

SENATE OF THE FEDERAL REPUBLIC OF NIGERIA

VOTES AND PROCEEDINGS

Wednesday, 5th April, 2006

1. **The Senate met at 10: 25 a. m.** The Senate President read Prayers.
2. **Votes and Proceedings:**
The Senate President announced that he had examined the Votes and Proceedings of Tuesday, 4th April, 2006 and approved same.

By unanimous consent, the Votes and Proceedings were adopted.

3. **Remarks by the Senate President:**



*The President,
Senate of the Federal Republic of Nigeria*

**A TEXT OF REMARKS BY SENATOR KEN NNAMANL,
PRESIDENT, SENATE OF THE FEDERAL REPUBLIC
OF NIGERIA ON WEDNESDAY, APRIL 5, 2006 TO
COMMEMORATE ONE YEAR IN OFFICE AS
THE PRESIDENT OF THE SENATE**

"The Triumph of Teamwork"

Distinguished colleagues, today marks one year since you unanimously elected me to preside over deliberations in this hallowed chamber as the Senate President. This election was unprecedented. It was the first time in the modern history of the Nigerian Senate that distinguished Senators elected their presiding officer without the interference of the Executive or the party leadership. It was unprecedented as an act of internal democratization. It marked a new beginning in the history of legislative politics in Nigeria. With that election we laid the foundation of a truly independent upper legislative chamber. Ever since, we have remained independent.

My distinguished colleagues, I am delighted to note that the amity, friendship and solidarity that resulted in that eventful election have continued to serve this Senate well and promote constitutional democracy in Nigeria. Together, we have weathered the storms of frosty executive-legislature relationship; together we have defined and deepened a new understanding of interdependence of different branches of government, an

interdependence that does not subordinate one branch of government to another; together, we have enacted the quickest appropriation bill in recent history; and together, we have passed laws that guarantee continuity of beneficial economic reform programs and promote Nigeria as a business destination of choice.

Since April 5, 2005, I have enjoyed unsurpassed support from distinguished Senators. Throughout these days I have had no moment of loneliness or regret as President of Senate. I have received the utmost support of every Senator in this hallowed chamber. In times of difficulty, I have received the best of counsels from fellow Senators. Our unity of purpose and our singular commitment to the welfare of Nigerian households and the consolidation of democracy have been acknowledged by the Nigerian people. Our credibility and -integrity is at all time high. The leadership of this upper chamber has been outstandingly committed to the vision of providing credible and competent leadership for the consolidation of democracy and efficient management of the national economy.

When we came to office a year ago, we set before us the triple vision of salvaging the reputation of the chamber, streamlining its administrative mechanism to enhance our efficiency and establishing a legislative mechanism to enable the executive to efficiently and fairly manage the economy. We have achieved our mission because of the excellent support from distinguished Senators.

Today, as I step back into time and remember that memorable election as the President of Senate, I salute the courage of every Senator who expressed confidence in our leadership. I am happy that we have remained one family. We have proved cynics wrong by working together to set new standards of democratic lawmaking in the National Assembly. I have benefited immensely from your wise counsels; and your unflinching support has strengthened my resolve to give greater devotion to the challenge of upholding the constitutional integrity of the upper legislative house.

Distinguished colleagues, I thank you for breaking tradition to make me Senate President and for defying all odds to accord me the greatest possible support and friendship. Every Senator deserves to be proud of our many accomplishments this one year. We all deserve congratulations for the breathtaking achievements we have recorded this one year.

In this chamber, in the last one year, teamwork has triumphed. Thank you for your support. May we record greater achievements in the years ahead!

{Signed):

SENATOR KEN NNAMANI

PRESIDENT

SENATE OF THE FEDERAL REPUBLIC OF NIGERIA

4. Announcement:

The Senate President read a letter from National Democratic Institute as follows:



*Distinguished Senator Ken Nnamani
Senate President
National Assembly Complex
Abuja - FCT*

5th April 2006

Dear Distinguished Senate President:

NDIs SNAP LAUNCH ANNOUNCEMENT

On Monday April 10, 2006 at the National Assembly Foyer at 11:00 a.m., the National Democratic Institute for International Affairs (NDI) will be launching its SNAP program. SNAP (short for Strengthening the National Assembly Program) aims to establish and develop sustainable capacity in the Nigerian National Assembly to play its constitutional role in addressing poverty and inequality.

NDI will appreciate your assistance in announcing on the floor of the Senate details relating to the launch of NDIs SNAP. The announcement is made very important by the fact that Monday April JO, 2006 the launch date is not a normal sitting day in the National Assembly.

We will appreciate all assistance you may give to help us achieve the widest publicity to the SNAP launch and encouraging full attendance by members.

Thank you.

Sincerely,

*(Signed): Clement
Nwankwo
Senior Program Manager*

5. Privileges:

Rising on Rules 14 and 15, Senator Nuhu Aliyu invited the attention of the Senate to an interview granted African Independent Television (AIT) by the Deputy Senate President, Senator Ibrahim N. Mantu where Senator Mantu was quoted to have said *"...my Colleagues know that I am not here to do anybody's bidding... why are they now jumping the gun... so they are the ones who are saying 'oh, monies has been given'. We have asked them who gave money ? For what purpose ?' no body has been able to identify the giver, they have not been able to identify the taker, they have not been able to identify the project for which the money is given. So rumours and rumours and rumours. The place has become a very very ahh, the largest perhaps rumour industry, you know. The National Assembly has become the largest rumour industry in Nigeria. But we don't work on rumours. For example, we have told our colleagues, I told them, I challenge anybody who has evidence that I was given something to give to him and I short-changed him or I did not give him, please, I will be happy if you do".*

Motion made and Question Proposed: That whereas the office of the Deputy Senate President is created by the Constitution of the Federal Republic of Nigeria and recognized by the Rules of both the Senate and the House of Representatives as a cardinal presiding officer of the Senate and the National Assembly;

WHEREAS, the holder of the office of the Deputy Senate President, who is No.5 citizen of the Federation, is required to exercise leadership qualities including but not limited to exercising a high sense of responsibility, humility, honesty, decorum, respect for the opinion and understanding of the feelings, of his colleagues;

WHEREAS, the above statement made by Senator Ibrahim Mantu on AIT has no doubt fallen short of the standards required of a leader and depict lack of any element of leadership qualities;

WHEREAS by the above statements, Senator Mantu is no longer qualified to preside over this Senate as Deputy Senate President because, either:

- (a) his reputation and credibility as a person are in serious jeopardy having to preside over "the largest rumour Industry in Nigeria, or
- (b) the Senate, and indeed, the National Assembly is not, as Senator Mantu believes a rumour Industry', but is infact one of the three arms Government of the Federal Republic of Nigeria constitutionally charged with the responsibility of making laws for the peace, order and good governance of the Federation. If this constitutes the powers and functions of the National Assembly as provided by Section 4(2) of the Constitution, then any presiding officer who believes that the National Assembly is "the largest rumour Industry in Nigeria" is no longer qualified to preside over it from the day he evinces that belief and makes statement to that effect on a media outfit that is globally watched;

WHEREAS, however, if we accept the legislative powers vested in us as members of the National Assembly and at the same time accept that the institution we represent has degenerated to a 'rumour industry', the implication is that we should therefore cease parading ourselves as "distinguished Senators and Honourable Members of the National Assembly";

WHEREAS, the statement quoted above as made by Senator Mantu is already documented by political historians home and abroad. It is a time-honoured axiom that 'silence is consent'. Unless and until we take appropriate action with respect to this matter, members of Nigeria's National Assembly will continue to live

with the incalculable damage inflicted on them, nay the institution of the legislature, by the statement of Senator Mantu;

WHEREAS, each and everyone of us here came to this Senate with high honour and credibility, and I believe that none is prepared to leave this Senate when our tenure expires in 2007 with an impaired image;

WHEREAS, it is undisputable that there were and still are allegations of financial impropriety against Senator Mantu **in connection** with his role as Chairman of the National Assembly Joint Committee for the Constitution Review, JCCR, and these allegations have tainted the integrity of the National Assembly and brought the institution to ridicule;

WHEREAS, this allegation is only the latest in a long line of controversies involving dishonesty and disreputable conduct on the part of the Deputy Senate President. These controversies have had the effect of creating an unwholesome impression of the legislature in the opinion of the public;

WHEREAS, it is a fact that Senator Mantu is today indicted by a Committee of the House of Representatives, a sister parliamentary Committee which report the plenary of the House has adopted regarding the propriety and competence of Senator Mantu as the Amirul Hajj;

WHEREAS, these series of questionable conduct leave us with no other option but to take action to save the reputation of the legislature which if not arrested, is fast degenerating. The decision to salvage our image lies squarely in our hands, not only in the Senate but also in the House of Representatives whom Senator Mantu recklessly indicted. The import of this motion therefore, is to take up the challenge posed by Senator Mantu when he claimed that 'any body who has evidence' of impropriety should come forward with it; and

WHEREAS, the Senate Code of Ethics in its preamble requires Senators to "be law abiding, honest, and trustworthy citizens, conduct themselves in an honorable and dignified manner, set good examples for the society and enhance the reputation and respect accorded the Institution they represent. Senators shall always avoid conduct that may bring the Senate into disrepute, opprobrium and ridicule". Senator Mantu's recent statement on AIT and alleged acts of impropriety generally offend this provision and specifically breach Rule 1 of the Senate Code of Ethics on General Conduct and Interpersonal Relationship which states thus: "Senators shall uphold the highest ethical standards. Consequently, any behaviour inconsistent with acceptable societal moral standards as adjudged by the Senate or likely to bring the Senate into disrepute shall constitute a breach of this code." Rule 5 of the Code states: "The Senate may impose anyone or more of the following penalties or sanctions as a result of breaches of this Code: .. **.iii.** Removal from positions of responsibility."

Be it resolved, therefore: That

- (1) the Senate directs its Committee on Ethics, Privileges and Public Petitions to investigate the matter and report back to the Senate within six legislative days, with the following terms of reference:
 - (a) The management of the funds of the Joint Committee for Constitution Review, JCCR;
 - (b) The allegation of having received Four Hundred Million Naira from a business concern in pursuit of the mandate of the JCCR;
 - (c) The allegation of having shared out \$37,000.00 to members of the JCCR;
 - (d) To determine the position of the Twenty-Two Million Naira (N22m) he received from the Presidency being left-over of the Political Reforms Conference Funds for the prosecution of the mandate of the JCCR and whether it was returned to the Presidency as directed by the Committee;
 - (e) The propriety of the Fifty Million Naira (N50m) he paid himself as rent to occupy his personal house in Asokoro, and the Forty Million Naira (N40m) he received for the furnishing of the house;
 - (f) The indictment by a Committee of the House of Representatives for mismanagement of funds as Amirul Hajj, 2006; and
 - (g) The disparaging statement made on the Africa Independent Television, AIT. regarding the status of the National Assembly as the "largest rumour Industry in Nigeria;

- (2) the Deputy Senate President stand suspended from office and from sittings of the Senate for the period of the investigation (*Senator Nuhu Aliyu*).

Debate:

Amendment Proposed:

That the prayers of the Motion be referred to the Committee on Ethics, Privileges and Public Petitions for investigation and report to the Senate as soon as **possible** (*Senator David Mark*).

Amendment put and the Senate divided:

AYES 39

NOES 39

ABSENT 39

ABSENTION 1

TOTAL 108

AYES

- | | |
|------------------------------|--------------------------------|
| 1. Adighije, Chris Ajibola, | 2. Agbott, Emmanuel Azu |
| 3. Simeon Sule Ambuno, Zik | 4. Ajoku, Eze Darlington |
| 5. Sunday Amosun, Ibikunle | 6. Aminu, Jibril Mohammed |
| 7. Araraume, Ifeanyi Godwin | 8. Anisulowo, Veronica Iyabo |
| 9. Balat, Isaiah Chawai | 10. Awoyelu, Clement Kolawole |
| 11. Ekweremadu, Ike Ibru, | 12. Ehinlanwo, Oladapo Hosea |
| 13. Felix Ovuoduroye | 14. Ewa-Henshaw, Bassey |
| 15. Manager, James Ebiowuo | 16. Koleosho, Robert Bonuola |
| 17. Mark, David Nzeribe, | 18. Mantu, Nasiru Ibrahim |
| 19. Francis Arthur Ogbeha, | 20. Niagwan, Geokur Cosmas |
| 21. Jonathan Tunde Ogunwale, | 22. Obanikoro, Musiliu M. O. |
| 23. Felix Kola Okpede, | 24. Ogunbanjo, Olatokunbo O. |
| 25. Emmanuel O. Omisore, | 26. Okoro, Fidelis Chukwuemeka |
| 27. Iyiola Osakwe, Patrick | 28. Olasunkanmi, Akinlabi |
| 29. Enebeli Sodangi, | 30. Orti, Fred Injinia |
| 31. Abubakar Danso Uba, | 32. Oyofe, Victor Kassim Isa |
| 33. Ugochukwu Betram | 34. Tafida, Dalhatu S. |
| 35. Udoma, Udoma Udo | 36. Ucha, Julius Ali |
| 37. Zarami, Lawan Jalo | 38. Ugbane, Nicholas Yahaya |
| 39. | |

NOES

- | | |
|-------------------------------|-----------------------------|
| 1. Adamu, Bala Ajimobi, | 2. Afikuyomi, Tokunbo |
| 3. Abiola Ali, Mamman Bello. | 4. Albishir, Shehu Usman |
| 5. Anka, Yushau Mohammed | 6. Aliyu, Nuhu |
| 7. Bello, Mahmud Kanti Bunza, | 8. Aruwa, Muktar Mohammed |
| 9. Farouk Bello Daggash, | 10. Brambaifa, John Kojo |
| 11. Mohammed Sanusi Danboyi, | 12. Chukwumerije, Uche |
| 13. Usman Saleh. Dan-zomo, | 14. Dahiru, Umaru |
| 15. Dalha Ahmed Gwarzo, | 16. Dansadau Saidu Mohammed |
| 17. Hayatu Bello Hanga, Rufai | 18. Garba, Haruna |
| 19. Sani | 20. Hambagda, Omar Abubakar |
| 21. | 22. Ibrahim, Abu |

- | | |
|----------------------------|---------------------------------|
| 23. Kamba, Sani A. | 24. Kuta, Idris Ibrahim |
| 25. Maccido, Badamasi Muhd | 26. Maikafi, Abubakar |
| 27. Maina, Isa | 28. Mamora, Adeleke O. |
| 29. Obi, Ben | 30. Ohiare, Mohammed S. |
| 31. Olowoporoku, Bode | 32. Olupitan, Titus Olajide |
| 33. Sami, Usman Sani | 34. Saraki-Fowora, Gbemisola R. |
| 35. Saror, Daniel Iyorkegh | 36. Shuaibu, Lawal |
| 37. Tela, Baba | 38. Umar, Usman K. |
| 39. Yari, Sule Gandi: | |

ABSENTION

1. Azuta-Mbata, John

ABSENT

- | | |
|------------------------------|----------------------------------|
| 1. Abubakar Iya | 2. Adudu, Timothy Aku |
| 3. Ahmed, Mohammed | 4. Aji, Mohammed Abba |
| 5. Bob, Effiong Dickson | 6. Brigidi, David Cobbina |
| 7. Danboyi, John Magiel | 8. Ehanire-Danjuma, Daisy U. |
| 9. Ekarika, Ittak Bob | 10. Emodi, Joy Ifeyinwa |
| 11. Folarin, Teslim Kolawole | 12. Ibrahim, Abdulazeez a |
| 13. Ibrahim, Mohammed | 14. Kolawole, James Olagunju |
| 15. Maeba, Lee Ledogo | 16. Martyns-Yellowe, Ibiapoye S. |
| 17. Mohammed, Abubakr Sa'ad | 18. Mohammed, Isa |
| 19. Ndoma-Egba, Victor | 20. Ngaji, Gregory |
| 21. Nshii, Christopher C. | 22. Ogunniya, Gbenga |
| 23. Osunbor, Oserheimen A. | 24. Spiff, Rufus Inatimi |
| 25. Tsauri, Umaru Ibrahim | 26. Wabara, Adolf |
| 27. Wada, Tawar Umbi | 28. Yusuf, Bello Maitama. |
| 29. Zwingina Jonathan Silas: | |

The Votes for Ayes and Noes being equal, pursuant to Rule 71(6) the Senate President gave a casting vote to the Ayes.

Resolved:

- (1) That the Committee on Ethics, Privileges and Public Petitions do investigate the following matters in respect of Senator Ibrahim N. Mantu:
 - (a) The management of the funds of the Joint Committee for Constitution Review, JCCR;
 - (b) The allegation of having received Four Hundred Million Naira from a business concern in pursuit of the mandate of the JCCR;
 - (c) The allegation of having shared out \$37,000.00 to members of the JCCR;
 - (d) To determine the position of the Twenty-Two Million Naira (₦22m) he received from the presidency being left-over of the Political Reforms Conference Funds for the prosecution of the mandate of the JCCR and whether it was returned to the Presidency as directed by the Committee;
 - (e) The propriety of the Fifty Million Naira (₦50m) he paid himself as rent to occupy his personal house in Asokoro, and the Forty Million Naira (₦40m) he received for the furnishing of the house;
 - (f) The indictment by a Committee of the House of Representatives for mismanagement of funds as Amirul Hajj, 2006; and

- (g) The disparaging statement made on the Africa Independent Television, (AIT) regarding the status of the National Assembly as the "largest rumour Industry in Nigeria (S. lies/042/06).

The Senate President ordered the Committee to report within two weeks.

7. Matter of Urgent Public Importance:

Local Government Council Funds:

Rising on Rule 42, Senator Francis A. Nzeribe invited the attention of the Senate to the provisions of the Act that provide for the Monitoring and Control of Revenue Allocation to Local Government Councils and Area Councils from the Federation Account, and the need to monitor the implementation of that Act. He sought leave of the Senate to introduce a Motion on the matter next legislative day.

Matter to stand over till next legislative day.

8. Senate Time-Table:

The Senate Majority Leader informed the Senate that a revised Senate Time-Table has been circulated for Senators guidance and compliance.

9. Presentation of Bills:

(i) National Housing Trust Fund Act (Repeal) Bill 2006 (SB. 289) — *Read the First Time.*

(ii) Trustee Investments Act (Amendment) Bill 2006 (SB. 285) — *Read the First Time.*

10. Committee on Science and Technology

Report on Federal College of Chemical and Leather Technology Bill 2006 (SB. 157):

Motion made and Question Proposed: That the Senate do receive the Report of the Committee on Science and Technology on the Federal College of Chemical and Leather Technology Bill 2006 (*Senator Saidu M. Dansadau*).

Question put and agreed to.

Report presented and Laid.

11. Adjournment:

Motion made and Question Proposed: That the Senate do adjourn till Thursday, 6th April, 2006 at 10.00 a.m. (*Senate Majority Leader*).

Adjourned accordingly at 1:15p.m.

Ken Nnamani
President of the Senate