



SENATE OF THE FEDERAL REPUBLIC OF NIGERIA

VOTES AND PROCEEDINGS

Wednesday, 24th May, 2006

1. The Senate met at 10.30 a.m. The President read Prayers.
2. Votes and Proceedings:
The Senate President announced that he had examined the Votes and Proceedings of Tuesday, 23rd 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 leave granted him Tuesday, 23rd May, 2006 the previous day to move his Motion on 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 made and Question Proposed: That whereas free, fair and transparent election is critical to orderly succession in a democracy;

WHEREAS both the Senate and the House of Representatives have already passed the 2006 Electoral Bill with minor differences already being worked upon for resolution by the Conference Committee of both Houses;

WHEREAS the House of Representatives position which rejects and outlaws the use of electronic voting system reinforces the position of the Senate and indeed the overwhelming position of Nigerians on the same matter;

WHEREAS in spite of this, the INEC Chairman has continued to grant interviews and make pronouncements suggesting unyielding commitment to the use of electronic voting system for 2007 elections;

WHEREAS the last pilot scheme of electronic voting registration carried out in Abuja FCT would appear to support the INEC Chairman's avowed commitment to EVS contrary to the view of the generality of Nigerians ; as captured by the National Assembly's position;

WHEREAS the realities on ground (e.g. the absence of updated voters register barely less than 9 months to elections) do not suggest seriousness nor give confidence as to INEC's preparedness for the 2007 elections); and

WHEREAS as elected representatives of the people, we have a duty to give effect individually and collectively to the yearnings and aspirations of Nigerians;

Be it resolved: That the

- (i) Senate do urge the Conference Committee to expressly and unambiguously outlaw the use of electronic voting system (EVS) for the 2007 elections by INEC.
- (ii) Senate do caution the INEC Chairman to refrain from making statements that might be misconstrued as undermining the decision of the National Assembly in respect of EVS.
- (iii) Senate Committee on INEC do thoroughly examine and scrutinize INEC's election time table/guidelines when released **with** a view to exposing perceived areas of deficiency.
- (iv) Senate directs its Committee on INEC to assess the level of **funding** INEC has enjoyed and determine whether same is adequate and in accordance with the Appropriation Act of 2006, and report to the Senate in 2 weeks.

Debate:

Question put and negatived.

4. Presentation of Bill:

Nigerian National Petroleum Corporation Act (Amendment) Bill 2006 (SB. 306) — *Read the First Time.*

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

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

Motion made and Question Proposed: That the Senate do receive the Report of the Committee on Ethics, code of Conduct and Public Petitions on the Report of the Petition and Sundry against Senator Nasiru I. Mantu, Deputy Senate President (*Senator Titus O. Olupitan*).

Question put and agreed to.

Report Laid.

6. Committee on Finance:

Committee Reports on the:

- (i) Federal Inland Revenue (Establishment) Bill, 2006 (SB. 175):
- (ii) Petroleum Profit Tax Act (Amendment) Bill, 2006 (SB. 177):
- (iii) Companies Income Tax Act (Amendment) Bill, 2006 (SB. 178):
- (iv) National Automotive Council Act (Amendment) Bill, 2006 (SB. 179):
- (v) Value Added Tax (Amendment) Bill, 2006 (SB. 180):
- (vi) Personal Income Tax Act (Amendment) Bill, 2006 (SB. 182):
- (vii) National Sugar Development Council Act (Amendment) Bill. 2006 (SB. 183):

Motion made and Question Proposed: That the Senate do receive the Reports of the Committee on Finance on the Federal Inland Revenue (Establishment) Bill 2006 (SB. 175), Petroleum Profit Tax Act (Amendment) Bill 2006 (SB. 177), Companies Income Tax Act (Amendment) Bill 2006 (SB. 178), National Automotive Council Act (Amendment) Bill 2006 (SB. 179), Value Added Tax (Amendment) Bill 2006 (SB. 180), Personal Income Tax Act (Amendment) Bill 2006 (SB. 182) and National Sugar Development Council Act (Amendment) Bill. 2006 (SB. 183) (*Senator Effiong D. Bob*).

Question put and agreed to.

Reports Laid.

8. Committee on Science and Technology:

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

Presentation of Report stood down.

9. Committee on Communications:

Report on the Screening of Nominees:

Motion made and Question Proposed: That the Senate do receive and consider the Report of the Committee on Communications on the screening of the under-listed nominees as Members of the Board of the Universal Service Provision Fund (USPF).

- (i) Mr. Moses A. Makinde
- (ii) Dr. (Mrs.) Virginia Anohu
- (iii) Alhaji Umar Maigari Baba
- (iv) Barr. (Mrs.) Rosemary Obanya (*Senator Baba Tela*),

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 Communications on the screening of the nominations of four nominees as Members of the Board of the Universal Service Provision Fund (USPF).

Debate:

Recommendation:

That the Senate do approve the nomination of the following nominees as Members of the Board of the Universal Service Provision Fund:

- (i) Mr. Moses A. Makinde — *Agreed to.*
- (ii) Dr. (Mrs.) Virginia Anohu — *Agreed to.* (iii)
- Alhaji Umar Maigari Baba — *Agreed to.* (iv) Barr.
- (Mrs.) Rosemary Obanya — *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 Communications on the screening of four nominees as Members of the Board of the Universal Service Provision Fund (USPF) and approved the nominations.

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

Confirmation:

- (i) "Will the Senate confirm the nomination of Mr. Moses A. Makinde as a Member of the Board of the Universal Service Provision Fund (USPF)"? — *Agreed to.*

Nomination of Mr. Moses A. Makinde as a Member of the Board of the Universal Service Provision Fund (USPF) accordingly confirmed.

- (ii) "Will the Senate confirm the nomination of Dr. (Mrs.) Virginia Anohu as a Member of the Board of the Universal Service Provision Fund (USPF)"? — *Agreed to.*

Nomination of Dr. (Mrs.) Virginia Anohu as a Member of the Board of the Universal Service Provision Fund (USPF) accordingly confirmed.

- (iii) "Will the Senate confirm the nomination of Alhaji Umar Maigari Baba as a Member of the Board of the Universal Service Provision Fund (USPF)"? — *Agreed to.*

Nomination of Alhaji Umar Maigari Baba as a Member of the Board of the Universal Service Provision Fund (USPF) accordingly confirmed.

- (iv) "Will the Senate confirm the nomination of Barr. (Mrs.) Rosemary Obanya as a Member of the Board of the Universal Service Provision Fund (USPF)"? — *Agreed to.*

Nomination of Barr. (Mrs.) Rosemary Obanya as a Member of the Board of the Universal Service Provision Fund (USPF) accordingly confirmed.

10. **Committee on Communications:**

Screening of a nominee:

Motion made and Question Proposed: That the Senate do receive and consider the Report of the Committee on Communications on the Screening of Dr. Michael Ebie Onyia as a Non-Executive Commissioner in the Nigeria Communications Commission (NCC) and approve the recommendation (*Senator Baba Tela*).

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 Communications on the screening of Dr. Michael Ebie Onyia as a Non-Executive Commissioner in the Nigeria Communications Commission (NCC).

Debate:

Recommendation:

That the Senate do approve the nomination of Dr. Michael Ebie Onyia as a Non-Executive Commissioner in the Nigeria Communications Commission (NCC) — *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 Communications on the screening of Dr. Michael Ebie Onyia as a Non-Executive Commissioner in the Nigeria Communications Commission (NCC) and approved the nominations.

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

Confirmation:

"Will the Senate confirm the nomination of Dr. Michael Ebie Onyia as a Non-Executive Commissioner in the Nigeria Communications Commission (NCC)"? — *Agreed to.*

Nomination of Dr. Michael Ebie Onyia as a Non-Executive Commissioner in the Nigeria Communications Commission (NCC) accordingly confirmed.

11. **Economic and Financial Crimes Commission (Establishment, etc.) Act (Amendment) Bill 2006 (SB. 138): (Resumed Adjourned Debate Tuesday, 23rd May, 2006):**

". *Question put and agreed to.*

. Bill accordingly read the, Second Time and referred to the Committee on Drugs, Narcotics and Financial Crimes to report within four weeks.

12. Corrupt Practices and Other Related Offences Act (Amendment) Bill 2006 (SB. 01):

Legislative action deferred till next legislative day.

13. Nigeria Financial Intelligence Unit (Establishment, etc) Bill 2006 (SB. 201):

Motion made and Question Proposed: That the Nigeria Financial Intelligence Unit (Establishment, etc) Bill 2006 (SB. 201) -be read **the** Second Time (*Senate Majority Leader*).

Debate:

Question put and agreed to.

Bill accordingly read the Second Time and referred to the Committee on Drugs, Narcotics and Financial Crimes to report within four weeks.

14. Handicapped Persons (Public Buildings) Special Facilities Bill 2006 (HB. 31):

Motion made and Question Proposed: That the Handicapped Persons (Public Building) Special Facilities Bill 2006 (HB.31) be read the Second Time (*Senate Majority Leader*).

Debate:

Question put and agreed to.

Bill accordingly read the Second Time and referred to the Committee on Health to report within two weeks.

15. Motor Vehicle (Third Party) Insurance Act (Amendment) Bill 2006 (SB. 279):

Consideration stood down till next legislative day.

16. Adjournment:

Motion made and Question Proposed: That the Senate do adjourn till Thursday, 25th May, 2006 at 10.00 a.m. (*Senate Majority Leader*).

Adjourned accordingly at 1. 55p.m.

Ken Nnamani
President of the Senate