only nurses and nursing sisters. I hope that in future women would be Signallers and things like that.

Considering the work that is being done now by the Army Women Unit, there is no purpose in putting down specifically that women should be only nurses and nursing sisters.

Senator Chief S. T. Hunponu-Wusu : Mr Deputy President, I rise to support the Bill under consideration. It is one that is expected from our hon. Minister of State. Other Senators here will agree with me that it is an important event. This particular Bill proves to the whole world the position of Nigeria. When this hon. House was about to close early in the year, we were looking forward to the decision of the last London Conference. You will all agree with me this afternoon that the Military Forces Bill which has just been

[SENATOR DALDRY]

Also, if a cheque is made payable to a person that person can endorse the cheque in such a way as to indicate his desire that it should be cashed by someone else. That is, he endorses it over to a third party.

I believe, from what the Minister says, that the abuse which he is trying to stop is that some unscrupulous moneylenders will insist on the borrower signing a receipt for a certain sum and in fact the borrower receives a smaller sum. But as the law will stand if this Bill is passed, the unscrupulous moneylender could still do something very much like that. He could have the borrower in his office and he could sign a contract or make arrangements for a loan of one hundred pounds and on his desk he could have eighty pounds (not a hundred pounds) and he could say to the borrower "Here is a cheque for one hundred pounds, sign it on the back and give it back to me", and then : "Here is your eighty pounds" instead of one hundred pounds. And then he takes the cheque for one hundred pounds and, as it is then payable to bearer, it can be cashed by him or by anybody else.

Well, there is a way in which the law can be framed so that only the borrower himself could actually get the cash in the bank. The way is for the cheque to be made payable to such and such a person with the word "only" added : "Pay John Smith only". Now, if that is done only that person and no one else can cash the cheque. But I must point out that there is a disadvantage there as well because if a cheque is made payable to "John Smith only" when that man goes into a bank to cash the cheque he will be compelled to identify himself. The cashier will not pay out unless he is satisfied that it is John Smith. The law of banking makes that necessary.

I do not know much about these things, but I believe in this country, and perhaps in other countries, if a man who is unknown to the bank has to find someone else to identify him I believe that he has to pay that someone else a fee. It seems very wrong, but I believe that sort of thing does happen. And so if what I have just said were written into the law there would nevertheless be that disadvantage that the borrower would have to find someone to identify him and would, I suppose, in some cases have to pay for that to be done.

All I am doing is to point out these facts to the Minister purely with the wish to be helpful. I do not intend to suggest or move any amendment to this Bill unless in his reply, if he is kind enough to reply, the Minister should indicate that he would welcome an amendment. If so, I would have pleasure in moving it. But this is not my intention unless he wishes. I am merely suggesting that the Minister may wish to consider this particular point and to decide in his mind which is, perhaps I might say, the better of two evils. Is it advisable to tighten this Ordinance still further to close this loophole a little tighter, or is it preferable to leave matters as they are? I think perhaps the Minister might wish to consider it and that is the sole purpose of what I have said.

Subject to that, Sir, I support the Bill.

Senator Emman. A. Lagunju : Mr Deputy President, Sir, we all realise that the purpose of this Bill is, of course, to prevent unscrupulous persons from trafficking on the necessities of some people who are in need of money. But it must be realised that these moneylenders, in any case, are entitled to something for loaning their money. Just as the bank demands a certain rate of interest so moneylenders deserve something for giving their money for a specified period. I think that if the banks do all they can to allow more people to borrow from the banks then, of course, the banks will forestall these unscrupulous moneylenders.

This Bill does not specify the rates of interest moneylenders can charge for their money

An hon. Senator : It is there.

Senator Lagunju : If it is specified then of course I will not pursue that point. But I think that if the banks find another way of lending money then, of course, these unscrupulous moneylenders will eventually be wiped out.

Senator H. O. Abaagu : Mr Deputy President, Sir, the unscrupulous moneylenders have been ruining the masses. When I say moneylenders I do not refer to the big firms, banks and so on. I refer to our own indigenous moneylenders : they have ruined our people. You go to a moneylender to borrow five or ten pounds and you are told that the interest is five shillings. He then gets you to sign a document. But you later find out that the

percentage allowed is something in the order of four shillings and threepence in the pound instead of ninepence which I understand is the legal interest. Therefore, if you want to borrow, say ten pounds, you sign for something like twelve pounds odd. I feel that the Government should legislate against unscrupulous moneylenders and give room only to legally constituted moneylenders, such as reputable firms and banks. The only thing to help our people is to restrain most of these people from lending out money.

I am not ashamed to say that I am speaking out of experience, and if Senators will be sincere, the majority of us should be speaking out of experience.

Mr Deputy President, I think the Government should try to do something to see that these unscrupulous moneylenders are stopped from lending money.

The Minister of Internal Affairs : Mr Deputy President, Sir, I agree, and I said earlier in the House, that money should not be paid to anybody except the person is named on a cheque. The advice given by hon. Daldry is really very welcome, but I am afraid it requires some time for me to go into that myself and find out whether it is desirable for me to put another amendment to the House, and I think that if hon. Senators will give me an opportunity to go into this perhaps by the next House, if it is necessary that an amendment will have to come before the House, I would not hesitate to bring it forward. If Senators allow the law as it is to exist and see how it works, I think it will be worth while.

Question put and agreed to.

Bill accordingly read a second time and committed to a Committee of the whole House.

Bill immediately considered in Committee.

(in the Committee)

Clauses 1 to 11 agreed to.

Bill to be reported.

(The Deputy President resumed the Chair)

Bill reported without Amendment, read the third time and passed.

ADJOURNMENT

Motion made and Question proposed, That the Senate do now adjourn : (The Minister of State, Dr the hon. M. A. Majekodunmi).

Senator Professor Eni Njoku : On this Motion for adjournment, Sir, I would like to raise a matter which, I am sure, is of great interest to this House.

Recently a Minister of State, who is a Member of this hon. House, went on tour in Central Africa. I refer, of course, to my hon. Friend, Dr Esin. There has been some controversy as to what he said during that tour, and I feel that as a Member of this House, his first duty is to this House, and it is to this House that he ought to make a statement and clarify any misunderstanding which may have arisen during that tour.

I would, therefore, like to ask my hon. Friend to take an early opportunity, if possible to-day, to acquaint this House of the objects of his tour and what his activities were during that tour.

As far as the press controversy itself is concerned, I must confess, Sir, that I am much more interested in what the Minister is reported not to have said rather than in what he is reported to have said. If I may explain, Sir, most of the allegations in the press suggested that he made statements which made it appear as if he was more sympathetic to the whites in Central Africa rather than to the Africans. I believe that in his press conference he has denied those allegations and I am sure that when he makes his statement to this House he will confirm that denial.

But, on the other hand, Sir, I find no report of his speeches where he is alleged to have made it very clear, in Salisbury for example, that we in Nigeria detest and abhor the racial policies being pursued in Southern Rhodesia and that our sympathy is entirely with the Africans there.

It is true, Sir, that the Minister was guest of the Government in Central Africa and, therefore, we would not expect him to be rude to them. But I am sure that he must have had ample opportunity of making it clear, either privately or publicly, to the Governments there what we think of what is happening in that part of our continent. Naturally, we do not expect him to be rude to his hosts, but we also know that it is possible to be courteous and yet be firm in making known what our views are.

You will recall that there are examples of this. You may remember, Sir, that when Mr Harold Macmillan, the Prime Minister of Great

[SENATOR PROFESSOR NJOKU]

Britain, visited South Africa, he made the famous "Wind of Change" speech in which, although he was the guest of the South African Government, it was put to them firmly. He made it abundantly clear to them what the citizens of his country thought of the policies which they were pursuing, and I am quite sure that our Nigerian Minister could not have done any less than that.

I hope, therefore, that when he does address us in this House he will be able to assure us that he took every opportunity open to him in making this position very clear in Central Africa. It is really imperative, in my own opinion although it is only a personal opinion, that there should be African states both in Northern Rhodesia and in Nyasaland, I believe that only in that way can the full impact of African opinion be brought to bear on the very much worse and wicked policies which are being pursued further south of Central Africa.

I feel, Sir, that it is our duty to make it very clear to people in that part of the world who are in power that we shall do all we can to aid and assist our African brothers in that part of the world. And as far as international law permits us we shall do everything we can to give them active support and help. (*Hear, hear*).

The Minister of State (Senator Dr the hon. E. A. Esin): Mr Deputy President, I am afraid I have been put in a very difficult situation because I have not consulted with the Prime Minister whether I should, with all the diplomatic privileges which I had, make a statement to this House in the open.

I have come back to see a lot of writings in the Nigerian press on things alleged to have been said by me. The country was, therefore, only engaged to battle against me for what I was alleged to have said but did not bother to know exactly what I said, what I heard and what contribution I made. I thought that was not fair at all.

Therefore, last Saturday I called a press conference which, if you have the time to read your papers this morning, you will see fully reported in the *Pilot* of to-day. I must assure this House that neither in my action or behaviour nor in my speech did I do anything that was derogatory to the dignity of Nigerian people. (*Hear, hear*). But as it is, our people

play politics when they should not play it. And I am getting my report ready now for the Prime Minister. There are lot of things which I am writing in it; some things which really touch your very being; things which you need to see—

The Deputy President: Order, order. I would not like to place Senator Dr Esin in a sort of predicament. He is a Cabinet Minister and as he has just said maybe he has not made a report to the Prime Minister and if he has to make a statement now anything he says will be a sort of commitment. I would like to give him a chance to submit his report to the Prime Minister and then make a statement later on before this hon. House. Dr Esin, you will be given that opportunity later.

Senator Dr Esin: Thank you, Sir. I shall consult with the Prime Minister and have his permission and then make a statement to this House.

Senator E. A. Lagunju: Mr Deputy President, Sir, I sincerely hope that it is not the aim of the Government to make the Senate merely a dignified portion of our Constitution. I think we want a functioning Senate. It is very surprising that although we have made this remark time and time again the same things keep recurring.

Some of the Bills that were passed hastily to-day were merely chucked into the pigeon-hole after the morning session. I wonder what amount of time one is expected to be giving to the study of these Bills before we come here to make remarks. And I also wonder whether these remarks do bear any weight at all. If they are not making the Senate merely a rubber stamp of the Lower House then, of course, special arrangements should be made so that we get the papers in time. This will help us to know precisely what we have to do so that we do not just come here not knowing the Order of the Day, not knowing exactly what we are coming here to do.

We only come here and see Ministers coming up with fully prepared documents and saying Clauses, 1 to 20 or 1 to 40 passed like that. I mean it is making a mockery of the whole thing. So, I think appropriate arrangements should be made for us to get all the papers at proper times. Thank you, Sir.

The Minister of State (Senator Dr the hon. M. A. Majekodunmi) : Mr Deputy President, Sir, I would like to correct the impression which Senator Lagunju has just given. These Bills have been published for a long time in the Nigerian Gazette; if Senators have been studying the Gazette and have been doing some homework I think really they would have familiarised themselves with the Bills which were discussed this afternoon. I do not think it is fair to accuse Government of just rushing the Bills. The copies which were put in the pigeon holes this afternoon were just to assist Senators who might have inadvertently left their own copies at home. The Bills have already been published long before the Senate was convened.

With regard to rushing the Bills, I do not think there was rush at all today. If Senators wish to speak, I have no doubt, Mr Deputy President, that you will not deny them the right to do so. The Government is not in a hurry, and as far as we are concerned we are prepared to sit from now till the time of independence and, of course, with pleasure deal with the measures which are before us this Session.

Senator Chief A. O. Fagbenro-Beyioku : Mr Deputy President, Sir, I just wish to know what exactly is the position of Members of the Senate when it comes to the question of Government delegations overseas or otherwise. I do realise that hon. Members who are Ministers in this Senate have several times been charged with the responsibility of representing the Government abroad, and I do realise that that has been done in their position as Ministers of State.

Recently the Leader of the House in the Federal House of Representatives announced that parliamentary delegations will be visiting some African states, but I do not know to what extent the hon. Members of this Senate have been considered as Members of those delegations because there should be two delegations. If we are members of the Federal Parliament—I use the word inclusively—I should think that we should be given the respect and recognition to which we are entitled, otherwise we will be feeling that we are just the leaders of the country who are just packed into a corner to see only those things we should see and be quiet and silent when we are not wanted to speak.

I also think that it would be something of an advantage to Members of this hon. House if arrangements could be made for Members of the Senate to visit other Upper Houses or see the functions of these Upper Houses in other parts of the Commonwealth, so that when we come here, apart from those studies which we have made through reading certain Standing Orders we would have seen Upper Houses and their real functions and we would be able to decide what are our own functions and our own position in the order of the day.

I feel this is a serious matter on which all the hon. Members would like to join with me in making some representation to the Government.

The other point which I would like to raise is on the question of the Independence Celebrations. I do feel that this session may be the last session before we go into the independence celebrations, and I feel that as Members of the Upper House, Members of the Senate, at least we must have some ideas as to what is actually going on and what is going to be the function of hon. Members in the celebrations, but we are just treated like the ordinary man in the street. We who are to help in making people realise what the intentions of Government are, are in the dark on the matter of this Independence Celebration. We do not know anything. I feel that before this House adjourns finally it should be possible for the Minister in charge of the celebrations to, at least, keep us informed as to what arrangements are being made and what the functions of Members of the Senate will be and, possibly hon. Members at large.

The other point I would like to raise Sir, is an appeal to the hon. Minister of Communications. During the Independence Celebrations, we will be having a large number of visitors in this country. We would not like Nigeria to be disgraced. The telephone system in this country is very bad and people coming from abroad where they are used to real and active telephone operation will feel disappointed if they come here and somebody at Ikoyi would like to get the Ministry of Works and it is going to take him ten hours to get the Ministry of Works. I do not think this is something that will reflect credit to this country.

The Deputy President : Order, order. I think at this stage I should remind Senators that before raising any matter on the adjournment they should first obtain the permission or notify the Minister in charge of Government business and get agreement. We cannot go on indefinitely listening to the Motion for Adjournment when Ministers have not been informed to reply.

Senator Fagbenro-Beyioku : I am not moving a Motion, Sir, nor am I putting a direct question. I am only making general observations which I am entitled to under the Motion for Adjournment.

The Deputy President : They are observations which may last for hours.

Senator Fagbenro-Beyioku : I have nearly finished, Sir. I am winding up but for the fact that you interrupted me. I know very well that these things will be in our *Hansard*. They will be read by the Ministers concerned and they will know what appropriate action to take. I do not want to bother them by bringing a Motion.

The Deputy President : All right, Chief Beyioku. All I would say is that before raising any matter you should first of all consult or notify the Minister of State and get his agreement. This also applies to every Senator.

The Minister of Health (Hon. M. Waziri Ibrahim) : Mr Deputy President, Sir in supporting the explanation you have given, I would like to make it a little bit clearer to hon. Senators. Motion of Adjournment is meant to bring about matters which have not been put as an ordinary Motion, or matters which Members have not had the time to bring up in debating other subjects. When you bring any subject on adjournment you really want a reply to it and, as the Deputy President has said, if Ministers, as in the House of Representatives, are acquainted with any matter and then the Minister gives his consent and says he is prepared to answer the question then the hon. Senator can get up and raise the question and the Minister concerned would have got the answer ready and then the answer is given to the Senator. I think that is what the Deputy President has been trying to explain. If you want a reply to your questions, as in the Lower House, you have to tell the Minister concerned in advance that it is your intention to raise a matter. That is the procedure and, I am sure, hon. Senators would like to do the same thing.

Question put and agreed to.

Resolved : That the Senate do now adjourn until 10 a.m. tomorrow.

Adjourned accordingly at fifteen minutes to five o'clock.

Senate Debates

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SENATE OF THE FEDERATION OF
NIGERIA

Tuesday, 23rd August, 1960

The Senate met at 10 a.m.

PRAYERS

(The Deputy President in the Chair)

PRESENTATION OF PUBLIC BILLS

FOREIGN JUDGMENTS (RECIPROCAL
ENFORCEMENT) BILL

The Minister of Transport and Aviation : *Second Reading*—Tomorrow.

NIGERIAN RAILWAY CORPORATION BILL

The Minister of Transport and Aviation : *Second Reading*—Tomorrow.

NIGERIAN COLLEGE OF ARTS, SCIENCE AND
TECHNOLOGY BILL

The Minister of Education : *Second Reading*—Tomorrow.

PENSIONS (SPECIAL APPLICATION) BILL

The Minister of Pensions : *Second Reading*—Tomorrow.

GOVERNMENT SECURITIES BILL

The Minister of Finance : *Second Reading*—Tomorrow.

LOAN (REGIONAL DEVELOPMENT) BILL

The Minister of Finance : *Second Reading*—Tomorrow.

CITIZENSHIP AND LEADERSHIP TRAINING
CENTRE BILL

The Minister of Education : *Second Reading*—Tomorrow.

BILLS OF EXCHANGE BILL

The Minister of Finance : *Second Reading*—Tomorrow.

INTERNATIONAL FINANCIAL ORGANISATIONS
BILL

The Minister of Finance : *Second Reading*—Tomorrow.

MILITARY PENSIONS BILL

The Minister of Pensions : *Second Reading*—Tomorrow.

FLAGS AND COATS OF ARMS BILL

The Minister of Internal Affairs : *Second Reading*—Thursday, 25th August.

CRIMINAL CODE BILL

The Minister of Finance : *Second Reading*—Thursday, 25th August.

CUSTOMS AND EXCISE MANAGEMENT BILL

The Minister of Finance : *Second Reading*—Thursday, 25th August.

INCOME TAX ADMINISTRATION BILL

The Minister of Finance : *Second Reading*—Thursday, 25th August.

NIGERIAN BROADCASTING CORPORATION
BILL

The Minister of Information : *Second Reading*—Thursday, 25th August.

GENEVA CONVENTIONS (AS AMENDED IN THE
HOUSES OF REPRESENTATIVES) BILL

The Minister of Health : *Second Reading*—Thursday, 25th August.

NIGERIAN RED CROSS SOCIETY BILL

The Minister of Health : *Second Reading*—Thursday, 25th August.

WORKMEN'S COMPENSATION BILL

The Minister of Labour : *Second Reading*—Thursday, 25th August.

WORLD METEOROLOGICAL ORGANISATION
(PROTECTION) BILL

The Minister of Commerce and Industry : *Second Reading*—Thursday, 25th August.

NOTICE OF MOTION

BUSINESS OF THE HOUSE

The Minister of State (Senator Dr the hon. M. A. Majekodunmi) : Mr Deputy President, Sir, I rise to move the Motion standing in my name on the Order Paper, That notwithstanding anything contained in Standing Orders, the Debate, when resumed, on the Second Reading of the Supplementary Appropriation (1960-61) Bill shall be concluded this day, and shall not be committed but shall be read the third time.

The Minister of Health (Hon. Waziri Ibrahim) : Sir, I beg to second.

Question put and agreed to.

Resolved : That, notwithstanding anything contained in Standing Orders, the Debate, when resumed, on the Second Reading of the Supplementary Appropriation (1960-61) Bill shall be concluded this day, and shall not be committed but shall be read the third time.

ORDER OF THE DAY

SUPPLEMENTARY APPROPRIATION (1960-61) BILL

*Adjourned debate on Question (22 August),
That the Bill be now read a Second Time.*

Question again proposed.

Senator Alhaji Abubakar Garba : Mr Deputy President, Sir, in rising to support the second reading of the Supplementary Appropriation Bill, I would like to make a few observations. But before doing so I would like the Senate to put on record the Government's stringency of maintaining the stability and conserving the economy of the country by abolishing some of the redundant posts. I am confident that every additional penny provided in these supplementary estimates is for the public interest of the whole Federation.

Sir, I am glad that the Government sees fit to establish a new Ministry which will project Nigeria and the Nigerian personality abroad. This Ministry should be manned by responsible Nigerian nationalists who are conversant with world affairs and, above all, people who know our real friends and people who really know what to say at any time and anywhere.

I am also pleased to see an increase of £150,000 in respect of grants-in-aid to primary education, although it is for the Federal Territory of Lagos alone. May I take this opportunity to remind the Federal Government that the spread of social services and economic progress should go hand in hand. No society, and no country can have a sound agricultural and industrial economy unless it has universal, free and compulsory education up to the age of fourteen and an efficient system of secondary, university and technical education open to everyone on merit.

Sir, I suggest to the Federal Government to put as our primary objectives for Nigeria now—

(a) to double, say by 1970, the *per capita* income as it existed in 1960; and,

(b) to build up as soon as possible a broad based economy which will develop in future on its own strength and whose growth will be more or less automatic.

Now, Sir, independence is almost in sight and we have to get ready for it. We must set up for ourselves a much higher standard of morality than exists in many other countries. Let us all resolve from now onwards that we shall concentrate more on raising our individual output and less on the personal reward we expect to receive for our work. It is a mistake for any of us to suppose that Nigeria can look forward to a really great future unless we take determined steps to stamp out laziness, selfishness, dishonesty, subversion, sabotage and corruption.

Fortunately, Sir, the expansion of education and communications is surely removing social differences. Together they are helping us to know one another better, and to grow accustomed to one another. In short, the barriers created by ignorance and distance are steadily disappearing. So, Sir, I say with confidence that Nigeria may well show the rest of Africa after the attainment of independence the way to live together in peace.

Sir, I beg to support.

Senator A. E. Ukattah : Mr Deputy President, Sir, the second reading of the Appropriation Bill just supported makes it impossible for any long speech to be made, therefore, I will go straight to speak on three important points which sturched me forcibly when the Minister of Finance was moving the second reading of the Appropriation Bill yesterday. These three points are firstly, to provide money for our External Affairs, secondly, additional provision for Ministerial tours and lastly the independence celebrations.

Taking the first point I must express my joy at the very recent announcement made by the Prime Minister in the Lower House concerning Nigeria's Foreign Policy. It was a most welcome announcement and has helped to dispel the anxiety in everybody's mind. It is an important national issue and, since the Prime Minister was quite silent about it, there was so much speculation and this has been eliminated by his most recent announcement.

It is therefore with joy that I support whatever increases the Government may seek to the provision originally made for our foreign affairs. So I must say that at the initial stage it may do to have foreign offices only in London, Washington, New York, Khartoum and Accra. But I would still suggest that as soon as possible our foreign offices should also be established in some other countries like Japan, India, and even in Moscow in Russia. It is with the help of our foreign offices that we can know of other countries and it is with the help of these foreign offices that we portray the true perspective of this country.

The Deputy President : Order. According to Standing Order No. 28 (1), "Debate upon any Motion, Bill or Amendment shall be relevant to such Motion. . . ." We are now on the Supplementary Appropriation Bill and not on foreign affairs.

Senator Ukatta : Thank you, Mr Deputy President. I was just saying that I support the spending of this money in establishing foreign offices and that our foreign offices should be placed in such a way as to cover all parts of the world.

Now, Sir, the next point is on the sum of £60,000 for ministerial tours. I have no intention of opposing this additional sum, nor do I even feel ready to do so at the moment. But I feel that as soon as our foreign offices are established in various parts of the world the ministerial tours will have to be reduced to the barest minimum because the mission served by ministerial tours will then be fulfilled by the staff of our foreign offices.

Sir, I support whatever sum of money may be required for the independence celebrations. But I must confess that the arrangements being made by the Federal Government regarding these celebrations do not seem to go beyond the confines of Lagos. I do not grudge Lagos its position as the Federal capital. I only feel that the bulk of the population of the nation lies beyond Lagos. It would, therefore, be very painful to see that while we are making Lagos to be like a real capital, people far away from Lagos do not even know of our celebrations being prepared for now. I would warn that if we would not allow the foreign visitors coming to Nigeria to feel whatever preparations we are making here are mere window-dressing we must do our best to prevent their going

beyond the confines of Lagos, otherwise anything they may see in the Regions will prejudice their feelings about the Federal Territory.

Mr Deputy President, I support the Second Reading of the Supplementary Appropriation Bill.

Senator L. C. Daldry : Mr Deputy President, Sir, in a country of the size and importance of Nigeria it is impossible to avoid supplementary estimates in the course of a year. The present one, in my view, is reasonably small. Moreover, we have the assurance of the Minister that the amount of Federal retained revenue which he forecast during the Budget Session of £53.7 million is still realistic. Knowing the Minister as I do, and having in mind the care and conservatism which he displays with regard to money matters, I will not be surprised if in actual fact what he is saying is that revenue is still keeping up and is likely to be more than his forecast.

Taking everything into account, including this Supplementary Appropriation, he has told us that we can still hope for a surplus of more than £1 million, and I think this is highly satisfactory. There are a few fairly large items in this Supplementary Appropriation Bill; and among them is fairly substantial expenditure in connection with arrangements so that Nigeria can be properly represented overseas. No one, I think, can cavil at such expenditure. It is absolutely vital that Nigeria should be properly represented overseas after the first of October so that this country can take its proper place in the world. And having regard to the very troublesome times in which we live now, not only in Africa but also elsewhere, I think it is more than likely that Nigeria will play and even larger and more important part in the general Councils of the world than some people may think.

It is not for me to say anything about ministerial tours but up till the present it seems to me that the Minister of Finance himself has taken a very large part in projecting Nigeria to the outside world. He has been, as it were, an ambassador-at-large. In another place I once referred to him as an international figure. And I think that whatever criticisms may be levelled in connection with expenditure we must all admit that the Minister has served Nigeria extremely well in his various ambassadorships abroad. (*Hear, hear*).

[SENATOR DALDRY]

Under the heading of his own Ministry, the main item is expenditure in connection with the Regional shares in excise duties on mineral waters. I think it is probably safe to presume that this is not really an additional expenditure at all because it seems to me that it must be balanced by revenue coming to the country on the other side of the balance sheet.

In the Lower House, the Minister made a statement that stability and economy remain the Government's watchword. That in itself is something for which we must be extremely grateful. The two things that we do need in this country in my view, over the next few years, are stability both in prices and in wages, and economy where economy is necessary.

It seems to me, Sir, that the general state of the finances of this country is still entirely sound and therefore there is no need, at any rate for me, to make a lengthy speech on this comparatively small Bill. There is, however, an item in connection with expenditure on the Legislature itself, and since that item appears, I would like to make a special plea to the Government to expend a little more money on this very Chamber.

I think, Sir, that the microphone and loud-speaker system in this Chamber is obsolete and not good enough for this place which is the most august Chamber in the country. (*Hear, hear*). The acoustics in this Chamber are not of the best and my sympathy goes out very much to the *Hansard* Reporters who, I think work under tremendous difficulty. I am also extremely sympathetic with the Reporters in the Press gallery who I think also would welcome a great improvement and if at times we find incorrect reports in the Press we must take into account how difficult it must be to hear.

I myself have recently had the opportunity to ask certain distinguished visitors to this country to hear our deliberations from the gallery and the reports of what they were able to hear were very poor. They were not able to really follow our debate. I would like to see, Sir, a first class microphone in front of yourself because it is essential that we should hear every word of your rulings and, as matters stand at present, some of us sitting in this House cannot do so. It is also very important

that each one of us should be able clearly to hear the other. We have, I think, been impressed by the loudspeaker system in the Lower House and I hope very much that Government will consider putting in a proper system here so that people in the gallery and on the floor can clearly hear what is said.

I think it is not an exaggeration to say that this august Chamber is already building up a tremendous name for itself in this country. There is here an atmosphere which is truly admirable. From the very first day, there has never been the slightest sign of party politics nor disorder of any kind at all. If I may say so, Sir, this Chamber is building up for itself the same tremendous respect that exists in Britain for the House of Lords (*Hear, hear*) and I think it is vital that every word which is said in this very important chamber should be clearly heard. I trust that Government will give consideration to my humble request.

I support the Second Reading of this Bill. (*Applause*).

Senator Dr A. A. Nwafor Orizu : Mr Deputy President, Sir, I rise to support the Supplementary Appropriation Bill. In doing so I would like to touch some of the items, particularly, the Cabinet Office. There is something that we have not learnt in this country. I find it completely lacking in the provisions here, the question of the health of the Prime Minister. I have seen items like Economic Adviser and so on, but I do not see anything like Health Adviser.

I say so because it is incumbent upon us in this country to educate Nigerians to understand the need for the care of the health of those who lead us. There has been a very dangerous thing in this country that if any boy or girl sees a big car on the road he or she will say in Ibo *Ndi Na Eli Ego Anyi* meaning "those who are 'chopping' our money" This means that a big car is a luxury for anybody who lives all his life on the road or that if for four or five years somebody has his house on his road, he is not supposed to live comfortably. The psychology is that something is being taken away from the country because of the colonial concept of the domination of people of other races.

We are growing into a position where we do not even know the good shepherd. When I say this perhaps it will take our minds back to the people of other countries; the Prime Ministers and Presidents of other nations have doctors, official doctors, who are paid to take care of their lives and tell them what kind of air to breathe, what kind of food to eat. These people will have to distinguish the kind of food they should eat and this will go a long way to see to the construction of their body tissues.

I am not saying this merely to please the Ministers or that I am blind to the health of the common man in Nigeria. I think that everybody knows my view about those things. What I am saying is that you cannot eat your cake and have it. We must make this country to know that nobody can think well, act well, and even do anything judiciously without good health, and if you want good health, you must have a nation being led by good people who are healthy and that will also help to develop the common man. I am coming to that later when I will speak about Labour, but what I want us to understand now is that we have to find somewhere now or in the future to make provision for the health of our leaders. particularly the Prime Minister, and when I say, Prime Minister, I mean that any school boy now in Standard II or III or IV, can become the Prime Minister in future. Let nobody think that I am thinking of any particular person. I am only saying that once we are growing into nationhood we have to recognise a matter like that.

It will not be possible to go through everything in the Cabinet Office without praising the Prime Minister for his new foreign policy, the policy of non-alignment. I think that immediately shows us that indeed some of the fears we have had in the past can be easily dispelled, and I am personally convinced that we have a very capable Prime Minister who will guide this nation immediately it is independent. (*Hear, hear*) Because the role of a leader is not that he shall be an aggressive designer. He should be a person who has ears to hear the voice of the people and must have the capacity to adjust himself immediately the voice is heard. If a leader does that I think he is a good leader.

I come to the question of defence. Again, the Cabinet have shown their complete maturity of an extraordinary nature because

they have really tackled something that has troubled many other nations. Let me tell you what is likely and in fact what is happening in Japan. Japan has failed because of what their Cabinet avoided and did not know—probably they know it—the Japanese nation was under military command and the military was controlling the politicians, so that when the military made a decision about the nation they did not take into consideration what is called political expediency coming from the politicians. But when you make it necessary that the military should be under the direct command of the politicians then the policy of the nation will not be aggressive or military but rather political and national so that every decision will be dependent on national interest and not entirely on military policy. In Japan this happened and that was why, when they went to war without the consent of the politicians America defeated them.

In saying this I am not saying that we will neglect or look down upon the military itself. What we have to do, and I think we have not done enough, is that there should be a law in this country, because since the middle of the last century we have been made to become women. In other parts of the world every man is a soldier. Go to England or anywhere, when a child is born he is given a pony gun to play with, to shoot and here we are told we are christians, we love God; what happens? We find we are becoming women; a nation of women, weak! It is necessary that a law should be made for every boy before leaving College or High School to have some military training in order to train a nation of ready men or even women for that matter.

Coming to education, I am sorry the Minister of Education is not here. It seems as if he anticipated this question.

The Minister of Finance : I will act for him.

Senator Dr Orizu : Will the Minister of Finance take it?

The Minister of Finance : Yes.

Senator Dr Orizu : Look at the list of scholarship awards, and this has been going on all the time. When are we going to stop and think about the type of scholarships awarded? When are we going to stop awarding scholarships at random? Scholarships must be

[SENATOR DR ORIZU]

functionally distributed. It must be according to specific essentials. It must be purposeful. It cannot be at random. Some party or body has to sit down and plan this.

Take for example we want a bicycle factory. We have to go in the first instance to people who make bicycles to tell us what personnel will be required in such a factory and in what directions. Then this will be planned accordingly and scholarships awarded accordingly to people who will be prepared to work in the factory after the completion of their training. It will also be made clear that whoever is so trained does not have to leave for something else. Not when the person comes back he may go to become a lawyer. The Government should make a law that if one comes out he cannot change. It is only then that the Government will be leading the nation.

Our scholarships must be essentially functional because we are building a new nation and award of scholarships in this country must be functional and a board of experts must be created for that purpose.

As a matter of fact this is why I must come back to this Cabinet Office. I have heard people making noise about the Economic Adviser from abroad. I think that was quite all right except for this point I want to make now; that local heads ought to be collected to help this man from India. In the same manner I think that our local heads, men who have some kind of vision about education, ought to be collected. The trouble in this country is the question of one line education because people do not know much about the other lines. If we do that all the problems of education in this country will be solved.

On the question of Police, as I have always said, time has come when the arrow must lead the bow. A cord too far stretched will break. It is high time we stopped being afraid of ourselves. Let us start doing this thing and give a Nigerian the most top-ranking position in our Police Force. Let us not be afraid of ourselves.

On the question of labour, there has been agitation by the workers. A Member of the Senate is a labourer or he is the greatest of all labourers. I wonder why during the time

of independence there should be all this trouble. This is delicate. The fact that a Labour Union demands money on the eve of independence shows only one thing. It is not that they are at fault but that we leaders have failed to make the people know what independence means.

Independence does not mean more emolument or getting money out of the bank or getting the whole of Government's money and distributing? If it were in a well-educated country, a country where the public relations of the Labour Department is well established, lectures would have been organised with the assistance of Labour leaders on the responsibilities of independence. I am not saying that their legitimate demand was wrong, but the concept of independence should be well understood. It is time for tightening up. As a matter of fact, if I were the Prime Minister I should cut down emoluments including my own to half. With due apology to the Minister of Finance.

The Minister of Finance : I will be very happy.

Senator Dr Orizu : I am only saying that it is time for that. We have not done anything about it. It only shows lack of education on our part or lack of instructions to the unions. It is not that they are wrong, but that they have not done the right thing.

Coming to ministerial tours I think the provision is too small. Our people do not know what they are all about. We always love to eat our cake and have it. What we do not know is this. Go to our roads, go to our telephone offices, go everywhere in Nigeria and see why a Minister is a Minister. Many people have been in their positions for many years, 50 years performing the same functions as the Ministers are doing now, but these Ministers have to change a lot of things. When they go abroad they wear their Nigerian attire; they talk Nigerian and before they come back they make people they meet to respect us. I do not believe that any nation can popularise itself with £60,000. I do not think they are making enough tours. I do not know how people like it, but that is my own view.

An hon. Senator : It is not sixty thousand pennies !

Senator Dr Orizu : Coming to this matter of Prisons, a Minister yesterday told us that he would, as soon as practicable, make somebody the Director of Prisons. We know what Government means when it talks about practicability. I only want to know if it is possible for him to let us know within a few weeks when a Nigerian is going to be the Director of Prisons. Let us know his name. That is what we want to know.

With these few observations, I beg to support the Bill.

Senator Emman A. Lagunju : As regards Money Bills, Mr Deputy President, we know the position of the Senate.

In the first place, when the Budget was presented to us some time earlier there was a marginal surplus of £980,416, and I stressed at that time that that surplus was rather too marginal, and that if there was any temporary dis-equilibrium I wondered what would happen, and now what at that time was regarded as a stability Budget has come to need this Supplementary Appropriation Bill. It is true that the sum of £1,492,090 is not too large a sum, but this could have been all right if there were a great surplus some time earlier. As things stand I think the surplus is rather too marginal and I sincerely hope that in the future when we are budgeting we will always have in mind the possibility of a temporary dis-equilibrium.

I am not going to speak about the question of the portion of the estimate for the Ministry of Finance. I think Senator Daldry has done justice to this particular section.

Well, when it comes to the question of the Cabinet Office, and this question of an Economic Adviser, it is true that at this initial stage we may need somebody from the outside, but I am saying that whoever is appointed now will be appointed on contract, and every effort will be made to get a suitable Nigerian as time goes on. Economic planning is, of course, the live wire of the country, and I think that if we embark upon training now we should be able to get, at no distant date, a suitable Nigerian to hold that important office.

On page 37 of the first Supplementary Estimates on Capital Expenditure we see something about the improvements to Lagos. Well, I wonder whether we are trying to make Lagos London overnight.

The Minister of Finance : What is wrong with that ?

Senator Lagunju : Well, if it were possible that would be all right, but in an effort to make Lagos London overnight we must not overlook the possibility of using mass production, and when we indulge in mass production we cannot expect to get maximum efficiency. If you keep on going about the streets you see people busy digging here and digging there, and I wonder when the digging will stop.

Another thing is that you often see houses, being screened. These houses that are being screened, you can see the top part of them, the filthy section, still appearing on top. What I am driving at is that even in London, in metropolitan London, there are still places that are slum areas, and we cannot screen all these places and present a superficial appearance of perfect cleanliness.

Another thing is, on page 43 of that same Capital Expenditure—I am surprised to see something earmarked for buildings and quarters in the Northern Cameroons. At present I do not know what is likely to happen as regards the Cameroons, whether they will stay as part of the Federation of Nigeria or not, but I think at present, as things stand, that we are not going to keep on spending on the Cameroons until such time as we know the exact position of things.

Now on page 35 of the Recurrent Expenditure Estimates, there is something about the Ministry of Commerce and Industry, and the supplementary provision asked for is, of course, in the way of salaries, or personal emoluments of £5,990. I do not know whether there has been any new appointment in that particular Ministry, because I think when it is a question of personal emoluments and we have made our estimates and we have got our staff, we know precisely what our staff will earn and what will be their stipends, and just coming to this item of Personal Emolument, £5,290 as a supplementary expenditure strikes me as rather a large figure when not earmarked for further technical developments.

Mr Deputy President, Sir, with these few remarks I support the Bill.

Senator Dalton Asemota : Mr Deputy President, Sir, first of all I would like to take this opportunity to congratulate the Govern-

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ment for this Supplementary Appropriation Bill. In a country as large as this country of ours there is no doubt that there will be unforeseen expenses which will certainly have to be allowed for later on, and on that point I think it is something really praiseworthy, and I congratulate the Government on these further Estimates.

Now, I have a few observations to make on the different Heads, and the first one is the Cabinet Office—expenses of Ministerial Tours, £60,000. Well, as Senator Orizu has already said, this amount looks to me to be inadequate, because if we are to be well represented overseas certainly we need men who will go out and represent us, but the surprising thing about it is that it is only the Ministers who are to go abroad. But I think Senators would like to go abroad as well. It is not only the Ministers who will portray the country outside, I think Senators too should go to America to see the Senate there in America, and go to other places where there are Senates and upper Houses. I think it will be a great credit to this country. (*Hear, hear*).

I am very happy now that Senator Daldry said that we are conducting ourselves, in the real sense of the word, as Senators, but at the same time we do not want to rely on what we read about other places. We want to go there and to come back and let us all know what other people are doing, and I do hope the Government will bear that in mind when they make their next selections for ministerial tours.

The next item I will refer to is the Police. I see that the sum put down for law books and textbooks is very small, for the cost of law books and textbooks for the Police. If you go to some of the courts and listen to police prosecutions, you will feel very sorry that these people have not got that experience, and the only way they can be helped is by providing them with textbooks and law books. If Government has now decided to do that, I think they should go ahead without reserve. The amount put down by the Government for the purchase of law books and textbooks for the Police is very important, and in that connection I think the Police really should come within the province of the Government by providing schools and lecture rooms. In many places you find that they will come stammering

when important questions are put to them for the simple reason that they have not got the experience. And that also reminds me that even in the recruitment of policemen, they should recruit men who have got the intelligence and who would certainly be able to make use of the law books.

The next item I would like to mention is the Ministry of Communications. Well, this is the Federal Ministry that I really cannot appreciate what they are doing in the real sense of the word. Reading through the *Hansard* in the Lower House you will find that for practically every request they have a cyclostyled answer ready. They always refer to Sessional Paper No. 4 of 1957 and Sessional Paper No. 8 of 1957 as some sort of obstacle why progress should not be made. I think that is an old Sessional Paper which certainly should be revised. We have an able and indefatigable Minister of Finance who is prepared to go out and find the money for development purposes. Why do we not take advantage of that? Here is a Government which says: "Well, if you want money for development, if we have not got it in this country I will go to Japan and if I do not get it in Japan I will go to Sweden and if I do not get it in Sweden I will go to the Netherlands." Well, if we have got all this assurance that the money is coming from left and right, why pin ourselves down to the 1957 Sessional Paper as an obstacle to the progress which the various people are asking for? You find somebody here asking for a Post Office at Guadamaya, for telephone service and postal service at Igbokiri, and some other places like that. The answer is that 1957 Sessional Paper prevents you from getting this. You will find it on page 120 to page 136 of the *Hansard*. It is the same cyclostyled answer; there is nothing different.

Again, I would also like to remind the Minister of my hometown, Benin. A Provincial radio centre, as you know, Sir, is most invaluable for educating the community as a whole, but when I tell you, Mr President, that in places like Oshogbo and one or two other small places like that are provided with provincial radio centres while in a place like Benin there is none, you would be surprised. We talk about telephone services. If you look at the telephone directory of the Western Region and other places you will find there are places

with only twelve subscribers. But places like Ogbarife in Sapele, Uromi and Irrua where there are many subscribers who are willing to pay anything for it, there is no telephone service. And here is the Minister of Finance who is prepared to supply the money, but they say no because of Sessional Paper No. 4 and No. 8 of 1957. Those are the things that make things a little bit sour when we look at them.

I will again refer you to the Ministry of Works. I think part of the money which is put down for Ministerial tours should also be used by Ministers to tour their own country because there are some roads in this country, Sir, which during the rainy season are nothing but shocking. In this particular respect I refer to the only Federal road that passes through the Midwest area, the Benin-Asaba road. Between the Post Office in Benin and the market situated on the Benin-Asaba road, at every rainfall you find a collection of water on the road to such an extent that it is quite impassable....

The Minister of Finance (Chief the hon. F. S. Okotie-Eboh) : That is a regional matter.

Senator Asemota : Well, I am sorry if it is. In that case I think Members from the East who pass through that road will certainly bear me out that this road is shocking. When the Minister of Finance says it is Regional, I think the road from Lagos to Asaba is Federal. Yes, it is a Federal road ; it is not Regional. Then what do they do there ? They just build the surfacing of the road without draining it, and if you do not drain a road any little collection of rain-water will upset the road at any time. That is what happens in this particular road every time. If the Minister of Works will have the time to tour that area he will not need anybody to tell him. And the same remarks apply to the approach to Sapele ferry end on the Benin-Sapele road. It is simply shocking. That is where the Minister of Finance comes from and I do not think he has got anything to say about that.

The Minister of Finance : On a point of information, Mr Deputy President, if the hon. Senator will give way, the road from Benin to the Sapele ferry is not our road. It is regional. What we are responsible for is just the landing site of the ferry.

The Deputy President : I think Senator Asemota should go back to his Region and make enquiries about that so that when he comes here next time he will be able to tell us whether what the Minister of Finance has said is correct or not.

Senator Asemota : I will certainly go and make that inquiry, Mr Deputy President, but those I have referred to as Federal are also in the same situation and I want the Government to bear that in mind.

The next thing I would like to talk about now is the Independence celebrations. Many Senators have already said something about it, and looking at the colossal sums of money that have been set aside for these celebrations I think it is something really worth doing. But the point is this, Sir, are the Regions taken into consideration in the award of sums of money for the celebrations ? I know the Federal Government does not intend to invite everybody in the Regions to come to Lagos but do they make any provision for certain sums of money to be allocated for the Regional celebrations ?

The Minister of Finance : We have given them already.

Senator Asemota : If that is so, well, thank you very much. I will make further inquiries.

Another point is that in my hometown we have a Committee set aside for our Independence celebrations and we made appeals to the various firms and banks. They told us they have already donated huge sums of money to the Federal Government and therefore they were not going to take part in the local celebrations...

The Deputy President : Will the hon. Senator address himself to me and not to the Minister ?

Senator Asemota : I am addressing myself to you, Sir ; I have only just turned to the Minister. In that case, Sir, are we to expect a share of that grant which has been made by say the Barclays Bank or the B.W.A. or the U.A.C. and some other firms like that to the Federal Government ?

The next thing I would like to speak about is scholarships. I am very happy to read in the *Gazette* that the Federal Government has

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awarded 401 scholarships and 13 other U.K. scholarships. Well, if you remember, Sir, some time ago I said that the only way the minds of the people in the Regions will be cleared about the scholarships allocation is to tabulate the awards for the Regions. As it is now there are 401 scholarships awarded and for all intents and purposes it can be assumed that only 20 went out to the Regions and the rest are all absorbed in Lagos. I am saying that if the Federal Government will only take a little bit of pain and say that so much should go to the West, so much to the East, so much to the North and so much to Lagos, that will be better. From that again we will be able to see the breakdown. Particularly, I have Benin in mind because I know that there has never been any scholarship awarded to the people of Benin.

I raised this point in January and I was assured that the matter would be brought before the Minister of Education; but here again, Sir, on the list I do not think I have seen more than one or two Benin names. I think the time has come when this Government should do something about Benin. One particular reason why this Government should think very well about Benin is that Benin is the greatest stronghold of the Federal Government. The people of Benin all support the Federal Government and there is nothing from the Federal Government to support the people of Benin, neither in scholarships nor in any of the Boards nor in anything at all. Even the roads are bad. . . .

The Deputy President : But these amenities are not given on political basis.

Senator Asemota : Well, Sir, in the Senate I do not think we play politics here at all. Here in the Senate we always put our political toga securely outside before we come in. . . . (Laughter). I do hope that if we suffer we will certainly get some favours which up till now we have not been getting.

Another thing I would like to add, Sir, is on the subject of the distribution of the *Hansard* for the House of Representatives. I think it would be of assistance to the Senators if we could get a copy of the *Hansard* to enable us to follow the trend of what goes on. After all the Senators are not confined to the Federation alone I think we have an interest in practically

everything in the country and if there is anything of special note that we felt we should bring to the notice of the public and we read it in the *Hansard* then we can do so; but unless we can have copies it will be very difficult for us to follow up.

On the whole, Sir, these are the few remarks that I have and with them I support the Bill.

Senator the hon. M. Sanni O. B. Okin : Mr Deputy President, Sir, I rise to support the Supplementary Appropriation Bill. But there is one thing which I am anxious to see in these Estimates and which I have not seen and I have gone through the whole of the Estimates to try and find it. It is rather important that we are getting our independence on the 1st October. Had it been that independence had been attained by 1st February, 1960, what I am going to ask the Minister of Finance would not arise at all.

The Supplementary Estimates do not give you the financial stability of the Federation. I am humbly suggesting to the Minister that he has still something to do to satisfy the request of the nation, and that is he should go back to his office to invite a financial expert to investigate and tell us the state of our financial stability, so that the present and the future generations of Nigeria should know her financial stability as at 30th September, 1960. That is before the attainment of independence. If that is done, I suggest that the findings should be made public so that we may know that when we were under the British rule our financial position was such and such and when we take over the future generations will be able to know our position. That is what I would like the Minister of Finance to do. We would like to know the financial stability of the whole of the Federation as at 30th September.

Now referring to the Prime Minister, I have this to say. Nigerian sons and daughters are anxious to know the first Prime Minister of the day and I am suggesting that the Prime Minister should do everything possible to travel throughout the Federation, possibly being accompanied by the Health Adviser as suggested by Dr Orizu.

Now referring to the Minister of Labour, we do not know what the Minister of Labour is doing to stamp out all these unavoidable strikes. To-day we hear of strikes in the East,

strikes in the North and in all other places in the Federation. Well I am afraid that if these continue this nation simply will not survive. I am now suggesting that the Minister should call all the various leaders of the unions and have what I might term a short talk with them and explain to them the implications of labour and other things, so that Nigeria may be at peace because these strikes can kill any nation. I would like the Minister of Labour to do his very best to call all the various leaders of the unions and have a talk with them so that we may decently celebrate independence.

Now referring to the Minister of Communications I am very sorry to say that the Government in trying to get more money is losing a very large sum of money on telephone installations. Exorbitant telephone rates are driving away would-be subscribers. Even those who have already got them are now applying to have them disconnected. Well, I suggest, though it is not within my power to reduce the revenue of the Government, that at the same time, Government will have to find one way or the other to increase the installation of telephones as a means of communication. That is all for the Minister of Communications.

Now we come to the Minister of Transport. Well, I suggest that there must be a special committee of inquiry into the Railway Corporation because as some travellers can bear me out, travelling either in the second or in the first class coaches is very, very difficult. I remember witnessing a certain second class coach in Zaria where the people inside were thirty men, whereas the apartment only provided for four passengers. There is congestion in the Railway Corporation and I suggest that the Minister of Transport will have to see to it.

Also there are no more amenities provided in the first class coaches than there are in the third class. A person travelling in the second class coach has very little difference from the third class passenger. Also when you have your accommodation booked, to your surprise when you reach the railways you will find your name has been taken off and another man's name put in your place. I am sure many people have had experience of this. And when you enquire they will tell you that your

accommodation has been booked, but you will still find it very, very difficult to trace it. So much for the Railway Corporation.

Now, referring to the Ministry of Works and Surveys, I think a lot has been done. I know this Ministry is a very unpopular Ministry because they get all our rows about everything. The Minister has tried a lot, but he has got to continue trying. I am suggesting to him that he should try to get hold of a copy of the report of the International Bank. Many recommendations are made in that book, and I think it would be useful for the Cabinet if they could seek to read these recommendations one by one and take the earliest opportunity of implementing these recommendations.

Now we come to the Public Service Commission. I think the proposal for the training of Nigerians should be intensified because after independence, Nigeria will have her own various ambassadors to foreign countries and it is very important that we have suitable people trained to represent our country.

Now referring to the Ministry of Information I have this to say. This is the time that the Ministry will have to be more accurate because Nigeria will not be pleased to see that we are misrepresented during the forthcoming independence celebrations. Therefore efforts must be made to see that a true picture of Nigeria is shown to the whole world. I remember that a lot of criticism was made in the old House of Representatives as a result of a certain paper, so I am now suggesting to the Minister to see that a true picture of Nigeria is shown abroad.

Finally, Sir, referring to the Police Department, I would like to say this. A lot has been said about the Police Department. We hear of, and we see a lot of, discomfort in the Police Department. The Police Department is quite different from all other Departments, as I said in the old House of Representatives. It is practically unknown in the other Departments to reduce a First-class Clerk to a Second-class Clerk; they either have his increment debarred or something like that. But in the Police it is quite a common occurrence.

What I am trying to say is this, it is quite possible in the Police Department for a man to be a Sergeant to-day, and then to become

[SENATOR SANNI OKIN]
Lance-Corporal tomorrow. That means he is the master to-day and his servant of to-day will automatically become his master of tomorrow.

It is not possible now to reduce first class to third class in the ordinary office; they defer his increment, that is what they normally do in the office. But in the case of the police it is different.

An hon. Senator : They are disciplined.

Senator Okin : That means they are not disciplined in other departments.

What I am trying to prove is that none of these policemen has been given meritorious medals for nothing, just as decoration. We do not like to see all these decorations without promotions, so something is going on in the Police Department. I suggest to the Federal Government that efforts should be made to check up on the Police Department. We all know what happened in Ghana in 1948-49, what the police did. It is no use giving a detailed history of what happened in Ghana during those years because many people already know about it. In Nigeria efforts must be made to see that those who are qualified for promotion are promoted.

Finally, Sir, the Ministry of Education. At the present moment I think the Federal Government is only financially responsible for higher education in the whole of the Federation. Apart from the colleges of arts, science and technology and the University College, all the rest are the responsibility of the Regions. I suggest that efforts must be made by the Federal Government to have more Federal institutions in all the Regions of the Federation. This will make the people understand that the Federal Government is out to care for their education.

Mr Deputy President, Sir, I beg to support.

Senator Chief O. A. Fagbenro-Beyiokū : Mr Deputy President, Sir, I do not think anybody is out to quarrel with these Supplementary Estimates. They are really necessary and I am sure they will have the full support of this hon. House.

There is nothing which flatters my mind more than the establishment of the External Affairs Ministry of the Federation of Nigeria.

The Minister in charge of External Affairs—or Foreign Minister as they are otherwise known—is a very important Minister in the set-up of any government, and in the appointment of any individual to that very responsible Ministry I have the greatest confidence that the Prime Minister will select only such individuals as are of a very high national recognition and people who can bear the standard of Nigeria very creditably anywhere in the world. The Minister, or the Foreign Minister, can bring Nigeria into war with any other nation at any time, and he can promote friendship between Nigeria and any other nation at any time. Anyhow, Sir, we are sure we have the man and I am sure the Prime Minister will have no difficulty in selecting our first Foreign Minister.

I do observe that in the Consular set-up, particularly the High Commissioners, we have a High Commissioner for the United Kingdom according to the Estimates, we should have a Consul-General as delegates for U.N.O., we should have an Ambassador in Washington, we should have an Ambassador in the Sudan and a Consul in Jeddah. But there are some other important places where I feel that, at the moment as we are attaining Independence, we should find time and resources to establish consuls, particularly in those African territories who are also independent and whose economic and political functions would have some bearing on the general stability of Nigeria. I would not like us to overlook the importance of having Consuls in these African territories, particularly right now so that mutual relationship can be properly established from the beginning. So I commend this to the Council of Ministers. I am sure that they would like to consider this.

In other parts of the world, particularly in various other advanced nations, I do observe—as I did in the United States in 1956—that there are, apart from Economic Advisers, some other Attaches in the various embassies, particularly in the United States, and we have the United States Embassy in England where they have some sort of Naval Attache and Military Attache. These Attaches are important and I am commending this to the consideration of the Council of Ministers so that in setting up our embassies we would not only have to set up ambassadors and give them one or two assistants; we have got to have an insight into the other aspects of the

life of the particular territory where we are establishing embassies. I feel that should be given due consideration.

The other point now is under the Ministry of Communications. Other speakers have made some points and I would not like to go over points which they have made. The only point I would like to make is an appeal to the Minister of Communications. It concerns our Independence celebrations. We have spent a lot of money on our telephone installations; we have spent money, not quite sufficient I would say, on our telegraphic installations. But we shall be having many people coming out to Nigeria to enjoy the festivities of the Independence celebrations which commence from September. There will be people who will wish to be in contact with their homes. The present telephone system in the country and the present telegraphic system are highly intolerable. We would ask the Minister of Communications to help advise the people concerned that when our visitors do send telegrams, the telegram should be able to reach its destination in time, not for somebody to send a telegram to, say, Jos which will be in Jos after the celebrations and for that man to arrive in Jos before the telegram. Such a situation would not help us at all, and we beg very kindly of the Minister to look into this.

The question of education. I am glad we voted money. But I feel that in a place like Lagos it may still be necessary for the Ministry of Education to establish more U.P.E. elementary schools. If you go around the city now you will find parents vying to get their children registered; perhaps one school only has ten places, another school only five and yet another only fifteen. Once these places have been registered all the others are thrown out. What is to happen to most children who have not the opportunity of being registered, and next year they will be declared above age? If they go for private lessons, somebody will say that the man running the school is conducting an illegal school. What is going to happen? I feel the only answer is for the Ministry of Education to have a proper study of the elementary school facilities in the city of Lagos with a view to establishing more new U.P.E. schools for our children because we keep on breeding every year: it is the Law of God: "Keep on multiplying", and we multiply everywhere.

Sitting suspended : 11.30 a.m.

Sitting resumed : 11.50 a.m.

Senator A. O. Fagbenro-Beyioku : I left at the stage where I was appealing to the Federal Minister of Education to give consideration to the establishment of more Elementary Schools in Lagos, and I would not rest with Elementary Schools. We observe that Elementary School leavers with Government Class Two certificates still have great difficulties in getting admission to Secondary Schools because the number of Secondary Schools in the Federal Territory is so small that it cannot cope with the large number of Elementary School leavers. If, Sir, in the immediate present it is not possible for the Federal Government to establish more Elementary and more Secondary Schools they should establish Evening Classes and Evening Schools which should be accorded full recognition and certificates which should be approved certificates as to win for the holders employment anywhere in the Federation.

Now, Sir, the question of labour. The Ministry of Labour, I would say, we have not much to question in that Ministry, but all the same we do feel that more effort should be put in by that Ministry to give closer study to labour problems in the country. The Minister, as such, we are convinced is doing his best and we all do realise that labour problems are so complicated and to the uninformed people outside the labour circles, certain actions taken by labour are considered as irresponsible, but people within the labour circle and, I am sure the Minister of Finance who himself was once a Minister of Labour, would agree with me that most of these problems are human problems which require human touch in their handling. Strikes are not necessarily just taken up for the love and fancy of them. I should say that when Nigeria becomes independent another approach will be made to salary structures in this country and general conditions of service, not so much to give everything in the kitchen to labour but with a view to ensuring the even distribution of the national wealth so as to remove all forms of dissatisfaction. I am in sympathy with those who criticise labour just because they do not know that some of the actions and strikes organised by labour are actually necessary and compelled.

The Minister of Finance (Chief F. S. Okotie-Eboh): You will declare your interest on that.

Senator Fagbenro-Beyioku : We are very happy that the Federal Government is helping the Lagos Town Council in the matter of the Municipal Bus Service and I should think the Minister of Lagos Affairs would perhaps like to advise the Lagos Town Council so that there can be a radical improvement in the movement of buses in Lagos, particularly during the period of the Independence celebrations. What we do experience now is not very very pleasant particularly the workers who have to go to work in the morning. They still find it very difficult to take the buses. I should think perhaps one of the reasons is that the buses are not adequate. With the amount which the Federal Government is giving to the Lagos Town Council there should be some sort of improvement.

The most important item in the Appropriation Bill is the Ministry of Information. We would like to see the Ministry of Information give more information about Nigeria not only to the outside world but within Nigeria. There are many people in Nigeria who still know very little about Nigeria and when we come here we receive very little documents from the Ministry of Information about Nigeria. I should think each time we come for the meeting of the Senate like this, hon. Senators should be able to find in their shelves papers, documents, maps, or literature about Nigeria so that the Ministry of Information must be able to do something about these because charity begins at home. If those of us in Nigeria still know very little about Nigeria, when we travel abroad what are we going to say about Nigeria? It is good I know something about Lagos; but if one knows something about Lagos, one ought also to know something about other parts of the country, so that everybody knows something about the places outside his immediate environment.

Another thing is about newspapers in this country. I feel there is a threat to the direction of conscience in this country. Now it seems that the principal newspapers in this country will be controlled from overseas very soon. The only paper which will be left with absolute Nigerian interest may be perhaps one or two. This is a great threat to Nigeria. I would

suggest that the Federal Government take a close study of this situation and see if it would be necessary to establish a government daily paper so that we would not have our internal affairs directed from overseas, otherwise we are running a big risk.

I feel, Sir, that we shall have very little to discuss on the capital expenditure. As I said before there are estimates which are actually necessary and which nobody can question. But I only want to say a few words on the question of the Independence celebrations. I do feel that we have spent a lot of money and that we are still going to spend a lot more money.

Lately, some sort of misunderstanding arose as a result of the workers' demand for what they called Independence bonus. I do not think the workers want this Independence bonus just for merry-making. I am quite sure the workers do realise their responsibility in an independent Nigeria. We all know that everybody in this country worked for the emancipation of Nigeria. But, Sir, the Ministers, the hon. Senators and the big business men will be entertaining friends and visitors to celebrate Independence. The workers in their right will, of course, be entertaining their own friends. Sums of money have been allocated for these celebrations and I feel the workers should have a share. I do not think there is anything to quarrel about and I do not like anybody to look at workers as a pack of irresponsible people because they demand a share of the means for the celebrations.

The workers do realise that in an Independent Nigeria they will have to make sacrifices, and I am sure that the workers are prepared to make these sacrifices. The people they have to appeal to are the people at the top. Perhaps the minds of men will still be touched; perhaps the minds of Government may still be touched, and in the allocation of funds for Independence celebrations, perhaps the Federal Government may still have to think of giving one or two pennies to the workers so that they themselves may be in a position to entertain their guests.

Sir, I support the Bill.

Senator Mrs W. Esan : Mr Deputy President, Sir, I am sorry to say that I have often been told that it has been so difficult to

hear me when I speak ; so I would like to support Senator Daldry that something might be done to improve these microphones in this Hall, so that when I speak I might not have to shout ; women are not expected to shout at the top of their voices.

The Deputy President : I think the hon. Senator would now agree that men are in a way superior to women. (*Laughter.*)

Senator Mrs Esan : I do not think this is correct. I think we are all equal. However, there are certain things which men can do and women cannot, and things which women can do and men cannot ! So, we are all equal.

Before I go further, I must congratulate the hon. Minister of Finance on one point only. During the last Budget Session he told us that he would go a-borrowing to make Nigeria a befitting country for us all. He has now come back with another idea. He borrowed the money for us and he has now realised that he must settle down and curtail the expenditure of Nigeria so that we may have a bit of our own in our own hands besides the money we go to borrow.

The Minister of Labour (Hon. J. M. Johnson) : Yes, we will have some money for the women to use on trinkets.

Senator Mrs Esan : The women like trinkets. If a woman is made the Minister of Finance she will have to think of trinkets. The women believe that if they have trinkets they will be making the men happy. I think it is therefore necessary.

I want to mention the fact that we all here agree that we are going to have proper foreign establishments after independence. But whenever anything like this is being done only men are considered suitable. I would like to point out that there are certain jobs which are best suited to women. For this reason if we are going to establish foreign relationship anywhere in the world we must consider the importance of women as well.

The Minister of Labour : For what sort of work are they suited ?

Senator Mrs Esan : I would wish that the Minister does not interrupt me when I speak, because when he does I seem to forget the point on which I am speaking.

Then I come to Education. We are very pleased that in the capital of Nigeria education is improved now and children are learning in a congenial atmosphere. School buildings are being put up. But I would like to suggest that, as Senator Beyioku has just mentioned, more schools are needed in Lagos. If you turn to the newspaper of this morning you can see queues of children registering their names for admission into schools next year. I am sure that not all these children will be admitted. What is then going to be done to those unfortunate few who may be left out ? In Lagos we find many unauthorised schools called "Lessons". These schools have to exist when the Government does not provide enough schools. After all those children cannot be left off like that. I am, however, sure that if the people organising the unauthorised schools for such children are prosecuted the Senator Lawyer will be the first to defend them.

We would be pleased if the Education Department would either provide more schools or condescend to have evening schools not only for children at the primary stages but also for secondary stages, so that there will be sufficient schools for everybody. These schools should not be established for those living in Lagos alone ; people living in the capital city are people from all over Nigeria and not just people born and bred here only.

Before leaving the observation on Education I must say that we have what we call "Adult Education". It is becoming popular in Nigeria now. But fancy a woman of my age wanting to know how to read and write ! Women of my age particularly do not have the time to read even if they have the opportunity.

There is a certain type of education that could be given to them and that is to let them go on tours of the Regions of Nigeria and probably take them abroad to see one or two places. This will be a very useful aid to the progress of Nigeria because like mothers like daughters, and daughters are mothers of tomorrow. So, if you give such experience to the women, or make ways available to them to gain the experience of knowing what other women are doing in other parts of the world or even in this country, it will all be well for the future of Nigeria and indirectly you will be aiding the education of young children as well.

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Senator Mrs Esan : Thank you Mr Deputy President. We come now to the question of independence celebrations. Senator Beyioku said that workers who demand money do so

the Bill.

Senator Olajide Somolu : Mr Deputy President, Sir, I wish to make a contribution to this Bill on a few items which I feel this

[SENATOR SOMOLU]

House could take note of in respect of the Supplementary Appropriation Bill. I join others in congratulating the Government in so far as the establishment of the Ministry of External Affairs is concerned because I feel that Nigeria can be made great by the way it is respected by foreign countries. But there is one point I wish to bring to the notice of this hon. House and the Government and that is in so far as the Nigeria Office in the United Kingdom is concerned. Those who have had the opportunity of visiting this Office and who have visited other offices belonging to other Nations in the United Kingdom will probably agree with me that in the enhanced status which Nigeria is going to assume after the 1st October, 1960, this office is completely inadequate. It is situated in an area which, to say the least, is most uncongenial. It is almost next door to Scotland Yard and it is not situated in a place where other Embassies are. I think the Government should take the first step to see that this Office is removed to a more congenial atmosphere and enlarged in order to cope with the further responsibilities that will devolve on the officers who are to work therein.

The Minister of Finance (Chief the hon. F. S. Okotie-Eboh) : But lawyers do not dread Scotland Yard ?

Senator Somolu : It is not often that people complain of living next door to the officers who execute the long arm of the law but that is not the main complaint that I am making in this debate. It is that this office is choked up. It is one of several offices whereas Nigeria in its enhanced status can afford to get a more commodious place because our Embassy in the United Kingdom—we call it a High Commission—is the show piece that we have to offer when Nigeria assumes independence.

I must congratulate the Minister of Education for the very valuable contribution he has made to the progress of education in this country, particularly in so far as the free primary education in Lagos is concerned. I do not grudge him the £150,000 odd which he needs in order to cope more easily with the difficulty facing his Ministry but I also wish to reiterate what I said in this House during the Budget debate in relation to the provision for university education. It does seem to me that

the Federal Government is pursuing in this respect a method of laissez-faire. The Regions are now taking the initiative from the Federal Government. As I said during the Budget Speech the Eastern Region began by establishing a University. Now the Northern Region has also promised one and the Western Region is following suit. This to my mind emphasises the need for more institutions of higher learning in this country and if the Regional Governments are alive to their responsibilities in this respect I think the Federal Government should also take note and make provision for this higher learning.

The Minister of Finance has had it very glowing in this Session in so far as his Ministry is concerned. He has not come in for very violent criticisms in respect of several items connected with his Ministry. I am referring particularly to the provision of £60,000 which he has asked for to be able to do more travelling. I agree that when Ministers travel they not only acquire experience but also they are able to project the country. They are able to give people in other parts of the world a favourable idea of what the country they represent is like. Nobody will grudge this at all and if these various sums that are voted for travelling abroad are spent judiciously nobody will grumble.

I think what hon. Senators and many others in this country complain about is the number of Ministers who migrate within the country at one and the same time. There is no reason why we should have about eight or ten Ministers going out of the country at one and the same time. They should plan their tours and if they planned them at all they would be able to answer these criticisms which I think are vital.

I note with delight that the Police Department is forging ahead, and in this respect I commend with others the advancement which is being given to natives of this country in the various sections of that Force, and particularly I must congratulate the Premier's Office on the way Women Police have been advanced in the Force. Particularly I am glad to note that we have had, for the first time, a woman promoted to the post of Assistant Superintendent of Police. This is a particularly good omen for the future and it is my hope that not only the

women but also the other officers in the different cadres of the Police Force will be given more and more responsibility so that the complaint which Senators, politicians and others are making, that we have not enough of our own people in key posts, will be answered adequately in the Police. This is one of the most Nigerianised Departments in the country, but there is certainly room for more improvement.

Now, the Ministry of Communications is always the black sheep among our various Ministries. Nearly every time everybody has something adverse to say about this Ministry; not that it is not doing much, but I think the criticisms which people levy against this Ministry are that it is not doing enough. Quite a lot of people complain about the lack of communication facilities in remote areas of the country, and as an hon. Senator has said this morning, there is always a ready-made excuse—Sessional Paper No. so-and-so, of 1940 or something. Now, this Ministry seems to be living in the past and I think the time has come when there should be an inquiry into the administration of this Ministry—a public inquiry if need be, so that its system of working can be regularised and things put on a proper basis.

While on this Ministry I wish to call the attention of the Government to the working of the automatic telephone exchange. I do not know what others' experience has been, but my own personal experience is that invariably, especially in Lagos, it is always out of order. You pick up your telephone and it rings, and it is engaged, but when you speak you find someone else at the other end. What is wrong? "Oh", he says, "I have the same trouble, Sir". Again when you take your telephone and you dial the proper, the correct number, you find you are speaking to the wrong person. Yet when you are told you are speaking to the wrong person and you dial again, you have wasted your threepence. You can do that five or six times before getting the correct number. I think this is something to be looked into by the Ministry of Communications.

I welcome the appointment of an Economic Adviser. I think it is a step in the right direction. I believe that it is going to help not only the Federal Government, but also the Regional Governments. But there is one thing lacking. This appointment, according to the

Estimates, is going to be for three years. Now we have that down "appointment of Economic Adviser for three years". After three years, what happens? What provisions are we making? Between now and three years when this one goes away are we going to appoint another? How about the Federal Government thinking of setting up an Economic Advisory Commission? I do not mean by this a Council which may be voluntary, but I mean a statutory body, established by law, so that we have a continuity of economic policy not only for the Federal Government, but for the whole country, because there I believe we can have a co-ordination of the several efforts that the Regional Governments and the Federal Government are making. It is all right to appoint an Economic Adviser, but I think the co-ordination of the efforts of all the Economic Planning Councils in the country is of major importance.

I note with regret that the Federal Government, having thought of setting up a Ministry of External Affairs, has not thought it fit to give us an idea that they are planning to set up a Ministry of Justice. Now, justice is of vital importance and the setting up of a Ministry of Justice is a means by which we can have a co-ordination of the several efforts that are being made. If people have some doubts about how to obtain justice; what sort of justice they are going to get; we will find that although this country is becoming great, foreigners will find it not easy to come and live with us. Justice is the only one arm of the administration where everybody, rich or poor, high or low, is levelled off. When you have justice you feel that you are safe.

I think it is an omission or an oversight on the part of the Government, and by the time we come back to this House for the next Budget Session I think the Government will have thought of establishing a Ministry of Justice.

In this connection I wish to call attention to the fact that in the Regions, at any rate in the Eastern Region, we already have a Directorship of Public Prosecutions. I hope the Federal Government will think of establishing one and when they do set it up they will see to it, as the other Regions have done, that this arm of the administration of justice is not placed under the direct control of any Ministry, so that it may be quite clear to those who have to be prosecuted

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three, four, and five hours on this ferry. I should have thought that it was time for Government to consider adding one more ferry, so that when one is sent for repairs two are still in operation to cope with the normal work.

Now I come to education. The subject of education has been touched upon and I would like to congratulate the Minister of Education for the one hundred and fifty thousand odd pounds provided for the purpose of free primary education. In connection with education someone has remarked that consideration is being given to the question of establishing a university out of Federal funds. Then somebody has mentioned the question of secondary schools. I think there is a controversy about inter-regional secondary schools. I understand Government is now establishing inter-regional secondary schools in one or two of the Regions. It is my suggestion and it is my wish and my prayer that the Federal Government, if it is considering establishing inter-regional training colleges and secondary schools, whether it be only two or only one, I think it should be at least three or multiples of three in order to strengthen and increase the unity of the country with regard to its future, especially on the eve of independence.

Now on this question of augmentations, I notice that augmentations at page 17 in respect of the Ministry of Finance alone show an increase of ten per cent on Approved Estimates. I find that Heads 33, 36, 37, 38 and 72 remain and that this is a special addition required for increased activities. There is no doubt that man is fallible and it is not expected that when estimates are being compiled they will be absolutely correct, but there is such a big increase in this case that one wonders whether the under-estimation there was deliberate or, again, whether it was due to want of sufficient economic advice.

With these few remarks, Mr Deputy President, Sir, I would like to support the Bill.

Senator the hon. Chief S. T. Hunponu-Wusu : Mr Deputy President, Sir, I rise to support the other speakers on this Supplementary Appropriation Bill. In particular, I want to support what has been said by other hon. Senators in connection with the Police. What

is happening now in the Federal city of Nigeria is a thing which this hon. House should look into.

I am happy that one hon. Senator has just mentioned what is going on now with the Commissioner of Police in respect of that particular Department, and I will go further to say this, that the safety of life and the safety of property are more or less in the hands of the Police. We are getting nearer to our independence and we will have many visitors coming into this country. Where shall we be by the time they are in and by the time we put them up at the hotels, whether offered by us or by the Federal Government, and they are robbed of their property?

I will give an instance. Three weeks ago burglars entered a new shop and removed a complete safe: seven days ago burglars entered into a four-storey building and forced a safe open and carried away the money; and to my greatest surprise, the Chief Lands Officer was telling me on Saturday night at Ikoyi, when I was telling him about what was happening in Lagos, that he also had been robbed in Ikoyi. He said "Are you aware that I have been robbed of my refrigerator at Ikoyi?" Now if that can happen at Ikoyi, and in the Federal city of Nigeria, where shall we be? Where is the safety of property? Where is the safety of life? Where is the safety of our visitors?

Mr Deputy President, Sir, on this question of the Police I would like to say that the question of giving them A.S.P. or C.P.I. or any of them, is only paper work. They have not been doing their work as they should. The Commissioner of Police should have a Committee to look into this question of how we are going to confront these criminal practices that are going on in Lagos. How many times have you heard that it is very rare that people get burgled in Abeokuta, Ijebu-Ode or places like that? That sort of thing seems to happen only in the Federal city.

I saw a television demonstration of what the Police should do to combat this sort of thing. This film was to show how the policeman should do his normal job of work, and in this film you saw where a policeman was going round his beat examining all the doors of the buildings on his beat so as to check that they were all properly locked. This policeman discovered a door unlocked and immediately

he went to the public telephone booth and rang the person responsible, it may be U.A.C., or G.B.O. Anyway he rang them and said "Look here, I found your door open," and then the person responsible came down straightaway and found the door open as the policeman had said, and they thanked the policeman, and it was from that that he got his merit because he was alert on his job.

We say we want to become independent : many people will be coming to this Federal city for independence. Some of our Senators will be coming, what is the guarantee that they may not be robbed whilst they are here? It is happening day in day out at Ikoyi.

Mr Deputy President : Order, order. It is now one o'clock and under the Standing Order, the sitting should be suspended until three o'clock.

Sitting suspended : 1 p.m.

Sitting resumed : 3 p.m.

Senator Hunponu-Wusu : Mr Deputy President, Sir, in continuation of my speech in connection with the Police Department, I ask this hon. House why the safety of life, the safety of property is nothing very much to the Federation of Nigeria. From the Supplementary Estimates in front of us you advocate for more money and this has been granted. But where is the guarantee? As I said this morning, there is no guarantee yet given to the safety of life, safety of property and, in addition, the safety of children. Children are still carried away, children from five to fourteen years. This is rampant in Lagos, the capital of the Federation of Nigeria. There was nothing of that nature some five, ten or fifteen years ago. Why should it be happening now in Lagos?

According to police notices you read in the papers of schoolchildren from five to fourteen years getting lost; five, six, perhaps in every two or three months. And we have not yet got independence. What will happen then if arrangements are not made now to check and avoid the greater occurrence of this thing? I feel that the Inspector of Police has been found lacking in this particular system, with the C.I.D. I say this with all the emphasis at my command. Before the first war there was nothing of that nature in Togoland. People

were safe, your property was safe, you could leave your door open for days. That too was happening in Nigeria in the olden days. Why should it not be so now? Is it because of the laws of Western civilisation which are so many and so wide that anybody can come in while you work throughout the day? Naturally you expect to sleep at night, but some people will simply come and rob you of everything you have and what have you got to do? You are at the mercy of the law, the hand of the police, you have to report to the police.

Suppose the Commissioner of Police has been robbed, or the Minister of State, or one of the Senators here has been robbed, or the Chief Justice of Nigeria has been robbed at Ikoyi. I am citing this to the hon. Members of the Senate to make them realise the gravity of what is happening in Lagos. I do not think that would happen in other Regions. What shall we do? We say we want Independence and we say we want our people to man all our departments; is that why there should be loopholes, is that an excuse for anybody to do anything he likes? A man is perhaps attacked tomorrow, anywhere; he calls for the help of the police. They will not attend, they will not come out. I have seen instances, Mr Deputy President. And that is why I feel that the Commissioner of Police should be asked to summon a committee to give to this hon. House a guarantee that during Independence when our friends, well-wishers and visitors will be in town, their property, their homes or whatever they will bring to Nigeria will be safe.

The Deputy President : Order, order. I would point out to the hon. Senator that his speech is ranging far too wide of what is in the Bill. Will he kindly relate his comments to the Bill under consideration.

Senator Hunponu-Wusu : Thank you, Mr Deputy President. But all I am saying is that something must be done immediately by the Commissioner of Police. Perhaps he should summon his men and ask for their opinions. There are many complaints about the Police Force in Nigeria.

Coming to the educational side. Education, as a matter of fact, is the background of any nation and we are very grateful to the Minister of Finance for finding it possible to get money for our education. Free primary education now, as we all know, has started in Lagos as

[SENATOR NZEREM]

can make its mark on the civilised world. It is needless to say that no responsible citizen of this country shares any such extremist views.

The recent decision by Government to withdraw the privilege of indigenous civil servants spending their leave abroad at the expense of the poor taxpayers is a step in the right direction. So also is the abolition of certain redundant posts in the Federal Public Service. It is only to be hoped that Ministers and Parliamentary Secretaries who wish to spend their own leave abroad should do so at their own expense for what is sauce for the goose should also be sauce for the gander. If civil servants are deprived of the privilege of spending their leave abroad everybody else should be so deprived. That of course does not mean that the Ministers are to be stopped from touring because touring is an essential part of their business.

The Minister of Education, I think, deserves all the praise showered on him in the Lower House as well as here. May I remind him, however, that almost everybody here is disappointed that no provision was made for starting the much-talked-of inter-regional secondary schools this year. It is a pity indeed that in the year of our independence those factors which tend to unite us are not stressed but rather those things that tend to separate us. I do hope that when another Supplementary Estimate is being prepared adequate provision will be made to start at least three inter-regional secondary schools because everyone in this country thinks that the salvation of Nigeria is in educating the boys and girls of the Western Region, the Northern Region, the Eastern Region and the Federal Capital together.

An hon. Senator : What about the Southern Cameroons ?

Senator Nzerem : Cameroons, no ! Let the Cameroons look after their own affairs. If they wish to come back, let them come back with cap in hand. I want to say that when another Supplementary Appropriation Bill is presented to this House, we expect to see a substantial sum earmarked for inter-regional secondary schools.

Sir, I am very pleased to note that under the Ministry of Information provision is being made for more Publicity Officers. I would

like to suggest, for the consideration of the Government, that one of such officers should always accompany a Minister on tour abroad and cover his activities for the information of the Nigerian Press and the Nigerian public. If this practice had been in vogue all the unpleasant controversy about the alleged obnoxious speech reported to have been made by Dr Esin should not have arisen at all. Knowing Dr Esin as I do, I cannot imagine him saying all that was credited to him.

Mr Deputy President : Senator Nzerem, I think you should confine yourself entirely to the matter under discussion.

Senator Nzerem : Yes, Sir. Well, I want to say that the provision of these Publicity Officers in the Estimates is a very welcome thing and as we have more and more of them they should be made use of when the Ministers are touring. I think this is relevant to the item in the Supplementary Estimates which we are considering.

Well, I will not be long ; I will only say a few things about the Prison and the Police. In recent years there has been considerable expansion in the Prison service in this country. There are now quite a number of provincial and divisional prisons to which superior prison officers have been appointed. I might refer to Benin City, the land of the Oba. (*Hear, hear*). There are also a number of other places where superior prison officers have been appointed and they have no quarters. But I see in the Estimates something that surprises me. "Prisons—semi-permanent and temporary buildings—£13,583". Nigerian Government still building temporary and semi-permanent quarters when firms are putting up magnificent buildings in this country as a sign of faith in the future of Nigeria ? We are spending £13,583 to put up semi-permanent and temporary quarters.

There is the same thing in the Police Estimates : semi-permanent and temporary buildings—£27,918. What, in the name of goodness, do we want semi-permanent and temporary buildings for ? I do not know what these buildings are intended for and I think the days of temporary and semi-permanent buildings are gone. When the Government wants to build they must put up buildings that will last.

I am suggesting very strongly to the Government that these new Prisons Stations where Superintendents, Assistant Superintendents of Prisons are posted should be supplied with quarters. Very often they go on transfer and if they are not accommodated in Government furnished quarters they have to carry a lot of loads about. The same thing is true of the Police. They go on transfer very constantly and, therefore, they should be properly accommodated and, I would love to see these thousands of pounds being spent on temporary and semi-permanent buildings used in providing proper and suitable accommodation for them.

It is all very well to complain about the Police. I know that most of these complaints are well founded, but we have also to cater for the welfare of the men so that, if anyone of them does not do his work well everybody will blame him. I am suggesting very seriously for the consideration of the Government that all Police superior officers and all Prisons superior officers should be given permanent quarters.

A few points about the independence celebrations and beggars. What are we going to do about these beggars? When you come out of service on Sunday they flock on you and beg. When you go into the market you see hundreds of them. Are we not going to do something about this? Are we going to allow our visitors to carry away the impression that Nigeria is a land of beggars? Certainly, those who are arranging the Independence celebrations should do something about it.

It is a pleasure to note that an Economic Adviser has been appointed. Well, when his term of office expires—who will take over? I think it is advisable that a Nigerian should be appointed to understudy him. We have Nigerians who are qualified in Economics, Doctors of Economics. If after three years of understudying this man they cannot replace him then we might as well say goodbye to Nigeria. I am suggesting that a Nigerian, a capable Nigerian, with a good degree in Economics should be appointed to understudy this Economic Adviser.

Finally, I would like to congratulate the Minister of Transport on the recent announcement he made about appointing an African to the post of the Chairman of the Railway

Corporation. This has been reassuring, not only to members of the Railway Workers Union but also to the general public. The time has come when Nigerians should get into their right places and if you can get a Nigerian of the right calibre as Chairman of the Railway Corporation many of our ills in that big transport organisation of the Government shall have become a thing of the past.

With these few observations, Mr Deputy President, I beg to support the Supplementary Appropriation Bill.

Senator Hassan Rafin Dadi : Mr Deputy President Sir, in supporting the second reading of the Supplementary Appropriation Bill, I would like to congratulate the Government on the way they have strictly adhered to the financial and economic policies already promulgated at the last Budget Session. This fundamental principle of maintaining stability in the financial and economic policies of the Government is the surest way to the economic independence of Nigeria.

Sir, if you examine the Draft Estimates a little more objectively, you will not fail to be struck by the plain and honest explanation given by the Minister of Finance when he said—"The total shown in the Draft Supplementary Estimates before you shows a figure about £900,000 greater than this estimate—" Much as I appreciate this honest and true picture of the situation, I am inclined to understand that there is a deficit of about £900,000 now in the Revenue Estimates. Perhaps, this deficit will be made up by some windfall revenue in the year to the tune of £1,187,060.

Another point on which I would like to comment is the establishment of the new Ministry for External Affairs. From the events that have been taking place since the beginning of this year, like the visit of international figures to this country, the Prime Minister of Great Britain, the United Nations Secretary-General, trade missions from various countries—Hong Kong, Yugoslavia and Japan and the overseas tours of our Ministers: all these visits, Mr Deputy President, show that the ground-work for projecting Nigeria's personality in international politics is very well prepared.

[SENATOR RAFIN DADI]

We have nothing but congratulations for the Government on their magnificent achievements. The ministerial tours abroad are perfectly justified and have borne their fruitful results. It is in keeping with the declared policy of the Government to create friendly relations with all countries, to secure foreign investments, to develop freer and wider international trade on which alone depends the economic prosperity of our country.

With these few remarks, Mr Deputy President, I beg to support.

The Minister of Finance (Chief the hon. F. S. Okotie-Eboh): Mr Deputy President, Sir, I want to begin by expressing my high appreciation to hon. Senators for being so generous in praising the work of the Government and the way we have tried to carry out the financial policy of the Government which I presented to this House some few months ago. Somebody whispered in my ear that this is my lucky day in the Senate and I hope that I will continue to enjoy this striking goodluck in the Senate whenever I come to present any Bill in this House.

I think that the time will come when some of my Friends and Colleagues in the Lower House will come here and learn a great deal from the hon. Senators from the way they criticise the Government and offer suggestions. I have myself been very much educated somehow by the constructive criticisms levelled against the Government's activities by the hon. Senators in this House. It will not be prudent for me to name the leaders in this regard but I must say that it is sufficient for me to appreciate that hon. Senators have shown their magnanimity in the deliberations of Government business and other businesses that have been presented to them, and I am very grateful to them and hope that their admonitions will continue to guide our feet and make us do what we think is right for this great country as we enter the year of independence when our great country will take her place among the civilised nations of the world. (*Hear, hear.*)

I would like to begin replying to some of the points by disabusing the mind of the last hon. speaker about what he read. The quotations, I am afraid, I cannot follow. But if I got him well, he was mentioning something of a

probable deficit of £900,000. I must say that what I said was exactly what was re-echoed by my hon. and respected Friend, Senator Daldry, that apart from what we envisaged I said that £900,000 may be additional increase; not a deficit at all. I have not presented any deficit Supplementary Budget. On the contrary, I said that I am still hopeful that the surplus that we envisaged during the Budget Session will still be realised despite the fact that we have asked you to make supplementary provision. That shows the happy position of our Budget.

Although hon. Senators have made several points I do not think that I should reply to those points without bothering you. However, I would like to take some of them that are really very important and perhaps reply to the others in very general terms.

My hon. Friend Senator Somolu has mentioned the question of the Ministry of Justice in a free Nigeria. It is true that no provision has been made in the Estimates for this Ministry but I can assure him that a Ministry of Justice will be established when Nigeria attains her independence in October. This is going to be so because in our Constitution the present holder of the office of the Attorney-General is a civil servant; but as from the first day of October 1960 the office will no more be held by a civil servant but by a politician who will be known as the Minister of Justice and Attorney-General of the Federation. So that is well cared for. There is also going to be the position of a Director of Public Prosecutions, and there will also be the position of the Solicitor-General who will act as the Permanent Secretary to the Minister of Justice.

Sir, before I take the general points, I would like to thank Senator Daldry for giving a very good name for my Supplementary Appropriation Bill. He says it is reasonable, it is small and it is inevitable. I think that those words are very appropriate.

I would also like to speak on one or two points made by Senator Mrs Esan. She spoke about women being considered as ambassadors. I am all for that if we can find them, or if they can make themselves readily available. But I want to tell her that I am sure that whoever is going to make appointments to an embassy abroad will certainly take into

consideration the possibility of at least getting a lady Secretary-Typist who would type our confidential letters to and from other countries. So, in any case, she can rest her mind that in an attempt to represent Nigeria abroad, women will never be left behind. (*Hear, hear*).

As regards the question of teaching the ladies—people might of course certainly go with their wives and while they are in their offices trying to be diplomatic their wives will also be domestically diplomatic. (*Laughter*). As regards the training of women of age to read and write, I am sure that we still have our Sunday Schools where they can go and do reading and writing. Nevertheless, the Ministers of Education both in the Regions and in the Federation will do their best to see that evening classes are established for the women. After all, these women have so much to do and to think about: they have to take up their domestic responsibilities and I do not think that they will have enough time to do their studies on ordinary days, except they go to Sunday Schools.

Senator Daldry and Senator Wusu spoke about microphones. I am sure that the Leader of Government Business in this House, my hon. Colleague, Senator Majekodunmi, will look into that and take the matter up. I think it is essential and necessary in this House.

Senator Nzerem talked about inter-Regional secondary schools. I think this is also a very good suggestion and the Minister of Education will be informed of it.

As regards semi-permanent buildings; these buildings for the information of hon. Senators are not market stalls. They are almost real good buildings. For instance, if you are going to Ikoyi, when you look at the Ministry of Labour and Welfare on the left-hand side after the N.B.C. you will find some buildings there. They are called semi-permanent buildings. Those are the type that we are talking about. They are really very good buildings. In course of time when the Government finds more money to erect much more permanent structures they will be demolished and then permanent buildings will be erected in their places.

This is why we call them semi-permanent buildings; not that they are buildings that will not stand rains and storms.

The hon. Senator also spoke about beggars. I have toured a great deal in the world and I think that beggars cannot be a disgrace to Nigeria. Beggars are found in one form or the other everywhere in the world. But if there is anything that we can do about our own so that they do not molest so much the people coming in, I suggest that it should be done by the Social Welfare Department. Even in the heart of London people beg in one form or other. Some play music, and some do all sorts of things. Even in America and other places there are beggars in one form or another. But I do not think that we have anything to be ashamed of; after all by our population we have to be grateful to God and by our development Nigeria is a country really where no one is a true beggar; unless he is maimed or blind or so, in which case he is helpless and is bound to ask people to give him arms so that he may live. Many people who otherwise would have been street beggars are able to live by relying on their family connections or even by going to do small jobs like fishing and all the rest of it and that makes the position better for us. However, I think the Social Welfare Department will take great care of that.

Points have been made in connection with the Posts and Telegraphs Department. Well, allegations of inefficiency against the Posts and Telegraphs Department are becoming proverbial, if I may say so, in the country and as a result of that a departmental enquiry has been undertaken in the Department. We are informed that the report will be handed to the Minister of Communications shortly and I think that if the recommendations of the report are carried out there will be some improvement within the course of time. Hon. Senators are, however, not the only people suffering. Even Ministers of State suffer and maybe, sometimes due to atmospheric conditions in our country, the telephone becomes very disappointing on many occasions. In any case our people are doing their very best and we do hope that some improvement will result from the investigations that have been made.

[MINISTER OF FINANCE]

During the preparation of the current economic programme, certain projects were included and details given for the extent to which many projects that have not been concluded in the Posts and Telegraphs Department should be carried out. For instance, in the programme for the extension of telecommunication services, certain areas were earmarked to be given telephone service and post offices. Well, the economic programmes that we have now were clearly taken from the Sessional Paper that was referred to this morning. So, when the Minister was referring to the Sessional Paper, he was not referring to something antiquated but was merely saying this—that the economic programme that we are working now as it affects the Posts and Telegraphs Department is made out of the Sessional Paper referred to and, until this period of up to 1962, which is the period of development is over, it is impossible to bring in new villages and places which were not included in the Sessional Paper referred to. It is not that we want to go back to the old colonial system of Sessional Papers that are out-of-date, but we are just referring to something that we are still working upon.

Now, Sir, reference has also been made to Economic Planning Bodies, and while the suggestion is well taken, I want to say that we have not just appointed the Economic Adviser for the purpose of doing so, or for purpose of answering criticisms, but it is something that the Government has been working upon. For the information of hon. Senators, the Economic Adviser that the Government has now obtained is lent to us by the World Bank. He is one of the best internationally known Economic and Financial Advisers to the World Bank. You know that they have the best brains in the economic and financial field, and he is an Indian.

I think that we should be happy to hear that someone who is coming to advise us is an Indian. He is going to be lent to us and I think if I am correct—and I think I am right—his main salary will be paid by them. We are only just going to pay him some allowance or so. What you find in the Estimates is not really a salary that will be paid but is for other incidental expenses.

As regards the machinery for carrying out the economic policy of the Government, there is already sufficient machinery for doing it. We do not need to set up any other one. It will be a mere duplication. The National Economic Council is a Council set up at ministerial level. It co-ordinates economic matters for the country as a whole, every Regional Government is represented on this body, and that is one body dealing with economic matters for the whole of the country. The next one is the Joint Planning Committee. This is constituted at the official level and is assisted by professional Nigerian Economists. They prepare the business for the National Economic Council which contains every suggestion that each of them has for economic matters in the country. If our economists were sincere they could write their views and give them to these Planning Bodies which are made up of Nigerian Economists in the service and so on, and then they will co-ordinate them and present them to the nation through the National Economic Council.

It is our view that these economists need not write all their theses in the newspapers which will do the country no good as such, but they should look at things also from the practical point of view and give their views to economists of their type in the service of the Government, who will examine them and see the practicability of them all and then present them to all the Governments in the country for examination and implementation if it is necessary to do so. So you see that we have the machinery. It is already there, we do not want to duplicate it. When the new Economic Adviser comes, all he shall do will be to work with these bodies, give them the benefit of his advice and then we will implement them if they are acceptable to Government.

Now, Sir, there is the question of education. The suggestion has been made that because it is impossible to admit all children of age into the free primary schools, licence or rather a blank cheque should be given to people to open all sorts of schools. I must say that the Government would be doing the greatest disservice to the country if we were to do so. We do not know that it is impossible to admit all children of the required age into free primary schools. The information we have is that it is still possible to do so; the fact that there is a rush and some sort of congestion in

one or two places on the first or second day of registration does not mean that the children will not be absorbed. But if they cannot, then a new situation will arise and it will be examined by the Ministry of Education and all that we shall do will be to open new schools.

However, I want to say that it is still possible for anyone to open a legally instituted school in Lagos in which he can collect fees. All that the Government will do is that it will not give the proprietor grants and the fact that he does not take grants-in-aid does not mean that he cannot open schools. I am sure that Senator Wuraola Esan will agree with me that in the past people have opened schools in this country for many many years without grants from the Government, and it is still possible to do so but such schools must be properly established. It must have good teachers, qualified teachers must be employed, and the buildings must be such that could house the children adequately and not one that will perish over their heads in case there is a storm or any difficulty of any kind. All that we have done is not to allow people to open schools or evening classes for the purpose of collecting money fraudulently and without giving the necessary education to the pupils.

Sir, a point was also made about £5,890 for personal emoluments under the Ministry of Commerce and Industry. Although new posts are required for the newly established Weights and Measures Section, the overall effect of the Estimates under this Head is to show a reduction of £8,290 in the Approved Estimates for 1960-61. In fact, therefore, no additional funds are being appropriated.

Hon. Senators also made a point of Senators being given the opportunity to travel overseas. I must say that there is already a provision of £5,500 in the Estimates and as we all know Members of Parliament of the Lower House will be taking this tour during the end of this month. I have thought, and here I speak personally, that Senators are too preoccupied with other matters that they will not like to go out of Nigeria.

Several hon. Senators : No ! No ! Are we too old ?

The Minister of Finance : I will not suggest that you are too old to travel abroad. I am sure you will like to go abroad. But I have thought you will not like to fly at all.

At least some of you will not like to fly. But now that I hear "no, no" from all sides of the House it seems very clear that Senators will like to go abroad and I am sure it will be something really beneficial not only to you to contact your brother Senators in other countries that have Senates but also to see other Parliaments and for the people to know that Nigeria has now got an Upper House, (*Hear, hear*). That our Senators are intelligent, experienced and able to debate matters and that we have produced Senators that are equal to other Senators anywhere in the world. (*Hear, hear*). I believe that such a tour will be of great advantage not only to you but also to this country and to the other countries and people because they have a lot to learn from hon. Senators by your conversation. I am sure that at least we want Senator Wusu to go and show some of his beautiful gowns and Senator Mrs Esan to take some of her trinkets and gold beads to other places and if she wants a Minister to accompany her I am sure that Dr Esin will be willing. (*Laughter*). I have no fear at all that if I sign a Special Warrant for them to travel abroad that I will be chastised when I come here. I do not think I will have any difficulty.

Perhaps, Sir, the other point I would like to speak upon a little bit at length is the question of ministerial tours. I am very grateful to hon. Senators who have supported these ministerial tours. Nobody who is responsible and who has got a family will be interested in flying all over the world for the fun of doing so. It is a pleasure to fly but it is a risk of one's life to fly. Before I give further details I would like to give my experience with my officials during my last tour when we were flying to Turkey. We came to Hong Kong and tried to land. We were above the airport and trying to land for about two hours having flown for about six hours before we got there. The visibility was so bad that the Pilot was not able to land. By the time he decided he could not land and so to go to Formosa which was the nearest airport he found that he had no oil for us to reach Formosa. Then he announced to us that that was the predicament in which we found ourselves and all that was left for him was to make a last dive and see whether he could land and if he could not land God bless everybody in the plane. If you were in the plane I wonder how you could have felt about

[MINISTER OF FINANCE]

this, but thank goodness he made a last dive and we were able to land, and that is why I am able to speak to you to-day.

Well I have just given you this as an example. It is not very encouraging that when people are travelling or touring in the interest of the country other people should seek to damage them by destructive criticisms as if anybody who had wanted to tour could not pay his fare to go to these places if he were not a Minister. I think that this is destructive criticism and one is very happy that no people are better qualified than you Senators here to assess the desirability of these overseas tours. As I explained in the other House a Minister just cannot get up and say he is going overseas. A Minister, if he wants to go overseas, must make his application to the Prime Minister and state the purpose for which he is going overseas and it must be approved by the Prime Minister and when the Prime Minister has approved it he obtains the approval of the Governor-General for him to go. The Governor-General and the Prime Minister are not irresponsible people to give licence to Ministers to jump all over the world for nothing. When this approval is obtained the Minister still has to submit a memorandum to the Council of Ministers, to state why he is going on tour and how much money is required. That has to be approved by the Council of Ministers before a Minister can go abroad.

So that it is a joint responsibility of the whole Council of Ministers and no one will suggest that a Government will allow Ministers to go abroad as they like.

But there was a point made by my hon. Friend that no one says Ministers should not go abroad but that too many Ministers should not go at one and the same time. In this year hon. Senators will agree with me that the time at our disposal to make so many contacts is so short that when you consider the sitting of the House during August and the fact that we were sitting in April there was little time for Ministers to answer the many calls from overseas and that was why so many Ministers left at that time. But I am sure that the Prime Minister will not like to see many of his Ministers abroad just doing nothing. The occasion demanded it and it was our duty to answer them.

There are advantages in these tours and I would like to mention a few for the purpose of the record and for the information of hon. Senators and even people outside this House. Nigeria can develop her economy in the way her people desire only with the help and co-operation of other Nations. This is a responsible statement. We cannot develop our economy by saying that we must go to Onitsha, Warri, Jos or Sokoto. It is true that Ministers must tour these places but if we hope to develop our economy Ministers must go out to see development in other countries, make the necessary contacts to know what is the right thing to do for this country when we are independent and I am sure that no responsible man will go against such a proposition. To do this, therefore, you must go out to seek economic aid, technical assistance, foreign investment and market for our products. And you cannot do this by just writing a letter from here.

We have a lot of things to sell in this country. We want new markets. Some one has complained about the price of palm oil. It is our duty after independence to raise the standard of living of our people and we cannot do this by writing memoranda and making speeches in Nigeria. We must go abroad to find new places, new markets where we can ship our products, palm oil, cocoa, groundnuts and other things. There cannot be any increase in price unless there is competition and that is what Ministers go out to do. Nigeria cannot at present maintain overseas as large a network of permanent Economic Missions as some of the older and richer countries do. Many negotiations must, therefore, be contracted by Ministers personally.

We have just been passing the necessary votes to open Embassies overseas but hitherto we have no contacts in those places. Therefore if one wants to talk to the people one has to go there or they come to this country. We think it is advantageous to do so, economically, politically and otherwise. Overseas Organisations proposing to invest in Nigeria may be deterred by political uncertainties which only personal discussion with responsible Ministers can dispel.

When people abroad hear of Katanga or Congo or of all sorts of disturbances they are afraid. People like Senator Wusu, Senator Mrs Esan and Senator Daldry know that no investor wants to bring his money into a

country where he cannot take it away at will. They are afraid when a country like Nigeria wants to become independent. They want to bring their money. They want to be told what kind of people are in the country; the political climate and that what happens in some parts of the world will not happen here.

They want to know about Nigeria's political stability. They want to know about many other things. That you cannot do by writing letters to them, but you can go there, talk to the people there. You have the people who are interested; they have money to invest and they want to know about one thing or the other, and I think it is only reasonable that our Ministers should go and do these things for our great country.

Now, Sir, visits overseas by Ministers are not a one-way traffic. It will be interesting for hon. Senators to know that since the beginning of the year some 200 foreign businessmen have visited Nigeria and the last two years have seen full-scale tours from economic investors from the following countries: India, Yugoslavia, United States, Austria, Hong Kong, Japan, Canada, Israel. These are things that have arisen from our tours overseas, to serve Nigeria as we may call it. Two hundred businessmen every month come into this country, can you imagine what that means? It is significant.

People have helped us in the past like the banks, the Colonial Office and so on; but we are taking on our responsibilities and we must go abroad and let people know that Nigeria is not just taking on responsibility for the fancy of doing it, but we have got the men, we have got the Senators, we have got the Parliamentarians, the civil servants, and we have got the Ministers that can stand their own ground anywhere in the world, and it is only by our going there and letting them see us and our costumes, as someone has said, that it is possible that they will say, "Yes, it is a country that is ripe for independence. We will go there. We are satisfied that these are reasonable people from the contacts that we have made". And these, Sir, are some of the reasons why these tours are made.

I am sure that as time goes on not only hon. Senators, but also other people in the country, will begin to reap the benefit of these ministerial tours.

Foreign Affairs. Nigeria's independence is of greater importance to the world than was the self-Government of the Regions. Nigeria is regarded by the world as a new nation; the Regions are not. When we talk of a new nation, it is Nigeria, the Federation of Nigeria, not the Regions, and therefore the Federal Ministers are the ambassadors of this new nation to carry Nigeria abroad and to make the Nigerian personality known. Nigeria's influence in world affairs will depend both on the personality she projects and on the policies she pursues. It is important that Ministers should see as much of the world as possible for themselves so that their policies and relations with other States can be founded on personal knowledge, and not on possibly biased second-hand information.

Until Nigeria's economic status is fully and widely established, Nigeria's personality can be projected only by those Nigerians who are still overseas. It would be a pity if she were to be judged only by her students, however meritorious they may be. That is not enough, and that is why I agree with hon. Senators who said that even Senators should go abroad. I think that after giving these reasons hon. Senators will judge for themselves and decide whether the visits and the ministerial tours are right, and whether we are right.

As I have said in another place, if we do not make these tours, if we do not plan the economy of this country, if we do not do what is right for this country, we will be blamed by the self-same people, the self-same critics who now say that it is useless to make these ministerial tours. We are servants of the people and those who have dedicated themselves to the realisation of a free and independent Nigeria—economically and politically free—with her own men and women whose standard of living must be raised to the level of any other country in the world. It is our bounden duty to see to it that this duty is well discharged for the benefit of all and sundry in this country.

Question put and agreed to.

Bill accordingly read the third time and passed.

REVISED EDITION

(LAWS OF THE FEDERATION AND LAGOS)

The Minister of Transport and Aviation
(Hon. R. A. Njoku): Mr Deputy President,
Sir, I rise to move the Motion standing in

[MINISTER OF TRANSPORT]

my name on the Order Paper, that in accordance with subsections (2) and (3) of section 10 of the Revised Edition (Laws of the Federation and Lagos) Ordinance, 1958 (No. 25 of 1958), this House authorises the Governor-General to order by Proclamation that the part of the Revised Edition of the Laws of the Federation and Lagos, copies of which were laid before the Senate on 22nd August, 1960, and specified in the Schedule hereto, shall come into force from such date as he may think fit.

Sir, the Schedule is stated on the Order Paper, but I have to point out that the last line of the Schedule is amended. This is rather in the form of a Motion. Many hon. Senators will remember that a former Chief Justice of Nigeria—I do not know his name—was given permission a few years ago to undertake the revision of our laws. The last revision was done in 1948, and since then numerous amendments have been made to our laws. It became increasingly difficult to find out the true state of some of our laws without spending considerable time searching through *Official Gazettes* and other legal publications. In the Revised Edition which has just been completed all the amendments made to the Laws of Nigeria up to the 1st of June, 1958, have been incorporated.

I am sure, Sir, that hon. Senators will welcome the Revised Edition of the Laws, particularly so those of them who are members of the Legal profession. I have no doubt that I shall be expressing the sentiments of this House in congratulating the Commissioner who has performed his rather difficult task in record time, and so very ably. He has done, I think, Sir, a very magnificent job, because it is not easy to assemble bits of legislation that have been passed by the Legislature during a period of ten years or more. I think that we should all be very grateful to him for the very good job which he has done. The same goes also for the Federal Government Printer who has produced the Revised Edition in a very commendable time.

Mr Deputy President, Sir, I think I should mention that at the front cover of the new edition, in fact on each of the new volumes of the edition, there is a warning that the form of the laws contained in all the volumes is not yet authoritative until the edition has come into force by Proclamation. That is to say

that legal practitioner may not quote the laws of Nigeria by reference to these editions until such Proclamation is made.

Under the terms of the Revised Edition of the Laws the new edition can only be brought into force after the Federal Legislature—both Houses of the Legislature—have authorised the Governor-General to make a Proclamation to that effect.

The provisions of section 10, subsection 3 of the Ordinance allow the Revised Edition to be brought into force as they are got ready, that is piecemeal. We need not wait until all the volumes have been printed. So far we have received ten of the twelve volumes and it is these volumes that have been laid on the Table of this House. This motion accordingly seeks the approval of this House to bring these first ten volumes into effect.

Volumes 1-6 contain the Ordinances while volumes 7-10 contain subsidiary legislation. The new volumes are beautifully bound and will be sold at twenty-five guineas per set. In due course, Sir, Volumes 11 and 12 will also be brought before this House. These two volumes will contain all the United Kingdom Orders in Council as well as the Index to the first ten volumes and these two volumes will be brought into effect by means of a similar procedure, that is by a motion in either House of the Federal Legislature.

As I said, Sir, this is a formal motion which seeks the authority of this House for the Proclamation of the new edition of our Laws to make effective. There is nothing controversial about them and I commend this motion to the House.

Sir, I beg to move.

The Minister of Health (Hon. Waziri Ibrahim): Sir, I beg to second.

Question proposed.

Question put and agreed to.

Resolved: That, in accordance with subsections (2) and (3) of section 10 of the Revised Edition (Laws of the Federation and Lagos) Ordinance, 1958 (No. 25 of 1958), this House authorises the Governor-General to order by Proclamation that the part of the Revised Edition of the Laws of the Federation and Lagos, copies of which were laid before the Senate on 22nd August, 1960, and specified in the Schedule hereto, shall come into force from such date as he may think fit.

SCHEDULE

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ADJOURNMENT

Motion made and Question proposed, That the Senate do now adjourn (The Minister of State, Dr the hon. M. A. Majekodunmi) :

Question put and agreed to.

Resolved : That the Senate do now adjourn until 10 a.m. tomorrow.

Adjourned accordingly at twenty minutes past four o'clock.

SENATE OF THE FEDERATION OF
NIGERIA

Wednesday, 24th August, 1960

The Senate met at 10 a.m.

PRAYERS

(The Deputy President in the Chair)

ORDER OF THE DAY

NIGERIAN COLLEGE OF ARTS, SCIENCE AND
TECHNOLOGY (AMENDMENT) BILL

Order for Second Reading read.

The Minister of Education (Hon. Aja Nwachuku): Mr Deputy President, Sir, I beg to move that a Bill entitled "The Nigerian College of Arts, Science and Technology (Amendment) Bill, 1960" be now read a second time.

The staff of the Nigerian College are not Government servants but their conditions of service are based largely on those obtaining in Government. In particular, section 15 of the College Ordinance which deals with pensionable appointments provides that such appointments shall be made upon the same conditions as to probationary service, confirmation, age and conditions of retirement, gratuities and other cognate matters as if the appointments had been made to pensionable posts in the Public Service of Nigeria. Pensionable posts in the College establishment and a number of such posts are set out in a separate Schedule to the College Ordinance. This Schedule may be varied by Order of the Governor-General in Council either to include additional posts or to delete posts from it. Once a post has been included in the Schedule a pensionable appointment can be made with the approval of the Minister, and as I have stated the terms of the Pensions Ordinance governing the Public Service apply.

But whereas the Pensions Ordinance provides that a post in the Federal Public Service may be declared pensionable with retrospective effect, I have been advised that the terms of the College Ordinance do not allow a post to be declared pensionable retrospectively. The position is therefore that in Government service an appointment can be made to a pensionable post as soon as it has been approved in the Estimates and formal declaration of the post as pensionable under the Ordinance can follow.

But in the case of the Nigerian College the fact that an additional pensionable post has been approved in the Estimates is not sufficient. Before an appointment can be made to such a post it must be included in the Second Schedule to the College Ordinance.

Cases have arisen where due to misunderstanding this procedure has not been followed. The College authorities were under the impression that, once Government approval had been given to their Estimates, appointments to pensionable posts created in those Estimates could proceed as they do in Government service and be followed by subsequent amendment of the Second Schedule. The amendment proposed, if approved, would enable me by Order to rectify the cases of error which were made in good faith by the College authorities, and to apply to the College the same procedure as governs declarations of pensionable posts in the Public Service. In the case of a person being appointed to the staff on temporary terms and subsequently being offered permanent appointment, the amendment would also enable me to approve pensionable status with effect from the first appointment should that appear justified.

Sir, the amendment proposed is a straightforward measure and is designed to bring the provisions of the legislation governing the procedure for making pensionable appointments in the College into line with the practice in Government service.

Mr Deputy President, Sir, I beg to move.

The Minister of Transport and Aviation (Hon. R. Amanze Njoku): Sir, I beg to second.

Question proposed.

Question put and agreed to.

Bill accordingly read a second time and committed to a Committee of the whole House.

Bill immediately considered in Committee.

(In the Committee)

Clauses 1 and 2 agreed to.

Bill to be reported.

(The Deputy President resumed the Chair)

Bill reported, without amendment, read the third time and passed.

CITIZENSHIP AND LEADERSHIP TRAINING
CENTRE BILL

Order for Second Reading read.

The Minister of Education (Hon. Aja Nwachuku): Mr Deputy President, Sir, I beg to move that a Bill entitled the Citizenship and Leadership Training Centre Bill be now read a second time.

Hon. Senators are aware of the existence of the Man O'War Bay Training Centre and of the valuable work it is doing in preparing our young people for responsibility as citizens and for leadership. The Centre, which is a Federal Institution, has been in existence for 10 years and the purpose of the new legislation is in the first place to accord it proper status so that the organisation of the Centre may be placed on a firm footing and in the second place to give it legal authority to receive funds from the Federal Government in accordance with the terms of the Finance (Control and Management) Ordinance of 1958. To do this it must become either a Government Department or a statutory body. The inaccessibility of the site and the specialised nature of the training carried out would make it most inconvenient to treat the Centre as a Government Department. We have accordingly come to the conclusion that it should become a statutory body.

There is some uncertainty about the political future of the Southern Cameroons where the Centre is located. The Southern Cameroons Government has stated that, while it is sympathetic to the aims of the Centre and would welcome its continuance at its present site at least until next February, it would wish to reconsider its final attitude when the result of the plebiscite is known. And, of course, the Federal Government would also like to reconsider its own attitude in the light of the outcome of the plebiscite.

The possibility that the Man O'War Bay Training Centre may be required to move from the Southern Cameroons has been taken into account in drafting the Bill and consequently, the title of the Bill does not contain the name "Man O'War Bay Training Centre", nor does the Bill specify the location. It is proposed that legal existence should be given to a Training Centre which will carry out the objectives of the existing centre, namely,

training in citizenship and leadership regardless of where it might be situated. Clause 3 of the Bill provides, therefore, for the legal establishment of a Citizenship and Leadership Training Centre in an unspecified location. Should it become necessary for the Centre to move, it would still have legal existence in an alternative location under the terms of this Bill.

The Training Centre has been declared a charitable organisation. This clause has been inserted because it is possible the Centre will in the future attract donations or other forms of financial assistance from sources outside Nigeria interested in the welfare of commonwealth youth. It is not unlikely that such donations would be channelled through organisations legally empowered only to contribute to Institutions which are by law declared to be charitable.

Clauses 4-10 provide for the establishment of the Training Centre Management Committee as a body corporate and also determines its membership and committee procedure. Clause 4 (3) (a) provides for representation on the committee by the Regional Governments but does not include a Southern Cameroons nominee. However, an additional member has been provided for in Clause 4 (3) (f) so that a nominee of the Southern Cameroons may be appointed should that Government continue to be associated with the Centre.

Clause 11 defines the powers of the Committee. It will be noted that, although Clause 11 (b) empowers the committee to acquire land, no powers of compulsory acquisition have been written into the Bill.

Clauses 12-15 govern the financial arrangements for the Centre. The Committee of the Centre will, on the passing of this legislation, be legally empowered to receive funds in accordance with the provisions of the Finance (Control and Management) Ordinance No. 53 of 1958.

Clauses 16-22 concern the appointment and discipline of staff and the payment of Pensions and Allowances. The Bill provides for the Management Committee of the Centre to assume responsibility for the existing staff of the Man O'War Bay Training Centre; it provides also for the payment of pensions, etc., to such staff from Federal Government funds. It will be noted that Clause 17 (1) empowers the

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Committee to determine the conditions of Service upon which pensionable appointments may be made. However, the Committee is, of course, subject to my direction and the terms of service will normally be those in force in the Federal Public Service.

Clause 23 empowers employees of the Centre to enter upon unenclosed land for the purpose of carrying out its training programmes. It further empowers the Committee to pay compensation for damage caused in so doing. Members will be aware that the training given by Man O'War Bay includes such rigorous tests of endurance as the climbing of the Cameroons Mountain. Similarly, much of the other training is given on land now owned by the Centre.

Clause 24 validates all payments made in the past to the Man O'War Bay Training Centre and all acts done by its committee in the running of the Centre.

Sir, this Bill has already received the approval, of the House of Representatives, and, indeed, was welcomed by that House. I trust, Sir, that it will be similarly welcomed by this hon. House.

Mr Deputy President, Sir, I beg to move.

The Minister of Transport (Hon. R. A. Njoku): Sir, I beg to second.

Question proposed.

Senator M. G. Ejaiife: Mr Deputy President, Sir, the Man O'War Bay Training Centre attracted notice some time ago when it was announced that one boy from Government College, Warri, was lost on an exercise there, but later on we discovered that the Man O'War Bay Training Centre was a place where boys were trained to harden and become good leaders and to learn citizenship. I myself had the privilege of sending two boys to the Man O'War Bay Training Centre and one of the boys came back and gave very glowing descriptions of it and I thought it was a very good thing indeed that those boys went there. I think it is a good thing for our Government to recognise the good work done by a body like that but I am not quite sure that that is sufficient reason why Government should assume responsibility for financing an institution of that kind.

The reason given here is that for ten years now there has been such an institution and therefore we should now give it recognition by assuming responsibility for financing it. Also we are being called upon to validate certain payments which were made before Man O'War Bay Training Centre ceased to be. The reason I am not very happy about this is that I think we have the same type of training in our various training colleges for boys and girls. Training is given in citizenship and leadership to boys and girls. Citizenship is being taught and leadership is being imparted to people who undergo specialised training in various other colleges and training centres. I think people are being taught civics and leadership. I do not, in any way, underestimate the value of the type of training which is given to boys who attend this Centre.

But I do not know that this is altogether justifiable that we should form a special committee and assume financial responsibility to the extent of making retrospective payments or to validate payments which have been made before, when this body was not statutory. I am not intending to obstruct the passing of this legislation, but I do hope we shall be satisfied that the purposes which have been served for many years by the Man O'War Bay Training Centre and which will be served in future by the Leadership and Citizenship Centre are not also in fact to be served by institutions like this. I refer once more to boarding schools and police colleges, army colleges and other centres, and even to the scout movements. I think you will find that a voluntary body has been doing this work, giving this service to this country. In our opinion this should not be sufficient justification for turning this into a body corporate and giving it a status which would make it a centre for payment from Federal sources from time to time. Already it is a voluntary body and I personally would prefer that it is left as a voluntary body to which Government, as in the past, could make a few grants.

The Minister also indicates that it is to remain a charitable organisation. I think that ought to be the true position, it should be a charitable organisation and not a statutory body as it is going to be because that would oblige us to finance it from time to time. As I say, I am

not going to oppose it, but I do hope the Minister will explain, in fact justify the creation of this centre into a statutory body.

Senator Chief Ezeogo Ugwuocha : Mr Deputy President, Sir, I wish to register my profound appreciation to the Minister who has introduced this Bill to this hon. House this morning.

The Training Centre which has already existed in the Cameroons is a sort of centre where the people who are selected to be trained there go to know themselves. In introducing this Bill it boils down that, in future, Nigeria which has been designated North for North, West for West and East for East should try to reorganise itself. I think that is the essence of introducing this kind of legislation in that boys and girls go to study there, train in that centre, they go there to know each other and that is what we are praying. That is what all of us should take into consideration. It is now high time that the people in the West and East should try to know each other in a way that we would become one Nigeria.

I should like it if the Minister, when appointing members to the committee, would take into consideration to appoint one from the North, the East and the West. This Bill is non-controversial and it is a very welcome one. Mr Deputy President, Sir, I beg to support.

Senator Olajide Somolu : Mr Deputy President, Sir, I join to welcome the introduction of this Bill. I only want to call attention to two sections which I think contain very important but dangerous provisions and I seek from the Minister who is responsible for this Bill very coherent explanations on the points I intend to put before this House. I hope that I shall be satisfied on the points otherwise at the Committee stage I might be compelled to move some amendments to this Bill.

I intend first of all to call attention to the clause which provides for entry into any land for the purposes of making use of such land to further the objects of the Training Centre. The section says that the committee shall give notice to the occupier of any land of the

intention to enter and also provides for compensation in respect of whatever damage may be done. But I note that the word "occupier" in that section is not contained in the interpretation clause of this Bill. Now, who is an occupier? A man can own a vast area of land in, say, Jos. He may not physically occupy it, he may not have any family on it, he may be living in Lagos, or at Enugu or in Czechoslovakia. If there is no occupier what of the owner? Is the owner not entitled to compensation for any damage? Or is he going to be deprived of that compensation simply because he is not in occupation? I would want an assurance from the Minister that the word "occupier" as used in this legislation also includes "owner". And if necessary I would implore the Minister to include in his definition in the interpretation clause what he means by "occupier".

Now the second point I wish to make relates to compensation. What rate of compensation? Who is going to determine it? Is it just going to be a capricious agreement of the Minister or the Committee. Suppose the owner or the occupier of the land is dissatisfied with the rate of compensation, what is his remedy? Can he go to Court or is he going to go on his knees to the Minister or the committee. In all other Ordinances, in my experience, where compensation is made for the compulsory acquisition or use of anybody's land, a provision is always given in relation to the Public Lands' Ordinance, No. 185 of the Laws of Nigeria. But in this case they just say "compensation". I wish to be assured by the Minister that this is not going to be a source of oppression on the common people. Already we have too many regulations, too many administrative actions being carried out to the detriment of the common man. Here in this Bill we have a sort of blank cheque being given to the Minister or the Committee responsible for the Training Centre, which is going to be a source of unending litigation.

Now, the section already referred to by a previous speaker which deals with ratification of all expenses incurred and all acts done by the committee before the passing of this Bill—I fear, Mr Deputy President, that this is also a dangerous provision in this Bill, and I would welcome an assurance from the Minister in respect of "all acts done" by any committee on behalf of that Training Centre before the

[SENATOR SOMOLU]
 passing of this Bill. What have they done that this House knows about? We are not aware of what they have done. Supposing they have committed some illegal acts there for which either the individual or the committee might be prosecuted, whether in the civil court or in the criminal court? We know of no such thing. But here we are being called upon to ratify "all acts done before the passing of this Ordinance"!

Mr Deputy President, Sir, I would not need to take the time of this hon. House, but I think that these provisions to which I have already called the attention of the House are dangerous, and I implore this House not to steam-roll this legislation with these dangerous provisions just because we are in a hurry for time or just because the Government wants this legislation passed. If we do, generations to come may have to blame us.

Senator Alhaji Abubakar Bale : Mr Deputy President, Sir, in connection with all the sections of this Bill now on the Table, I want to call the attention of hon. Senators to two points. In the first place, it is understood that the Southern Cameroons will be separated from Nigeria after the 1st of October; and in the second place it is understood that there is a proposed plebiscite to take place next year. Because of these two points, I think, and I appeal to the hon. Senators that this Bill should be deferred now until next year so that we may know what the result of the plebiscite will be.

There are lots of things to be considered, most of which have been touched upon by the last speaker, and which I feel are very important and deserve to be looked into. The compensation which was referred to by the last speaker: if it happens that the Southern Cameroons separates from us, there are lots of promises being made on that piece of land which will be acquired by the Government of the Federation of Nigeria for the purpose of training our men of tomorrow. But if we wait, after that period we will be able to know which way to follow.

There are dangers, of course, in passing this Bill at this moment, and I shall be glad if hon. Senators will take what I have just said into consideration and defer this Bill until next

year when we will be able to see which way to follow, and not to commit the Government of the Federation of Nigeria at this moment. What if after two months we see that that sum of money is going from us?

With this, Mr Deputy President, Sir, I would like Members to defer this Bill until next year.

Senator Chief O. A. Fagbenro-Beyioku : Mr Deputy President, Sir, this is one of the first of a series of social legislations to come before this honourable House, and I would implore this House not to be carried away by any form of legal technicalities.

Also, Sir, this appears to me to be something of socialism versus conservatism. We all know what is the plight of young men in this country now, and we all know what is the danger facing Nigerian citizens now. Many a time we make remarks that our young men are going astray, that there is lust for money without the will to work, that the moral standard in the country is deteriorating, that we are not getting the best from our people; and then on the 1st of October we shall be a free people, and then there shall be no guiding hand of Britain any longer; Nigeria will be what we make of it.

We are not the Nigerians: the people to come after us are the Nigerians. They are the people we are working for now and if, right from now, we do not start to give them the training which will place them in good stead in the future, but we start to sidetrack issues, Mr Deputy President, Sir, I do not know where we are going.

I do not think it is humanly possible or physically possible for this honourable House to say that we want a detailed statement of what the Man O'War Bay Training Centre has been doing for the past ten years and we want to go into it line by line, inch by inch, one for one, two for two. There are several pieces of legislation we have passed in the past without bothering ourselves with their details.

We trust the Council of Ministers. We know too that the Council of Ministers are responsible people and they would not lend their support to anything which will commit this country or which will bring this country into grave disrepute.

I feel it is the duty of this House (this Bill being one of the first of a series of social legislations to come before us) to welcome it with open arms and see that we all play our part in seeing that this legislation proves a success.

The only observation I would like to make in this, Sir, is that in the training for citizenship and leadership, we must start right now to project the Nigerian personality; we must try to introduce Nigerian customs and Nigerian culture. There are many evil customs and evil practices we have inherited from civilization. Civilization has brought into this country most of the unwanted situations which we are now facing. They are the result of civilization. Whereas, in our own customs, as Nigerians, we have the counterpart of those things which we have copied from civilization which, if applied and developed and infused into our youngmen, will make Nigeria a better race, a race from which people from the Western hemisphere will have to copy. That is just my own idea, Sir. We must have to make sure that when we send our young men to the Man O'War Bay it is not just to keep telling them what is happening in Britain or training them on the British pattern or the American pattern, we must try and mould them to make them feel that they are Nigerians, that they have a background and so should walk with their heads forward having at their back that great tradition of Nigeria. In doing that, I feel that the Principal of the School should be a Nigerian educationist of high repute and a Nigerian educationist who knows more about Nigerian culture and Nigerian practices. It is only by that that we will be able to infuse into our young men Nigerian practices and they will be able to shake off most of the evils which civilisation has introduced into this country.

The second point I observe is that in the composition of the committee we have representatives from the West, from the North, and from the East. What of Lagos, Sir? I thought it was the general understanding that in most of these committees the Federal Territory must have a seat as such. I am now asking the Minister of Education to consider awarding a seat to Lagos as such; not that somebody from Lagos will be appointed under clause (f) or clause (c) but it should be stated in the same way as there are representatives

from the North, East and West. There should be a representative from Lagos too.

I have this suggestion to make about the proposition also. I should have felt delighted if the Boy Scout Commissioner and Girl Guide Commissioner in their official capacity were made members of the committee. I say 'in their official capacity' because the Minister may overlook them and if he places them for a term on the committee the next time he might not feel inclined to place them on it. But these are the people who have direct contact with our young men and who have a lot to do in the building of real citizens and leaders in this country. The two Associations are the Boy Scout and the Girl Guide Associations. The two Commissioners must be members of that committee in their official capacity.

I think, Sir, those are the few remarks I have to make about this very important legislation and I will implore all hon. Members that we should not leave for tomorrow what we should do to-day. We are not and we should not be like *Rasselas* of Dr Johnson—"All ye who pursue with eagerness the fathom of hope". No, we are not pursuing the fathom of hope but we are realistic and in our realism we shall gain what we want—a strong and virile Nigeria.

Sir, I support.

Senator S. Eytayo : Mr Deputy President, Sir, those who are legally qualified to go into the different aspects of the Bill have done so but I am a layman and, therefore, I am making my contribution as a layman. The point I want to stress is that this country needs a centre for the training of our leaders for the future and that is the reason why I am supporting this Bill.

If you go out into the country you will find that, due to no training in citizenship and leadership, many things go amiss. For instance you find a lot of people denying themselves some amenities and thinking that it is the duty of the government to provide them with these amenities. Now if there is training in citizenship and leadership, most of these amenities can be provided by the people themselves. For instance, in the Western Region there is a camp called the Sha-Sha Training Camp. I know a lot of people who have gone there and have returned to their local people and have done many things which are now of use to

[SENATOR EYITAYO] them. There are several villages in my own area which have not been connected by road before but as a result of these people who went to this Sha-Sha Training Camp and returned to their community and have by their own initiative gathered the people and talked to them about the necessity of connecting these places by road, the villages have now been connected by roads.

Well, I think, if there should be a centre for training citizens and leaders it should be one that should be provided by the Federal Government. That is the reason why I am supporting this Bill. No amount of money that we can spend on this can be called wasteful. Surely it would not be called wasteful.

The other aspect I want to consider is representation in the committee but Chief Fagbenro-Beyioku has mentioned a lot of what I should have said. Therefore I am not going to repeat myself here. Sir, I support the Bill.

Senator H. N. Udoh : Mr Deputy President, Sir, I wish to congratulate the Minister of Education for bringing up this Bill as he has done. Before I support the Bill I have a few observations to make.

Mr Deputy President : Order, order, yesterday you know that there was a complaint that Senators do not speak aloud. I think we shall have to raise our voices. It seems to me that people forget that here we are old people.

Senator Udoh : We dress gallantly and so they forget our age ! Sir, I have a few observations to make. I feel that the sooner we begin to clear ourselves out of the Cameroons the better. In many things we have tried to bring the Cameroons to the limelight to associate with them but the nearer we go the farther they run away from us. It does not appear to me that there is no other place, apart from the Cameroons, where the Training Centre can be established. If it is on account of the Cameroons Mountain we have the Plateau Hill. People can run up the hill if that is the only thing that will provide special training for our citizens and leaders of tomorrow. The Man O'War Bay has nothing credited to it to make it the most suitable training centre unless on account of the light-house and I think we have one here. I am saying this from practical experience.

Sir, this is one of the things of which we spoke here some time ago regarding the training of our people in citizenship, leadership, and sense of responsibility. We are now getting nearer home and I congratulate the Minister of Education. But I hope that in making his curricula for the training the chances should not only be for A.D.Os and D.Os. The chances should be extended to Councils which will send in their own people for the training. After all A.D.Os and D.Os have a small place to cover but if this opportunity is extended to the Councils, I think the country will derive much more benefit.

People so trained should be made to understand that when they acquire the knowledge they should not keep it within them, they should acquire the knowledge and teach others both practically and theoretically. Mr Deputy President, Sir, I am suggesting not being sure of the position of the Southern Cameroons, that the Minister of Education should devise every possible means to get other places in Nigeria either in the North, East, West or in Lagos. A place should be found in Nigeria and let the Cameroons please themselves.

With these few remarks, Mr Deputy President, I support the Bill with all the emphasis at my command.

Senator Chief Z. C. Obi : Mr Deputy President, Sir, I rise to support the passage of this Bill. This is one of the Bills that the Minister of Education submitted to the House of Representatives for which he was given praise from both the Opposition and the Government. I do not think that there is any need at all for this House to show any apprehension over the passage of this Bill. I think we would rather be throwing some advantages away by being too cautious over this Bill. This is something that has existed for the past ten years under a foreign Government and, I am sure, it would be unwise now that we are attaining independence to reject the advantage.

Mr Deputy President, Sir, I support the passage of this Bill.

Senator H. O. Abaagu : Mr Deputy President, Sir, leadership training, I think, is one of the indispensable institutions in the present day Nigeria. Hon. Senators will remember that very recently two Regional

Governors took part in this course, and in the Northern Region attendance at this course is one of the qualifications for appointment of Civil Servants to the Administrative Section of the Region's Public Service so, the training scheme is very important. What I would ask the Minister to do is to forget about the Cameroons. The training institution must be a lasting one; it is only when we have a temporary institution that the Cameroons should be considered.

I am, therefore, suggesting that we should look around Nigeria and get a site for the leadership training. We have better places in the country and I would suggest the Bauchi Hills in the Northern Region, the Kukuru Hills in Afenmai Division of the Western Region or the Obudu Hills in the Eastern Region which are a continuation of the Cameroon Mountains. These places are not very useful to anybody and, therefore, they can be comfortably used by the Federal Government for this course. I think it is a very important institution and a very good site should be found in Nigeria for this type of training.

Sir, I beg to support the Bill.

The Minister of Education (Hon. Aja Nwachuku): Mr Deputy President, Sir, I do not think that the aim of this Bill is to evoke a debate on the present position of the Southern Cameroons. What the Bill seeks is embodied in the present Bill and many hon. Senators have spoken in favour of this Bill.

Senator Ejiafe opened with a very sympathetic story of a boy who got lost when he was doing his course there. All of us are very sorry to hear of this case but I think it is one of the risks of this rigorous training—the Man O' War Bay. It is not peculiar to Man O' War Bay alone. They all go there for the course but unfortunately one of them might get lost. It is a thing that obtains all over the world where you have such training and the Principal or whoever is in charge will not be happy to see that one of the trainees got lost. He continued to say that he thought civics now being taught in schools replaces the necessary training at Man O' War Bay. I do not think that is true. At the Man O' War Bay Training Centre they do different courses that will enable one to be a good leader and a good citizen and, also, to endure hardship.

I think if the civics provided for this course is taught in schools it will be at a very primary stage. Grown up people are required to go to Man O' War Bay Training Centre to increase whatever training they might have had while in school. Giving the financial assistance which he suggested to some voluntary organisations is outside the principle of this Bill. I would like hon. Senators to check up and find their comments on the Bill laid on the Table of this hon. House. It is not a question of bringing foreign or strenuous matters into the Bill which cannot be traced or found in any section of the Bill being debated.

Senator Ugwuocha spoke in praise of this Centre. I am thankful to him as I am to others who have seen the wisdom in introducing this Bill. Senator Somolu played the part of an alarmist. Everything in the Bill was dangerous. He used this word 'dangerous' so often that he was tempted almost to say that the sitting this morning is dangerous. There is nothing dangerous in this Bill. This Bill does not stop anybody going to seek redress in any Court of law if the compensation is not adequate enough. But I am sure that the would-be members of this committee proposed in the Bill will be men whose names inspire confidence, and men who would not like to deny the compensation which is adequate to any owner of a land being occupied by the trainees of the Man O' War Bay Training Centre. He was talking of owner and occupier. As a lawyer he might have his idea of these two words, but the owner can be the occupier. It is not bad if there is a case like this. However, if there is anything done unsatisfactorily in the way of compensation the owner or the occupier can go to the law court and seek redress.

But I should think that ordinary notice is sufficient if given to the owner of the land where the trainees are going to have their training during that period. It does not mean that when the trainees enter into any unoccupied land they will claim the occupancy of that land. It is only a question of going outside the compound or the premises of the present Man O' War Bay Training Centre and doing some of the activities—climbing, running, swimming and sometimes wrestling. In whichever capacity they find themselves apart from the compound the owner of the land they propose

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without excuse or permission from the Chair his seat will be declared vacant. So, it is not uncommon in other legislations of ours that this is the condition which governs the attendance of any Committee or the Legislature. If a member is sick and therefore absents himself from two meetings that should not be a cause why he should cease to be a member but if he chooses not to attend the meetings without prior permission from the Chairman, his seat will be declared vacant. A member loses nothing by writing to the Chairman to say that he will not be able to attend meetings and if the Chairman is satisfied with the reasons he adduced, his seat will not be declared vacant.

Clause 7 agreed to.

Clause 8.

Senator M. Sanni O. B. Okin : I want to talk on subsection 7 of this Clause, Sir. I think this particular subsection is violating the provision laid down in section 5. We are made to understand that co-opted members will not be allowed to vote but, supposing a member who is absent appoints a person to preside over the meeting and the person so appointed happens to be a co-opted member, in that circumstance he will be allowed to vote. I would like the Minister to explain the position.

Clause 8 agreed to.

Clause 9 agreed to.

Clause 10.

Senator Okin : I am speaking, Sir, on the first subsection of this Clause. I suggest that the standing orders may at any time be amended or revoked by the Committee subject to the approval of the Minister. Well, I say 'subject to the approval of the Minister' because I see that the standing orders are made in a way that will not be quite inimical to the interest of the Minister and this may upset the whole position.

Clauses 10 to 25 agreed to.

Schedule agreed to.

Preamble agreed to.

Bill to be reported.

(The Deputy President resumed the Chair)

Bill reported without amendment, read the third time and passed.

Sitting suspended : 11.25 a.m.

Sitting resumed : 11.55 a.m.

FOREIGN JUDGMENTS (RECIPROCAL
ENFORCEMENT) BILL

Order for Second Reading read.

The Minister of Transport and Aviation (Hon. R. A. Njoku) : Mr Deputy President, Sir, I rise to move that a Bill for an Ordinance to be cited as the Foreign Judgments (Reciprocal Enforcement) Ordinance, 1960, be now read a second time.

This Bill is designed to repeal and to re-enact, with certain amendments, the existing Foreign Judgments (Reciprocal Enforcement) Ordinance, which was passed in 1935. The Ordinance is to make provision for the enforcement of judgments given in certain countries abroad to be enforced through our courts in Nigeria and for similar reciprocity to be given to judgements given by the courts in Nigeria in those countries to which we accord such a privilege.

The existing Ordinance was enacted for the purpose of making provision for the enforcement in Nigeria of judgments given in those countries which accord reciprocal treatment to judgments given in Nigeria. If I may cite as an instance, Sir; if somebody, say, from France is sued in this country and judgment is obtained against him, say, for recovery of a debt, and before the money is paid he leaves Nigeria and goes into his own country, it is only if we have such a law and if such an arrangement exists between this country and France that the judgment can be enforced through the courts in that country. That is the sort of arrangement which this Bill seeks to make possible by way of law.

As I was saying, Sir, although the law was passed in this country many years ago, it was never brought into force because, subsequent to the enactment of the Ordinance, difficulties arose in the operation of the United Kingdom Act upon which the Nigerian Ordinance was based and it became clear right from then that certain amendments were necessary in the case of the Nigerian law. Now the resolution of these difficulties has been a very lengthy process because of the legal complications involved and this took a lot of consultation between the various countries concerned before these complications could be cleared up.

Agreement has now been reached as to the various points which were raised during the negotiations and the consultations, so that the United Kingdom law itself has been amended to take into effect the agreements which have been reached. I am sure that this honourable House would also like the Nigerian legislation to embody the agreements which have been reached between the countries concerned by means of suitable amendments.

I should mention that the existing Ordinance does not appear in the "Revised Edition of the Laws". This is because it was never brought into force in this country. It was therefore necessary that a new Ordinance should be passed and that is why this new Bill is before this House. It is almost exactly the same as the law which has been passed before which it seeks to repeal, but it embodies amendments which have been rendered necessary by the consultations which have taken place.

Perhaps I can mention that these amendments refer to such matters as the definition of judgments, whether judgments should be confined to decisions of the courts as such, or whether judgments should also cover awards which are given by arbitration.

There is one further point also, mainly whether the law when passed should apply to judgments which have been given before the passing of the law, or whether it should be confined to subsequent judgments. On all these points agreement has been reached by all the countries concerned and these have been included in the present draft Bill.

This is a technical Bill and is non-contentious. I commend it to this House. Mr Deputy President, Sir, I beg to move.

The Minister of Health (Hon. Waziri Ibrahim): Mr Deputy President, Sir, I beg to second.

Question proposed.

Senator Olajide Somolu: Mr Deputy President, I agree with the hon. Minister that this is a non-contentious Bill; more so because it is highly technical. It seeks to supply a long-felt need, particularly among the members of the commercial community. But there is one point to which I wish to call the attention of the Minister and I think he may wish to give it consideration either at this sitting or subsequently.

This is in respect of the fact that the judgments referred to in this Bill are judgments of superior courts of record. But whereas that may very well be so, it is difficult for me to reconcile the section that deals with judgments given in the superior courts in Nigeria and at the same time exempts a certain type of judgment of that superior court because it says "...any judgments of the superior court, other than judgments of such a court given on appeal from the court which is not a superior court,..."

If I may by way of illustration explain what I mean. Suppose "A" takes an action in the High Court of Lagos and he obtains a judgment. Now that judgment can be enforced in a foreign country to which this Ordinance may later on be applied. But supposing he takes an action in a Lagos Magistrate's Court and he fails, he goes on appeal to the Lagos High Court and he wins. Now, by the interpretation which I put on this portion which exempts all judgments other than the judgments of such a court given on appeal from the court which is not a superior court, in this latter instance "A" cannot take advantage of this Ordinance, and I think it is something like an encumbrance on the law of justice. I would want the hon. Minister to look into it. Perhaps he can give me some explanation why that section is so.

The Minister of Transport and Aviation: Mr Deputy President, Sir. The simple answer to this point which has been raised by Senator Somolu is that when an inferior court gives a judgment if that judgment is exempt or excluded from the provisions of this Ordinance it will have to be seen whether the judgment is appealed against or not. It is a question of original jurisdiction. If the matter is such in which the original jurisdiction is listed in the Magistrate's Court then it remains so, although the judgment of the Magistrate's Court may be appealed against to the High Court or Federal Supreme Court.

So I do not see anything arbitrary about this. The fact that the matter goes to another Court does not change the question of original jurisdiction. If the provisions of this Ordinance were to be extended to judgments given on appeal from an inferior court then the provisions would be extended to the entire

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judgment of these inferior courts whether they are appealed against or not. That is the reason why such provision is made.

I appreciate the point that the Magistrate's Court, which includes also the Court of the Chief Magistrate, could have jurisdiction on several matters, the extent of which is not inconsiderable. The jurisdiction in terms of money may run up to five hundred pounds or more. For such a case I can see the reason in suggesting that judgments in matters of that size dealing with sums of money of that size may be considered for inclusion.

But, as I said in my speech introducing the Bill, this is a matter for all the countries concerned to agree upon. At the same time, as my honourable and learned Friend, Mr Somolu will agree, the judgments we are considering are restricted to those which are given by the superior courts of record in the various countries concerned, and this is the reason why in this Bill such provisions have been made that are in accordance with the practices in those countries.

Of course, there is no reason why, if the usage of it so demands in future, such a jurisdiction should not be increased to cover some of the cases which have been referred to.

Question put and agreed to.

Bill accordingly read a second time and committed to a Committee of the whole House.

Bill immediately considered in Committee.

(In the Committee)

Clauses 1 to 14 agreed to.

Bill to be reported.

(The Deputy President resumed the Chair)

Bill reported without amendment, read the third time and passed.

NIGERIAN RAILWAY CORPORATION
(AMENDMENT) BILL

Order for Second Reading read.

The Minister of Transport and aviation : (Hon. R. A. Njoku): Mr Deputy President, Sir, I rise to move, that a Bill for an Ordinance further to amend the Railway Corporation Ordinance, 1955, be now read a second time.

Sir, this Bill is short, simple and, I hope, non-controversial. The general policy of the

Federal Government is to place Nigerians in policy-making posts in the various Statutory Corporations (*Hear, hear*), but only to appoint expatriate technical experts to chief executive posts where these cannot be filled by Nigerians.

The Electricity Corporation is an example of such a case where the appointment of a Nigerian to the chairmanship has proved very successful.

As hon. Senators are already aware, the qualifications at present required of the Chairman of the Railway Corporation are that he should be a person appearing to the Minister to have had long and wide experience of railway management. This provision was, no doubt, necessary at the time when the post of Chairman as well as that of General Manager was vested in one single individual. But now that the two posts have been separated, this requirement or qualification is considered no longer necessary.

The object of this Bill, therefore, is to make it possible for appointment to the chairmanship of the Corporation to be made of a person who does not necessarily have railway management experience, and this will make it possible for a Nigerian to be appointed the Chairman of this Corporation. (*Hear, hear*).

Hon. Senators will also be pleased to hear that I am considering ways and means of strengthening the Railway Corporation by the appointment of suitably qualified and experienced people to its membership.

I am quite sure that hon. Senators will approve the present move which is being made by this Bill so as to make it possible for a Nigerian to be appointed the Chairman of the Corporation.

The Railway Corporation has been in the news for some time now, and it is hoped that the appointment of a Nigerian suitably qualified will go a long way in the proper running of the Corporation and also in the raising of the morale of members as well as of the staff of the Railway Corporation generally.

As I said earlier in moving this Motion, this is a very simple Bill which I have very great pleasure in commending to the House.

Sir, I beg to move.

The Minister of Health (Hon. Waziri Ibrahim): Sir, I beg to second.

Question proposed.

Senator Chief Ezeogo Ugwuocha : Mr Deputy President, Sir, I am glad that the hon. Minister has made it clear to us this morning that a Nigerian will occupy the post of Chairman of the Railway Corporation. But I will sound a note of warning. We all speak here of Nigerianisation of the Civil Service. Those who are within the service should take note that we want the real people—people who will not disregard the interests of the laymen outside the service. We do not want people who will say, "Since I am a Nigerian, I can do anything I like". We want the real people.

That is my only observation, Mr Deputy President, Sir. I beg to support.

Senator Chief O. A. Fagbenro-Beyioku : Mr Deputy President, Sir, this Bill has come a little too late and it has been given a fitting welcome in this House. Sir, the question of combining the functions of the General Manager and those of the Chairman in one person has proved dissatisfactory and unsuccessful in this country. In this matter....

Mr Deputy President : Order, order, the Bill deals only with one subject and that is with Chairmanship and not General Manager.

Senator Chief Fagbenro-Beyioku : Sir, the original Bill invested the powers of the Chairman and the General Manager in one and only one person. But now we are amending it so that we might be able to have a separate Chairman and a separate General Manager. Sir, that is the position we are in now and for this matter we have to congratulate the Nigeria Union of Railwaymen. I think this is an opportunity for those doubting Thomases and those who do not believe in the functions of trade unions to know what trade unions can evoke in this country.

The Minister of Finance (Chief the hon. F. S. Okotie-Eboh): To call out workers on strikes!

Senator Chief Fagbenro-Beyioku : And then what follows? It made you change your minds. Well, Sir, if there had not been the December demonstration which resulted in the imprisonment of some trade union leaders perhaps the Government would not have thought it fit to make this necessary alteration and present this Bill before this House. In any case, it has come and I have to congratulate

also the Minister of Transport and Aviation for giving due consideration to what should be considered.

As Senator Dr Orizu remarked when we were discussing matters relevant to the establishment of the Foreign Office, I think the successful Minister is the Minister who serves the minds of the people, gets to know what the people want and presents the people with what they really want. And that is what the hon. Minister of Transport has done.

I am sure the Minister of Transport will give similar consideration to the same amendment in the Nigerian Ports Authority Ordinance the sister corporation of the Nigerian Railway Corporation. Reference was made to the E.C.N. where already the order has changed. But at the moment we still have the functions of the Chairman and the General Manager vested in one person as far as the Nigerian Ports Authority is concerned. This is undesirable and I hope the time.....

Mr Deputy President : Order, order, we are now on the Nigerian Railway Corporation.

Senator Chief Fagbenro-Beyioku : I am sorry, Sir. In any case, I think he will give consideration to that. This Bill, I agree, is not a controversial one and we all welcome it and shall be happy to see it passed into law.

Senator E. A. Lagunju : Mr Deputy President, Sir, we all agree that this is a non-controversial Bill. It is interesting that we are doing all we can to Nigerianise most of our Ministries and Departments but I sincerely hope that in our effort to Nigerianise we shall not overlook important issues.

One thing that strikes me is that the appointment of the Chairman of the Nigerian Railway Corporation is vested in the Minister. I sincerely hope that this implies that the Minister will do so in consultation with the Council of Ministers or possibly in consultation with the Board of Directors. But I think that this power is rather too extensive. I am not trying to suggest that the Minister will misuse this power but I sincerely hope that the whole thing will be done in consultation with some other people, either the Board of Directors or the Council of Ministers

With these few remarks, Sir, I support the Bill.

Senator Bello Malabu : Mr Deputy President, Sir, I rise to support this very important Bill because it seeks to put suitable Nigerians in important posts in various statutory corporations in the Federation. I must first of all congratulate the Government for the step taken in appointing a Nigerian. The Minister is not only answering the prayers of the people of this country, he is also transforming the Corporation. Sir, I am proud to say that in this great country of ours there are many Nigerians who can hold such important posts efficiently. Therefore, the sooner the Minister appoints a Nigerian to the Chairman of the Nigerian Railway Corporation the better. The present Chairman of the E.C.N. has proved to us that Nigerians can be better chairmen for these Corporations.

With these few remarks, I support the Bill.

Senator Dalton O. Asemota : Mr Deputy President, Sir, while supporting this very important Bill I have one or two observations to make. Sir, you will find that if examined very closely the provision of the Nigerian Railways in this country requires a very strong person to look after it. There is hardly any day when we do not have a lot of complaints. Even yesterday a Member from the North said that in the Second Class coach which is supposed to accommodate only six people there were thirty people. We have been having all sorts of complaints about the inadequacy of transport, bad arrangements and all sorts of things. Now, you are going to appoint a Chairman to take the responsibility of re-organising or putting the Railways in a proper workable form as those in other countries. But this requires a great deal of work. I am all for the Nigerianisation policy but why give somebody a load which you find he will not be able to carry far? This is a very serious point. It is all very well giving a Nigerian such a position but you must find the real man who will be able to take the responsibility.

Let me talk about the Electricity Corporation with regard to this point. It is not of the same magnitude with the Railway Corporation. In dealing with the Railway which is such a complex thing you must look wide to get the right man. As Professor Eni Njoku said yesterday the same is required in respect of the Police. This is not the time when we should

be carried away by sentiment; it is the time when we should be resolute and get the right person there. So I am giving a very serious warning that whoever is given the responsibility must be a man who can take the responsibility squarely, a man who will save us from another trouble, a man who will save us from the scandal which will surely mark the administration if we put the wrong man in the place.

Sir, I support the Bill.

Senator J. K. Nzerem : Mr Deputy President, Sir, I have very little contribution to make to this debate, and that contribution is to congratulate the Minister of Transport on this very laudable move. Like many others, I want to sound one note of warning. In this country it is believed that the Railway Corporation is one of the strongholds of corruption. It is believed and, if you want to get the people to restore their confidence in the Corporation you have to get a man who is not only a man of high educational calibre but also of very high moral integrity. That is most essential.

With that, Mr Deputy President, I support the Bill.

Senator P. C. Ndu : Mr Deputy President, Sir, this is an important Bill and I want to take this opportunity to thank and congratulate the Minister of Transport and Aviation for deciding to appoint a Nigerian as the Chairman of the Nigerian Railway Corporation. I hope the Chairman will be able to right the wrongs that have been existing in the Nigerian Railway Corporation.

For instance, I hope that the Chairman will be able to see that the passengers are well accommodated. I wish the Chairman would see that if any load is missing in transit the owner would be paid correctly. In the past some loads missing in transit or damaged would take the Railways some six months or one year to pay for.

With these few observations, Mr Deputy President, I support the Bill.

The Minister of Transport and Aviation : Mr Deputy President, Sir, may I first of all thank all the hon. Senators for the very constructive comments they have made on this short and simple Bill.

The hon. Senator Chief Beyioku started by congratulating the Nigerian Union of Railwaymen (Federated) and, I suppose he shares the congratulations as a Trade Union Leader. All I have to say here is that the Government of the Federation is a very democratic Government. We take criticism and we give due consideration to constructive suggestions, but we cannot succumb to any unreasonable demands even though they may be accompanied by intimidation. Whenever any useful suggestions are made which will be in the overall interest of Nigeria as a whole and not one section of the country, Members can be assured that the Government will give due consideration to such suggestions or demands.

I would like to assure hon. Senators that the appointment which is made by a Minister is always made in consultation with his colleagues in the Council of Ministers. Ministers have collective responsibility, and I would not like any hon. Senator to go, or leave any Senator, with the impression that when a Minister is given powers by law to discharge any function, such as the appointment of the Chairman of a Corporation, that he does it entirely on his own without consulting his colleagues.

The allegation has been made about overcrowding of second-class coaches on the Railways. I am not saying that this is correct or not, but we are used to allegations being made some of which have no foundation and some of which cannot bear any close scrutiny or investigation. I can assure the hon. Senator that my Ministry and the Railway Corporation will be very ready to investigate any allegation which is made to us about any abuse or any inconvenience experienced by users of the Nigerian Railways, except it is one of these too far fetched allegations. However, if the hon. Senator will give me further details of this I shall be pleased to investigate the allegation and convey to him the result of such investigation.

I would like to assure the hon. Senator Nzerem that I and my colleagues in the Council of Ministers realise that it is very important in the appointment of people to posts in the Corporation or in the Government service or other statutory bodies, it is most essential to have men of not only the right educational qualification but also of sound moral integrity, and we always take this into consideration when considering people for such appointments. I

am quite sure that the appointment in this case will meet the standard required.

Once more may I thank hon. Senators for the way they have contributed to this debate.

Question put and agreed to.

Bill accordingly read a second time and committed to a Committee of the whole House.

Bill immediately considered in Committee.

(In the Committee)

Clauses 1 and 2 agreed to.

Bill to be reported.

(Mr Deputy President resumed the Chair)

Bill reported, without Amendment, read the third time and passed.

PENSIONS (SPECIAL APPLICATION) BILL

Order for Second Reading read.

The Minister of Pensions (Hon. Musa Yar'Adua): Mr Deputy President, Sir, I beg to move the second reading of a Bill entitled "The Pensions (Special Application) Ordinance, 1960", as passed in the House of Representatives.

The purpose of this Bill is to regularise the pension position of five officers (one of whom is deceased) in respect of their service to the former Nigerian Government. All of the officers whose names are set out in the Schedule to the Bill were originally recruited as pensionable officers to the old Literature Bureau which up to March 1945, was part of the Education Department.

Up to this date, although it was pensionable employment which they had been offered and had accepted, their particular posts in the Education Department had not in fact been declared pensionable under the old non-European Officers Pensions Ordinance.

The declaration of pensionable offices usually takes place a considerable time after the offices have been created. The complication in the case of these five officers arises from the fact that the functions of the Literature Bureau were taken over on the 1st of April, 1945, by the Gaskiya Corporation which was then a quasi-commercial body but is not a scheduled authority under the present Pensions Ordinance, No. 29 of 1951.

In taking over the functions of the Literature Bureau, the Corporation also took over these five officers. The Government simply allowed

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them to remain at the work they had been doing, and it was not noticed at the time that this amounted to transferring them to employment in which their pensions were not covered by the law.

The matter only came to attention comparatively recently when with the passage of time their retirement approached and the question of computing their pensions arose.

I repeat that the five officers were engaged on pensionable terms and the whole period of their service has always been regarded by the Government and the men themselves as pensionable service. The fact that none of it ranks as pensionable under the provisions of the Pensions Ordinance is due entirely to the two oversights I have mentioned.

It is understood that the Government of the Northern Region is making arrangements to provide that part of the officers' pensions which is attributable to their service since the 1st of October, 1954, and hon. Senators will agree that it is desirable that statutory provision should now be made to cover the pension due in respect of the earlier part of their service which is a charge upon the Federal Government.

Sir, I beg to move.

The Minister of Finance (Chief the hon. F. S. Okotie-Eboh) : Sir, I beg to second.

Question proposed.

Senator Chief Fagbenro-Beyioku : Mr Deputy President, Sir, I only wish this is not a discriminatory Bill. In fact, as a trade unionist by profession, it will never be my wish to contend or to obstruct this Bill in any way. But I only wish that the Government of the Regions and the Federal Government would be more careful in future.

In my opinion there are many implications in this Bill that can be envisaged. I am not quite sure if there may not be several people who may be in the same position. I know that people from the Government Departments were seconded to Corporations and when they were seconded they may be on jobs which fetch more money than they were earning in Government Service, although their posts in the Corporation may not be pensionable ones. But at that particular time because the money

they were earning was higher than what they used to receive in the Government Service they accepted the posts.

Now, when for one reason or the other they have to revert to their original appointments, they become conscious of their pension right. I am sure that there will be many people who will be affected, and that is why I said that I hoped that this would not be a discriminatory Bill.

If you search all through the Regions you will find things of this nature. I agree that these people should be paid their pension rights and that we should not obstruct them from doing that. But I would warn that in future when people are being seconded from Government Service to the services of any corporation it should be made clear to them what their status would be. Whether they were going to hold a post which would be non-pensionable, if during the time when they were holding that non-pensionable post it is going to affect their pension right in the long run, they must know so that in accepting to serve in those posts they would know what they were actually accepting.

This is a precedent and I would be very happy if the Minister of Pensions would now give necessary instructions to look for any of such cases which will still be in abeyance in any of the Regions. I know there are many. I am speaking generally on this question. I want to take this opportunity to appeal to the hon. Minister of Pensions in the matter of pension rights.

We know that since the Mbanefo award there have been—

The Deputy President : Order. It seems this is a matter which does not come within the scope of this Bill. If the hon. Senator has anything to say it must be strictly confined to this Bill.

Senator Beyioku : What I am trying to say is to the extent that these gentlemen will be benefited by the Mbanefo award in the matter of the reckoning of their pensions and the extent to which these gentlemen will enjoy some sort of increase based on the present standard of living in the country. If these gentlemen will be benefited by the Mbanefo award and an extra increase in their

pensions, to what extent is the Federal Minister prepared to give consideration to the application of such increases ?

Sir, I beg to support the Bill.

Senator Nuhu Bamali : Mr Deputy President, this Bill is very welcome. It is so especially to those who know the implications. It is an Ordinance seeking to compensate a handful of men who have done so much for their people in the Northern Region of this country, in the fields of cultural, political and educational advancement. They started as Government staff but later were transferred to the service of Gaskiya Corporation without option. We can, therefore, see that these people were made to join non-pensionable services of this Corporation from pensionable posts they were holding in the Government service. It is only fair if their valuable services both to the Government and in the Corporation should be rewarded by the pension rights.

But I have one observation to make on the matter and that is the one which the hon. Chief Beyioku has just stated, namely, the names contained in this list. The list seems incomplete. I read from the *Hansard* of the Lower House where an hon. Member of that House gave some more names including my own name. (*Laughter.*) I am personally grateful to that hon. Gentleman for mentioning my name to the Minister and thereby making it possible perhaps for me to be rewarded for my fifteen years service to the Nigerian Government and the Gaskiya Corporation prior to 1st of October, 1954.

But I am not the only man left out in this list. There is one Mallam Tafida Umaru who before he transferred was holding a pensionable post of Teacher Grade II in the Government service. I hope the hon. Minister will kindly include this gentleman's name for compensation.

Sir, I beg to support.

Senator Chief P. I. Acholonu : Mr Deputy President, Sir, I rise to support the Bill. It is most welcome. It is strictly to reward the people for the honest services they have rendered to the country and I can only thank the hon. Minister for the able way he has presented the Bill to the House. But while congratulating him I have a special observation to make and it is in connection with Army pensions.

The Deputy President : Perhaps the hon. Senator would like to look up.

Senator Acholonu : Yes, Sir, I am coming. What I have just said is only an introduction to the observation I want to make as it affects ex-Servicemen.

The Deputy President : That is a different question entirely. We, all ex-Servicemen want pension and we should all wish to have an opportunity to apply for it, but this is not the time for that.

Senator Acholonu : Mr Deputy President, Sir, I beg to support.

Senator Dalton O. Asemota : Mr Deputy President, Sir, I welcome this Bill wholeheartedly. I am a pensioner myself, so I know what it means when one is actually rewarded for his past services.

The Minister of Finance (Chief the hon. F. S. Okotie-Eboh) : Congratulations !

Senator Asemota : Thank you, I spent thirty-five years in the firm. I heard just now from the Minister of Pensions that one of the people mentioned here is dead. If that is so I hope the Government will make a special grant to his relatives because in a way the man was actually due for the pension but unfortunately was unable to receive it. In the firms, where a man is so due but owing to death is unable to receive it a certain amount is paid to his family as a sort of compensation.

The Deputy President : That is to say if he died in the service.

Senator Asemota : Either in the service or immediately after retirement, Sir.

The Deputy President : You mean that if after his retirement, he dies, his family gets arrears of pension ?

Senator Asemota : Yes, Sir. The firm pays a certain amount to them. After all the pension has been earned and I think the Government will take cognizance of that in the case of a person who is dead.

The Minister of Finance : But the U.A.C. is not a government institution.

Senator Asemota : Yes, but the point is that I do hope that the Government will do something to the relatives of the deceased man whose name is mentioned here because after

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all if he had been alive he could have used the money to sustain his family. Now that he is dead the family should be paid something because they are put in such a state where I think they need Government help. The Government should do something. Some people have just said that it is going to create a precedent but knowing, Sir, that anything of this nature that will reward somebody for the good work he has done is really deserving of commendation, I do hope the Government will not close the doors to further consideration of this matter.

I say this because I am a member of the Petitions Committee and such an act will save us the trouble of having to deal with so many petitions. The other hon. Senator said just now that his name was mentioned in the Lower House. If there is nothing done for him surely he will certainly hit back by way of petition, and it will spread, the papers will publicise it and so on. So, Sir, I do hope that Government will take cognizance of that and see that necessary amendments are made.

Sir, I support the Bill.

The Minister of Pensions (Hon. M. Musa Yar'Adua): Mr Deputy President, Sir, I have taken note of the observations made by the hon. Senators and I am sure that this House will join me in sympathising with the hon. Senator, Nuhu Bamali that his name was among the forgotten seven but I assure the House that that is not the fault of my Ministry. At present, I have not got the records of these people in my Ministry but I am taking up the matter with the other authorities concerned.

Question put and agreed to.

Bill accordingly read a second time and committed to a Committee of the whole House.

Bill immediately considered in Committee.

(In the Committee)

Clauses 1 to 3 agreed to.

Schedule agreed to.

(Mr Deputy President resumed the Chair)

Bill reported without amendment, read the third time and passed.

Sitting suspended : 1.00 p.m.

Sitting resumed : 3 p.m.

GOVERNMENT SECURITIES (AMENDMENT)
BILL

Order for Second Reading read.

The Minister of Finance (Chief the hon. F. S. Okotie-Eboh): Mr Deputy President, Sir, I beg to move that a Bill entitled "A Bill for an Ordinance to amend the Government Securities Ordinance" be now read a second time.

I do not think I need detain Members with this short Bill. The object of this Bill is to ensure that after independence Nigerian Government stocks or securities issued in London will continue to enjoy full trustee status. I should emphasise at the outset that this Bill is not concerned in any way with Federal Government investments in the United Kingdom. It is solely concerned with the status enjoyed by money that the Federal Government has borrowed in the past from the United Kingdom investments or may borrow in future. These Government stocks whether of the United Kingdom Government or Commonwealth Governments have a special appeal for certain types of investments in the United Kingdom. In particular, trustees form a substantial proportion of those who habitually invest in Government securities. In the United Kingdom the range of securities in which trustees may invest is limited. Although this aspect is likely to be changed in the future under the new United Kingdom legislation trustees will still have to invest a substantial proportion of the funds in Government securities.

Under the present provision of the United Kingdom Stock Act, stock issued by independent Commonwealth countries can enjoy trustee status in the United Kingdom subject to compliance with three conditions which shall be provided for in the legislation of the country concerned.

The first of these is for the provision by legislation for payment out of revenue of the country concerned of any sums which may become payable to stock-holders under any judgment, decree, rule or order of the courts in the United Kingdom. The second is that the Treasury shall be satisfied that adequate funds will be made available in the United Kingdom to meet such judgment, decree, rule or order. The third condition is that the Government of the country concerned shall place on record a formal expression of their opinion

that any legislation which appears to the United Kingdom Government to alter any of the provisions affecting the stock to the injury of the stock-holders or involve a departure from the original contract with regard to the stock will probably be disallowed.

It is with this third condition that this Bill is concerned. The United Kingdom Colonial Stock Act of 1944 provides that it shall be deemed to be complied with if the Government of the Commonwealth country concerned has undertaken that legislation which appears to Her Majesty's Government in the United Kingdom to alter any of the provisions affecting the stock to the injury of the stock-holder or involving a departure from the original contract in regard to the stock, shall not be submitted for Royal Assent except after an agreement with Her Majesty's Government in the United Kingdom. This condition is further deemed to be complied with if the Government of the Commonwealth country concerned undertakes to make any amendment requested by Her Majesty's Government in the United Kingdom.

The Nigerian Independence Act will extend the Colonial Stock Act of 1954 to Nigeria in the same way as it has been extended to other Commonwealth countries attaining independence and will provide that the undertaking shall be deemed to have been given if there is in force a law of Nigeria the provisions of which correspond to those referred to above. The legislation when enacted will apply both to Nigerian stock which is still outstanding in the London Market and also to any new stocks which we may be able to raise in the future.

It is most important that Nigerian Government stock should enjoy as high a status on the London Market as possible and to be made as attractive as possible to United Kingdom investors. Certainly, it will be a great pity if Nigerian stock enjoyed a lower standing than the stock of any other independent Commonwealth Government.

Sir, as I said earlier, this is a short Bill and I do not think it is controversial. I, therefore, beg to move.

The Minister of Health (Hon. Waziri Ibrahim): Sir, I beg to second.

Question proposed.

Senator L. C. Daldry: Mr Deputy President, Sir, I think it is very important that this Bill should be passed and come into operation by the 1st of October, 1960, in order that Nigerian securities shall continue to have trustee status in Great Britain. A trustee who has funds to invest has an obligation to see that they are placed in securities which are absolutely safe and trustees are not allowed to invest their funds except in securities which are designated in Great Britain as trustee stocks and given trustee status.

My sole purpose in rising in connection with this Bill is to say that there is no doubt whatever in my mind that Nigerian securities have all the safety which is required of trustee stocks and I am one of those who feel certain that this will also be the case in future. I have therefore every hope that this Bill will be passed into law, and I certainly support it.

Question put and agreed to.

Bill accordingly read a second time and committed to a Committee of the whole House.

Bill immediately considered in Committee.

(In the Committee)

Clauses 1 to 4 agreed to.

Bill to be reported.

(Mr Deputy President resumed the Chair)

Bill reported without amendment, read the third time and passed.

LOAN (REGIONAL DEVELOPMENT)
(NO. 2) BILL

The Minister of Finance: Mr Deputy President, Sir, I beg to move that a Bill for an Ordinance to authorise the borrowing of a sum not exceeding £3 million from Her Majesty's Government for purposes in connection with the development programmes of Regional Governments and to repeal the Loan (Regional Development) Ordinance, 1960, be now read a second time.

Sir, I should like to say at once that I regret having to come back to the Senate in order to repeal and re-enact in slightly different form an Ordinance which was only passed at the Budget Session of the Senate. In introducing the Loan (Regional Development) Bills in April this year, I explained that the allocation of the proceeds of internal and external borrowing is agreed between the various Governments through the Loans Advisory Council. I went

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on to say that the Loans Advisory Council had decided that the £3 million Exchequer Loan, which formed part of the total United Kingdom loan assistance of £15 million which was agreed in talks in London in July 1959, should be allocated as to £2 million to the Northern Regional Government and £1 million to the Eastern Regional Government. I explained that external borrowing was an exclusive Federal subject and that the normal procedure would have been for the Federal Government to have borrowed the money and to have re-lent it to the Regional Governments. I said, however, that in this particular case, because of the provisions of the United Kingdom legislation, to follow this procedure it would have been necessary for the Federal Legislature to have approved the Capital Estimates of the Northern and Eastern Regional Governments. My Ministry was advised, therefore, at that time, that it would be possible for Federal legislation to be enacted which would enable the Regional Governments, on this particular occasion, to borrow direct from Her Majesty's Government. That was the object of the Ordinance passed in April this year.

However, I regret to say that during the Resumed Constitutional Conference in May this year, the matter was reviewed by the Constitutional lawyers, and on reconsideration they concluded that as the Regional Legislature cannot under the Constitution legislate with respect to a matter falling within the provision of the Constitution, providing that external borrowing is an exclusive Federal power, the Regional Governments could not properly themselves pass laws to borrow direct from the United Kingdom Government. This advice has since been confirmed by the Attorney-General of the Federation. It is necessary, therefore, to revert to the first procedure and enact legislation so that the Federal Government will borrow this amount in the first place and will then re-lend it to the Regional Governments concerned. This is what the new Bill sets out to do, and Senators will see that the Federal Legislature is asked for the purposes of this Loan to approve the Capital Estimates of the Northern and Eastern Regional Legislatures.

As I said earlier, this is a formality forced upon us by the provisions of the United

Kingdom legislation, and I think hon. Senators will agree with me that it would be wrong for us to discuss the details of these Estimates. The Bill itself is, I think, straightforward, and I need not bother Senators with any detail.

I should like to say a word about borrowing in general. In view of the uninformed comment which appears to be so much the fashion these days I would like to introduce a simple analogy. Take the case of a man employed in some store in a large town. We will suppose that he comes home to his own village for a holiday and there he notices that the villagers have no proper facilities for buying the things they need. The man has learnt a lot about keeping a store from his employer and he decides that it will be profitable for him to start a store in the village to supply these needs. But in order to do this he must, of course, have enough money to build or buy a suitable place, equip it, and stock it with goods. So he returns to his work in the town and begins to save some of his wages in order to finance his enterprise.

Now it will be readily apparent that a long time must pass before the man can accumulate sufficient wealth from his current earnings to achieve his object. His progress, and indeed that of the villagers who are at the moment without a store, would be greatly helped if the man could borrow the necessary capital from someone else who had it to spare, and so start up his business at once. This, on a humble scale, is precisely what we in this Government are seeking to achieve on a national scale when we borrow from other Governments. It does not constitute domination. What it does is to supplement our own savings, and I am sure that the hon. Senator Daldry and the hon. Senator Wusu, amongst the hon. Senators here, will agree with me that the analogy which I have just given to this hon. House is on all fours with the wise monetary system for a Government that is prepared to develop the country at large in the interest of the people and in the interest of the Government's finances. Instead of pushing the people into any undue taxation or doing things which will cause the value of our currency to be reduced, we feel that when there are good reasons for us to borrow money and put it into self-remunerative undertakings for the development of the country, we should do so. There is only danger if we were to borrow money for our

recurrent expenditure. That, I can assure you, we have no reason to do.

In the Bill before you it is the Regional Governments that are borrowing at this time. We have seen their Capital Estimates and we are satisfied that these are responsible internal Governments in this country and that if you approve this Bill they will be in a position to take these loans and put them into profitable propositions.

Sir, I beg to move.

The Minister of Health : (Hon. Waziri Ibrahim): Sir, I beg to second.

Question proposed.

Senator E. A. Lagunju : Mr Deputy President, Sir, we realise this is a straightforward and non-controversial Bill. As a matter of fact the first time it was put before us it was not put in this form. It is much clearer this time and as far as the onus of payment rests squarely on the shoulders of the Regional Governments who are actually borrowing we have nothing to fear. So I feel that the Minister of Finance has assured us that the Regional Governments borrowing are responsible and they are borrowing for some specific purpose for capital development, and of course they are prepared to pay back on instalment basis. Since all these facts have been stated and since at no time will the Federal Government be called upon to pay back the debt, I beg to support the Bill.

Senator Alhaji Abubakar Bale : Mr Deputy President, Sir, I beg to support the motion. Before doing so I would like to explain to the hon. Minister of Finance that when this motion was first brought to this House this mistake which we are now rectifying was brought out. It was said before that the Regions will be able to cross the carpet, go to other countries and borrow without notifying the Federal Government. That is not a good idea. I said it before in April. It was passed, but it went and was not considered in the United Kingdom, and that is why it is brought back for reconsideration. Now that the mistake is rectified and the Regional Governments will be able now to borrow through the Federal Government which I think is the proper channel and for this reason, I support the Bill.

Senator Chief J. S. Olayeye : Mr Deputy President, Sir, I just want to know from the Minister of Finance what will happen if the Regions which borrow the money fail to pay, because it has become the talk all over the country that in the event of the Regional Governments concerned being unable to pay back such money borrowed all the land in the Federation will be taken over by the borrower. So I want a proper explanation. I myself would like to know the conditions and why the Regional Governments concerned cannot go directly and borrow the money from the United Kingdom or anywhere else. It may be that the Federal Government should be consulted, but why should the Federal Government take the responsibility upon its shoulders? So I want a specific explanation. What will happen if tomorrow the Regions concerned fail to pay the money? What will be the penalty? For it is said that those who go a-borrowing go a-sorrowing.

If I go to the banker to borrow money I will be asked to produce some security. I may be asked to enter into an agreement and perhaps my house may be mortgaged for it. So I want a specific explanation so that I may be able to explain to people when I get back home.

Senator H. Udoh : Mr Deputy President, Sir, I support the Bill. This Bill is a Bill helping some stranded people in the Regions, stranded because they cannot afford to support fully their development plans. In supporting this Bill, as I said before, I beg to warn the Government. Money borrowed by the Federal Government and lent out to the Regions is a good move, but the Regional Government giving this money to people for private enterprise or to farmers must be sure that this money is not diverted to another purpose which was not mentioned before the loan was given.

Members of the Loans Boards to-day in some Regions are experiencing great difficulty in recovering money lent out because after the loans have been made the borrowers divert the money to wrong use with the result that when the time is up they find it impossible to refund the loan and the people who sign the sureties are left in a bad position. So with this observation, Mr Deputy President, Sir, I beg to support.

Senator Chief S. T. Hunponu-Wusu : Mr Deputy President, Sir, my name has just been mentioned by the Minister of Finance in connection with this Bill. I am supporting this Bill on certain conditions and I will enumerate those conditions.

According to the last speaker, there is one point which ought to be considered. When somebody is in need and goes to the Bank or to any moneylender he will say anything good and promise heaven and earth that he is going to repay the money. Much as it is your interest to help him, it has always been a disappointment to some extent that when this money is given out with very good intention and for a laudable scheme, perhaps at that time the people concerned with that particular scheme may be out of the Government and that money is diverted to something else. Where is the guarantee that the money will be forthcoming?

Mr Deputy President : Order, order. I think the responsibility of the Federal Government lies entirely with the Federal Government and not with the individuals. If the individual takes money and does not pay it back then that is a matter between the individual and the Regional Government and not the concern of the Federal Government.

Senator Chief Hunponu-Wusu : Mr Deputy President, Sir, the Minister of Finance is taking up the responsibility on behalf of the Federal Government that whenever any Region needs money it will first come to the Federal Government.

The Deputy President : Yes, but you do not consider that our Regions shall be bankrupt?

Senator Chief Hunponu-Wusu : I do not pray for that and it will never be, but what I am saying is this, that the Regions concerned should be able to give an undertaking to the Federal Government to some extent. That is my point. Before you can stand for a man you must bring a security, either a house security or some other property to the Federal Government. I think those are points to be cleared.

It is good now to put up this Bill that the East wants this or the West wants that or the North wants it to-day. I pray and hope that we shall do it in very good faith and I am sure we all have the very good hope that Nigeria will never go bankrupt. I do not pray that any of our Regions will ever go bankrupt to

divert such money from the specific purpose for which it was intended, but would it not be better, Mr Deputy President, if any Region concerned feel they can get this money from say Canada then they ask the Canadian Government to refer to the Federal Government and ask whether the Federal Government can guarantee the loan?

With this procedure of the Federal Government going to Canada to borrow the money and re-lend it to any of the Regions which require it, I think the Federal Government is taking too much responsibility. If I can get money from France and the Federal Government is getting from the United States and perhaps to my mind the one I am getting from France is at a lower percentage, why should I not get the money from France? If any Region can get a loan say at 5 per cent, why should the Federal Government go and borrow it at the rate of 8 per cent?

There are some other places where we can go and beg money outside Nigeria, so Mr Deputy President, much as I would like to support this Bill I want us to give it very deep consideration. I do not want anything that will implicate our Regions or our Federal Government or anything that will cause us to suffer in the near future.

Senator Chief Ezeogo Ugwuocha : Mr Deputy President, Sir, I think the hon. Senators who have spoken about this Bill are irrelevant and are showing a great lack of common sense.

The Deputy President : The hon. Senator, when addressing this House, must always address the Senators in very polite terms. Do not insult the Senators.

Senator Chief Ugwuocha : I think it was during the last Session that this Legislation which they are now trying to complete came up. It was properly explained by the Minister of Finance when these fears were expressed in the House that the Regional Governments are directly responsible to the Government for the repayment of any money which they may borrow or which may be reloaned to them by the Federal Government. When it happens that they cannot repay the money that the Federal Government has loaned them the Federal Government will at once withdraw their account. I do not think the hon. Senators seem to have remembered this point.

Mr Deputy President, Sir, I beg to support.

Senator L. C. Daldry : Mr Deputy President, Sir, I had no intention of rising in connection with this Bill, but my name, like my hon. Friend's over there was also mentioned. It would be highly improper for me to make any comments about whether the Regions should borrow or the Federal Government should borrow or what security the Federal Government should take from Regions or anything of that nature, but on the question of borrowing generally I do want to support everything that the Minister has said. There is nothing fundamentally wrong in borrowing money. Few if any of the countries which have risen to greatness in the world have been able to do so without borrowing substantially in the early days. Even the United States of America, the most powerful nation financially to-day, was at one time a debtor nation. Therefore, there is nothing for Nigeria to be frightened about in being, for a time, a debtor nation.

There is, as I said, in my view, nothing wrong in principle in borrowing money but the main point to remember is that one day that same money has got to be repaid. Therefore the whole thing turns on the purpose for which the money is borrowed and one would say, as a general rule, that in borrowing, whether as an individual or as a country, one should borrow for a purpose which will increase one's income or one's revenue and thus enable one that way to pay the loan back. In other words, the borrowing should of itself repay the loan because of the advantages gained by the use of the money.

On the question which has been raised of whether Nigeria should borrow here or there, in this country or that country, I would think that it is far better for that to be left to the Ministry of Finance. They, I think, can be relied upon to go to the world's cheapest market. The Minister himself is well on the way now to becoming an authority on the world's monetary markets and I think it can safely be left in his hands to look after Nigeria's interests and to see that it borrows in the cheapest places.

It would not, perhaps, be altogether satisfactory for the Regions and the Federal Government all to be going out at the same time into the money markets to borrow. It would introduce an element perhaps in time of

competition, which would be undesirable. It would be far better in my view, for no particular Region to borrow but for Nigeria to borrow, so that Nigeria's credit is one which the world will pay attention to, not any particular Region, but the Federation of Nigeria.

Mr Deputy President, Sir, I beg to support.

Senator Dahlton Asemota : Mr Deputy President, Sir, I have only a few observations to make on this Bill. We have already discussed this Bill at length but there is one thing really that strikes me. We understand that the Regions are self-governing and as such we would have thought that they would be able to take their own responsibilities, but nevertheless, as it is they have to pass all their monetary transactions through the Federal Government.

I have no quarrel with that arrangement, but what I want to query, Sir, is this question of the requirements under 3 (c) and 5 of the Bill. Under 3 (c), if I may quote, Sir, it says : "providing that the purposes to which any such loans may be applied shall be limited to meeting in whole or part capital expenditure comprising part of a development programme set out in the Capital Estimates and approved by the Legislature of that Region". Sir, we have not seen that Capital Expenditure. I think if we are going to deal with monetary matters and if we are being asked to approve a Bill we should be in a position to see the Capital Estimates.

Also further down, Sir, it is stated in paragraph 5: "It is hereby declared that the development programmes set out in the Capital Estimates approved by the Legislature of the Northern Region and the Capital Estimates approved by the Legislature of the Eastern Region for the year commencing 1st April, 1960, are approved by the Legislature of the Federation for the purposes of section 2 of the said Act." Well, I am afraid we have not seen any of these, and if we do not see any of these it is difficult for us to approve the loan. If we are called upon to take part in legislation and are in a position to put the finishing touches to it, I think we are entitled to see those requirements of the loans. I think the Minister of Finance will be able to tell us why these references are not attached to these documents.

The Minister of Finance (Chief the hon. F. S. Okotie-Eboh): Mr Deputy President, Sir, I would like to thank Senator Daldry. I am sure that this House will acknowledge him as an expert in monetary matters, as well as my hon. Friend Senator Wusu. I am extremely grateful to Senator Daldry for the very clear exposition on the loans position. As I have repeatedly said, not only in this House but in other places and also sometimes to the press, no government, no responsible government will raise loans for the fun of doing so and no responsible government will raise loans for its recurrent expenditure. The moment government starts raising loans for its recurrent expenditure something must be wrong somewhere.

But it is, as you have heard, sound financial policy for any government or any person who wants to increase his spending capacity and raise his economic status in life, to raise loans for a profitable proposition. When that loan is raised it should first be put into that proposition on the understanding that it will develop by itself and repay the loan and will be in existence and improve the financial conditions of the people or government concerned. I cite the example of the railway extension; it is a viable proposition. The loan will be spent on the extension of Railways to open up the country so that our produce which hitherto had not found its way quickly to the Ports can find its way out and the Railways become enlarged and employment is given to the people during construction. After construction, the Railways will benefit from the transportation of such produce and increase our earning capacity to repay the loan. The Railway extension will remain there for the benefit of generations yet unborn. That is a sound financial policy. Therefore it is no use criticising the raising of loans here or abroad blindly. I am not suggesting that it is criticised here blindly at all, but in other places it has so been criticised.

As regards the rate of interest. Naturally if we are to raise loans at all we must explore all the sources available and find out which is the source that will give us the lowest rate of interest. Secondly, the fact that the constitutional position does not allow Regional Governments to go out to borrow does not stop them from making enquiries and tapping other

sources and finding which of these sources could make money available to them. If they do so and they succeed they have to come to the Federal Government who can constitutionally raise such loans on their behalf without charging them any interest at all.

An hon. Senator : Why ?

The Minister of Finance : Why ? Because by our constitution the Regional Governments cannot go out of Nigeria to borrow. Otherwise people who are giving the loans—and, of course, the question of External Affairs for that matter—will be in the hands of several governments. There will be no one Nigeria, there will be several Nigerias. When we are in Nigeria it is sufficient to speak about Okitipupa, Ondo, Warri and Kaduna, but when you go out of Nigeria you want to project a Nigerian personality, you want to be known as a Nigerian purely and simply. (*Applause*).

One further thing I would like to say is that the Regional Governments of the Federation are well run, they are sound, they are run by responsible Premiers, Ministers and Legislators equal in status and conditions of any kind anywhere. Therefore nobody should doubt the integrity or the ability or the good sense of the Governments coming to ask for loans in order to carry out their capital budget responsibilities.

This brings me to answer the point made by the last speaker. With very great respect to him the fact that we did not put before this House the Capital Estimates of the Governments concerned should not lead him to suggest that this money will be diverted to some other purposes. Certainly not. I have said that we have seen the Capital Estimates and as your humble housekeeper I think you can take my word for it that the loans are required only to carry out their capital works and not for any other purpose.

Another thing is that our position does not give us the right to scrutinise the Estimates of other Governments. They are not subordinate governments insofar as their constitutional rights are concerned. They are autonomous in their own right and therefore it would be wrong for us to put before you here the Estimates. And if, with very great respect,

I would again refer to the very section quoted by Senator Asemota and read it again and perhaps put in some words he may agree with me. Section 5 of the Ordinance. "It is hereby declared that the Development Programme set out in the Capital Estimates approved by the Legislature of the Northern Region" . . . " . . . approved by the Legislature"—not of this House, but of the Northern Region" . . . the Capital Estimates approved by the Legislature of the Eastern Region for the year commencing 1st April, 1960". You have to ask yourself simply the question whether there is in existence to-day a Development Programme set out in the Capital Estimates for the Northern Region already approved by that Legislature. And that answer is Yes. Ditto for the Eastern Region and the answer is Yes.

Then, what are you asked to do? They have to be approved by the Legislature of the Federation for the one purpose only. You have to approve them only for the one purpose. For the purpose of section 2 of the said Act. What Act? The United Kingdom Act which requires that the loans raised should be for the purposes of a development programme. That is the only thing you are asked to do. So, in essence, it means that once you satisfy yourselves that these Regional Governments are sound, reliable and they have got these Capital Estimates approved by their Legislatures, as I have said, it is only for you to say that you agree with them under the provisions of this Ordinance that it will be used for the work for which the loan is required. And if we do not do so it means that we have no confidence in these Governments. I am not suggesting that for a moment and I know the hon. Senators who come from the Regions, whose roots are deep in the Regions, apart from one or two Senators who belong to Lagos, with due respect to Mr Deputy President, certainly have confidence in our Regional Governments. As for me, I have implicit confidence in the Regional Governments, and I am sure you will all with me be showing that confidence implicitly in this particular Bill that we have nothing to doubt in their ability to discharge the duties which they owe to the teeming millions of the Regions.

As regards the last point which has been made, I must say that I am very grateful to the hon. Chief Ezeogo Ugwuocha Uka; although he had some difficulty in refreshing your

memory. The position is very clear. I told you some time ago that we are the collectors of the revenues of the Regional Governments. We collect this money and pay back to them. We guarantee the loans to the outside lender and, therefore, if at any time there is such a Government (and I am sure there will be no such Government in this country) that fails to be responsible to fulfil its obligations as regards such a loan, all we have to do is to collect revenues, keep the money and pay it back to the creditors, and the whole matter will have been settled.

I think it is a very simple matter. You do not need to fear. We have the weapons in our hands. From the 1st of October when we become a sovereign country, the Federal Government will have its responsibilities and we have to keep them as provided in the Constitution. But I am sure that we shall have no reason to resort to such actions, realising that these Regional Governments are very responsible Governments.

Question put and agreed to.

Bill accordingly read a second time and committed to a Committee of the whole House.

Bill immediately considered in Committee.

(In the Committee)

Clauses 1 and 2 agreed to.

Clause 3.

Senator M. G. Ejaiife: I think we are all entreated to have confidence in the Regional Governments, and we do have confidence in the Regional Governments. We also have implicit confidence in our able Minister of Finance. The only people who enjoy no confidence are the Senators, because the purpose of this loan is not told us. The Minister gave us an instance that if the money were intended for the railway it would be money well spent. That was "IF" . . . Can we not be told orally what the purpose is? I think much time would have been saved if we had been told for what purpose. I think we, as elder Statesmen, ought to enjoy the confidence of the Minister by being told orally, if not in writing, what the actual purposes of the loans under debate are.

The Minister of Finance: Mr Chairman, Sir, may I refer the hon. Senator to section 3 (c) which answers him quite clearly. Section 3

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(c) says, "Providing that the purposes to which any such loans may be applied shall be limited to meeting in whole or part capital expenditure comprising part of a development programme set out in the Capital Estimates and approved by the Legislature of that Region". That is the purpose. I have no reason to distrust hon. Senators at all. It is clearly stated there.

Clause 3 agreed to.

Clause 4 agreed to.

Clause 5.

Senator Chief O. A. Fagbenro-Beyioku : I am not making any capital issue out of this, Sir, but I know very well that the hon. Minister of Finance might not have thought it quite necessary to get copies of the Capital Estimates of the Regions. But now we are giving approval on his own indemnification because he has told us that he has seen everything. Nevertheless, we would like to have a record of what we have approved. Perhaps by the next meeting the hon. Minister will be able to supply us with copies of the Regional Governments' Estimates so that we know actually what we, by law, actually approve. We are not staying the passage of this Bill, we are only asking him whether he will be kind enough to get us copies.

The Minister of Finance : Mr Chairman, Sir, I had said earlier on that, constitutionally, I cannot lay before this House the Capital Estimates of any Regional Government. Therefore, it is impossible for me to do so ; but surely if my hon. Friend would go to the Library of this House, he will find the Capital Estimates there. It cannot enter here, by our Constitution, but it is not a hidden document. It is circularised to all the Regions as well as to the Federal Government and I am sure you can find a copy in the Library of this House.

Senator M. G. Ejaiye : May I contend then that the wording of this clause is inaccurate, because we are approving if only for constitutional reasons, we cannot approve the expenditure of other Regions. I think we should add the words "as if approved" because we have no power to approve. We are not, in fact, approving. Let us insert, "as if".

The Minister of Finance : I thought that I had fully explained that before, but if it has been raised again I would not like to see it steam-rolled.

The fact is that we are not asking you to approve those Estimates. They have already been approved. It is very clear there; but I am afraid that my hon. Friend, a schoolmaster that he is, should understand the particular clause better than I do. However, it is very clear that we are asking you to approve it for one purpose only, and that purpose is in relation to section 2 of the U.K. Act. I have explained to you what that section 2 is. It is that the loan to be raised should be used for purposes as set out in section 3 (c) which I read out to you already.

It may look a little bit legally complicated, but that is the way it ought to be. You are asked to approve the Estimates which have already been approved for the purpose set out in section 3 (c). The Estimates are approved for that purpose but what you are asked to approve is (if I may use another word) to endorse that the money that you are approving now will be used by these Regions for the purpose set out in the Capital Estimates approved by those Legislatures. That is what the U.K. Act demands. It is very clear. There is nothing there that says that you are supposed to approve any condition. There is nothing like that at all.

Senator Dahlton O. Asemota : Mr Chairman, Sir, the point is this. Although we are in the Senate we are not so inquisitive as to go into the details of what is happening in the regions but once we are invited I think it is for us to satisfy our conscience ourselves. It may be all right for the Lower House to take things for granted but as elderly statesmen it is very difficult for us to take things for granted. We do not at any time discredit or fail to have confidence in the able and indefatigable Minister of Finance, but the fact is this that we elder men really feel that we cannot do things blindly. It is stated here that it has been approved by the Legislature of the Federation. Well, if this could be done without this sort of argument then what is the purpose of its coming before us ?

We have not seen those things that we are to approve. We only take things for granted. We want to make it clear that it may be all right for the lower House but anything coming before the Senate will not be accepted blindly. We want to be completely satisfied in everything that comes before us here before we give

it the 'okay'. As I have said before, we are not inquisitive as to what is happening in the Regions unless we are directly invited to it as we have been in this case. So, I agree with the Senator who said that the Bill should be worded in such a way that we are cleared from the responsibility which they directly assume by accepting a document which they cannot account for. Some sort of proviso should be put into it that Senators refused to accept and also the reasons why they have refused.

The Chairman: Hon. Senators, the Minister of Finance has explained that copies of this Capital Estimate are available in the library and you have got this Bill for some time now. According to the Bill it is hereby declared that the development programmes are approved by the Legislature of the Federation for the purposes of section 2 of the same Act. And this is after they have considered the approval given to the programmes by the Regions. So, it is up to you, if you wish to see the Capital Estimates to go to the library and read them. You should have done that before you came here but there is no harm in your going there after this sitting.

The wording of this Bill is quite plain. It is hereby declared that the development programmes are approved by the Legislature after satisfying themselves that the approval given to them by the Regions is reasonable. I think the wording is quite clear.

Senator Chief O. A. Fagbenro-Beyioku: Mr Chairman, Sir, I think I am entitled to a second say this afternoon. Nobody doubts the Minister of Finance, Sir. According to the wording I think it would still be legal for the Federal Government themselves. But where is the record where the Federal Legislature has actually approved the capital expenditure? We cannot just approve things blindly. We know very well that we are not in a position to criticise the Estimates of any Region but where any Region wants to fulfil any conditions to be able to get money from the Federal Government and they exposed themselves to place their Estimates before the Federal Legislature they must have to fulfil those conditions. It means that before the money is given to the Regions their Estimates for the capital expenditure on which they want to spend the money should be brought before the Federal Legislature for approval. That is the only thing,

otherwise this Bill as it stands is quite all right; unless we have the assurance that before the loan is actually made Estimates of the capital expenditure on which the money would be expended would be brought before the Federal Legislature for approval so as to be able to satisfy us.

The Minister of Finance (Chief the hon. F. S. Okotie-Eboh): Mr Chairman, Sir, I am very surprised and it seems to me that hon. Senators are not prepared to read this Clause perfectly. Although I am sure they have read it with understanding I have said and I suppose you all know that in any legislature you cannot debate any matter or any Bill or Estimates which is not laid before a House and you cannot debate something which cannot be put before you by our Constitution. You know what happens and that is that if you want to debate any Bill or Estimate, it is laid on the Table—first reading, then you move the second reading and then it is put before the House properly for debate. But by your Constitution I cannot, I am not the Minister of Finance of the Northern Region nor of the Eastern Region, so I cannot bring their Estimates and even if I were, Estimates that have already been approved cannot be approved again. This is a technical thing and you all know that it is technical that the Estimates have been approved by the Legislature. I as your housekeeper have told you that we have seen the Estimates and that we are sure that the Estimates are, in effect, for the purposes for which this Bill is put before you.

The Minister is a Cabinet Minister and the Cabinet represents the Government of the Federation and if you have no confidence in the Government then you have no confidence in the Constitution which made you to exist. This Senate does not exist as a child of circumstance; it exists because we have a written Constitution. So I am telling you that you cannot see in this House as you are sitting here to-day or tomorrow the Estimates which you are asking for, not because they are not available but because I cannot put them before you. They are out there in the library and it is for you to believe the Federal Government and then agree that this loan is not going to be put to any other use by the Northern Government or the Eastern Government than for the purposes set out in Clause 3 (c) here. Then you say "no", you do not approve, but what

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you are asked to approve is the loan to be given to these Regions. Never mind the legal technicalities or the wording here but that is the wording already approved by the Legal Draftsmen both in the United Kingdom and the Attorney-General's Chamber. I am not a lawyer, you can ask Senator Somolu to amend it but I am not going to amend it.

The Minister of Health (Hon. Waziri Ibrahim): Mr Chairman, Sir, I do not know if the Federal Minister of Finance has precisely told the hon. Senators why the requirements of internal loan by the Regions have ever come to the Federal House or the Senate. It is precisely this: the raising of internal loan is a federal matter otherwise the regions can decide to borrow and can go anywhere and borrow without reference to the Federal House or to the Senate. So I think if hon. Senators have got this they will not bring the question of either the Senate or the Federal House scrutinising the purposes for which the Regions want the loans. I hope hon. Senators know that it is a Federal subject. That is all.

The Chairman: Order, order! I think this matter is a simple matter from my own point of view. If you wish to tackle this matter the fault does not lie in this Bill, it lies in the original Constitution which forbids your discussing the Estimates of other Regions. Now if this matter is brought before you after it has been approved by the region concerned, according to our Constitution you cannot discuss the Estimate. Why then are you worried about it? It is absolutely the concern of the Region concerned and we are not permitted to discuss what those Regions do. We are not permitted to discuss other Regions' Estimates. For instance, if the Western Region should do something, according to our Constitution the Western Region is autonomous, self-contained. Whatever the Western Region does we cannot come here and begin to discuss it or say "Why should the Western Region do this or why should the Western Region do that?" Our own concern now is purely limited to the question of the loan and the loan the Minister of Finance says is required by the Regions for certain specific purposes. These two Regions have already passed their own Estimates and the Federal Government has considered the Estimates

and agreed that the Regional Governments can have the loan. They have satisfied themselves that the expenditure is quite reasonable. Judging from what we have heard if you are not satisfied with the explanation given by the Minister I would suggest to you that we pass this law and then make a substantive Motion or write to the Federal Government asking them to amend the law which says "the Senate and the Lower House cannot discuss whatever a particular Region, with particular reference to their Estimates, has approved".

Even in the case of our own Estimates once the Estimates have been passed in the Lower House and we come here to discuss them we cannot consider them in Committee, we can only speak on them and then adopt them. If that affects our own Estimates then why do we want to discuss other Regions' affairs? I think we should stop arguing on this point and I will put the question now.

Senator Dahlton O. Asemota: Just a short point, Sir. All I want to say is that we do not object to any Region raising loan from abroad. We do not object at all. If you want money and you get somebody to give you the money and you spend it, that is your own look out. We do not interfere with that at all. What actually attracted us to the question of the Estimates of Regional Legislatures is the wording of this Clause 5. We do not want to come here just to sit down as Senators and pass things which obviously we have not seen. If you say Clauses 2, 3 and then Clauses 3A, 3B and 4, these are quite satisfactory, we do not quarrel with these, Sir. As I said, this is the Upper House and before any Bill is brought to this House it should be well scrutinized. I do not say the Lower House should do so, but at the same time, I want to make it perfectly clear that we would at any time register our protest against any Bill we do not understand. This should be seriously considered.

Clause 5 agreed to.

Clause 6 agreed to.

Bill to be reported.

(Mr Deputy President resumed the Chair)

Bill reported without amendment, read the Third Time and passed.

BILLS OF EXCHANGE (AMENDMENT) BILL

Order for Second Reading read.

The Minister of Finance (Chief the hon. F. S. Okotie-Eboh): Mr Deputy President, Sir, I rise to move, That a Bill entitled "A Bill for an Ordinance to amend the Bills of Exchange Ordinance" be now read a second time.

This Bill seeks to amend certain sections of the Bills of Exchange Ordinance, 1948, so as to remove the difficulties being experienced by commercial banks in Nigeria regarding presentment and noting of foreign Bills of Exchange. Under the provisions of the Bills of Exchange Ordinance it is necessary that Bills be delivered or "presented" for acceptance. By accepting a Bill the drawee indicates his readiness to honour it on the due date. For a variety of reasons it has proved impracticable on many occasions for the Bill to be delivered physically to the drawee and it has, therefore, become customary for a banker to post an advice stating that a Bill is held for acceptance rather than send the actual document through the post with the possibility of its becoming lost in transit. Although this method of presenting Bills has proved satisfactory it is not in fact in accordance with the provisions of the Bills of Exchange Ordinance which require physical delivery. Clauses 2 to 5 of the Bill now before the Senate are designed to legalise this practice.

When a Bill of Exchange is presented for acceptance and the drawee of the Bill refuses to accept liability or refuses payment on the due date the Bill must be noted by a Notary Public to comply with the provisions of the Bills of Exchange Ordinance. The Notary Public makes a note on the actual Bill stating the reason why it is to be dishonoured, and this note is normally followed by a more formal statement from the Notary Public which is called a "protest".

I think I should explain that noting and protesting constitute formal evidence that a Bill has been dishonoured and without this the right of legal action against the drawer of the Bill may be lost. At present the Bills of Exchange Ordinance provides that a Bill must be "noted" on the day of dishonour. In practice it is often very difficult to have the noting made on that day and this has, of course, presented some difficulties to the banker. Clause 6 of the Bill is designed to provide an extra day to enable the services of a

Notary Public to be obtained to carry out the necessary noting.

Sir, I beg to move.

The Minister of Health (Hon. M. Waziri Ibrahim): Sir, I beg to second.

Question proposed.

Senator L. C. Daldry: Mr Deputy President, Sir, I wish to express the appreciation which I am sure will be felt by the banks if this Ordinance is passed into law.

The history of this Bill is that representatives of all licensed banks—Nigerian representatives and expatriate representatives—sat together some months ago under the Presidency of the Governor of the Central Bank and thrashed out their legal difficulties in connection with this matter. After that, representations on behalf of the Banks were placed before the Government and this Bill was the result. The Bill is thus a happy example of what can be done by mutual co-operation between the banks, both Nigerian and expatriate, and I have very much pleasure in thanking the Minister of Finance for presenting the Bill. I support it.

Senator Chief S. T. Hunponu Wusu: Mr Deputy President, Sir, I think I must congratulate the Minister of Finance for moving this Bill of Bills of Exchange. What the hon. Senator Daldry has just said is the exact position of things some couple of weeks ago. As a result of that we are having this Bill before us now. It will be of interest to Nigeria as a whole if our Ministers could only listen perhaps when we have public opinion about a certain Ministry before something is done. They should not simply look down on them. I agree that finance is something very important. We are grateful to the Minister of Finance for taking an active part, with his colleagues, to submit this Bill.

Mr Deputy President, Sir, I support the Bill.

Senator Olajide Somolu: Mr Deputy President, Sir, I would like to join those welcoming this Bill because I think it is very much long overdue. I am particularly happy to say that originally I intended to pick a quarrel on sections 2 and 5, but having consulted our banking expert, the hon. Senator Daldry, I felt very much that I should withdraw my opposition. But in the light of his explanation to me

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I would respectfully wish that the hon. Minister of Finance confirms my satisfaction on the explanation given by the hon. Senator Daldry.

The Minister of Finance : I confirm !

Senator Somolu : With your permission, Sir, I would like to read section 1 (a) which I consider to be of vital importance. "Notwithstanding anything contained in subsection (1), a bill may be presented for acceptance by means of an advice addressed to the person or persons to whom presentment must under subsection (1) be made, and sent through the post office before the bill is overdue, stating that the bill is held for acceptance by the sender and giving the name of the drawer and particulars of the place at which it is so held, the amount for which and the date on which it was drawn and any usance applicable to the bill. . . ."

Now, Sir, these few lines are very important. They say: "Where presentment is made in pursuance of this subsection, the bill shall be deemed to be duly presented for acceptance at the time the advice is posted". Now my difficulty with this section is as regards the words "shall be deemed to be duly presented" because I had a fear that if it was so posted but not delivered, what would happen? However, Senator Daldry assures me that although this section is so worded, in actual practice it is not just ordinary postage but it is by registered post. I had intended to raise the issue that it should be so stated here as in the United Kingdom Act of Parliament; but, as I have said, Senator Daldry and his colleagues of the banking profession say they are happy. If only the hon. Minister of Finance would confirm this I would support this Bill with all my heart.

Senator L. C. Daldry : On a point of explanation purely, I confirm what my hon. Friend has said. In doing so, I would just say this: the practice of bankers will be to use the registered post on many occasions, but not perhaps on all occasions. There will be times when we should be quite satisfied to send an advice, which may not necessarily be going very far, by ordinary post; it will not always be sent by registered post. But often in practice, and if we ever want to prove in a law court that we have sent it, I think that it is clear that we shall have to use the registered post.

The Minister of Finance : I rise on a point of confirmation, Sir, and I confirm.

Question put and agreed to.

Bill accordingly read a second time and committed to a Committee of the whole House.

Bill immediately considered in Committee.

(In the Committee.)

Clauses 1 to 6 agreed to.

Bill to be reported.

(Mr Deputy President resumed the Chair)

Bill reported, without amendment, read the third time and passed.

INTERNATIONAL FINANCIAL ORGANISATIONS BILL

Order for Second Reading read.

The Minister of Finance (Chief the hon. F. S. Okotie-Eboh) : Mr Deputy President, Sir, I beg to move that a Bill for an Ordinance to enable Nigeria to become a member of the International Monetary Fund, the International Bank for Reconstruction and Development, the International Finance Corporation and the proposed International Development Association be now read a second time.

Sir, this is perhaps the most significant piece of legislation that it is my honour to introduce during this Meeting of the Senate. Senators will have with them Sessional Paper No. 3 of 1960, which sets out the Articles of Agreement of the three existing and one proposed International Financial Institutions.

The Articles of Agreement are lengthy and complicated, but it is important, and indeed is required by the Authorities of the Organisations concerned, that the full text of the Articles of Agreement should be laid before the Legislature of each country on joining. Members will find at pages 1-2, 29-30, 49, and 63-64 brief notes on the work and purposes of each of these bodies, but I should like to say something more on them in this speech.

In the Sessional Paper the first 27 pages deal with the International Monetary Fund. Let me read to you Article 1. I quote: "The purposes of the International Monetary Fund are:—

(i) To promote international monetary co-operation through a permanent institution

which provides the machinery for consultation and collaboration on international monetary problems. (ii) To facilitate the expansion and balanced growth of international trade, and to contribute thereby to the promotion and maintenance of high levels of employment and real income and to the development of the productive resources of all members as primary objectives of economic policy. (iii) To promote exchange stability, to maintain orderly exchange arrangements among members and to avoid competitive exchange depreciation. (iv) To assist in the establishment of a multilateral system of payments in respect of current transactions between members and in the elimination of foreign exchange restrictions which hamper the growth of world trade. (v) To give confidence to members by making the Fund's resources available to them under adequate safeguards, thus providing them with opportunity to correct maladjustments in their balance of payments without resorting to measures destructive of national or international prosperity. (vi) In accordance with the above, to shorten the duration and lessen the degree of dis-equilibrium in the international balances of payments of members"—with apology to Senator Lagunju. "The fund shall be guided in all its decisions by the purposes set forth in this Article."

There is, in my view, nothing in this article which sets out the purposes of the International Monetary Fund which we need have any doubts accepting. Indeed, let me remind you of two points out of the ten-point plan for the financial and economic policies of this Government for an Independent Nigeria which I announced during my Budget Speech. The first of these was to maintain confidence in the value of the Nigerian currency and to maintain reasonable stability in wages and prices. The ninth of these points was to ensure that Nigeria plays her full part in the institutions and organisations designed to promote development and freer and wider international trade.

I have often said that trade must come before aid and that more fundamental to the economic growth of Nigeria than anything else is a healthy condition of world trade. Exchange stability which implies that countries enjoy mutual confidence in each other's currencies is fundamental to international trade. A Nigerian exporter will hesitate to sell goods

to any country if he thinks that the value of that other country's currency is likely to fluctuate and possibly depreciate before he receives payment for the goods he exports.

Equally, other countries will hesitate before they export goods to Nigeria if they thought that the amount of the currency which they were likely to receive might vary and possibly be less than they had anticipated because of a depreciation in the value of Nigerian currency before payment had been received.

But levels of world trade fluctuate and from time to time countries find themselves in balance of payments difficulties; that is to say, they are short of foreign exchange. Such difficulties may result from unwise internal policies or may result from poor crops. In such circumstances the International Monetary Fund stands ready to advise on remedial measures within the economy and also to assist in supplementing foreign exchange reserve until export earnings recover.

These objectives are, as I have said, ones which I believe Nigeria can and should wholeheartedly support. In doing so we shall be joining the ranks of nearly all the countries of the free world. I believe that apart from certain States which may have attained independence very recently and which have not yet taken the necessary steps to join the International Financial Organisations, there are only two non-communist countries in the world which are not members. Such countries as India, Pakistan, Ghana and Mali—never mind what is happening—are all members. I should also make it clear that a country cannot be a member of the International Bank unless it is also a member of the International Monetary Fund.

The objectives of the International Bank for Reconstruction and Development will be more familiar to Senators than those of the International Monetary Fund. The International Bank, which was founded at the same time as the International Monetary Fund, began its post-war operations with the primary objectives of financing the redevelopment of areas which had suffered during the war. Post-war European reconstruction was in those times its principal concern, but since that time its loans have been increasingly directed towards the development of the less developed areas of the

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world. It is now true to say that the International Bank is the most important single institution providing finance for less developed countries. As the note in the Sessional Paper says, by the end of May, 1960, the Bank had made 260 loans totalling nearly five billion dollars to finance hundreds of projects in 52 countries. In Asia and the Middle East the Bank has lent 1,569 million dollars, and to Africa 756 million dollars.

The Bank has, of course, already made one loan to Nigeria of 28 million dollars. It ensures that its loans are used for really productive purposes and imposes a number of obligations on borrowers as a result. These, however, are not unreasonable obligations but are merely designed to ensure that loan monies achieve the objects for which they were made. Apart from providing loans the International Bank provides increasingly useful advisory services. Its interest in Nigeria, I think, has been typified by the release of one of their senior officials to become Economic Adviser to the Federal Government, about which the Prime Minister made an announcement sometime ago in another place.

I am convinced that we must take full advantage of all the advantages that membership of the International Bank can give. Construction of the great hydro-electric project, which we hope will be constructed during the next few years, will be dependent upon support from the International Bank. Those who believe that Nigeria will continue to prosper without membership of this institution have neither eyes to see nor ears to hear. If 52 countries of the world have found it worthwhile to borrow from the Bank, does this not show that the Bank is satisfying real needs?

The International Finance Corporation is a more recent creation and only came into being in 1956. It is designed to stimulate growth in developing member countries by investing in productive private enterprises in association with private capital and management without any Government guarantee. Operations of the Finance Corporation have so far been fairly limited but it may well be that we shall be able to take advantage of the facilities it offers in the years to come.

The fourth of the International Institutions has not yet been formally established. This is the International Development Association which is expected to come into formal existence at the forthcoming annual meeting of the International Monetary Fund and the International Bank in Washington at the end of September. This Association has been set up for the specific object of promoting economic development, increasing productivity, and thus raising standards of living in the less developed areas of the world.

The principal differences between the method of operations of the International Development Association and that of the International Bank will be that it will provide finance on rather more flexible terms than the International Bank is allowed by its Articles of Agreement. In practice, the proceeds of loans from the International Bank may only be spent on offshore costs, that is, on goods, services or materials which have to be imported into the country receiving the loan.

The other difference is that International Bank Loans are confined almost entirely to projects which are revenue-earning. The Articles of Agreement of the International Development Association will, as the explanatory note in the Sessional Paper states, allow it to finance projects or programmes which are not directly revenue-producing. I hope also that loans from the Association will in certain circumstances be available to meet local costs. Our country has its own specific problems in financing development. I am sure, however, that the proposed International Development Association will be able to give assistance to Nigeria which is tailored to our needs.

Now the cost of joining these Institutions will be considerable. Nigeria's initial subscriptions will in all total some £2½ million. The bulk of this £2½ million will, however, be in respect of Nigeria's contribution to the International Monetary Fund. However, I have explained the working of the International Monetary Fund and have pointed out that this subscription is available to Nigeria, together with additional borrowing rights in time of need. It is, therefore, better regarded as an investment rather than as outright expenditure. From the International Bank, of course, Nigeria has already received loan assistance many times in excess of the initial subscription which she is now called upon to make.

In deciding what size of quota would be appropriate for Nigeria we had to have regard to the fact that voting in these institutions is determined by the size of quotas and by the need for Nigeria to have a quota commensurate with her economic strength. Hon. Senators, I am sure, will appreciate the importance of this. Nigeria's quota of United States dollars fifty million in the International Monetary Fund, on which the subscriptions to all other institutions are based, does, I believe, do this.

It would, I think, be appropriate at this stage if I also mention that the question of representation in the Fund and the other Institutions is in the hands of a Board of Executive Directors. The five countries with the largest subscriptions, among whom are the United States of America, the United Kingdom and India, are represented by their own Directors. Other countries with smaller quotas are grouped so that their voting strength is roughly comparable. There are several such groups each represented by the Executive Director from among the Member countries, and in recent months I have given careful consideration as to which country could most effectively represent Nigeria's day to day interests in these organisations. I am happy to announce to-day that I have received a most cordial response to my suggestion to my colleague, Mr Flemming, the Canadian Finance Minister, that the Canadian Executive Director on the Boards of the International Monetary Fund and International Bank should represent Nigeria's interests. I am sure that the House will welcome this news. Canada has played an important part in the workings of these Institutions and I am sure that her Representative will be able to look after Nigeria's interests most effectively.

I should explain to Members that voting powers in these Institutions are not on the basis of one country, one vote. They are, as I have just said, proportionate to the size of each country's quota. The reason for this, however, is that the International Monetary Fund is a fund and the International Bank for Reconstruction and Development is a bank. Joining the Fund or the Bank is not like joining an organisation such as the United Nations where each country has equal voting rights. It is more like buying shares in a company or making other sorts of investment where the degree of control depends on the number of shares held.

Therefore, the Articles of Agreement of the International Monetary Fund and the International Bank require the richest countries to make the largest contributions, but it also gives them more voting power. Applications by countries who wish to become members are considered by a special committee set up for the purpose. In the case of Nigeria her application was carefully considered and it was agreed by the Executive Board that her quota reflects her economic strength, having regard to her population, national income and foreign exchange reserves. I can assure Senators that the present system of voting rights has worked perfectly well and is satisfactory to other member countries.

The Bill itself follows very closely that of similar legislation passed in other countries, particularly Malaya and Ghana, which have joined these institutions in recent years. The main purpose is to provide for the automatic payment out of the Consolidated Fund of necessary payments. It also provides for the necessary privileges to be given to the representatives of the Organisations. The enactment of this Bill will enable Nigeria to become a full member of those Organisations once the final formalities have been completed in Washington. These should be completed within a few weeks of the attainment of Independence.

I am sure I am speaking for the whole House when I say that the enactment of this Bill is yet another landmark on the road to our full status as an independent power and I trust hon. Senators will, as the Government does, welcome it.

Sir, I beg to move.

The Minister of Pensions (Hon. Musa Yar'Adua): Sir, I beg to second.

Question proposed.

Senator J. K. Nzerem: Mr Deputy President, Sir, this is a Bill which, in accepting, we have to thank the Finance Minister first and foremost for having gone to the trouble of finding out all the intricacies of the International Monetary Fund and Institutions. It is not an easy thing for an ordinary layman who is not a financier to appreciate the difficulties involved in such a Bill. But as a corollary of

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our sovereign status we have to accept the implications even though to the ordinary man it is almost impossible to understand.

We have been told that independent African States, including our neighbour Ghana, have joined these Institutions. So, I think there is no harm in Nigeria falling in line. We have been told time and time again that our country needs development and we see that our country needs to be developed and there is no possibility that we can develop our country solely on our own resources. We need the help and co-operation of our friends in this country and elsewhere.

I do not think that this is a matter that will take too much of the time of hon. Senators. The Government must have been well advised by its financial experts as to the implications. For one thing, when one is dealing with these financial experts one has to be extremely careful not to commit oneself to any provision from which one cannot finally extricate oneself.

I remember on one occasion when I signed a document, I think it was an Insurance Policy and when I tried to make a claim they said: "But you signed this"! Honestly I did not understand what I signed.

So my only advice to our Government is that they should be very careful and get their financial and legal experts to examine every aspect of these articles. To the layman, as I have said, they are extremely difficult, but we have confidence in the ability of our Finance Minister. We have confidence in the ability of his colleagues in the Council of Ministers, and I am left in no doubt that they must have examined very carefully every aspect of this document.

I support the Bill.

Question put and agreed to.

Bill accordingly read a second time and committed to a Committee of the whole House.

Bill immediately considered in Committee.

(In the Committee)

Clause 1 to 6 agreed to.

Preamble agreed to.

Bill to be reported.

(The Deputy President resumed the Chair)

Bill reported without amendment, read the third time and passed.

MILITARY PENSIONS (AMENDMENT) BILL

Order for Second Reading read.

The Minister of Pensions (Hon. Musa Yar'Adua): Mr Deputy President, Sir, I beg to move the second reading of a Bill for an Ordinance to be entitled "The Military Pensions (Amendment) Ordinance, 1960".

The Military Pensions Ordinance and the Regulations under it provide for the payment of pensions and gratuities to officers and other ranks who retire from the service with the Military Forces, in the same way that the Pensions Ordinance provides these retiring benefits to members of the Public Service. Taking into account the necessary differences between military service and service in a civil office, the provisions of the two Ordinances are very similar.

In 1958, two small amendments were made to the Pensions Ordinance, 1951, with the object of improving the situation of the dependants of an officer dying before or immediately after his retirement from the Public Service. Prior to these amendments the estate of a deceased officer received one year's value of his pensionable emoluments. One amendment provides, as an alternative, for the payment of a sum equal to the officer's commuted pension gratuity: that is to say, the quarter of his pension which he would have been entitled to take immediately in the form of a lump sum, if, instead of dying, he had retired. In most cases this commuted pension gratuity is greater than one year of the officer's pay.

The second small amendment applies to officers of the Public Service who die shortly after retiring. In any such case where the total that has been received by an officer by way of pension or gratuity since the date of his retirement is less than one year of his retiring emoluments, a sum equal to the balance is paid to his estate.

The present Bill seeks to make similar provisions under the Military Pensions Ordinance so that the benefits payable to the estate of a member of the Nigerian Military Forces will continue to be in line with those payable to the estate of a Public Service officer.

Sir, I beg to move.

The Minister of Finance (Chief the hon. F. S. Okotie-Eboh): Sir, I beg to second.

Question proposed.

Senator Chief Fagbenro-Beyioku : Mr Deputy President, Sir, this is a Bill which is to be welcomed, but there is only one point to call the attention of the Minister of Pensions to. This provision is quite good, but in this country to-day, Sir, we have some ex-servicemen, particularly those who served in the 1914-1919 war, whose pensions are so mean that they cannot afford any good means of livelihood. You see them about the streets in wretched and shattered form. I feel the Government of the Federation must do something about these people with a view to giving consideration to some form of improvement in the pension they now have. Otherwise, Sir, I have every reason to support this Bill.

Senator Dahlton Asemota : Mr Deputy President, Sir, I have very little to say about this Bill ; I have nothing to say but to commend it. As I said earlier this morning, I think it is very praiseworthy that people do actually receive pensions, but I have something to say about it, because there is a condition here which states that "Subject to the provisions of section 7, where an officer or other rank dies while in the military service, the Governor-General may grant to his legal personal representative a gratuity of an amount not exceeding either his annual pensionable emoluments, or his commuted pension gratuity if any, whichever is the greater".

That is very good encouragement, indeed, but they do not state the rate of pension the Military people are supposed to have. I think they should have something better than the people in the Civil Service ; they should have something like double what the Civil Servants have because their job is of a nature that cannot be compared to those in the Civil Service, and I think that if that is not under consideration, Sir, I would ask the Government to take a note of it, to improve the pensions of the people who have actually been to the front, the war front, and actually seen the bullets and all those conditions. Sir, I support the Bill.

Mallam Nuhu Bamali : Mr Deputy President, Sir, I just want to repeat my usual appeal to the Minister of Pensions on the treatment that pensioners receive all over the Federation on pay day. You will remember, Sir, that I have said that it is a disgrace and a

discredit that on pay day they are made to line up in a very long queue in all weathers, and there they will be at the mercy of a clerk's assistant in the office who will take about half an hour before he calls out a name, and then another half an hour before he calls another person. I suggest, Sir, that now that we have a Ministry of Pensions in this country this Ministry should open an office in every centre of this country to deal with payment of pensions.

The Deputy President : From my own experience of pensioners, I think in each Division or District they have people who pay these pensioners separately. I do not know whether that obtains in the area from where you come.

Senator Nuhu Bamali : Well, in my own town, Sir, that is not so, and I think I told the Minister so myself several times. There was even a day when I nearly took the Minister to the Provincial Office to see the sort of thing that happens there.

The Minister of Finance : I thought the hon. Member was going to say that he nearly took the Minister to an Alkali court !
(*Laughter*).

Senator Nuhu Bamali : No, I am not an Alkali now but maybe I shall be one day. So I am appealing that an office for the payment of these pensions should be opened all over the country.

The Deputy President : The trouble is that ex-soldiers do not give respect as they should to the staff when they come for their pension. They always want to give the impression that they have been to the war and should be given first consideration. I have experienced a similar trouble myself when I was in the Provincial Office before. Ex-soldiers always like to force their way into any office.

Senator H. O. Abaagu : Mr Deputy President, Sir, what I want to be educated upon by the Minister is that I understand that the period of service required by a soldier before he is eligible for a pension is twenty-two years whereas his counterpart in the Civil Service is required to serve only ten years before being eligible. Why is there the disparity in the treatment of these people ? I cannot really understand why there should be this difference.

The Deputy President: Is there any part of the Bill which says that his counterpart serves fewer years before he can get pension?

Senator Abaagu: It is not really there, Sir, but it is a thing I want to be educated on.

Question put and agreed to.

Bill accordingly read a second time and committed to a Committee of the whole House.

Bill immediately considered in Committee.

(In the Committee)

Clauses 1 and 2 agreed to.

Bill to be reported.

(The Deputy President resumed the Chair)

Bill reported, without amendment, read the third time and passed.

CUSTOMS TARIFF (DUTIES AND EXEMPTIONS)

The Minister of Finance (Chief the hon. F. S. Okotie-Eboh): Mr Deputy President, Sir, I rise to move the Motion standing in my name, that in accordance with subsection 2 of section 7 of the Customs Tariff Ordinance, the Customs Tariff (Duties and Exemptions) (No. 4) Order, 1960, be confirmed.

This Order, which I am asking the Senate to confirm, exempts from import duty goods imported by Catholic Relief Services for distribution free of charge, within Nigeria to the poor and needy, and goods imported for the official use of the Programme Director for Nigeria of Catholic Relief Services. The Catholic Relief Services is a charitable organisation whose main function is to provide relief supplies to the poor and needy without regard to race, colour or creed. Relief supplies may include any items, but food, used clothing and medicines are the most common.

The arrangement is that the Catholic Relief Services imports these relief supplies and hands them over to the Government concerned or to a voluntary agency to distribute, free of charge, to the needy. The organisation is already operating in Ghana, Togoland and Liberia, and in each case the Government concerned has entered into an agreement to exempt from import duty, not only relief supplies but also vehicles and office equipment

required by the organisation together with the personal effects of any of the organisation staff.

Mr Deputy President, Sir, ours is a Government of the people as a whole, not of any particular section or class. We have a duty to all members of the community, be they old or young, farmers or workers, men or women, rich or poor. The needs and hopes of all have to be taken into account and we do not intend, now or in the future, to sacrifice our responsibilities to the community as a whole in the interests of any particular section of it.

We all know that there are poor and needy people in our midst, and we in this Senate must not forget our needy brethren. This little measure will be of help to them. The goods which this Organisation will bring into the country have been provided from motives of charity and kindness, and it is the view of the Federal Government that it would be wrong to continue to impose import duties on them.

This Order, therefore, stipulates that goods imported by the Catholic Relief Services shall be exempted from duty where I am satisfied that adequate arrangements have been made for their distribution, free of charge, within Nigeria to the poor and needy.

With these few words, Sir, I beg to move that the Order be confirmed.

The Minister of Transport and Aviation (Hon. R. Amanze Njoku): Sir, I beg to second.

Question proposed.

Senator J. K. Nzerem: Mr Deputy President, Sir, this Motion commends itself, and I do not think it is a Motion that will evoke any long debate. I think our duty here is to express our appreciation to those who are responsible for this relief organisation. The poor we have always with us, and if there is any organisation anywhere in the world that will come to the relief of our poor we shall be very grateful. I wholeheartedly commend the Motion to this honourable House.

Sir, I beg to support.

Senator H. O. Abaagu: Mr Deputy President, Sir, I associate myself with the previous speaker in supporting this Motion.

This organisation is not a profit making one and, therefore, it should be exempted from the import duty, and not only this organisation but any other organisation of this nature throughout Nigeria.

Sir, I beg to support.

Question put and agreed to.

Resolved: That the Customs Tariff (Duties and Exemptions) (No. 4) Order, 1960, (Legal Notice No. 98 of 1960), be confirmed.

ADJOURNMENT

Motion made and Question proposed, That this House do now adjourn: (The Minister of State, Senator the Hon. M. A. Majekodunmi).

Senator Nzerem rose in his place—

The Deputy President: Senators will remember that any questions to be raised on Adjournment must first of all be notified to the appropriate Minister who will make suitable arrangements for a reply.

Senator J. K. Nzerem: Mr Deputy President, Sir, I am not going to raise any matter which requires a reply. This evening the Senate witnessed, perhaps for the first time a very stormy debate on this Loan (Regional Development) Bill.

Mr Deputy President: Do you mean that Bill about the Loan which we were discussing when the hon. Minister of Finance said something about the birds of the air having their nests, the foxes their lairs, and the poor people of Nigeria having nowhere to lay their heads, is that what you are meaning?

Senator Nzerem: The Bill was just passed into Law a few moments ago and it had evoked a very stormy debate, Mr Deputy President, and I have something to say in connection with it.

I said that many Members had risen and called to question a certain part of the Bill. Perhaps this would not have been the case if all Members of this hon. House got all the approved Estimates of the various Regions. Probably you can put in a word with the Ministers and ask them to survey the possibility of Members of the Senate getting all the approved estimates of the various Regions.

After all we are Senators for the whole of the Federation of Nigeria and not representing one particular place. Therefore it might be useful for Members of the Senate to be in possession of these documents and then perhaps these long debates would be avoided.

This is my suggestion, Sir.

The Deputy President: I think the Minister of State or the Clerk will see to that.

Senator Dahlton Asemota: Mr Deputy President, Sir, I associate myself with the previous speaker about the distribution of the approved Estimates to Members of the Senate. Well that is something, but I want to include the supply of Regional *Hansards* and Regional Gazettes.

As Senator Nzerem has said we do not represent only one particular Region or territory, we represent the whole country, and I think we should be in a position to know what is going on in the other Houses so that we can be of more assistance to Government.

I am from the Western Region. I get the Western Region Gazette and the Federal one, but I do not know what is going on in the East or the North. I am therefore asking, Sir, that the Senators be supplied with Gazettes from all the Regions and the *Hansards* from both Houses of Chiefs and Houses of Assembly, in order that we may devote our time to reading them and then we will be able to provide more assistance and be better able to debate them in this hon. House.

Mr Deputy President: The question is: Will you have the time to read them?

Senator Asemota: Well I think so because of the disparity in the dates of the meetings. I think we will have time to read them.

Then again, I wonder if it could be made possible for the Senators to tour the Regions at the time of the assembly of both the House of Assembly and the House of Chiefs so that we can see what is going on and get an idea of what is happening in the Regions.

The Minister of Health (Hon. M. Waziri Ibrahim): Mr Deputy President, Sir, although there is no harm in Senators wanting to see the *Hansards* of the Regions, I would like to say that they would not be called upon on many occasions to pass or to give a formal

SENATE OF THE FEDERATION OF
NIGERIA*Thursday, 25th August, 1960**The Senate met at 10 a.m.*

PRAYERS

(The Deputy President in the Chair)

STATEMENT BY DEPUTY PRESIDENT

The Deputy President : Yesterday, an hon. Senator asked for my considered ruling in relation to Standing Order 18 (a) regarding the offering of amendments in Committee. I now do so.

It is true that it is not obligatory to give notice of an amendment to a Bill in Committee. But, as stated in the 16th Edition of May's Parliamentary Practice, page 552—"When it is desired to propose an Amendment without notice, the Chairman should be informed beforehand of its terms, and of the exact place in the clause where it would occur."

A Senator wishing to offer amendments in Committee as aforesaid must submit it in writing beforehand with a copy to the Minister in charge of the Bill.

In this matter I would draw the attention of Senators to what is stated in May, page 551 and I quote, "Notice should be given whenever possible of every important amendment, as the moving of such an amendment without notice causes obvious difficulty and inconvenience to the Committee."

MINISTERIAL STATEMENT

The Minister of State (Senator Dr M. A. Majekodunmi) : Mr Deputy President, Sir, several Senators have expressed their desire to visit the site of the Nigeria Exhibition Centre at Victoria Island. May I invite those Senators who are desirous of making this visit to submit their names to the Clerk of the Parliaments to-day so that arrangements might be made with an official to show them round the site tomorrow Friday at a convenient time.

ORDER OF THE DAY

FLAGS AND COATS OF ARMS BILL

Order for Second Reading read.

The Minister of Internal Affairs (Hon. Mallam Usman Sarki, Sardaunan Bida) : Mr Deputy President, Sir, I rise to move that a

Bill entitled an Ordinance to regulate the display and use of the National Flag and certain other flags, the National Coat of Arms and the Royal Coat of Arms, be now given a second reading.

The purpose of this legislation, Mr Deputy President, is to take account of the approaching independence of Nigeria. We must take steps to ensure that proper regard is given to the dignity of Nigeria and to the national emblems of Nigeria. We do not want to restrict the use of the National Flag or the National Coat of Arms. On the contrary, we want them to be well-known, and held in much affection and high regard. But we also want our national emblems to be respected. And we know that they can only be respected if they are accorded proper dignity.

The Bill makes provision for the protection of the dignity of these emblems, and for the protection of certain other emblems to which, as a prospective member of the Commonwealth, Nigeria would also wish to afford protection. I cannot imagine that there will be any controversy over the objectives of the Bill, or the means by which we propose to attain these objectives. I am certain that the Bill will be welcome to hon. Senators, and that I need not delay matters by speaking further on the subject. Sir, I beg to move.

The Minister of Health (Hon. Mallam Waziri Ibrahim) : Sir, I beg to second.

Question proposed.

Senator A. E. Ukattah : Mr Deputy President, Sir, this Bill seeks to introduce provisions regulating the display of the National Flag and certain other flags, the National Coat of Arms and the Royal Coat of Arms. I have nothing against the spirit of the Bill. But while supporting its second reading, I wish to satisfy my conscience by putting on record my disapproval of the National Flag which I consider most unsuitable.

Sir, the National Flag, and in fact, ancient emblems all over the world have been designed to have some sort of national significance.

The Minister of Internal Affairs : On point of Order, Sir, we are now discussing the display of the Flag ; we are not debating the actual composition of the Flag. In this respect, Sir, I think what the hon. Senator is saying is very irrelevant to this Bill.

The Deputy President : I will certainly warn the hon. Senator to confine his debate to the subject in hand.

Senator Ukattah : Mr Deputy President, Sir, I have been confining myself to the point by saying that what we are asked to approve is most unsuitable.

The Deputy President : But you are discussing the design and not the display.

Senator Ukattah : Thank you, Sir. That is exactly the point I wish to make ; and therefore, I support the Bill.

Senator J. K. Nzerem : Mr Deputy President, Sir, I think the Bill is very timely and should be welcomed by the Members of this hon. House. There have, however, been some criticisms about the national colours but I do not want to say anything about that. All I want to say is that the national colours of Nigeria should reflect the dignity of the country and I think green and white are very respectable colours. (*Hear, hear*).

The Deputy President : Well, it seems you are discussing the colours anyway and the Minister has objected to that.

Senator Nzerem : The Minister does not object to what I am saying now because I saw him applauding. (*Laughter*). What I want to suggest, Sir, is that some arrangement should be made for all Members of the Upper House as well as the Lower House to have these flags available for flying on their cars on the 1st of October.

The Minister of Finance (Chief the hon. F. S. Okotie-Eboh) : They are sold at the Kingsway Stores.

Senator Nzerem : If they are going to be sold in the Kingsway Stores then I think hon. Members should be encouraged to get them.

Sir, I beg to support.

Senator Chief P. I. Acholonu : Mr Deputy President, Sir, this Bill is satisfactory so far as the question of display is concerned and it is the actual thing we want. It needs no debate because the flying or displaying of the flag is going to show that we are independent and goes further to show the quality of the Federation of Nigeria. It is not a controversial Bill and therefore I support it *in toto*.

Senator Chief O. A. Fagbenro-Beyioku : Mr Deputy President, Sir, what I only want to know is whether the interpretation in Clause 3 (c) actually covers the matters raised. It says : "any flag appointed to be flown only on ships of the Royal Nigerian Navy or Her Majesty's ships, or in connection with establishments of the armed forces of Nigeria or the armed forces of any member state of the Commonwealth." It appears then that if there is any flag designed purposely for the use of the Merchant Navy I think anybody is at liberty to use such flag as he likes. I would therefore like the Minister to let us know what he thinks about that point. That is the only point I wish to make.

The Minister of Internal Affairs (Alhaji the hon. Usman Sarki, Sardaunan Bida) : In fact, Sir, I fail to understand the sense of the complaint of the hon. Senator. He referred to flags designed to be flown by the Merchant Navy ; well, if the flag is designed, it cannot be flown by anybody without the approval of the designer of the flag.

Question put and agreed to.

Bill accordingly read a second time and committed to a Committee of the whole House.

Bill immediately considered in Committee.

(In the Committee)

Clauses 1 and 2 agreed to.

Clause 3.

The Minister of Finance (Chief the hon. F. S. Okotie-Eboh) : Mr Deputy President, Sir, I want to support my hon. Colleague when he said that he did not understand the complaint of the hon. Senator Chief Beyioku as regards section 3 (c) which he read.

The whole section 3 is dealing with restrictions on flying certain flags and section 3 (1) says : "any person who otherwise than in conformity with the terms of a licence granted by the Minister or under other lawful authority, flies or exhibits in any public place any of the following flags, that is to say",—leave (a) and (b) and go to (c) "any flag appointed to be flown only on ships of the Royal Nigerian Navy or Her Majesty's Ships, or in connection with establishments of the armed forces of Nigeria or the armed forces of any member state of the Commonwealth." It does not say that you cannot fly a trade union flag but

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certainly not a flag designed to be used by the Navy or the Armed Forces. It is non-contentious.

Senator Chief O. A. Fagbenro-Beyioku : Sir, the merchant navy is different. When we refer to Merchant Navy—I know at any rate that they will come back with an amendment later on—or talk of the Royal Nigerian Navy, we are talking of one of the armed forces of the nation but when we talk of the merchant fleet or merchant navy, the flag in that respect is just like the flag used by the shipping lines or the businessmen.

The Minister of Finance : But there is no mention of merchant navy here.

Senator Beyioku : What I am saying, Sir, is that there is no need to protect the use of the flag used by the merchant navy. I want to be assured on that because the flags which are to be protected are here enumerated and are the flags used by the Nigerian Royal Navy, Her Majesty's Navy and so on. It may be something you have overlooked. I know very well we have got Nigerian Shipping Lines now and we have got the flag which will be used by the merchant fleet, and the flags to be used by the merchant fleet are different from the flags used by the navy. All I want you to say is that the flags used by the merchant fleet do not come for protection.

The Minister of Finance : But the point is that nobody can be penalized for what is not bound by the law and with very great respect, Sir, it is not necessary for the hon. Senator to ask us about merchant fleet. If he buys his own ships tomorrow and puts them on the high seas, he is at liberty to manufacture his own flags. The law is not going to get hold of him. He can do what he likes as far as the Government is concerned. We are only concerned here with what is enumerated. You can fly the N.C.N.C. flag or the Mosquito Flag or the other Action Group Flag.

Clause 3 agreed to.

Clauses 4 to 8 agreed to.

Bill to be reported.

(Mr Deputy President resumed the Chair)

Bill reported without amendment, read the third time and passed.

CRIMINAL CODE (AMENDMENT) BILL
Order for Second Reading read.

The Minister of Finance : Mr Deputy President, Sir, I beg to move that a Bill for an Ordinance to amend the Criminal Code Ordinance be now read a Second Time.

This Bill seeks to do only two things. First, it corrects an anomaly in the Criminal Code as it stands at present. This is that there is no provision at the moment which makes it an offence to counterfeit coinage issued by the Central Bank of Nigeria.

Chapter 16 of the Criminal Code, which deals with offences relating to the coin, makes it an offence under section 147 to counterfeit any current gold or silver coin. "Silver coin" is defined to include "any of the coins of mixed metal current in Nigeria by virtue of the provisions of the West African coinage Order, 1958, or any Order substituted therefor". Unless this definition is amended it would seem that counterfeits of coinage issued by the Central Bank of Nigeria will go unpunished. Clause 3 of the Bill will achieve this object which is self-explanatory and clearly necessary.

Clauses 2, 4 and 5 of the Bill seek to control the production of, or any portrayal of Nigerian currency or Bank notes or coin without my permission. There are general objections to allowing the reproduction of coin or currency notes except under stringent safeguards. It is at all times a matter of vital importance that nothing should be done to make the forger's task easier or to lead to any public loss of confidence in the currency.

The reproduction of currency designs usually involves the setting up of machinery, the engraving of plates and so on, which could, in certain circumstances, be a direct or indirect help to persons seeking to produce forged notes. During the course of last year it became clear that certain firms were intending to import textiles into the country bearing reproductions of the new Nigerian currency. To guard against the risks which I have outlined above, firms were asked through the Chambers of Commerce, to consult my Ministry before reproducing notes and coins on textiles.

This procedure worked satisfactorily for a time, during which three applications were received. Two of these were turned down on the grounds that the reproductions were too

exact, but the third was approved. However, recently cloth has been imported into the country bearing a good reproduction of the five shilling notes, for which permission to reproduce would, if it had been sought, have been refused. As a result of this an unsatisfactory position has developed, in that the firms which are co-operating with my Ministry are likely to be penalised if others who do not co-operate are able to import cloth with unsatisfactory designs.

Clauses 2, 4 and 5 of the Bill correct this position and enable me to exercise proper control which will be fair to all importers.

Sir, I beg to move.

The Minister of Health (Hon. Waziri Ibrahim) : Sir, I beg to second.

Question proposed.

Senator M. B. C. Chukwubike : Mr Deputy President, Sir, the object of the Bill before this hon. House is praise-worthy and timely. I give my hearty congratulation to the Minister of Finance on presenting this Bill to this hon. House.

The preservation of the genuineness of our money is a matter that should receive every amount of seriousness. Counterfeiting coins and notes is a national calamity. Many irresponsible people in this country take delight in counterfeiting our coins and notes so much so that very many of them are in the country now, thus reducing the value of our money.

I am suggesting that a longer term of imprisonment without option of fine should be imposed.

Sir, I support the Bill.

Senator Alhaji Abubakar Bale : Mr Deputy President, Sir, I rise to support the Bill, but before doing so I want to draw the attention of the Minister of Finance to a point.

The Bill now prohibits the making of illegal currency notes ; but is there a provision made to prohibit the importation of the machines brought to this country for the making of illegal currency notes ? If there is no provision made, I think it is worthwhile making one because, to my understanding, the machines are not made within Nigeria but they are imported and that must stop.

With this I support the Bill.

Senator Chief S. O. Esangbedo : Mr Deputy President, Sir, I rise to support this Bill which is being presented from the House of Representatives for our ratification. There is nothing to be afraid of in this Bill. Therefore, I support the Bill.

Question put and agreed to.

Bill accordingly read a second time and committed to a Committee of the whole House.

Bill immediately considered in Committee.

(In the Committee)

Clauses 1 to 5 agreed to.

Bill to be reported.

(The Deputy President resumed the Chair)

Bill reported without amendment, read the third time and passed.

CUSTOMS AND EXCISE MANAGEMENT
(AMENDMENT) BILL

Order for Second Reading read.

The Minister of Finance : Mr Deputy President, Sir, I beg to move that a Bill entitled "An Ordinance to amend the Customs and Excise Management Ordinance 1958 (No. 55 of 1958)" be now read a second time.

In this Bill certain changes in the law are proposed. The definition of "goods" which appears in Section 2 of the principal Ordinance was intended to be completely comprehensive in its application. The Law Officers have ruled, however, that in its present form it is not so, and that it is necessary to include the word "produce".

The next amendment is to Section 24. The main accounting document used by Customs in checking whether goods imported by ship or aircraft are properly entered and all duties paid according to the law is the ship's or aircraft's report. In order that the Board may be fully satisfied that the Nigerian Ports Authority or the ship's owners or agents have discharged their legal obligations, it is proposed to amend Section 24 of the Customs and Excise Management Ordinance by the addition of a further subsection 8 requiring the production of ship's reports, and such documents and information as the Board may require to be produced with them. The amendment to Section 40 of the principal Ordinance seeks to regularise the present practice whereby goods not destined for Nigeria may remain on board

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the importing ship or aircraft for re-exportation or consumption on board, as the case may be.

The next amendment is to section 53, and it is parallel to that sought to section 24 in respect of inward cargo. It seeks to provide the Board of Customs and Excise with authority to demand from ship's Master or Agent not only full lists of all cargo carried in an exporting ship, but such additional information and documents as may be required.

The next amendment provides for the substitution of the existing subsections 1 and 3 of section 66 of the principal Ordinance. These make provision against the possibility of fraud by passengers arriving in Nigeria who may fail to declare dutiable or prohibited goods and later use as their defence the statement that the Customs Officer who dealt with their baggage did not ask them to produce or pay duty on the particular article concerned. This amendment seems to place an obligation on each passenger to declare and produce, on his own initiative, any dutiable or prohibited goods which he may have in his possession. The new subsection 3 provides penalties where a person fails to comply with the provisions of subsection 1.

The next amendment is the addition of a new section, 102A, to the principal Ordinance, and provides for the remission of excise duty on locally manufactured beer exported, in order to encourage the exportation of such beer and its use as ship's stores.

The final amendment to the principal Ordinance legislates for the final calculation of amounts due as duty or other charges to exclude fractions of a penny. This is in accordance with common practice, and was provided for in previous regulations.

Mr Deputy President, Sir, I beg to move.

The Minister of Internal Affairs : Sir, I beg to second.

Question proposed.

Question put and agreed to.

Bill accordingly read a Second Time and committed to a Committee of the whole House.

Bill immediately considered in Committee.

(In the Committee)

Clauses 1 to 9 agreed to.

Bill to be reported.

(Mr Deputy President resumed the Chair.)

Bill reported, without amendment, read the third time and passed.

INCOME TAX ADMINISTRATION (AMENDMENT) BILL

Order for Second Reading read.

The Minister of Finance : Mr Deputy President, Sir, I rise to move that a Bill entitled "A Bill for an Ordinance to amend the Income Tax Administration Ordinance, 1958", be now read a second time.

Sir, the proposed amendments are all in connection with the powers and duties of Scrutineer Committees appointed for the purposes of the Federal Income Tax which, at present, applies outside Lagos not only to companies but also to non-African individuals. Hence, separate Committees operate in Lagos and in each of the Regions.

Their duties are to consider assessments proposed to be made by Federal Inland Revenue officials in cases where any significant trading or professional activities are carried on, and to recommend an increased amount where this appears to be warranted from their personal knowledge of the business being done or of the individual taxpayer concerned.

Members of these Committees are not tax experts trained to compute assessable income from involved accounts, and it was not thought necessary that they should have access to the returns and other statements from which the Tax Inspectors normally work. Experience, however, shows that the most fruitful co-operation of Committees and the Tax Officials with whom they work will only come about if all the documents in a case are available to a Committee on request.

Clause 3 of the Bill so provides, and Clause 4 reinforces the secrecy provisions by which Scrutineer Committee members are already bound by requiring them to make a suitable declaration before a magistrate in the form set out in Clause 5. Sir, I commend this Bill to the Senate as a simple, and I hope non-controversial, move towards the better tax assessment of trading incomes in Nigeria.

Sir, I beg to move.

The Minister of Transport : Sir, I beg to second.

Question proposed.

Chief Fagbenro-Beyioku : This is welcome, particularly as it is going to operate outside the Federal territory of Lagos.

Now I want to call the attention of the hon. the Minister of Finance and the Government of the Federation, for that matter, Sir, to this. It is good that some of the people working in Lagos actually pay Income Tax on their trading in Lagos, under the Income Tax Assessment, but in some Regions despite the fact that they have paid this tax, Sir, they are still asked to pay more tax, and in the absence of paying such extra taxation they are dragged through the Customary Court and sent to prison. That is what you find in some of our Regions at the time of tax collection.

I feel, Sir, that there should be an arrangement between the Federal Ministry of Finance and the Regional Ministries of Finance in this respect ; otherwise, Sir, our men, the people of Nigeria, are not enjoying the civic rights to which they are entitled, and they are not enjoying the protection to which they are entitled. Anybody who has been....

The Deputy President : Order, order. Do not bring politics here.

Chief Fagbenro-Beyioku : I am sorry, Sir, it is not politics. I am only trying to bring certain irregularities to light in connection with the elections.

The Deputy President : The elections are political matters.

Chief Fagbenro-Beyioku : Well, I am sorry, Sir, I will not mention elections again. The point I am trying to make is this, that people, after paying ordinary income tax assessment, because they are residing in some Regions they are asked to pay extra tax and if they pay the extra, another extra is demanded and if they have not the means to pay the extra they are dragged to Customary Courts and imprisoned. So if we are going to have this question of income tax properly straightened out, I think it will be a very good idea in the interest of the people of Nigeria.

Senator J. K. Nzerem : Mr Deputy President, Sir, this is a straightforward Bill and I support it with all my heart. When we were discussing the Budget last time I referred to the "Pay-As-You-Earn" system which operates in the East and is a very great success.

I do hope that the Minister of Finance will consider that in applying this Income Tax Ordinance both in the Federal territory and outside it, the "Pay-As-You-Earn" system will be introduced. It makes the payment easy, regular and there is no difficulty on either side.

I beg to support the Bill.

Question put and agreed to.

Bill accordingly read a second time and committed to a Committee of the whole House.

Bill immediately considered in Committee.

(In the Committee)

Clauses 1 to 5 agreed to.

Bill to be reported.

(The Deputy President resumed the Chair)

Bill reported without amendment, read the third time and passed.

NIGERIAN BROADCASTING CORPORATION
(AMENDMENT) BILL

Order for Second Reading read.

The Minister of State (Hon. E. A. Esin) : Mr Deputy President, Sir, I beg to move that a Bill entitled "An Ordinance to amend the Nigerian Broadcasting Corporation Ordinance, 1956 (No. 39 of 1956)" be now read a second time.

This Bill, Sir, is a very simple one. The intention is to increase the number of the Board Members of the Broadcasting Corporation from ten to twelve and by so doing to appoint a Member for Lagos and another Member from the Ministry to report from time to time to the Minister. It is non-controversial and I hope the House will give it an easy passing.

Sir, I beg to move.

The Minister of State (Hon. M. A. Majekodunmi) : Sir, I beg to second.

Question proposed.

Senator E. A. Ejaife : Mr Deputy President, Sir, if any Bill requires no contention I think it is this. It is very welcome that two additional persons are to be appointed to the Board. Its specification is clear enough but I would like to make a few suggestions. The appointment of two new Members will mean some additional expense on the side of the Government, but is well worth it.

[SENATOR EJAIFFE]

But I would like to draw the attention of the Government to the fact that we are not getting enough revenue from the licensing of radios, and I would like to make one or two suggestions in that respect. From time to time we advertise that radios should be licensed and very few people come forward to take licences. I think if these suggestions are taken to heart very great strides will be made in the collection of revenue. I suggest, firstly, that a Register should be kept for radio owners by the Inland Revenue Department of the Ministry of Finance, and secondly, that all radios should be licensed from their source. For the purpose of entertainment tax, tickets are taxed so that when you buy your tickets for the cinema you have already paid the tax. Something like that could be done if radios in various shops are taxed so that when we are buying the radio we are already paying the first year's fee and if we keep a list of the radios which are bought in the various offices of the Inland Revenue Department of the Ministry of Finance we shall ensure that the majority of radios which are bought and kept and used are in fact being paid for from year to year.

With these few suggestions, Mr Deputy President, I beg to support the Bill.

Senator Mrs W. Esan : Mr Deputy President, Sir, I would like to say that now that we talk so much about Nigerianisation of the public offices in the country and everybody is clamouring that Nigeria should be projected, it is time we called the attention of the Minister of Information to the fact that on the Board of the Nigerian Broadcasting Corporation we have a woman. The woman is doing admirable work and I have no objection to her being there. But we must remember that to project Nigeria well we require a Nigerian woman to be on the Board of the N.B.C. because whenever we talk about such a Board belonging to the Information Department we must be very careful that we do project the nation.

An hon. Senator : But the woman is a Nigerian !

Senator Mrs Esan : The woman is not a Nigerian. She is partly a Nigerian, she is a Nigerian by choice or by marriage. So I would like this error to be corrected whenever the Information Department is considering

changing over before adding more to the Members of the Board.

With these few remarks, I would like to support the Bill.

Senator M. Nuhu Bamalli : Thank you, Mr Deputy President. The Minister has said that this is a simple Bill and very straightforward. I quite agree, Sir, but I would like to make one or two observations on the Bill. The history of Broadcasting in this country, although not a very long one, is indeed a very good one. It is a credit to this country, but there are still sections of the country that still have no news in the N.B.C. They have been doing a very good job and those of us who listen to broadcasts from other countries and who have visited other countries will agree that the quality and clarity of Nigeria's internal broadcasting is very good.

I would like to congratulate the Broadcasting Service of this country on one very good step which they took recently and that is by being completely independent of the B.B.C. in their international news. Now that we are being independent, Sir, I would only ask the Broadcasting Service to reflect that independence in their activities. Let there be more life, more music, more fun in our daily programmes, and let it be a typical Nigerian programme in all respects. At the moment I think there is something wrong somewhere in the broadcasting system of this country. Otherwise we would not see the Regions breaking away. Every Region is trying to set up its own broadcasting service.

I am not trying to say that the Regions have no right to set up their own broadcasting services but if the national broadcasting service answered the needs of the country as a whole there would not be any need for this breaking away. I therefore ask the Minister to probe into the activities of this very important arm of the Government information organisation and find out what is wrong there, and why the Regions want to break away.

An hon. Senator : Politics.

Senator Nuhu Bamalli : Well, it might be politics but I am here in this House, not as a politician, but as an elder statesman, and I would say that one of the reasons is perhaps the inadequacy of the equipment in our broadcasting house here. In a country which is

just becoming independent in a matter of a few weeks it would be very nice if our broadcasting house had the very best equipment the world can produce. We are soon going to open embassies all over the world and it would be very good if Nigeria can broadcast to all parts of the world, say in places as far away as Canberra, or Ottawa, or Washington, or New Delhi, Karachi, or Latin America, and we are going to send our people there and it would be imprisonment for a man if you were to send him there and it would be weeks before he could hear anything from home.

The Deputy President : I am afraid the hon. Senator is getting very far away from the subject. I would like him to confine his remarks to the point under discussion.

Senator Nuhu Bamalli : Anyway, I support, Sir.

Senator H. O. Abaagu : Mr Deputy President, Sir, although I am supporting the Bill, there are one or two observations which I would like to make. The Ministry of Information, over the past two years now, has been calling on people to license their radio sets. That is a very welcome move and will increase the revenue of the country.

I feel sure the Minister would like to hear our suggestions on how best to collect this money, and I would therefore suggest that the collection of this money be left to the local councils of the Regions. The owners of these radio sets are more accessible to the local Councils of the Regions than to the officials of the Ministry of Information. Senator Ejaife also made one other very good suggestion which I think would be very very helpful, and if we adopt that, it means that those who own radio sets will have paid the first year's tax. Therefore, if the Corporation would like to collect the money on radio sets all they have to do is to leave this to the Councils and then pay them their commission for the collection. It will help the country very much if this revenue is collected.

Senator Dahlton Asemota : Mr Deputy President, Sir, I have only one or two points to make. For the past year or so the way and manner our news has been disseminated does not seem to me to be satisfactory. If you listen to the news from the central broadcasting service you hear more of continental and outside Nigeria news. As that news is supposed

to represent what is actually happening in the country, I would suggest that a certain hour be set aside for Nigerian news as the B.B.C. do. They have their national news, and they get their "Home News from Britain".

I think now the time has come when, instead of devoting all their time to telling us about Russia, Japan and so on, we should have an hour devoted exclusively to Nigerian news, instead of having to turn to the Regions to learn their news. Whilst we are listening to the Western news, the Eastern Region news is on, so it will be difficult to tune to all these places before you can hear what is actually happening in all these places. But at the central broadcasting station we hear very little, therefore I strongly advise that the Minister of Information should take into consideration that we have a certain time set aside, say immediately after the national news, for Nigerian news covering all the Regions. In this way we shall know more about what is happening in the whole country.

The other point I would like to refer to is that we are not getting the publicity that we are entitled to. You hear more from Britain every time their Upper House sits than we do of the Senate here, and particularly after the ten o'clock news somebody will come in to tell you what happened to-day in Parliament. I think the Senators are entitled to the same sort of publicity. Let the people know what we are doing; they are quite entitled to know what is happening in the Senate.

With these few remarks, Mr Deputy President, I support the Bill.

The Minister of State (Senator Dr the hon. E. A. Esin) : Mr Deputy President, Sir, some points have been made by the Senators and they will be taken note of. One Senator has suggested that radio sets could be taxed at the time of purchase for the first year and a record for the collection of future tax. This point will of course be given careful consideration by the Minister of Information.

Then another very useful suggestion has been put forward by Senator Abaagu, who said that the Councils should be empowered to collect fees for radio sets in their areas on a commission basis. I think that is a very good idea and I will certainly put that to the substantive Minister and see what decision he will take.

[SENATOR ESIN]

Mrs Esan said she was a little anxious about the appointment of a woman to the Board. I was very much relieved by the Deputy President of the Senate in his reply when he said that the woman is a Nigerian. She is a Nigerian certainly; she is married to a very important person and she is a Nigerian by all measures, indeed.

Senator Bamalli praised the activities of the Minister of Information but put forward certain suggestions. He said that there was too much foreign music and dances and things like that in the programmes of the Regions which he does not like. I will certainly take that up with the Minister and see what he can do about more Nigerian music. But you must remember that there are lots of aliens in our country whose needs must be catered for during this interval.

He then went on to say that there must be something wrong with the Federal broadcasting set-up otherwise the Regions would not be so anxious to put up their own radio broadcasting stations. We know the reason for that and I am sure every Member of this House knows the reason was due to biased reporting from the Federal broadcasting system. However, all these things now are not happening any more: there is fair reporting and fair broadcasting, and the Minister will continue to see that everybody and every Region is well reported.

Senator Asemota said that the news is mainly from outside, and time should be devoted exclusively to reporting details of the news in Nigeria. I think this is perhaps the case, and the Minister will take appropriate action to see that the news is well balanced. He also complained that the Senate is not getting much publicity in broadcasting. I do not think that this is quite the case. The Senate is being reported from time to time and after the activities of the Lower House, it would be rather boring to report again all what is being said in this House unless, of course, there is a real divergence of opinion on a Bill. I assure this House that the Minister will see that the Senate receives adequate publicity in the future.

Question put and agreed to.

Bill accordingly read a second time and committed to a Committee of the whole House.

Bill immediately considered in Committee.

(In the Committee)

Clauses 1-2 agreed to.

Bill to be reported.

(The Deputy President resumed the Chair)

Bill reported, without amendment, read the third time and passed.

GENEVA CONVENTIONS BILL

Order for Second Reading read.

The Minister of Health (Hon. Mallam Waziri Ibrahim): Mr Deputy President, Sir, I beg to move that a Bill entitled A Bill for an Ordinance to enable effect to be given in the Federation of Nigeria to certain International Conventions done at Geneva on the twelfth day of August, Nineteen Hundred and Forty-Nine, be now read a second time.

Sir, after having listened to the debate of hon. Senators I have come to the conclusion that I have become more than convinced that we have in our country elder men whose sense of judgment and responsibility, whose intelligence, wisdom, experience, foresight and modesty are equal to any elder men in any part of the world. (*Hear, hear*).

It seems to me that to try and convince such elder men as our hon. Senators as to the goodness of a thing like the Geneva Conventions is tantamount to merely giving effect to parliamentary formality. Mr Deputy President, I just wonder if I should not simply sit down and ask you to please put the Question because our hon. Senators know at a glance what is right for this country and what is wrong and there is no need for me to convince them.

But let me follow the routine and fulfil parliamentary procedure in telling hon. Senators a little about something which I believe they already know. I believe that if there had been no Geneva Conventions, our hon. Senators would have suggested something similar to the Geneva Conventions to be followed by our country and others.

Now, hon. Senators are no doubt aware of the Geneva Conventions: there are four of them forming part of a single scheme covering the conduct of belligerents and others in time of war. They are made for the purpose of establishing obligations which civilised nations owe to their enemies. The Conventions are intended to secure the most humane treatment compatible with their country's security for those people in time of

war when they fall into the hands of their enemies.

The provisions for the medical care and treatment of prisoners of war are detailed. They cover discipline, punishment and the right of communication with the International Committee of the Red Cross or a prisoner's own relatives. They prohibit all kinds of human indignities and cruel treatment; they require every country adhering to them to set up regularly constituted courts with judicial guarantees for the trial of any person offending against the rules of discipline or committing any other offence.

Let us hope that we shall never know the horrors of war at first hand. Though we make provisions for such Conventions in our laws, Nigeria goes forward into the future with the hope and the faith that races of the world will live in peace and that there will never be another war. On the positive side, however, we wish to join hands with men of goodwill in all countries who see in the International Red Cross Organisations the means of helping mankind in time of trouble.

The Geneva Conventions and the International Red Cross are linked together and it is only in a country which has given its assent to the Geneva Conventions that a National Red Cross Society can be established. In the years to come, Nigeria has a great part to play, a part that calls for leadership, wisdom, understanding and sympathy of other people.

Mr Deputy President, Sir, the Government has been engaged, as I am sure all hon. Senators are aware, in making the country fully equipped for the very very great day—the 1st of October, 1960. We have been revising and amending our laws; we have been going around making personal contacts with people in other parts of the world; we have been joining international organisations—all in order to reach up to the standards which other countries have reached.

Mr Deputy President, Sir, this Bill is another step forward. The Geneva Conventions establish obligations for civilised countries, such as Nigeria, to follow.

Sir, I beg to move.

The Minister of Pensions (Hon. Mallam Musa Yar'Adua): Sir, I beg to second.

Question proposed.

Senator Chief O. A. Fagbenro-Beyioku : Mr Deputy President, Sir, these are signs that we are actually approaching independence, when we start to make provision for emergencies and matters incidental to war or grave breaches of national prestige. I do not think that there is any Senator in this House who will be opposed to this Bill. In its entire form the Bill is welcome.

But it appears to me that the Bill deals more with people who may not be natives of Nigeria, who may commit some grave offences either within or without Nigeria. In the matter of the prosecution and in the matter of legal representation, I am not quite clear as to what would happen to a national of Nigeria if he should be in Germany and he should be held a prisoner of war in Germany and he was to be tried before a court-martial. I am not quite clear as to his right of selection or the real responsibilities of the Government of Nigeria in giving him any form of protection or legal representation during the court-martial trial. I read through and I tried to make some connections in that regard, but, Mr Deputy President, Sir, I have not been able to make one. I would like to know. I read through the real Conventions but I did not see anything in them which actually permits the intervention of the Government. All I could gather from the main Ordinance was that the summary of the preliminary investigation or the trial and the details of the sentence may be passed to the other nation.

What I want to know is, if I, Chief Fagbenro-Beyioku, to-day am enlisted in the Royal Nigerian Air Force, and for one reason or the other I am in Poland and I am held over in Poland for some grave offence, what is going to be the duty of my Government to see that I am fully protected, and that in the matter of the trial I am given the best trial possible and the best legal representation possible? That is just what I want to know.

In the matter of these Geneva Conventions, as far as the Red Cross is concerned (the Red Cross Bill is coming along, so we would not like to make mention of it along with this), but I feel that while we start to think of emergencies, of wars, of people misbehaving themselves in other countries, we should be aware at the same time, that there are several other Conventions recommended or passed in Geneva which should now receive the attention of the Federal

[SENATOR FAGBENRO-BEYIOKU]

national Labour Organisation Conventions which have to regulate labour purposes and trade union organisations in this country.

I support the Bill, Mr Deputy President.

Senator O. Somolu : Mr Deputy President, Sir, I feel, having read through this Bill, and having listened to the hon. the Minister of Health who sponsored the Bill, that Members of this House can, with satisfaction, say to themselves that Nigeria has indeed arrived.

The Geneva Conventions are a body of rules which recognise the brotherhood of man, even in adversity, and for Nigeria to be able to subscribe to them is indeed an indication that we have outgrown infancy in nationhood and that we have arrived on the international scene.

The hon. Senator who spoke before me seems to be in difficulty about the representation or the protection of Nigerian nationals who may be called upon to answer charges under the Geneva Conventions in foreign countries. I think that he will pardon me if I come to the rescue of the Minister of Health in answering this part of the question.

Under the Geneva Conventions, when nations are involved, such a nation, although it may not be in diplomatic relationship one with the other, appoints what is known as a Protecting Power. It is this Protecting Power that undertakes, under the Geneva Conventions, to see that every prisoner of war who comes within the meaning of these Conventions is protected. The prisoners of war are never left without being cared for, and the hon. Senator in particular, and those of my Colleagues may like to read section 6 and they will find that something is there about the protecting power.

The short contribution which I would like to make to the debate on this Bill is in relation to the efforts that should be made by the Government of the Federation to make provision for the training of people who would be adequately equipped, by virtue of their education, by virtue of their experience, to assist in carrying out the provisions of this Bill and the Geneva Conventions.

In the relation between man and man if there is a conflict as regards the rights of individuals, such rights are smoothened out by appealing or by resorting to what is known as "Private International Law". But in regard to

the provisions of this Bill and the Geneva Conventions, I think it will be necessary for the Minister of Health and the Minister of Defence and the Minister of Justice, when such a Ministry is established, to see to it that they award scholarships to people who would be able to qualify in Public International Law because most of the provisions of the Geneva Conventions are based on what is accepted in international society under Public International Law.

It is provided in this Bill that wherever offences are committed they can be tried in Lagos. I wish to call the attention of the Minister responsible for this Bill to section 3 subsection 2 ; I think there is a typographical error which he may wish to correct. It reads—"A person may be proceeded against, tried and sentenced in the Federal territory or Lagos". I think it is "of Lagos" because I do not know any Federal Territory which is not Lagos in this country.

Now, the offences committed under this Bill may be tried in Lagos and it may be that the Minister would inform this House whether there is going to be a special court or is it going to be the ordinary civil court or the ordinary criminal court that we already have in this country. If that is so, I think he may be well advised to see that a special court is established for the trial of these offences because I think that is the stipulation under the Geneva Conventions.

With these few remarks, Mr Deputy President, I support the Bill.

Senator Alhaji Abubakar Bale : Mr Deputy President, Sir, I rise to support the Bill. In doing so, I want to congratulate the Minister for the preparation which he has already made in bringing to this House such a Bill. The Bill is an indication that the Minister and his Colleagues in the Council of Ministers are people who look forward for the upliftment of this country and likewise thinking out and providing such a Bill which is a preparation towards our great day of independence. Of course, such conventions are worth preparing for and also the preparation of the men who will be able to take part in them as has been said by the last speaker.

Before one becomes a member of these Conventions one must be a man of great integrity. And I am sure our Minister and the

Council of Ministers will be able to solve this problem. So, I deeply appreciate their work and support the Bill with these few remarks.

Senator E. A. Lagunju : Mr Deputy President, Sir, I need not repeat what others have said in support of this Bill. I am not a lawyer and it is therefore difficult for me to find out the intricacies of the Bill; but Clause 11 strikes me. It says—"11. (1) Proceedings for an offence under this Ordinance or under an order made under this Ordinance shall not be instituted except by or on behalf of the Attorney-General of the Federation. (2) Notwithstanding anything in any other written law, neither a Magistrate's Court nor a Court Martial convened under the Royal Nigerian Military Forces Ordinance, 1960, or the Royal Nigerian Navy Ordinance, 1960, shall have jurisdiction to try any person for an offence under section 3 of this Ordinance or under an order made under section 4 of this Ordinance."

It then means that if offences are committed under these sections they will not be tried by either a magistrate's court or a court martial. I do not know who then will perform the trial, whether a special court will be set up or whether the trial will be performed by a high court or whether it will be the duty of the Attorney-General to carry out the trial. There is nothing like that specified in this Ordinance.

As I have said earlier, I am not a lawyer but I hope those who have prepared the Bill know the implications and if these conditions are safeguarded, then of course I support the Bill.

Question put and agreed to.

Bill accordingly read a second time and committed to a Committee of the whole House.

Bill immediately considered in Committee.

(In the the Committee)

Clauses 1 to 10 agreed to.

Clause 11

Senator M. Sanni O. B. Okin : Mr Chairman, Sir, I agree with the views expressed by Senator Lagunju and I would like the Minister to give me a full explanation on this Clause. I think what this Clause really means is that such offences cannot be prosecuted by the Inspector-General of Police but by the Attorney-

General, because in some criminal cases Police Officers, Crown Counsels can prosecute but in this case it is only the Attorney-General. I would like the Minister to explain this.

The Minister of Health : Mr Chairman, Sir, I am grateful to hon. Senators for the various observations they have made. We shall look into the details of the points they have raised and we shall probably look into the desirability of specifying the Court in which the cases would be tried, whether a special Court or a Court Martial. I quite agree with Senator Somolu that as the Bill now stands there is no specific court in which the cases would be tried.

Clause 11 agreed to.

Clauses 12 and 13 agreed to.

First, Second and Third Schedules agreed to.

Bill to be reported.

(The Deputy President resumed the Chair)
Bill reported without amendment, read the third time and passed.

NIGERIAN RED CROSS SOCIETY BILL

Order for Second Reading read.

The Minister of Health (Waziri Ibrahim) : Mr Deputy President, Sir, I rise to move that a Bill for an Ordinance to incorporate the Nigerian Red Cross Society be read a second time.

I do not need to-day to explain to hon. Senators the value of the Red Cross Movement; I probably do not need even to tell you anything about it because I am sure most Senators know the Red Cross have contributed, by their activities, more than most people in this country. The Movement started to provide aid to the wounded on the battlefield; it did not stop there as hon. Senators know, where any natural tragedy or catastrophe hits the world or any part of the world, and help is needed, the Red Cross, through their National Societies, rush to meet the need.

Here in Nigeria, we have had a branch of the British Red Cross for many years; to that branch people of all races have contributed. In thirty-six days' time we shall have independence; it is only fitting that we should have a Nigerian Red Cross Society before then. This simple step is a declaration of faith that we shall do our best to help our fellow men.

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[MINISTER OF HEALTH]

Section 28 (d) of the principal Ordinance, in order to ensure a more effective operation of any occupational diseases Order which the Minister of Labour may decide to make under the Section. The principal Ordinance already contains provisions enabling the Minister of Labour to make an Order to extend the provisions of the Ordinance to cover incapacity or death certified as caused by occupational disease.

This Amendment is commended to the Senate as one which is non-contentious and one which is designed to give greater protection to workmen generally. I believe, Sir, that it is one of the many amendments so close to the hearts of hon. Senator Beyioku !

Sir, I beg to move.

The Minister of Pensions (Hon. Musa Yar'Adua) : Sir, I beg to second.

Question proposed.

Senator Alhaji Sanni O. B. Okin rose in his place—

Mr Deputy President : I was expecting Senator Beyioku to speak first on this Bill. (Laughter).

Senator Alhaji Sanni O. B. Okin : Mr Deputy President, Sir, I must be brief for I have only few observations to make in connection with the Labour Department. As you all know, this Department is one of the most important Departments of the Government of the Federation and still very little is known about it. The Department is known only as one for ex-servicemen or job-seekers, but that should not be so. I am, therefore, suggesting that this particular Department should popularise itself.

Many people in this country, not excluding the farmers, know something about health and law through the medium of the radio. I, therefore, suggest that provision should be made by the Federal Government to have, in the same way that we have the Radio Doctor or the Radio Lawyer, a Radio Labour Officer, so that the whole of the Federation may be well educated about what this particular Department is out for.

Sir, I beg to second.

Senator Chief O. A. Fagbenro-Beyioku : Mr Deputy President, Sir, I think I am here as Chief Beyioku of the Senate and not Chief Beyioku of the Trade Union.

I am very happy to welcome this Amendment. I think it is the result of one of the little troubles the trade unions have been making with the Department of Labour. For instance, the extension of time to one month by which we can have to decide on occupational incapacity is something which is actually welcomed and when its operation begins and is found successful, there will be no need to come back and worry you about it again.

The other amendments are just minor ones, and I have nothing to question about them as far as the Senate is concerned ; but I have a few observations to make. The question of ensuring compensation for workmen in this country for occupational disease has not been given the thought it really deserves, and I think the time has now come when the Ministry of Labour should give a comprehensive study to occupational diseases and to what effect they have on the productive ability of the average workman.

There are several trades in this country which affect the health of workmen one way or the other. For instance, up till now a man who is a welder may have, after some time, his eyesight affected but the Ministry of Health or the law of this land has not given sufficient recognition to that fact.

There are other trades too which have not been given the due consideration they deserve. Take the case of a scavenger, the man who sweeps the Customs Wharf with all the cement blowing here and there ; these people are not given proper periodical medical examination to know to what extent they suffer, and with a view to assessing what compensation, if any, under the Workmen's Compensation Ordinance they may be entitled to.

The other thing I would like the Ministry of Labour to look into is that it takes an unduly long time for a man to receive his compensation if he becomes wounded or incapacitated as a result of injury received from work. At times it takes nine months, at times one year or more, and if anything were to happen to that man, it should have happened and perhaps the man who did not labour with him would be the man to reap the benefit of his labour.

Therefore, under this Bill, Sir, we feel that improvements could still be made. We are going to be free and we have the greatest

confidence in the Ministry of Labour, particularly those of us who have direct contact with it, and we feel that with one or two points to be corrected, and with little effort, this question of workmen's compensation in this country will be properly regulated and all the irregularities removed.

Mr Deputy President, Sir, I do not think there is anything which calls for controversy in the Bill and it has my full support.

Senator Olajide Somolu : Mr Deputy President, Sir, whilst I congratulate the Ministry of Labour on introducing this Bill. I am very much surprised that Chief Beyioku has been so lenient. This is just one of the very few occasions when I feel to come out in sympathy with the workmen much as I detest several of their threats of strikes and claims for independence bonus.

An hon. Senator : Yes, because you are an employer of labour !

Senator Somolu : I think this is a very welcome Bill. There is nothing specially controversial in it but I would like to call the attention of the Government to one or two points. The first is in relation to the amount generally awarded to workmen when they make their claims under the Workmen's Compensation Ordinance. Speaking for myself, I think that that Ordinance is out-moded. The provisions are completely out of keeping with present trends, not only in this country but in the rest of the industrial world.

I remember having to make a claim for a workman of one of the big building contracting companies who had a fall while working and lost his right leg. Now, he was sent to the doctor and he was said to suffer 50 per cent permanent disability and under the law as it stands, all that the youngman of 29 could get is £300 !

He is incapacitated for life. He has no means of earning a livelihood in any other way and that is how much he can get and I think the law which provides this parsimonious and humiliating compensation for injuries sustained by workmen is overdue for review. I hope Government will do something about it.

The other point I would like to make is to support Chief Beyioku in his complaint on the trial of cases relating to workmen's compensation.

Now, as things stand such cases have to take their normal place in the queue in Magistrate's Courts or in the High Court, and at times six months, twelve months or even two years may elapse before these cases are heard. The victim might have died or, if he did not die, he might have suffered incalculable injury by way of suffering in the meantime. I think the Government will look into the desirability of borrowing a leaf from other industrial countries and make efforts to establish Labour Tribunals and Workmen's Tribunals which will take up these cases specially on their own and having nothing to do with the ordinary set-up of the Courts.

I support the Bill.

The Minister of Health : Mr Deputy President, Sir, the Government will take note of the comments made by hon. Senators. It is very gratifying to see a person like Senator Beyioku, who has immense knowledge of the problems of workmen, accepting such a Bill. It is evidence of the fact that we are moving towards having very good relations between employers and unions.

Government is very conscious of the importance of the welfare of all workmen in this country. All reasonable suggestions made to promote the welfare of the workers will be welcome.

In reply to a point raised by Senator Beyioku I would like to say that the Factory Inspectorate of the Ministry of Labour are collecting information on the question of the extent of occupational diseases and the result will be evaluated and consideration will be given to it in future.

As regards wages to workmen, raised by Senator Somolu, the schedule of percentage disability award under the provision of the Ordinance was amended in 1957 and it now represents conditions second to none in Africa.

Well, Sir, that is all I have got to say except to thank hon. Senators for their contributions.

Question put and agreed to.

Bill accordingly read a second time and committed to a Committee of the whole House.

Bill immediately considered in Committee.

(In the Committee)

Clauses 1 to 3 agreed to.

Bill to be reported.

[SENATOR FAGBENRO-BEYIOKU]

severely restricted in recent times, and the use of the adjournment as a motion for general debate is now confined to the beginning of business, when it must be moved by a Minister ; to discussing a 'definite matter of urgent public importance' ; and to the last half-hour of each day's sitting from Monday to Thursday. As on these occasions the motion is quite unrelated to the subject of the debate, and there is no question before the House which, when voted on, will express its will and opinion in precise terms, the Government must draw its conclusions as to the feeling in the House from the general trend of the debate".

You see, it is only when you have Members receiving unsatisfactory replies to their questions that they often announce that they will raise the matter on the Adjournment, but where I do not receive an answer with which I am satisfied, it is within the competence of any Member in this House to speak on the Motion for the Adjournment on any topic. In fact, they went on, Sir, and I quote : "Members receiving an unsatisfactory reply to a question often announce that they will raise the matter 'on the adjournment', and subjects debated on adjournment motions have ranged from an alleged injustice suffered by a Member's constituent to the conduct of the last War". You see, it is only when we come to the Motion for the Adjournment that we have the opportunity to bring to light certain matters, but if we are now restricted in the sense that before we can bring to light those matters we must in the first place go to the Chambers of the Ministers or meet them in the Lobby and ask whether they would be willing to accept them or not, I think we as Senators are being deprived of certain fundamental rights. We have the right to stand here, Sir, make certain observations and they are recorded in the *Hansard*. It is for the Ministers to read the *Hansard* to know our feelings, and where necessary, to act on those feelings.

The Deputy President : Well, the Minister will reply, but before doing so I would like to remind Senator Chief Beyioku that when a matter is to be raised on the Motion for Adjournment it is but only fair that the Minister should be first informed so that he can get all the data that he will use to reply. For example, you as a Labour man do not study all the labour rules as you read your Bible.

If anybody should get up and say he wants to know so and so about the conduct of the Labour Code, you cannot tell him all from your head. The time will come when we shall all become so conversant with all the rules and regulations and the Standing Orders of the House as we do in the case of our religious books, so that if any question is asked we would be able to answer from head. Now we are just trying to pick up. If you ask a question, you do not want the Minister to give you a misguided answer which tomorrow you find to be wrong. It is but only human and necessary that he should have notice. Everybody is trying to equip himself.

I have tried myself to get a copy of the book so as to make myself conversant with all the rules. That is exactly the position ; no matter what laws must have been written or what statements have been made by people who are really experienced. Even those people who wrote those books, if you put a question to them now they cannot answer you off-hand, they have got to refer to the book. I have been reading a lot of these Standing Orders myself but it is practice that will make one perfect. You cannot read and commit all these things to memory, but as time goes on it may be possible to do something. So it is essential and most necessary that the Minister should have something to prepare so that he can give the correct answer.

The Minister of State (Senator Dr the hon. M. A. Majekodunmi) : Mr Deputy President, Sir, I am sure your advice to hon. Senators to notify the Members of the Government Bench about the subjects of the motions they intend to raise on the Adjournment was not meant to restrict the right of Senators to talk about any subject they would wish to raise on the Adjournment. In order to make such a debate fruitful, I think it would be better if the Minister concerned should be informed beforehand that such a subject is likely to be raised on the Adjournment and the Minister therefore will be prepared with some information which might prove of value to Senators. Of course, if the Minister is not informed beforehand he need not take part in the Debate nor would he be required to answer questions, but it is only an advice to ensure that the time of the Senate is usefully spent and that is the only reason why I think it would be wise that the

Minister should be given some notice. But we realise that sometimes it would not be possible for Senators to give notice and they would still wish to speak on the Adjournment just for record purposes even if they do not get any reply in return. I do not think there is any part of the Standing Orders which prevents Senators from raising such a subject on the Adjournment if they wish to do so.

Senator Dahlton Asemota : Mr Deputy President, Sir, I have just one or two things to say on this Adjournment Motion. First of all I wish to express my own personal appreciation and satisfaction of the able way you, Mr Deputy President, have carried out your exacting duty for some time. *(Hear, hear)*. It is most enjoyable to see him sitting there and it is most enjoyable to see an Oba going from one seat to the other seeing what is going on. I reckon that since the Session started he must have walked at least half a mile between his Chair and the Committee Chair.

The other matter I would like to raise, Sir, is this. Fortunately it happens to have connections with what the Minister has just said. I see the Minister of State there, and perhaps he will be able to deal with the matter. This refers to Hansard for the 23rd. When we were discussing foreign affairs the Minister of Finance said that the Ministers' tours were of more concern to the Federal Ministers than the Regional Ministers. I can only quote what he said: "When we talk of a new nation, it is Nigeria, the Federation of Nigeria, not the Regions, and therefore the Federal Ministers are the ambassadors of this new nation to carry Nigeria abroad and to make the Nigerian personality known. Nigeria's influence in world affairs will depend both on the personality she projects and on the policies she pursues. It is important that Ministers should see as much of the world as possible for themselves so that their policies and relations with other States can be founded on personal knowledge, and not on possibly biased secondhand information."

I have no quarrel with that at all, Sir, but if he says that the Federal Ministers are the ambassadors of this great nation, what is the use of the Regions sending people outside Nigeria too. The point is that if all this is confined to the Federation and we send representatives

abroad to project Nigeria's personality, what is the use of the Regional Governments also sending their people abroad? That is the point I would like to have clarified. If we are to go back to the Regions we must be able to explain these things to them, and if we are to tell them that the projection of Nigeria's personality can only be done through the Federal Ministers, then this point must be clarified before we go. As I see it from what the Minister has said, there can be no need for the Regional Ministers to go abroad. I would like that to be followed up, Sir.

The second point I would like to raise, Sir, concerns accommodation for Senators. Well I must say that we feel very much happier and much more comfortable this time. Last time we came the place was very, very dirty, I think probably there was not sufficient time for the cleaning to be done. But I think arrangements could be made whereby Senators will not be reduced to cleaning either the baths or the floors.

I have no doubt that at the next meeting for Independence Senators will be invited to come to Lagos. Before then I would like the Minister to arrange our accommodation well in advance so that we will know in time before we arrive in Lagos where we are to go because the congestion will be so bad that if we have to ply from one place to another it will be very difficult. I hope we will know before we arrive in Lagos where we are to go.

The Minister of State (Senator Dr the hon. M. A. Majekodunmi): Mr Deputy President, Sir, I did not intend to speak again but I would like to correct the impression created by quoting the hon. the Minister of Finance out of context. I think it would be wrong for Senators to attach great importance to what is said in the heat of debate in this House. I think the hon. the Minister of Finance was going to great trouble to emphasise the importance of our Regional Governments and when he mentioned the fact that Nigeria is projected abroad by Federal Ministers this was not meant in any way whatsoever to detract from the importance of the Regional Ministers. The question under debate was a question of raising loans outside Nigeria, and Ministers of the Federal Government, as you know, according to our Constitution, or rather the Federal Government

[SENATOR DR MAJEKODUNMI] is the only Government which can raise loans from an outside body. I have no doubt whatsoever that that was what the hon. Minister meant when he said that the Federal Ministers go out on these tours to project Nigeria to the outside world. Naturally it does not mean that even a member of the Regional Legislature cannot go out and project Nigeria. We have just made reference to our athletes in Rome. Surely they are out representing Nigeria. This responsibility for projecting Nigeria does not rest solely with the Ministers in the Federation. I think all Nigerians are capable of representing the nation to the outside world, and I do not wish the Minister of Finance to be misunderstood.

The Deputy President : I think the point is made clearer if we remember that when a Minister from the Western Region goes abroad he says he is representing the Western Region of Nigeria and when someone from the Northern Region goes abroad he says he is representing the Northern Region, and I think that applies to the Eastern Region. So that we will have a Minister who will represent Nigeria, and when he speaks of Nigeria he speaks of Nigeria as a whole whereas other Ministers from the Regions speak for the Regions—the Northern Region, or the Eastern Region, or the Western Region for that matter.

A member from the Western Region cannot go out and say he is representing Nigeria. There has to be a differentiation between the categories. After all in London you have a Commissioner for Nigeria, the whole of Nigeria. He deals with matters that affect the whole of Nigeria, but matters that are Regional are dealt with by the Regional Commissioners.

The Minister of Health (Hon. M. Waziri Ibrahim) ; Mr Deputy President, Sir, talking of external loans I would like to ask the hon. Senators to correct on page 31 of their *Hansard* of 24th the reference to internal loan. I had said 'external loans' but I think by mistake it has been shown as 'internal loans'.

The Deputy President : I think that should be referred to the Editor Official Report. Before I put the question I would like to tell the hon. Senators that I have been advised that tea which should have been taken at 11 o'clock has been reserved for us, so all of us will go to the Terrace for our tea.

Question put and agreed to.

Resolved : That this House do now adjourn *sine die*.

Adjourned accordingly at twenty-one minutes to one o'clock.

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