



SENATE OF THE FEDERAL REPUBLIC OF NIGERIA

VOTES AND PROCEEDINGS

Tuesday, 23rd May, 2006

1. The Senate met at 10.10 a.m. The President read Prayers.

2. **Votes and Proceedings:**

The Senate President announced that he had examined the Votes and Proceedings of Thursday, 18th May, 2006 and approved same.

By unanimous consent, the Votes and Proceedings were adopted.

3. **Matter of Urgent Public Importance:**

Rising on Rule 42, Senator Adeleke O. Mamora drew the attention of the Senate to the preparedness of Independent National Electoral Commission (INEC) to use Electronic Voting System (EVS) despite the Senate's rejection of the Electronic Voting System in 2007 General Election.

Motion to stood over till next legislative day.

4. **Presentation of Bill:**

Highways (Prohibition of Trading or Commercial Activities) Bill 2006 (SB.304) — *Read the First Time*,

5. **Committee on Marine Transport:**

Report of the National Inland Waterways Authority Act (Amendment) Bill, 2006 (SB. 218);

Motion made and Question Proposed: That the Senate do receive the Report of the Committee on Marine Transport on the National Inland Waterways Authority Act (Amendment) Bill, 2006 (SB. 218) (*Senator Ugochukwu Uba*).

Question put and agreed to.

Report Laid.

6. **Committee on Ethics, Code of Conduct and Public Petition:**

Report on Petition and Sundry Allegations Against Senator Nasiru I. Mantu, Deputy Senate President:

The Senate President drew the attention of the Senate to the Report submitted by the Committee on Ethics, Code of Conduct and Public Petition and stated that pages 20 and 31 were missing in the Report;

Motion made and Question Proposed: That the Report be withdrawn and re-submitted by the Committee (*Senator David Mark*).

Question put and agreed to.

Report accordingly withdrawn.

1, ■■ Incessant Oil Pipeline Vandalizations and Explosions in the Country:

Motion made and Question Proposed: That whereas pipeline vandalization has become a regular occurrence in this country;

WHEREAS the sole purpose of the vandalization of pipelines is always the illegal siphoning of fuel which often leads to explosions;

WHEREAS in recent times, the activities of these vandals have assumed frightening dimensions leading to major explosions across the country;

WHEREAS the explosions which occurred on Friday, 12th May, 2006 around Inagbe Village in Amuwo Odofin Local Government Area of Lagos State is the most recent and it led to the loss of over 500 lives;

WHEREAS the pipeline explosions on Friday, the 12th of May, 2006 was the fifth of such incidents in Lagos State alone;

WHEREAS similar pipeline incidents occurred at Ejigbo pipeline in 2002 (Lagos), the Atlas Cove Pipeline in 2003 (Lagos), near Mosimi Depot in September 2004 (Lagos) and somewhere around Ilado in 2005 (Lagos);

WHEREAS we have lost over 1000 lives through these incidents in the last 4 years in Lagos State alone;

WHEREAS the same gory incident had occurred in Adeje Village (12 miles from the famous Jesse Town) in July 2000 claiming between 200 and 250 lives with a similar incident at Jesse itself in 1998 claiming about 1000 lives all in the Niger Delta area amongst other incidents;

WHEREAS these incident have caused major dislocation in over 500 families leading to economic strangulation and other attendant social crisis;

WHEREAS innocent residents around the location of these pipelines now live in utmost fear and trepidation;

WHEREAS this Distinguished Senate should as a matter of urgency take steps towards protecting lives and property from the activities of pipeline vandals;

Be it resolved: That

(i) the Senate do condemn in the strongest and most uncertain terms the activities of these vandals.

(it) **the** NNPC, the Nigerian Navy and the Police be compelled to maintain round-the clock surveillance of pipelines in the country.

(Hi) that a deadline be issued to compel the NNPC to begin the process of phasing out land surface pipes.

(iv) the necessary authorities should be prevailed upon to urgently, decently and properly bury the charred remains of lost lives and to disinfect the area of the explosion to forestall the outbreak of any epidemic (*Senator Musitiu O, Obanikoro*).

Debate:

Prayer (i)

Question: That the Senate do condemn in the strongest and most uncertain terms the activities of these vandals.

Amendment Proposed:

Leave out the words "and most uncertain" (*Senator Udoma Udo Udoma*).

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

Prayer (ii)

Question: That the NNPC, the Nigerian Navy and the Police be compelled to maintain round-the clock surveillance of pipelines in the country.

Amendment Proposed:

Leave out all the words in prayer (ii) and insert the following

"That the NNPC be called upon to put in place *the* appropriate electronic, mechanical monitoring and security system to protect the pipelines" instead thereof (*Senator Jonathan S. Zwingina*).

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

Prayer (iii)

Question: That a deadline be issued to compel the NNPC to begin the process of phasing out land surface

Amendment Proposed:

Leave out all the words in prayer (iii) and insert the followings:

"That the issue of the problems posed by land surface pipelines and pipeline vandalism be referred to the Committee on Petroleum Resources (Downstream) to investigate thoroughly and make appropriate recommendations to the Senate" instead thereof (*Senator Udoma Udo Udoma*).

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

Resolved:

- (i) That the Senate do condemn in the strongest terms the activities of these vandals.
- (ii) That the NNPC be called upon to put in place the appropriate electronic, mechanical monitoring and security system to protect the pipelines.
- (iii) That the issue of the problems posed by land surface pipelines and pipeline vandalism be referred to the Committee on Petroleum Resources (Downstream) to investigate thoroughly and make appropriate recommendations to the Senate (*S. Res./048/06*).

8. Committee on Niger-Delta:

Report on the Screening of Dr. Daru Owei as a Member of the Governing Board of the Niger-Delta Development Commission (NDDC):

Motion made and Question Proposed: That the Senate do receive and consider the Report of the Committee on Niger-Delta, on the screening of Dr. Daru Owei as a Member of the Governing Board of the Niger-Delta Development Commission (NDDC) (*Senator Patrick E. Osakwe*).

Question put and agreed to.

Report presented and Laid.

Motion made and Question Proposed: That the Senate do resolve into the Committee of the Whole to consider the Report (*Senate Majority Leader*).

Question put and agreed to.

(SENATE IN THE COMMITTEE OF THE WHOLE)

Report of the Committee on Niger-Delta on the Screening of Dr. Daru Owei as a Member of the Governing Board of the Niger-Delta Development Commission (NDDC).

Debate:

Recommendation:

That the Senate do approve the nomination of Dr. Daru Owei as a Member of the Governing Board of the Niger-Delta Development Commission (NDDC)" — *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 Niger-Delta on the screening of Dr. Daru Owei as a Member of the Governing Board of the Niger-Delta Development Commission (NDDC) and approved the nomination.

- Motion made and Question Proposed: That the Senate do resolve into the Committee of Supply to consider
"the Report (Senate Majority Leader). —

Question put and agreed to.

(SENATE IN THE COMMITTEE OF SUPPLY) (The

Senate President in Chair)

Consideration of the Report of the Committee on Appropriation on the Federal Capital Statutory Budget Bill 2006.

SCHEDULE

PART A - RECURRENT NON-DEBT EXPENDITURE

FEDERAL CAPITAL TERRITORY FIRST LINE CHARGE 2006

OFFICE OF THE MINISTER (FCT) APPROPRIATION

Personnel Costs 45,815,000

Overhead Costs 896,000,000

Sub-Total 941,815,000

Question,

That the Expenditure of Nine Hundred and Forty-One Million Eight Hundred and Fifteen Thousand Naira (N941,815,000.00) for the purposes set out under Recurrent for the Overhead Cost stand part of the Schedule to the Federal Capital Territory Appropriation Bill 2006 — *Agreed to.*

Federal Capital Development Authority

Personnel Costs 2,254,589,099

Overhead Costs 531,000,000

Sub-Total 2,785,589,099

Question:

That the Expenditure of Two Billion, Seven Hundred and Eighty-Five Million, Five Hundred and Eighty-Nine Thousand, Ninety-Nine Naira (N2,785,589,099.00) for the purposes set out under Recurrent for the Overhead Cost stand part of the Schedule to the Federal Capital Territory Appropriation Bill 2006 — *Agreed to.*

Satellite Towns Development Department

Personnel Costs 101,467,011

Overhead Costs 97,800,000

Sub- Total 199,267,011

Question:

That the Expenditure of One Hundred and Ninety-Nine Million, Two Hundred and Sixty-Seven Thousand, Eleven Naira (N199,267,011.00) for the purposes set out under Recurrent for the Overhead Cost stand part of the Schedule to the Federal Capital Territory Appropriation Bill 2006 — *Agreed to.*

Abuja Geographic Information Services (AGIS)

Personnel Costs 3 962 700

Overhead Costs 5 00 000

Sub- Total 6, 0,

8 96 700

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- **Motion made and Question Proposed:** That the Senate do resolve into the Committee of Supply to consider 'the Report (*Senate Majority Leader*). †

Question put and agreed to.

(SENATE IN THE COMMITTEE OF SUPPLY) (The

Senate President in Chair)

Consideration of the Report of the Committee on Appropriation on the Federal Capital Statutory Budget Bill 2006.

SCHEDULE

PART A - RECURRENT NON-DEBT EXPENDITURE

FEDERAL CAPITAL TERRITORY FIRST LINE CHARGE	2006
OFFICE OF THE MINISTER (FCT)	APPROPRIATION
Personnel Costs	45,815,000
Overhead Costs	896,000,000
Sub-Total	941,815,000

Question.

That the Expenditure of Nine Hundred and Forty-One Million Eight Hundred and Fifteen Thousand Naira (N941,815,000.00) for the purposes set out under Recurrent for the Overhead Cost stand part of the Schedule to the Federal Capital Territory Appropriation Bill 2006 — *Agreed to.*

Federal Capital Development Authority

Personnel Costs	2,254,589,099
Overhead Costs	531,000,000
Sub-Total	2,785,589,099

Question:

That the Expenditure of Two Billion, Seven Hundred and Eighty-Five Million, Five Hundred and Eighty-Nine Thousand, Ninety-Nine Naira (N2,785,589,099.00) for the purposes set out under Recurrent for the Overhead Cost stand part of the Schedule to the Federal Capital Territory Appropriation Bill 2006 — *Agreed to.*

Satellite Towns Development Department

Personnel Costs	101,467,011
Overhead Costs	97,800,000
Sub- Total	199,267,011

Question:

That the Expenditure of One Hundred and Ninety-Nine Million, Two Hundred and Sixty-Seven Thousand, Eleven Naira (N199,267,011.00) for the purposes set out under Recurrent for the Overhead Cost stand part of the Schedule to the Federal Capital Territory Appropriation Bill 2006 — *Agreed to.*

Abuja Geographic Information Services (AGIS)

Personnel Costs	33,962,700
Overhead Costs	56,000,000
Sub- Total	89,962,700

Question:

That the Expenditure of Eighty-Nine Million, Nine Hundred and Sixty-Two Thousand, Seven Hundred Naira (N89,962,700.00) for the purposes set out under Recurrent for the Overhead Cost stand part of the Schedule to the Federal Capital Territory Appropriation Bill 2006 — *Agreed to.*

MANDATE SECRETARIATS

Education	6,055,525,120
Health & Human Services	3,700,098,177
Agric & Rural Development	643,798,351
Transport	189,687,437
Social Development	666,565,653
Total	11,255,674,738

Question,

That the Expenditure of Eleven Billion, Two Hundred and Fifty-Five Million, Six Hundred and Seventy-Four Thousand, Seven Hundred and Thirty-Eight Naira (N11,255,674,738.00) for the Purposes set out under Recurrent for the Mandate Secretariats stand part of the Schedule to the Federal Capital Territory Appropriation Bill 2006 — *Agreed to.*

FCT Common Services Department	95,479,500
FCT Establishment & Training	117,281,140
FCT Audit	53,504,560
FCT Legal	123,930,910
FCT Pension	1,036,893,000
Total	1,341,157,510

Question,

That the Expenditure of One Billion, Three Hundred and Forty-One Million, One Hundred and Fifty-Seven Thousand, Five Hundred and Ten Naira (N1,341,157,510.00) for the Purposes set out under Recurrent for the FCT Common Services Department, FCT Establishment and Training, FCT Audit, FCT Legal and FCT Pension stand part of the Schedule to the Federal Capital Territory Appropriation Bill 2006 — *Agreed to.*

FCT DIRECTORATES

Area Councils & Chieftaincy Matters	66,019,960
Directorate of Christian Pilgrim Affairs	34,376,640
Directorate of Muslim Pilgrim Affairs	113,315,806
Office of the Auditor General (Area Councils)	129,847,243
Area Council Staff Pensions Board	36,876,908
Area Council Service Commission	111,813,092
Archives & Historical Bureau	14,400,000
Graded Chiefs	14,544,400
Total	521,194,049

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' Question?

That the Expenditure of Five Hundred and Twenty-One Million, One Hundred and Ninety-Four Thousand and Forty-Nine Naira (N521,194,049.00) for th Purposes set out under Recurrent for the FCT Directorates stand part of the Schedule to the Federal Capital Territory Appropriation Bill 2006 — *Agreed to.*

GENERAL SUMMARY

Total Personnel Total Overhead	12,118,708,157
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TOTAL: RECURRENT	5,101,883,550
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SCHEDULE PART B - CAPITAL EXPENDITURE	17,220,591,707
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FCT/FCDA DEPARTMENTS

	2006 APPROPRIATION
Special Projects	
Department of Engineering Services	1,600,000,000
Department of Public Building	6,295,000,000
Department of Maintenance	1,790,418,030
Department of Finance & Accounts	950,000,000
Department of Admin & Supplies	1,024,000,000
Department of Legal Services	30,527,054
Department of Survey & Mapping	13,500,000
Department of Urban & Regional Planning	590,000,000
Department of Resettlement & Compensation	678,837,588
Department of Development Control	1,960,000,000
Department of Internal Audit	860,000,000
Department of Parks & Recreations	3,000,000
Public Relations Division	541,000,000
Abuja Geographic Information Services	30,000,000
Satellite Towns Development	12,621,000
Sub-Total	9,575,000,000
	16,378,903,672

Question,

That the Expenditure of Sixteen Billion, Three Hundred and Seventy-Eight Million, Nine Hundred and Three Thousand, Six Hundred and Seventy-Two Naira (N16,378,903,672.00) for the Purposes set out under Recurrent for the FCT/FCDA Departments stand part of the Schedule to the Federal Capital Territory Appropriation Bill 2006 — *Agreed to.*

FCT COMMON SERVICES DEPARTMENT

FCT Treasury FCT	20,000,000
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Legal Services	30,500,000
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FCT Establishment & Training	43,500,000
Office of the Director of Audit FCT	49,500,000
Sub-Total	143,500,000

Question,

That the Expenditure of One Hundred and Forty-Three Million, Five Hundred Thousand Naira (N143,5000.00) for the Purposes set out under Recurrent for the FCT Common Services Department stand part of the Schedule to the Federal Capital Territory Appropriation Bill 2006 — *Agreed to.*

MANDATE SECRETARIATS

Agric & Rural Development	700,000,000
Education	4,046,858,063
Health & Human Services	1,962,000,000
Transport	1,517,790,000
Social Development	779,000,000
Sub-Total	9,005,648,063

Question,

That the Expenditure of Nine Billion, Five Million, Six Hundred and Forty-Eight Thousand, Sixty-Three Naira (N9,005,648,063.00) for the Purposes set out under Recurrent for the Mandate Secretariats stand part of the Schedule to the Federal Capital Territory Appropriation Bill 2006 — *Agreed to.*

DIRECTORATES

Christian Pilgrims Affairs	55,000,000
Muslim Pilgrims Affairs	2,000,000
Office of the Auditor General for Area Councils	92,000,000
Area Councils & Chieftaincy Matters	15,000,000
Area Councils Service Commission	70,000,000
Area Councils Staff pension Board	23,500,000
Sub-Total	257,500,000

Question,

That the Expenditure of Two Hundred and Fifty-Seven Million, Five Hundred Thousand Naira (N257,500,000.00) for the Purposes set out under Capital estimate for the Other Offices (Christian Pilgrims Affairs, Muslim Pilgrims Affairs, Office of the Auditor General for Area Councils, Area Councils and Chieftaincy Matters, Area Councils Service Commission and Area Councils Staff Pension Board) stand part of the Schedule to the Federal Capital Territory Appropriation Bill 2006 — *Agreed to.*

GRAND TOTAL (RECURRENT NON-DEBT EXPENDITURE)	17,220,591,707
GRAND TOTAL: CAPITAL	35,360,551,735
GRAND TOTAL: RECURRENT + CAPITAL	52,581,143,442

Clause 1: Issue and Appropriation of N52,581,143,442:00k from Consolidated Revenue Fund:

- (1) The Accountant-General of the Federation shall, when authorized to do so by warrants signed by the Minister Charged with responsibility for Finance, pay out of the Consolidated Revenue Fund of the Federation during the Year 2006 the sum specified by the warrants, not exceeding in the aggregate

N52,581,143,442:00K (Fifty Two Billion Five Hundred And Eighty One Million One Hundred And Forty Three Thousand Four Hundred And Forty Two Naira) only.

- (2) The amount mentioned in Section (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 Abubakar Maikafi*) — *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 Abubakar Maikafi*) — *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 a dedicated Account of 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 be retained (*Senator Abubakar Maikafi*) — *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 Abubakar Maikafi*) — *Agreed to.*

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

- Clause 5: Monthly Report:
(1) The Accountant-General of the Federation and the Governor of Central Bank of Nigeria 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) All Accounting Officers 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 detailing the progress of implementation of the provisions of this Act.

Committee's Recommendation:

That the provision in Clause 5 be retained (*Senator Abubakar Maikafi*) — *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 Abubakar Maikafi*) — *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 2006.

Committee's Recommendation:

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

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

Chairman to Report Bill.

(SENATE IN PLENARY)

The Senate President reported that the Senate in the Committee of Supply considered the Report of the Committee on Appropriation on the Federal Capital Territory Statutory Appropriation Bill 2006 and approved the issue out of the Consolidated Revenue Fund of the Federation Account and Other Accounts of the Federal Capital Territory, the Total Sum of N52,581,143,442 :00k (Fifty Two Billion, Five Hundred and Eighty One Million, One Hundred and Forty Three Thousand, Four Hundred and Forty Two Naira) Only of Which the Sum of N12,118,708,157:00k (Twelve Billion, One Hundred and Eighteen Million, Seven Hundred and Eight Thousand, One Hundred and Fifty Seven Naira) Only, Is for Personnel Costs and the Sum of N5,101,883,550:00k (Five Billion, One Hundred and One Million, Eight Hundred and Eighty Three Thousand, Five Hundred and Fifty Naira) only is for Overhead Costs whilst the balance of N35,360,551,735:00k (Thirty Five Billion, Three Hundred and Sixty Million, Five Hundred and Fifty One Thousand, Seven Hundred and Thirty Five Naira) only is for Capital Projects for the Service of the Federal Capital Territory, Abuja, for the Year Ending 31st December, 2006.

Question, that the Senate do adopt the Report of the Committee of Supply on the Federal Capital Territory Statutory Appropriation Bill 2006, put and agreed to.

Motion made and Question Proposed: That the Federal Capital Territory Statutory Appropriation Bill 2006 be read the Third Time (*Senate Majority Leader*).

Question put and agreed to.

Bill accordingly read the Third Time and passed.

11. Economic and Financial Crimes Commission (Establishment, etc.) Act (Amendment) Bill 2006 (SB. 138):

Motion made and Question Proposed: That the Economic and Financial Crimes Commission (Establishment, etc.) Act (Amendment) Bill 2006 be read the Second Time (*Senate Majority Leader*).

Debate:

Debate adjourned till next legislative day.

12. Adjournment:

Motion made and Question Proposed: That the Senate do adjourn till Wednesday, 24th May, 2006 at 10.00 a.m. (*Senate Majority Leader*).

Adjourned accordingly at 1. 58 p.m.