



SENATE OF THE FEDERAL REPUBLIC OF NIGERIA

VOTES AND PROCEEDINGS

Tuesday, 28th February, 2006

1.

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

2.

Votes and Proceedings:

The Senate President announced that he had examined the Votes and Proceedings of Thursday, 16th February, 2006 and approved same.

By unanimous consent, the Votes and Proceedings were adopted.

3.

Messages from the President:

The Senate President announced that he had received six letters from the President, Commander-in-Chief which he read as follows:

i)



PRESIDENT,
FEDERAL REPUBLIC OF NIGERIA

PRES/134

21 February, 2006

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

Dear President of the Senate,

AMENDMENT OF HOUSING RELATED LAWS

I forward herewith, for consideration and passage into law by the Senate, the under-listed Housing related Bills:

(1) *The Federal Mortgage Bank of Nigeria Act 2005 - This Bill seeks to:*

(a) *repeal the Federal Mortgage Bank of Nigeria Act 1993;*

(b) *re-enact the Federal Mortgage Bank of Nigeria Act 2004; and*

- (c) make provisions for the re-organisation of the functions and activities of the Federal Mortgage Bank of Nigeria as a secondary Mortgage Institution to make it more proactive and capable of handling funds received on behalf of the National Housing Trust and regulating the activities of the Primary Mortgage Institutions in Nigeria with respect to the NHF.
- (2) The Insurance (Amendment) Act 2005 - This Bill seeks to amend the Insurance Act 2003 to expand the scope of properties and securities in which Insurance Companies may invest to include mortgage-backed securities or bonds and secondary mortgage transactions.
- (3) The Investment and Securities (Amendment) Act 2005 - This Bill seeks to amend the Investment and Securities Act 1999 to enlarge the category of persons who can make invitation to the public to invest in their securities to include other bodies empowered by an Act of the National Assembly to issue their own securities.
- (4) The Mortgage Institutions Act 2005 - This seeks to repeal the Mortgage Institutions Act 1990 and makes comprehensive provisions for the carrying on of mortgage business in Nigeria.
- (5) The National Housing Trust Fund Act 2005 - This seeks to repeal the National Housing Fund Act 1992 and establish the National Housing Trust Fund to facilitate, the mobilisation and disbursement of funds with the primary goal of ensuring that all Nigerians own or have access to decent, safe and sanitary mass housing accommodation at affordable cost with secure tenure.
- (6) The Nigeria Social Insurance Trust Fund (Amendment) Act 2005 - The Bill seeks to amend the Nigerian Social Insurance Trust Fund Act by expanding the scope of its investment to include bans in housing developing, mortgage-backed securities and secondary mortgage transactions.
- (7) The Trustee Investments (Amendment) Act 2005 - The Bill seeks to amend the Trustee Investment Act to provide mechanism for facilitating the investment of trust and other funds in issued securities including mortgage-backed securities and secondary mortgage transactions.

While I hope that these Bills will receive prompt attention of Distinguished Members of the Senate, please accept the assurances of my highest consideration.

Yours Sincerely,

Signed: OLUSEGUN
OBASANJO

(ii)



PRESIDENT,

FEDERAL REPUBLIC OF NIGERIA

PRES/134

23 February, 2006

The President of the Senate,
Senate Chambers, National
Assembly Complex, Three-Arms
Zone, Asokoro, Abuja.

Dear President of the Senate,

PRESENTATION OF A BILL

I forward herewith, for consideration and passage into law by the Senate, draft Bills to amend Petroleum Profits Tax Act (PPTA) and Companies Income Tax Act (CITA).

While I hope that these Bills will receive prompt attention of Distinguished Members of the Senate, please accept the assurances of my highest consideration.

Yours Sincerely,

Signed: OLUSEGUN
OBASANJO



(iii) PRESIDENT,
FEDERAL REPUBLIC OF NIGERIA

PRES/134

February 14, 2006

Senator Ken Nnamani,
President of the Senate,
Senate of the Federal Republic of Nigeria,
National Assembly Complex,
Abuja.

Dear Senator Nnamani President of the Senate

PRESENTATION OF AN AMENDED BILL FOR AN ACT TO ESTABLISH
THE NIGERIA FINANCIAL INTELLIGENCE UNIT FOR RECEIVING,
ANALYSING AND DISSEMINATING FINANCIAL AND OTHER
INFORMATION AND FOR OTHER MATTERS
CONNECTED THEREWITH

Distinguished President of the Senate may wish to recall that vide my letter Ref. No. PRES/134 of June 28, 2005, I forwarded to the Senate for consideration and passage into law, a Bill which seeks for an Act to establish the Nigeria Financial Intelligence Unit as a central body in Nigeria responsible for receiving and analyzing financial and other information as well as disseminating same to all law enforcement agencies and other appropriate authorities.

Following subsequent discussions with officials of the Financial Action Task Force (FATF) and consultation with stakeholders in Nigeria, it was considered necessary to effect some amendments in the Bill aimed at meeting the full requirements of the FATF and strengthening the autonomy of the NFIU for maximum efficiency. Consequently, I am glad to forward herewith, an amended copy of the Bill which is to replace the one currently pending before the Senate.

As earlier stressed in my letter under reference, the need for the Senate to urgently consider and pass this Bill into law can hardly be over-emphasised. This is having regard to the fact that the establishment of an autonomous NFIU remains a necessary prerequisite in getting Nigeria de-listed by the FATF.

In the same vein, I also wish to urge the Distinguished Senate to expedite action on the consideration and passage of the Bill for an Act to amend the Money Laundering (Prohibition) Act 2004, earlier forwarded vide my letter Ref. No. PRES/134 of June 30, 2005. This Bill is aimed at bringing the provisions of the Money Laundering (Prohibition) Act 2004 in line with the provisions of the new Bill on the establishment of an autonomous NFIU.

While urging the Senate for its cooperation in ensuring a speedy and simultaneous passage of these Bills, please accept the assurances of my highest esteem and best wishes.

Yours Sincerely,

Signed: OLUSEGUN
OBASANJO

Copy to:

* Special Adviser to the President on National Assembly.



**PRESIDENT,
FEDERAL REPUBLIC OF NIGERIA**

PRES/134

9 February, 2006

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

Dear President of the Senate,

PRESENTATION OF GAS BILL 2005

I hereby present, for formal consideration and passage into law by the Senate, the attached Bill for an Act to:

- (i) provide for a separate legal and regulatory regime for the downstream gas sector, distinct from upstream gas;*
- (ii) establish the Gas Regulatory Commission;*
- (iii) provide for the formation of the Nigerian Gas Transportation Company and the Nigerian Gas Marketing Company;*
- (iv) establish the basic principles for the organisation and regulation of the downstream gas sector and all other matters connected therewith.*

I hope the Bill will receive prompt attention of Distinguished Members of the Senate.

Yours Sincerely,

*Signed: OLUSEGUN
OBASANJO*



**PRESIDENT,
FEDERAL REPUBLIC OF NIGERIA**

(v)

PRES/134

February 9, 2006

*Rt. Hon. Chief Ken Nnamani,
President of the Senate, Senate
Chambers, National Assembly
Complex, Three Arms Zone,
Abuja.*

Dear President of the Senate,

**RENEWAL OF TENURE OF NON-EXECUTIVE COMMISSIONERS OF
NIGERIAN COMMUNICATION COMMISSION**

In the exercise of the powers conferred on me by Section 8(1) and 8(4) of the Nigerian Communication Commission Act 2003, I wish to present for confirmation by the Senate, renewal of tenure of the following Non-Executive Commissioners of Nigeria Communication Commission:

- (i) Engr. Olawole Ige
- (ii) Engr. Donatus D. Ude
- (iii) Engr. Muktari I. Zimit
- (iv) Barr. Bayo Atoyebi

I attach herewith their Curriculum Vitae please.

Accept, Mr. Senate President, the assurances of my highest consideration.

Yours Sincerely,

Signed: OLUSEGUN
OBASANJO



PRESIDENT,
FEDERAL REPUBLIC OF NIGERIA

(vi)

PRES/134

21 February, 2006

Senator Ken Nnamani,
President of the Senate, Senate
Chambers, National Assembly
Complex, Three Arms Zone,
Abuja.

Dear President of the Senate,

REQUEST FOR CONFIRMATION OF MINISTERIAL NOMINEE

In the exercise of powers conferred on me by Section 147(2) of the 1999 Constitution of the Federal Republic of Nigeria, I hereby present Engr. (Dr.) Obafemi ANIBABA, whose CV is attached herewith to be appointed as Minister of the Federal Government of the Federation, for confirmation as Minister representing Lagos State in the Federal Executive Council.

While I trust that the Distinguished Senate will confirm this nominee for appointment as Minister of the Government of the Federation, consistent with Section 147(2) of the 1999 Constitution, without delay, please accept the assurances of my highest consideration.

Yours Sincerely,

Signed: OLUSEGUN
OBASANJO

4. Announcements:

(a) Conference Committee on the Nigerian Geological Survey Agency (Establishment etc.) Bill 2006:
The Senate President announced Senate Conferees as follows:

- | | | | |
|-------|---------------------------|---|----------|
| (i) | Senator Cosmos G. Niagwan | — | Chairman |
| (ii) | Senator John Azuta-Mbata | — | Member |
| (iii) | Senator Abu Ibrahim | — | Member |
| (iv) | Senator Usman Sani Sami | — | Member |

- | | | | |
|------|----------------------------|---|--------|
| (v) | Senator Emmanuel A. Agboti | — | Member |
| (vi) | Senator Robert B. Koleosho | — | Member |

(b) The Senate President acknowledged the presence of students of Himma International School, Minna, Niger State who had come to observe Senate Proceedings from the Gallery.

Motion: Sectarian Violence in some parts of Nigeria especially, Maiduguri, Katsina, Bauchi and Onitsha:

Motion made and Question Proposed: That whereas on February 18, 2006 there were demonstrations, which unfortunately turned violent in Maiduguri, Bauchi and Katsina States against the infamous Danish cartoons depicting Prophet Mohammed;

WHEREAS the Maiduguri, Bauchi and Katsina riots resulted in reprisal attacks and violence in Onitsha, Anambra State;

WHEREAS the Maiduguri, Katsina, Bauchi and Onitsha crises left in their wake hundreds of deaths and destructions of properties worth billions of naira;

WHEREAS the Security Agencies, especially the Police and the State Security Services (SSS) failed, not only to anticipate and nip the crises in the bud, but also exhibited a clear lack of capacity to contain the violence when it erupted;

WHEREAS Nigeria and Nigerians have continued to suffer incalculable damages through sectarian violence;

WHEREAS traditional, religious and community leaders have failed to exercise the expected authority and control over their subjects and followers during crucial periods of tension in their domains; and

WHEREAS the Federal Government had in the past, treated perpetrators of sectarian violence with kid gloves.

Be it resolved: That the Senate do

- (i) condemn in very strong and unequivocal terms, the sectarian violence that erupted penultimate Saturday in Maiduguri, the Borno State capital, Bauchi and Katsina, as well as the reprisal attacks in some South-Eastern States of the Federation, and call for extreme restraint from Nigerians, irrespective of faith or religion in the face of all manner of provocation;
- (ii) condole with Nigeria and Nigerians, especially families of the innocent victims of the Maiduguri, Katsina, Bauchi and Onitsha sectarian violence;
- (iii) urge the Federal Government set up a Judicial Commission of Inquiry to investigate the remote and immediate causes of the mayhem with a view to not only apprehending the perpetrators but also prosecuting all those responsible for the sectarian violence;
- (iv) urge the security agencies in the country to be alive to their responsibilities by improving their capacity at intelligence gathering in order to be in a position to nip all sectarian crises in the bud before they escalate to violent dimensions;
- (v) urge the Federal Government to immediately send relief materials to all victims of the crises to serve as succour at this hour of dire need; and
- (vi) observe one minute silence in honour of the departed souls of the unfortunate and innocent victims of the crises (*Senator Victor Ndoma-Egba*).

Debate:

Recommendations:

Prayer (i):

That the Senate do condemn in very strong and unequivocal terms, the sectarian violence that erupted penultimate Saturday in Maiduguri, the Borno State capital, Bauchi and Katsina, as well as the reprisal attacks in some South-Eastern States of the Federation, and call for extreme restraint from Nigerians, irrespective of faith or religion in the face of all manner of provocations.

Amendment Proposed:

Immediately after the word "sectarian" in line 1 *insert* the word "/political" and wherever it appears in the motion (*Senator Saidu M. Dansadau*).

Question that the amendment be made put and agreed to.

Another Amendment Proposed:

Leave out the words "some South-Eastern States of the Federation" in line 3 and *insert* the word "Onitsha" instead thereof (*Senator Chris Adighije*).

Question that the amendment be made put and agreed to.

Prayer (ii):

That the Senate do condole with Nigeria and Nigerians, especially families of the innocent victims of the Maiduguri, Katsina, Bauchi and Onitsha sectarian violence — *Agreed to.*

Prayer (iii):

That the Senate do urge the Federal Government to set up a Judicial Commission of Enquiry to investigate the remote and immediate causes of the mayhem with a view to not only apprehending the perpetrators but also prosecuting all those responsible for the sectarian violence.

Amendment Proposed:

Leave out the words "to set up a Judicial Commission of Inquiry" in line 1 (*Senator Udoma Udo Udoma*).

Question that the amendment be made put and agreed to.

Another Amendment Proposed:

Immediately after the word "violence" in line 3 *insert* the words "and recommending adequate compensation where necessary" (*Senator Tokumbo Afikuyomi*).

Question that the amendment be made put and agreed to.

Prayer (iv):

That the Senate do urge the security agencies in the country to be alive to their responsibilities by improving their capacity at intelligence gathering in order to be in a position to nip all sectarian crises in the bud before they escalate to violent dimensions.

Amendment Proposed:

Leave out all the words in prayer (iv) and *insert* a new prayer (iv) as follows:

"(iv) That the Federal Government further investigate the role of the security agencies in the sectarian/political violence" (*Senator David Mark*).

Question that the amendment be made put and agreed to.

Prayer (v):

That the Senate do urge the Federal Government to immediately send relief materials to all victims of the crises to serve as succor at this hour of dire need.

Amendment Proposed:

Leave out all the words in prayer (v) and *insert* a new prayer (v) as follows:

"(v) That the Senate do commend the Federal Government for sending relief materials to all victims of the crises" (*Senator Tunde Ogbeha*).

Question that the amendment be made put and agreed to.

Another Amendment Proposed:

Immediately after the word "Government" in line 1 *insert* the words "Delta State Government and any other State Government" (*Senator James E. Manager*).

Question that the amendment be made put and agreed to.

Prayer (vi):

That the Senate do observe one minute silence in honour of the departed souls of the unfortunate and innocent victims of the crises — *Agreed to.*

Resolved:

- (i) That the Senate do condemn in very strong and unequivocal terms, the sectarian/political violence that erupted penultimate Saturday in Maiduguri, the Borno State capital, Bauchi and Katsina, as well as the reprisal attacks in Onitsha, and call for extreme restraint from Nigerians, irrespective of faith or religion in the face of all manner of provocation;
- (ii) That the Senate do condole with Nigeria and Nigerians, especially families of the innocent victims of the Maiduguri, Katsina, Bauchi-and Onitsha sectarian/political violence;
- (iii) That the Senate do urge the Federal Government to investigate the remote and immediate causes of the mayhem with a view to not only apprehending the perpetrators but also prosecuting all those responsible for the sectarian/political violence and recommending adequate compensation where necessary;
- (iv) That the Federal Government further investigate the role of the security agencies in the sectarian/political violence;
- (v) That the Senate do commend the Federal Government, Delta State Government and any other State Government for sending relief materials to all victims of the crises; and

That the Senate do observe one minute silence in honour of the departed souls of the unfortunate and innocent victims of the crises (*S. Res. 040/06*),

One minute silence accordingly observed.

**6. Committee on Independent National Electoral Commission (INEC):
Electoral Act (Amendment) Bill 2006 (SB. 152):**

Consideration deferred till next legislative day.

7. Adjournment:

Motion made and Question Proposed: That the Senate do adjourn till Wednesday, 1st March, 2006 at 10.00 a.m. (*Senate Majority Leader*).

Adjourned accordingly at 1:05p.m.

Ken Nnamani
President of the Senate