



SENATE OF THE FEDERAL REPUBLIC OF NIGERIA

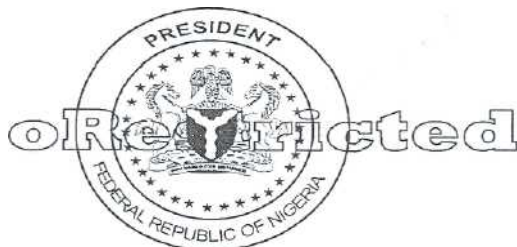
VOTES AND PROCEEDINGS

Thursday, 26th June, 2008

1. The Senate met at 10.20 a.m. The Deputy Senate President read prayers.
2. Votes and Proceedings:
The Deputy Senate President announced that he had examined the Votes and Proceedings of Wednesday, 25th June, 2008 and approved same.

By unanimous consent, the Votes and Proceedings were approved.

3. Message from Mr. President:
The Deputy Senate President announced that he had received a letter from the President, Commander-in-Chief of the Armed Forces of the Federal Republic of Nigeria, which he read as follows:



**PRESIDENT,
FEDERAL REPUBLIC OF NIGERIA**

PRES/134

June 23, 2008

*The Senate President, Senate
Chambers, National Assembly
Complex, Three-Arms Zone,
Abuja.*

Dear **Brother,**

**PRESENTATION OF PENDING EXECUTIVE BILLS
FOR CONSIDERATION AND PASSAGE INTO LAW**

*I hereby re-introduce for formal consideration and passage into law by the Senate, the attached **list** of Pending Executive Bills which were not passed at the time the preceding legislature stood dissolved.*

Included in the list are all the Executive Bills related to major sectoral, economic and social reforms proposed by the previous Administration.

While I hope that the Bills will receive the usual prompt attention of the Senate, please accept the assurance of my highest consideration.

Yours Sincerely,

*Signed UMARU MUSA
YAR'ADUA*

4. Announcements:

- (a) The Deputy Senate President acknowledged the presence of Staff and Students of Arch Deacon Brown Education Centre, Port Harcourt, Rivers State who were in the gallery to observe Senate Proceedings.
- (b) The Deputy Senate President read a letter from Senator Patrick Osakwe announcing the officers of the Southern Senators Forum as follows:

SOUTHERN SENATORS FORUM OFFICERS

- (i) Senator Patrick Osakwe — Chairman
- (ii) Senator Annie Okonkwo — Vice Chairman
- (iii) Senator Olalekan Mustapha — Secretary
- (iv) Senator Enyinnaya H. Abaribe — Treasurer
- (v) Senator Munirudeen A. Muse — Financial Secretary
- (vi) Senator Chris N. D. Anyanwu — Publicity Secretary
- (vii) Senator Abidemi O. Babalola — Organising Secretary
- (viii) Senator Lee L. Maeba — Assistant Secretary

*Signed: Senator
Patrick Osakwe
Chairman, Southern Senators Forum*

5. Constitutional Point of Order:

Mode of Exercising Federal Legislative Power: General-Senator Adeleke O. Mamora drew the attention of the Senate to Section 58(5) of 1999 Constitution of the Federal Republic of Nigeria with respect to Bills sent to the President for assent and which were not assented to.

Ruling from the Chair:

Ordered that a day should be slated for debate on the matter.

6. Committee on Federal Character:

Report on the Screening of a Nominee:

Motion made: That the Senate do receive and consider the Report of the Committee on Federal Character, on the screening of Elder Lekam Okoi, as a Member of the Federal Character Commission (Senator Smart Adeyemi).

Question put and agreed to.

Report presented and Laid.

Recommendation:

That the Senate do approve the recommendation therein.

Motion made: That the Senate do resolve into the Committee of the Whole to consider the Report (Deputy Senate Leader).

Question put and agreed to.

(SENATE IN COMMITTEE OF THE WHOLE)

Consideration of the Report of the Committee on Federal Character, on the screening of Elder Lekam Okoi, as a Member of the Federal Character Commission.

Nominee Recommended: Elder

Lekam Okoi Debate:

Question:

"Will the Committee approve the nomination of Elder Lekam Okoi, as a Member of the Federal Character Commission?" — *Agreed to.*

Chairman to report progress.

(SENATE IN PLENARY)

The Senate President reported that the Senate in the Committee of the Whole, considered the Report of the Committee on Federal Character, on the screening of Elder Lekam Okoi, as a Member of the Federal Character Commission and approved the recommendation.

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

Confirmation of Nominee:

Question:

"Will the Senate confirm the nomination of Elder Lekam Okoi, as a Member of the Federal Character Commission?" — *Resolved in the Affirmative.*

Nomination of Elder Lekam Okoi, as a Member of the Federal Character Commission accordingly confirmed.

7. Committee on Appropriation:

Report on Federal Capital Territory (FCT) Appropriation Bill 2008 (SB. 98) :

Motion made: That the Senate do resume the consideration of the Report of the Committee on Appropriation, on the Federal Capital Territory (FCT) Appropriation Bill 2008 (SB.98) (Committee of Whole - 17th June, 2008) (Deputy Senate Leader).

SCHEDULE

PART B - CAPITAL EXPENDITURE

FCTA, FCDA, MANDATE SECRETARIAT/DIRECTORATES 2008

FCTA/FCDA DEPARTMENTS	APPROPRIATION
1. FCTA:	
Federal Capital Territory Administration	400,000,000
2. FCDA Departments:	
FCDA Administrator	236,300,000
Finance & Administration	20,000,000
Public Building	3,014,000,000
Engineering Services	6,474,548,602
Survey and Mapping	489,187,907
Urban and Regional Planning	294,432,762
Resettlement and Compensation Department	<u>6,778,500,000</u>
	<u>17,306,969,271</u>
3. Agriculture and Rural Development:	
Agriculture and Rural Development Secretariat	774,750,000
Agriculture Development Project	<u>139,000,000</u>
	<u>913,750,000</u>
4. Education:	
Education Secretariat	584,800,000
Agency of Mass Education	93,500,000
Universal Basic Education Board	2,703,813,750
FCT Secondary Education Board	2,762,680,000
FCT College of Education Zuba	653,973,326
FCT Education Resource Centre	<u>262,000,000</u>
	<u>7,060,767,076</u>
5. Health & Human Service:	
Health and Human Services Secretariat	2,815,743,093

6. Social Development:

Social Development Secretariat 636,000,000

7. Transport:

Transport Secretariat 2,931,000,000

Road Traffic Service 174,232,901

3,105,232,901

8. Area Council Secretariat:

Office of the Secretary 80,000,000

Planning, Monitoring & Inspectorate

9. Satellite Towns Development Department 4,040,000,000

10. Abuja Metropolitan Management Council 282,000,000

11. Parks and Recreation 1,952,378,853

12. Development Control Department 535,000,000

13. Facilities Maintenance and Management 1,599,080,944

14. FCT Urban Affairs 141,190,000

15. FCT Treasury Department 1,370,000,000

16. FCT Establishment and Training Department 155,000,000

17. FCT Audit Department 10,500,000

18. FCT Legal Secretariat 5,000,000'

19. Office of the Auditor General for FCT Area Council 23,500,000

20. .FCT Area Council Staff Pension Board 31,000,000

21. FCT Directorate of Muslim Pilgrims Affairs 17,500,000

22. FCT Directorate of Christian Pilgrim Affairs 8,895,000

23. FCT Archives and Historical Bureau 15,000,000

24. Area Council Service Commission 75,000,000

25. Abuja Geographical Information Systems 159,000,000

26. Abuja Environmental Protection Board 480,000,000

27. FCT Urban & Regional Planning tribunal 2,000,000

28. Aso Radio/TV 739,070,463

GRAND TOTAL: CAPITAL

43,959,577,601

Question:

That the Expenditure of Forty-Three Billion, Nine Hundred and Fifty-Nine Million, Five Hundred and Seventy-Seven Thousand, Six Hundred and One Naira (N43,959,577,601.00) for the purposes set out under Capital Cost stand part of the Schedule to the Federal Capital Territory Appropriation Bill 2008 — *Agreed to.*

GRAND TOTAL: RECURRENT + CAPITAL

69,449,042,377.00

Question:

That the Expenditure of Sixty-Nine Billion, Four Hundred and Forty-Nine Million, Forty-Two Thousand, Three Hundred and Seventy-Seven Naira (N69,449,042,377.00.00) for the purposes set out under Recurrent for the Overhead and Capital Costs stand part of the Schedule to the Federal Capital Territory Appropriation Bill 2008 — *Agreed to.*

A BILL FOR AN ACT TO AUTHORISE THE ISSUE FROM THE CONSOLIDATED REVENUE FUND OF THE FEDERAL CAPITAL TERRITORY ACCOUNT THE TOTAL SUM OF N69,449,042,377.00K (SIXTY NINE BILLION, FOUR HUNDRED AND FORTY NINE MILLION, FORTY TWO THOUSAND, THREE HUNDRED AND SEVENTY SEVEN NADIA) ONLY OF WHICH THE SUM OF N15,767,480,600.00K (FIFTEEN BILLION, SEVEN HUNDRED AND SIXTY SEVEN MILLION, FOUR HUNDRED AND EIGHTY THOUSAND, SIX HUNDRED NAIRA) ONLY IS FOR PERSONNEL COSTS AND THE SUM OF N9,721,984, 176.00K (NINE BILLION, SEVEN HUNDRED AND TWENTY ONE MILLION, NINE HUNDRED AND EIGHTY FOUR THOUSAND, ONE HUNDRED AND SEVENTY SIX NAIRA) ONLY IS FOR OVERHEAD COSTS WHILST THE BALANCE OF N43,959,577,601.00K (FORTY THREE BILLION, NINE HUNDRED AND FIFTY NINE MILLION, FIVE HUNDRED AND SEVENTY SEVEN THOUSAND SIX HUNDRED AND ONE NAIRA) ONLY IS FOR CAPITAL EXPENDITURE FOR THE SERVICES OF THE FEDERAL CAPITAL TERRITORY FOR THE FINANCIAL YEAR ENDING 31ST DECEMBER, 2008.

Clause1: Issue and appropriation oiN69,449,042,377 From Statutory Revenue Fund

- (1) The Director of Treasury of the Federal Capital Territory Administration may, when authorized to do so by warrants signed by the Minister of the Federal Capital Territory, pay out of the Consolidated ■ Revenue Fund of the Federal Capital Territory during the Financial Year ending 31st December, 2008 the sum specified by the warrants not exceeding in the aggregate N69,449,042,377 (Sixty Nine Billion, Four Hundred and Forty Nine Million, Forty Two Thousand, Three Hundred and Seventy Seven Naira only.
- (2) The amount mentioned in subsection (1) of this section shall be appropriated to heads of Expenditure as indicated in the schedule to this Act.

Committee's Recommendation:

That the provision in Clause 1 be retained (*Senator Iyiola Omisore*) — *Agreed to.*

Question, that Clause 1 do stand part of the Bill — Agreed to.

Clause 2: Release of Funds:

All amounts appropriated under this Act shall be made from the Consolidated Revenue Fund only for the purposes specified in the schedule to this Act.

Committee's Recommendation:

That the provision in Clause 2 be retained (*Senator Iyiola Omisore*) —Agreed to.

Question, that Clause 2 do stand part of the Bill — Agreed to.

Clause 3: Payment of Revenue into the Dedicated Account:

- (1) All revenues accruing to the Territory other than the Statutory Revenue distribution shall be paid into the consolidated Revenue Fund of the Federal Capital Territory.
- (2) No monies shall be withdrawn from the account mentioned in section 3 (1) above without appropriation by the National Assembly.

Committee's Recommendation:

That the provision in Clause 3 be retained (*Senator Iyiola Omisore*) —Agreed to.

Question, that Clause 3 do stand part of the Bill — Agreed to.

Clause 4: Virement:

In the event that the implementation of any of the projects intended to be undertaken under this Act cannot be completed without virement, such virement shall only be effected with the prior approval of the National Assembly.

Committee's Recommendation:

That the provision in Clause 4 be retained (*Senator Iyiola Omisore*) —Agreed to.

Question, that Clause 4 do stand part of the Bill — Agreed to.

Clause 5: Monthly Report:

- (1) The Minister of Federal Capital Territory and the Director of Treasury Federal Capital Territory Administration shall immediately upon the coming into force of this Act furnish the National Assembly, on a monthly basis, the status of the records of the Federal Capital Territory Statutory Accounts.

Quarterly Report:

- (2) The Minister of the Federal Capital Territory Administration, Agencies, Parastatals and Extra-Ministerial Departments who control heads of expenditure shall present to the National Assembly quarterly reports dealing the progress of implementation of the provisions of this Act.

Committee's Recommendation:

That the provision in Clause 5 be retained (*Senator Iyiola Omisore*) —Agreed to.

Question, that Clause 5 do stand part of the Bill — Agreed to.

Clause 6: Waiver not to incur Expenditure:

Where, due to revenue shortfall, amounts appropriated under this Act cannot be funded, the Minister of Federal Capital Territory shall seek from the National Assembly a waiver not to incur such expenditure.

Committee's Recommendation:

That the provision in Clause 6 be retained (*Senator Iyiola Omisore*) —Agreed to.

Question, that Clause 6 do stand part of the Bill — Agreed to.

Clause 7: Short Title:

This Act may be cited as the Federal Capital Territory Appropriation Act 2008.

Committee's Recommendation:

That the provision in Clause 7 be retained (*Senator Iyiola Omisore*) — *Agreed to.*

Question, that Clause 7 do stand part of the Bill — Agreed to.

Chairman to report Bill.

(SENATE IN PLENARY)

The Deputy Senate President reported that the Senate in the Committee of Supply resumed consideration of the Report of the Committee on Federal Capital Territory on the Federal Capital Territory Appropriation Bill 2008 and approved as follows:

Schedule B	—	As Recommended
Clause 1	—	As Recommended
Clause 2	—	As Recommended
Clause 3	—	As Recommended
Clause 4	—	As Recommended
Clauses 5	—	A S Recommended
Clauses 6	—	As Recommended
Clauses 7	—	As Recommended
Short Title	—	As Recommended

Question, that the Senate do adopt the Report of the Committee of Supply on the Federal Capital Territory Statutory Appropriation Bill 2008, put and agreed to.

Motion made and Question Proposed: That the Bill be read the Third Time (*Deputy Senate Leader*).

Question put and agreed to.

Bill accordingly read the Third Time and passed.

8. Anti-Torture Commission Bill 2008 (SB. 25):

Motion made: That the Bill for an Act to provide for the Establishment of the Anti-Torture Commission, 2008 be read the Second Time (*Senator Uche Chukwumerije*).

Debate:

Question put and agreed to.

Bill accordingly read the Second Time and referred to the Committee on Judiciary, Human Rights and Legal Matters to report within 4 weeks.

9. Discrimination and Related Offences (Prohibition and Punishment) Bill 2008 (SB. 89):

Motion made: That the Bill for an Act to Criminalize and Punish the Act of Discrimination and Segregation against Nigerians on the Grounds of Race, Nationality, Tribe, Ethnic Group, Gender, Skin Colour or Religion, in Employment, Accommodation, Air Travel, Business and Sundry Issues by Government, Individuals, Corporate Bodies, etc and for Matters connected therewith 2008 be read the Second Time (SB.89) — (*Senator Chris N. D. Anyanwu*).

Debate:

Question put and agreed to.

Bill accordingly read the Second Time and referred to the Committee on Judiciary, Human Rights and Legal Matters to report within 4 weeks.

10. Adjournment:

Motion made: That the Senate do adjourn till Tuesday, 1st July, 2008 at 10.00 a.m. (*Deputy Senate Leader*).

Adjourned accordingly at 1:20p.m.

Ike Ekweremadu, CFR
Deputy Senate President