



SENATE OF THE FEDERAL REPUBLIC OF NIGERIA

VOTES AND PROCEEDINGS

Tuesday, 22nd August, 2006

1. The Senate met at 10:20 a.m. The President read Prayers.
2. **Votes and Proceedings:**
The Senate President announced that he had examined the Votes and Proceedings of Wednesday, 28th June, 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 16 letters from the President, Commander-in-Chief which he read as follows:

PRESIDENT,
FEDERAL REPUBLIC OF NIGERIA

PRES/134

7 July, 2006

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

Dear President of the Senate,

PRESENTATION OF THE MERCHANT SHIPPING BILL 2006

Please find attached herewith the Merchant Shipping Bill 2006 for formal consideration and passage into law by the Senate.

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

Yours Sincerely,

Signed:
OLUSEGUN OBASANJO



PRESIDENT

FEDERAL REPUBLIC OF NIGERIA;

~~PRES/134~~

August 16, 2006

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

Dear President of the Senate,

Following my letters of September 9, 2005 and June 12, 2006 on Power Sector Development and 2006 National Population Census respectively (copies attached), I hereby present, for formal consideration and passage into law by the Senate, the attached Bill for an Act to provide for the issue out of the Consolidated Revenue Fund of the Federation an additional total sum of US\$1,062,591,071.85 for the funding of the Power Sector Projects in Nigeria and additional two days of the National Population Census 2006.

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

Yours Sincerely,

Signed:

OLUSEGUN OBASANJO



PRESIDENT,

FEDERAL REPUBLIC OF NIGERIA

PRES/134

August 16, 2006

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

Dear President of the Senate,

*PROPOSAL FOR A CONCESSIONAL FACILITY OF USD2.5BILLION
FROM CHINA FOR THE FINANCING OF MAJOR
INFRA-STRUCTURAL PROJECTS*

I wish to seek the understanding of Senate for Nigeria to access a concessional facility of USD2.5billion (Two Billion, Five Hundred Thousand Million United States Dollars) from the Peoples Republic of China for the purpose of financing critical infrastructural projects in three sectors of the economy. The proceeds of the proposed facility will be applied as follows:

- | | | |
|------|--|-------------------------|
| (i) | <i>Construction of the first phase of a 2600MW Hydro-electric Power plant on the Mambila Plateau billion</i> | <i>= USD 1.0</i> |
| (ii) | <i>Commencement of construction of the first phase of Standard Gauge Railway</i> | <i>= USD 1.0billion</i> |

(iii) Implementation of Phase Two of the Rural Telephony and
NICTIB Projects

= USD0.5 billion

Total = USD

2.5billion **FIRST PHASE OF THE MAMBILA HYDRO-ELECTRIC POWER PROJECT**

Distinguished Senators are very much aware that the power sector remains one of the greatest challenges to the overall success of our industrialization and poverty elimination programmes. Much of our capital budgets in 2005 and 2006 have targeted improvements in the generation, transmission and distribution capacities in our electricity sector, paripasu with the implementation of reforms aimed basically at attracting private sector investment into the sector. While much of the efforts are yielding the desired results, the fact that the sector had not received any meaningful investment for over 15 years up to year 2000, means that the level of investment necessary to bring the performance of the sector to near optimum would remain a major challenge for some time. Since the Chinese loan offer is concessional and has a tenor of over ten years, I am convinced that it is appropriate for funding such a vital project. However, in view of the other projects that will need to be financed under the facility, only USD1 billion can be allocated to fund part of the first phase of the project with a generation capacity of 2,600MW. With, augmentation from the Budget, the phase can be delivered within 5 years.

CONSTRUCTION OF FIRST PHASE OF STANDARD GAUGE RAILWAY

A major constraint to our transportation system is the comatose state of our railway system, which is the cheapest mode of land transportation. A 25-year Master Plan for the development and expansion of our railway system was completed in 2001, but due to lack of resources, its implementation could not be commenced. With the Chinese offer, it will be possible to jump start the implementation of the plan by commencing the development of the tracks into standard gauge, while the curves gradients will be re-aligned and the allied communication and other gadgets will be modernized to ensure a train speed of not less than 150kph. USD1 billion of the Chinese concessional facility will, therefore, be used to implement the first phase of the project, running from Apapa/Tin Can Island Port to Ibadan.

SECOND PHASE OF THE RURAL TELEPHONY AND NICTIB PROJECTS

The first phase of the on-going rural telephony project is being implemented in 218 Local Government Areas (LGAs). the proposed Chinese loan will facilitate the completion of the project which has the potential of greatly enhancing the transformation of our rural communities as well as their productivity. Part of the facility will also help to bridge the financing gap in the provision of the National Information and Communication Technology infrastructure Backbone (NICTIB), which will, among others, facilitate the implementation of our e- government programme. USD0.5 billion of the facility is earmarked for the two projects.

CONCLUSION

I want to let you know that we urgently need the Chinese facility. In the first place, much of the infrastructural projects to be financed have high import content and their funding with such a cheap facility would obviate the need to draw down on our external reserve, thereby enhancing the stability of the exchange rate of the Naira, among other benefits. The use of the Chinese facility will also assist us in keeping within the framework of our Policy Support Instrument with the Bretton Woods Institutions as it would relieve part of the burden which the implementation of the projects would have exerted on the Budget.

I will, therefore, be most delighted if the Senate will consider the strategic importance of the projects to be funded with the concessional facility and indicate its understanding accordingly.

Yours Sincerely,

Signed: **OLUSEGUN
OBASANJO**

PRESIDENT,
FEDERAL REPUBLIC OF NIGERIA

PRES/134

13 July 2006

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

Dear President of the Senate,

BRIDGING REVENUE SHORTFALL IN BUDGET 2006

Distinguished Senate President, you may wish to recall that in crafting Budget 2006, oil production of 2.5mbd was used at a price of US\$35 per barrel.

Immediately the budget was passed, the problem in Niger Delta assumed a different dimension resulting in oil production shortfall of about 600 thousand barrel per day. Currently, we are producing about 2.00mbd which has significant negative variance on oil revenue. This is, therefore, affecting the full implementation of the Federal Budget and the States-and Local Government budgets as well.

I, therefore, wish to seek the understanding of the Senate to make up for the shortfall estimated at N600bn for the Federal Budget from the excess crude proceeds. Each tier of Government will get its proportionate share. This is borne out of my concern to ensure that Budget 2006 is fully implemented at all levels of Government.

Please accept, Mr. Senate President, the assurances of my highest esteem.

Yours Sincerely,

Signed: OLUSEGUN
OBASANJO



PRESIDENT,
FEDERAL REPUBLIC OF NIGERIA

PRES/134

July 27, 2006

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

Dear President of the Senate,

REQUEST FOR CONFIRMATION OF APPOINTMENT OF HON. SIR CHIMAOBIM
NWAKANMA AS FEDERAL COMMISSIONER REPRESENTING ABIA STATE IN
THE NATIONAL POPULATION COMMISSION

The National Population Commission is one of the Federal Executive Bodies established under Section 153(1) of the 1999 Constitution of the Federal Republic of Nigeria.

By the provision of Part 1J of the Third Schedule of the 1999 Constitution, the Commission shall comprise a Chairman and one person from each State of the Federation and the Federal Capital Territory, Abuja. In this connection, there is a vacant position for Abia State in the Commission.

I have, therefore, in the exercise of the powers conferred on me by Section 154(1) of the 1999 Constitution, decided to appoint Hon. Sir Chimaobim Nwakanma from Abia of State to fill the vacant position.

In line with the provisions of Section 154(1) and (3) of the 1999 Constitution and, after due consultation with the Council of State at its meeting of Monday, 17th July, 2006, I hereby present Hon. Sir Chimaobim Nwakanma, whose Curriculum Vitae is attached herewith, for confirmation by the Senate.

I look forward to your early action.

Yours Sincerely,

*Signed: OLUSEGUN
OBASANJO*

(vi)



**PRESIDENT,
FEDERAL REPUBLIC OF NIGERIA**

PRES/134

July 27, 2006

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

Dear President of the Senate,

**REQUEST FOR CONFIRMATION OF APPOINTMENT OF ALHAJI
MUHAMMAD LELE MUHTAR AS A MEMBER OF THE
FEDERAL JUDICIAL SERVICE COMMISSION**

The Federal Judicial Service Commission is one of the Federal Executive Bodies established under Section 153(1) of the 1999 Constitution of the Federal Republic of Nigeria. By the provisions of Section 154(1) and (3) read together with Part 1E of the Third Schedule of the 1999 Constitution, appointments of members of certain categories of the Federal Judicial Service Commission are to be made by the President in consultation with the Council of State and shall be subject to confirmation by the Senate. These categories are

as

follows:

- (i) two persons, each of whom has been qualified to practise as legal practitioner in Nigeria for a period of not less than fifteen years from a list of not less than four persons so qualified recommended by the Nigerian Bar Association; and*
- (ii) two persons, not being legal practitioners, who in the opinion of the President are of unquestionable integrity.*

In this connection, there is a vacant position for non-legal member of the Federal Judicial Service Commission.

I have, therefore, in the exercise of the powers conferred on me by Section 154(1) of the 1999 Constitution, decided to appoint Alhaji Muhammad Lele Muhtar to fill the vacant position.

In line with the provisions of Section 154(1) and (3) of the 1999 Constitution and, after due consultation with the Council of State at its meeting of Monday, 17th July, 2006, I hereby present Alhaji Muhammad Lele Muhtar, whose Curriculum Vitae is attached herewith, for confirmation by the Senate.

/ look forward to your early action.

Yours Sincerely,

.OLUSEGUN OBASANJO

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PRESIDENT,
FEDERAL REPUBLIC OF NIGERIA

PRES/134

17 July 2006

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

Dear President of the Senate,

*PRESENTATION OF THE ESTABLISHMENT OF THE NATIONAL
IDENTITY MANAGEMENT COMMISSION BILL*

I hereby present, for formal consideration and passage into law by the Senate, the attached Bill for an Act to make provisions for the establishment of a National Identity Database and the National Identity-Management Commission charged with the responsibilities for the maintenance of the national database, the registration of individuals, and the issuance of general multipurpose identity cards and for matters connected therewith.

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

Yours Sincerely,

*Signed: OLUSEGUN
OBASANJO*

(viii)



PRESIDENT,
FEDERAL REPUBLIC OF NIGERIA

PRES/134

31 July, 2006

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

Dear President of the Senate,

A BILL FOR THE ENACTMENT OF THE MISCELLANEOUS OFFENCES ACT 2006

I hereby present, for formal consideration and passage into law by the Senate, the attached Bill for an Act to repeal the Miscellaneous Offences Act No. 20, 1984 and enact the Miscellaneous Offences Act 2006 to abolish life sentence and provide for other related matters.

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

: *Yours Sincerely,*

Signed:
OLUSEGUN OBASANJO

(ix)



PRESIDENT,
FEDERAL REPUBLIC OF NIGERIA

PRES/134

July 13, 2006

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

Dear President of the Senate,

**REQUEST FOR CONFIRMATION OF A MEMBER OF
THE FEDERAL CHARACTER COMMISSION**

The Federal Character Commission is one of the Federal Executive Bodies established under Section 153 (1) of the 1999 Constitution of the Federal Republic of Nigeria. By the provision of Part 1 (c) of the Third Schedule of the 1999 Constitution, the Commission shall compose the Chairman and one person to represent each of the States of the Federation and the Federal Capital Territory, Abuja. In this connection, there is a vacancy for Bauchi State in the Commission.

I have, therefore, in the exercise of the powers conferred on me by Section 154(1) of the 1999 Constitution, decided to appoint Alhaji Abdullahi Waziri from Bauchi State to fill the vacant position, following the expiration of the tenure of his predecessor in office.

In line with the provision of Section 154(1) of the 1999 Constitution which states that the appointment shall be subject to confirmation by the Senate, I hereby present Alhaji Abdullahi Waziri whose CV is attached herewith for confirmation by the Senate.

I look forward to your early action.

Yours Sincerely,

Signed:
OLUSEGUN OBASANJO



PRESIDENT,
FEDERAL REPUBLIC OF NIGERIA

PRES/134

27 June 2006

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

Dear President of the Senate,

PRESSENTATION OF THE NATIONAL CONSUMER
REGULATORY COMMISSION BILL

, ■ / hereby present, for formal consideration and passage into law by the Senate, the attached Bill for an Act for the establishment of the National Consumer Credit Regulatory Commission (NCCRC) for the general regulation of consumer credit and information in Nigeria, registration of credit bureau and credit providers, promotion of fair access to consumer credit and economic empowerment of Nigerians, prohibition of unfair credit marketing practices and other matters connected therewith.

I hope the Bill will receive prompt attention of Distinguished Members of the Senate as it is a very important component of our economic reform and development agenda.

Yours Sincerely,

Signed: OLUSEGUN
OBASANJO

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PRESIDENT,
FEDERAL REPUBLIC OF NIGERIA

PEES/134

31 July, 2006

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

Dear President of the Senate,

A BILL FOR THE ESTABLISHMENT OF THE FEDERAL CAPITAL
TERRITORY EDUCATION RESOURCE CENTRE

I hereby present, for formal consideration and passage into law by the Senate, the attached Bill which seeks to establish the Federal Capital Territory Education Resource Centre charged with the responsibility to, among other things, plan and implement curriculum; measure and evaluate students and other applicants for placement into schools under the administration of the Federal Capital Territory.

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

Yours Sincerely,

Signed:
OLUSEGUN OBASANJO

(xii)



PRESIDENT,
FEDERAL REPUBLIC OF NIGERIA

PRES/134

31 July, 2006

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

~~/ look forward to your early action.~~

Yours Sincerely,

■,OLUSEGUN OBASANJO



PRESIDENT,
FEDERAL REPUBLIC OF NIGERIA

PRES/134

17 July 2006

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

Dear President of the Senate,

**PRESENTATION OF THE ESTABLISHMENT OF THE NATIONAL
IDENTITY MANAGEMENT COMMISSION BILL**

I hereby present, for formal consideration and passage into law by the Senate, the attached Bill for an Act to make provisions for the establishment of a National Identity Database and the National Identity Management Commission charged with the responsibilities for the maintenance of the national database, the registration of individuals, and the issuance of general multipurpose identity cards and for matters connected therewith.

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

Yours Sincerely,

Signed:
OLUSEGUN OBASANJO



(viii)

PRESIDENT,
FEDERAL REPUBLIC OF NIGERIA

PRES/134

31 July, 2006

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

Dear President of the Senate,

A BILL FOR THE ENACTMENT OF THE MISCELLANEOUS OFFENCES ACT 2006

I hereby present, for formal consideration and passage into law by the Senate, the attached Bill for an Act to repeal the Miscellaneous Offences Act No. 20, 1984 and enact the Miscellaneous Offences Act 2006 to abolish life sentence and provide for other related matters.

**A BILL FOR THE ESTABLISHMENT OF THE FEDERAL CAPITAL
TERRITORY AGENCY FOR MASS EDUCATION**

..... [hereby present, for formal consideration and passage into law by the Senate, the attached Bill which seeks, among other things, to establish the Federal Capital Territory, Agency for Mass Education to develop in the adults with the Federal Capital Territory, the ability to use skills acquired to enhance their social and physical status.

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

Yours Sincerely,

Signed: **OLUSEGUN
OBASANJO**



PRESIDENT,
FEDERAL REPUBLIC OF NIGERIA

PRES/J34

31 July, 2006

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

Dear President of the Senate,

**A BILL FOR THE ESTABLISHMENT OF THE FEDERAL
CAPITAL TERRITORY COLLEGE OF EDUCATION 2006**

I hereby present, for formal consideration and passage into law by the Senate, the attached Bill which seeks to establish the Federal Capital Territory College of Education and charged with the responsibility to, among other things:

- (a) *provide full-time courses in teaching, instruction and training:*
 - (i) *in technology, applied science, commerce, arts, social sciences and technology, humanities and management;*
 - (ii) *in such other fields of applied learning relevant to the needs of the development of Nigeria;*
 - (iii) *research in the development and adaptation of techniques as the Council may from time to time determine.*
- (b) *conduct courses in education for qualified teachers;*
- (c) *arrange conferences, seminars and workshops in relevant fields of learning; and*
- (d) *perform such other functions as in the opinion of the Council which may promote the objective of the College.*

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

Yours Sincerely,

Signed: **OLUSEGUN
OBASANJO**

PRESIDENT;

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

Dear President of the Senate,

**REQUEST FOR CONFIRMATION OF APPOINTMENT OF CHAIRMAN
OF THE NATIONAL PENSION COMMISSION**

Section 16(1) of the Pension Reform Act 2004 provides that the Commission shall comprise a part-time Chairman among others, while Section 16(3) of the Act provides that the appointment of the Chairman shall be made by the President, subject to the confirmation of the Senate.

I have, therefore, in the exercise of the power conferred on me by Section 16(3) of the Pension Reform Act, 2004, decided to appoint Chief Oluwole Adeosun as Chairman of the National Pension Commission, in place of the present incumbent who has been disengaged as part-time Chairman of the Commission.

In line with Section 16(3) of the Pension Reform Act, 2004 which states that the appointment is subject to the confirmation of the Senate, I hereby present the nomination of Chief Oluwole Adeosun, whose CV is attached, for the confirmation of the Senate.

I took forward to your early action.

Yours Sincerely,

Signed:
OLUSEGUN OBASANJO

(xv)



**PRESIDENT,
FEDERAL REPUBLIC OF NIGERIA**

PRES/134

3 August 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 MINISTERS TO REPRESENT
DELTA AND ABIA STATES RESPECTIVELY IN THE
FEDERAL EXECUTIVE COUNCIL**

In the exercise of powers conferred on me by Section 147(2) of the 1999 Constitution of the Federal Republic of Nigeria, I hereby nominate Prof. (Mrs.) U. Joy OGWU and Amb. Thomas AGUIYI-IRONSI for 'appointment as Ministers representing Delta and Abia States respectively in the Federal Executive Council.

- Prof (Mrs.) U. Joy Ogwu and Amb. Thomas Aguiyi-Ironsi are to fill the vacant positions of their respective States' representatives in the Council in accordance with the provisions of Section 147(3) of the 1999 Constitution.

In line with the provision of Section 147(2) of the Constitution of the Federal Republic of Nigeria, 1999, I hereby present Prof. (Mrs.) Ogwu and Amb. Aguiyi-Ironsi, whose CVs are attached herewith, for confirmation by the Senate.

Please accept the assurances of my highest consideration.

Yours Sincerely,

*Signed: OLUSEGUN
OBASANJO*



**PRESIDENT,
FEDERAL REPUBLIC OF NIGERIA**

PRES/134

2 August, 2006

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

Dear President of the Senate,

NATIONAL MARITIME ADMINISTRATION AND SAFETY BILL 2006

I hereby present, for formal consideration and passage into law by the Senate, the attached Bill which seeks to provide, among other things, for the establishment of National Maritime Administration and Safety Agency and to provide for the administration of maritime safety and security, maritime labour, pollution of the marine environment, shipping registration and commercial shipping.

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

Yours Sincerely,

*Signed: OLUSEGUN
OBASANJO*

4. Announcements:

- (i) The Senate President announced that he had received a letter from Lagos State Assembly as follow:



LAGOS STATE HOUSE OF ASSEMBLY

Office of the Clerk of the House, I

The President of the Senate,
Office of the President of the Senate,
National Assembly, -:
National Assembly Complex,

Abuja.

**CALL ON THE FEDERAL GOVERNMENT TO EXECUTE THE
 FEDERAL SUPPORT AGREEMENT AND ISPO FOR
 LAGOS INFRASTRUCTURE PROJECT**

I wish to convey to you the RESOLUTION of the Lagos State House of Assembly, passed at its Plenary Session held on Monday, 14th August, 2006 to the effect:

"That, whereas, the vehicular density in Lagos estimated at 220 vehicles/Km as against the national average of 112 vehicles/Km demands the existence of adequate and effective road infrastructure that will facilitate movement of goods and people, thus saving man hours lost in traffic and its attendant economic consequences;

***Whereas,** the Lagos State Government has taken a bold step at improving and increasing the stock and quality of roads through Public Private Partnership (PPP) by signing a concession agreement in order to upgrade and expand 48 Kilometers of Lekki/Epe Expressway and the first 20 Kilometers of the coastal road, through direct foreign investment;*

Whereas, the foreign investment which is a private sector investment has been fully secured directly in consonance with the Federal Government policy of stimulating direct and strategic foreign investments, for national greatness;

Whereas, the House has enacted the 'Lagos State Roads Bridges and Highway Infrastructure Law, 2005 in furtherance of the conditions by the Consortium in partnership with her on the development of the road networks;

Whereas, the Consortium has since mobilized the contractors to site with the funds generated through their equity contribution;

Whereas, the Consortium has requested for execution of a Federal Support Agreement; and the issuance of an Irrevocable Standing Payment Order (ISPO) to be endorsed by the Federal Government, in order to access the total funds required for the project;

"This House do confirm its absolute support for the execution of the Road Project, as contained in the concession agreement; and also call on His Excellency, Chief Olusegun Obasanjo, (GCFR) President and Commander-in-Chief of the Armed Forces of the Federal Republic of Nigeria, to urgently direct the appropriate Federal agency to execute the required instruments, so that the Project does not suffer any delay".

- (2) *This resolution is hereby communicated to you for your information and further necessary action.*
- (3) *A copy of the Votes and Proceedings containing the afore-stated resolution is attached herewith.*
- (4) *Grateful, acknowledge the receipt, and accept my best regards for your esteemed person and Office.*
- (5) *Thank you.*

Signed:

I. O. Ogayetni For: Perm

Sec./Clerk of the House

- (ii) *The President further announced receiving a letter from the Senate Majority Leader which he read thus:*



OFFICE OF THE SENATE MAJORITY LEADER

FEDERAL REPUBLIC OF NIGERIA

..... ; NATIONAL ASSEMBLY COMPLEX

Three-Arms Zone
P.M. B. 141, Abuja, Nigeria
Tel- 09-2340253

22nd August, 2006

The President of the Senate, The Deputy President of the Senate,

Distinguished Senators.

APPRECIATION

I wish to express my sincere appreciation over the concern shown to me by all the Distinguished Senators during my trying period of ill health.

The concern by all of you is unprecedented in the history of the Senate. I would also like to appreciate the efforts of those who were able to visit me in the National Hospital before I was flown to London and those who could not get to me because of one reason or another.

I also hope that this kind of gesture will continue even after we might have concluded our tenure as senators. I shall never forget this show of solidarity.

Thank you and God bless.

Signed:

Senator D.S. Tafida

Senate Majority Leader

(iii) *Confirmation of Deputy Clerk, Senate:*

The Senate President announced that Mr Ben Efeturi, former Deputy Director and Secretary Rules and Business Committee has been confirmed by the National Assembly Service Commission as the new Deputy Clerk of Senate, and congratulated him.

(iv) *Presence of the Hon. Minister of Women Affairs:*

The Senate President acknowledged the presence of the Hon. Minister of Women Affairs, Hajiya Mariam CIROMA; the Permanent Secretary, Ministry of Women Affairs and 15 members of Women Rights Advancement and Protection Alternative (WRAPA) in the gallery to observe Senate Proceedings.

5. Senate President Opening Remark:



*The President Senate of the Federal
Republic of Nigeria*

TEXT OF REMARKS BY SENATOR KEN NNAMANI, PRESIDENT.
SENATE OF THE FEDERAL REPUBLIC OF NIGERIA.
TO WELCOME SENATORS TO PLENARY SESSION
AFTER RECESS ON AUGUST 22, 2006
AT THE SENATE CHAMBER

"Providing Leadership in Difficult Times"

'I am delighted and honoured to welcome my colleagues - distinguished Senators of the Federal Republic of Nigeria- back to this hallowed chamber. Since July 21 when the Senate adjourned, we have been engaged in different activities that reinforce our core legislative duty. While some of us, were engaged in oversight activities; some visited their constituencies to acquaint themselves with the opinions and expectations of those who elected them. Other Senators travelled outside the country for important meetings, conferences and workshops. Howsoever we spent the period of the recess I believe that each of us has garnered insights and experiences that will enrich our activities in the last lap of the 2006/2007 legislative year.

I took opportunity of the recess to undertake tour of important institutions of democracy and good governance outside the country. I visited and listened to Nigerians in Diaspora. I sought the views of Nigerians living abroad on our performance,. I am happy to report to this distinguished assembly that everywhere I visited our compatriots and friends expressed great respect for the Senate. Our performance since 2003 has received the praise of those who care deeply that democracy survives in Nigeria. I report the commendations of high ranking legislators in the United States Congress for the sterling commitment of distinguished Senators and Honourable Members to good governance and legislative due process. We should all take deserved pride in our collective performance as lawmakers, while keeping our heads high and our eyes fixed on the difficult tasks ahead of us.

During the vacation I visited the Silicon Valley, the headquarters of CISCO SYSTEM and HEWLETT PACKARD, the leading Information and Communication Technology (ICT) companies in the world. I examined products and listened to experts talk about how ICT can increase the efficiency and effectiveness of the work of the National Assembly. In the weeks ahead I will further brief the appropriate Senate Committees and the bureaucracy of the National Assembly on how we can build a strong technology infrastructure that will engender greater public participation in lawmaking and enable real-time interface between committees in both houses, and between them and civil society organizations. It is my desire that we leave behind in 2007 a National Assembly with comprehensive intranet and internet facilities.

Distinguished colleagues, as we enter the last lap of our legislative mandate, we still have many important bills to pass into law. Since 2003, this legislative chamber has passed important bills that implement the ambitious economic reforms of the Obasanjo administration. These laws have helped to bring about some of the economic success stories which we now celebrate. But, a lot remains to be done to make these successes irreversible. This Senate is determined to deepen the transparency and accountability mechanism of public governance by enacting a Freedom of Information Law that will open the process of governance to greater sunshine. We will also work harder to pass as quickly as possible the Fiscal Responsibility Bill and the Public Procurement Bill. These bills are critical to the success of the economic reform programme. We will pass them informs that will realise the intended gains of the reform programme.

THE 2007 ELECTION:

Distinguished colleagues, while this Senate was in recess, the work of the Independent National Electoral Commission (INEC) came into greater public scrutiny. Apprehension grew about the prospect of free, fair and credible elections in 2007. Fortunately, INEC leadership has assured Nigerians that all hands will be on deck to organize credible elections in 2007.

My distinguished colleagues, we all realise the historic importance of the 2007 elections. Credible elections provide the bridge between a fledgling democracy and a consolidating democracy. They are the bridge to negotiate away from the past of acrimonious and rancorous transitions into the future of ordered political succession. Tyranny and anarchy always lie at the ruins of democratic edifice when elections are marred by rigging or violence. As the largest and most strategic African nation, Nigeria must debunk the claim in privileged circles of power in the world that African leaders are incapable of managing peaceful political transition. We must work hard and honestly to make the dream of a peaceful and legitimate elections in 2007 a reality. We must prove to cynics and critics that if other nations can successfully conduct credible and peaceful elections, Nigeria can do even better.

In my speech at the Center for Strategic and International Studies (CSIS) in Washington I emphasised the importance of building public confidence in the work of the Independent National Electoral Commission (INEC) through multi-stakeholder dialogue and more intense scrutiny of INEC's preparations and plans for credible and legitimate elections in 2007. The fact is that given the logistical and political constraints in Nigeria today, it is not an easy task for an electoral body, notwithstanding the integrity and competence of

its leaders, to single-handedly conduct elections that will meet the expectations of democrats in and outside Nigeria. In that circumstance, I expect discipline and humility from all parties. We must acknowledge the difficulties we face and engage the public in the learning that is required for democracy to survive in Nigeria.

*This is not required for democracy, to survive in Nigeria, -This is not **time for, grandstanding** and hypocrisy. All, known and probable sources, of leakages and rigging, must be laid on the table for deliberation.*

..Distinguished colleagues, it is my suggestion that we resolve to request the Chairman of INEC to appear before us to apprise us of the difficulties and challenges the agency is facing, and acquaint us of solid preparations on ground to ensure free, fair and credible elections in 2007. In addition, we may resolve to mandate the Senate Committee on INEC, working alone or in conjunction with the House Committee on INEC, to hold periodic meetings and dialogues with the INEC and other relevant agencies and civil society groups to ensure that preparations for the elections are firmly on track.

My distinguished colleagues, our anxiety about the 2007 elections and commitment to ensure free polls in Nigeria is bonafide, and in keeping with our legislative mandate under the constitution. Having appropriated funds for the I NEC and passed a new electoral law to streamline electoral processes in Nigeria, it will be gross dereliction of our collective responsibility as legislators if we do not take seriously the anxiety daily expressed by Nigerians on the state of preparedness of INEC to conduct free, fair and credible elections in 2007. We must sit up and help INEC discharge its responsibility.

POLITICAL ASSASSINATION VIOLENCE AND THE 2007 ELECTIONS

In the past weeks, villains and assassins have attempted to take the clock of democracy backwards. Democratic gains recorded are suddenly being turned to democratic deficits. While the Senate was on recess, Engr. Funsho Williams and Dr. Ayo Daramola, governorship aspirants in Lagos and Ekiti states respectively, were murdered in gruesome and cold blooded manner. the death of these political stalwarts at this moment compounds fears about 2007. The Senate sends condolences to the families of these illustrious Nigerians for their losses. We pray that God will grant them the grace to bear the losses.

The murder of our compatriots close to the elections raises the barometer of violence in Nigerian politics. We hope that we are not back to the beaten path of electoral violence. We hope that this wanton destruction of life is not an evil sign of a bleak election year. We desire free, fair and credible polls in 2007. But, we cannot get there if hired killers are allowed to operate freely. I commend the quick response of the Nigeria Police to these gruesome murders. I will re-echo the words of distinguished Senator Ndoma-Egba that "The time for excuse is over. What Nigerians and indeed, the Senate demand now are results and anything less is unacceptable", This Senate may consider inviting the Inspector General of Police to assure Nigerians that the Police Force understands the behaviours during the elections. This is part of our foresight responsibility as a legislative body.

My distinguished colleagues, we have resumed plenary session at a critical time in the history of democracy in Nigeria. Destiny has placed on us the responsibility of ensuring that Nigeria negotiates a peaceful transition from this civilian administration to another, and put an end to incomplete political transition. In the weeks and months ahead, Nigerians will expect us to rise to these challenges and show leadership as the representatives of the people. I am fully assured that this Senate will provide leadership at this defining moment.

Distinguished colleagues, welcome back to plenary session. Welcome back to the challenges of leadership in testy times.

Thank you

Signed:

Senator Ken Nnamani

President

Senate of the Federal Republic of Nigeria

6. Motion:

Motion made and Question Proposed: That the Senate do invite the Inspector General of Police and the Director-General, State Security Service (SSS); and the Chairman, Independent Electoral Commission (INEC) to brief the Senate on the security situation in the country as it relates to the 2007 general election and INEC's preparedness to conduct the election respectively (Senate Majority Leader).

Question put and agreed to.

That the Senate do invite **the** Inspector General of Police and the Director-General, State Security Service 'S'SS'; and the Chairman, Independent Electoral- Commission (INEC) to brief the Senate on the security situation in the country as it relates to the 2007 general election and INEC's preparedness to conduct the election respectively on Thursday, 24th August, 2006 at 11.00 a. m (S. Res. **58/06**).

7. Presentation of Bills:

- (i) Ports and Harbour Authorities Bill, 2006 (SB. 309) — *Read the First Time.*
- (ii) Nigeria Mineral and Mining Act (Repeal and Re-enactment) Bill, 2006 (HB. 87) *Read the First Time.*
- (iii) United Nations Convention on the Elimination of all Forms of Discrimination against Women in the Federal Republic of Nigeria Bill, 2006 (SB. 262) — *Read the First Time and referred to the Committee on Foreign Affairs to report within three weeks.*
- (iv) Nigeria Mineral Resources Trust Fund (Establishment, etc) Bill 2006 (SB 308) — *Read the First Time.*

8. Motion:

Rising Wave of Crimes, Especially the Recent Assassinations in Nigeria:

Motion made and Question Proposed: That whereas, innocent Nigerians, both high and low have continued to lose their lives through assassinations;

WHEREAS Security Agencies, especially the Police, charged with the responsibility of protecting the lives and properties of Nigerians have not lived up to expectation;

WHEREAS the chain of previous assassinations has remained practically unsolved and unresolved;

WHEREAS the general condition of insecurity in the Nation has continued to deteriorate;

Be it resolved that:

- (i) Senate do condemn in the strongest possible terms, the spate of assassinations in the country;
- (ii) Senate do condole with the families of all victims of assassinations in the recent past;
- (Hi) The excuses from the Security Agencies and the Police in relation to unsolved and unresolved murders would no longer be acceptable;
- (iv) The Police and other Security Agencies should immediately unravel the mystery surrounding the recent assassinations of Chief Funso Williams and Dr. Ayodeji Daramola (not excluding those before them), not only as a debt it owes the nation but also to engender the much-needed confidence of the Nigerian public;
- (v) Those found guilty of perpetrating these heinous crimes be made to face the full wrath of the law to serve as deterrent to others;
- (vi) The Inspector-General of Police and Director General of the State Security Services be summoned to explain to the Senate the reasons behind the rising crime wave (especially assassinations), and the apparent inability of the Security Agencies to conclusively apprehend and prosecute the perpetrators of these heinous crimes (*Senator Victor Ndoma-Egba*).

Debate:

Prayer (i):

That the Senate do condemn in the strongest possible terms, the spate of assassinations in the country;

Amendment Proposed:

Leave out the word "possible" (Senator Saidu M. Dansadau).

Question that the amendment be made put and agreed to.

Prayer (ii):

That the Senate do condole with the families of all victims of assassinations in the recent past — *Agreed to.*

Prayer (iii),

That the excuses from the Security" Agencies and the Police in relation to unsolved and unresolved murders would no longer be acceptable;

Amendment Proposed:

Leave out the provision in prayer (Hi) (Senator Daniel I. Saror).

Question that the amendment be made put and agreed to.

Prayer (iv):

The Police and other Security Agencies should immediately unravel the mystery surrounding the recent assassinations of Chief Funso Williams and Dr. Ayodeji Daramola (not excluding those before them), not only as a debt it owes the nation but also to engender the much-needed confidence of the Nigerian public;

Amendment Proposed:

Leave out the words " it owes" in line 3 and insert the words "they owe" instead therefore (Senator Dalhatu S. Tafida).

Question that the amendment be made put and agreed to.

Prayer (v):

That those found guilty of perpetrating these heinous crimes be made to face the full wrath of the law to serve as deterrent to others;

Amendment Proposed:

Leave out the provision in prayer (v) (Senator Daniel I. Saror).

Question that the amendment be made put and agreed to.

Prayer (vi):

That the Inspector-General of Police and Director General of the State Security Services be summoned to explain to the Senate the reasons behind the rising crime wave (especially assassinations), and the apparent inability of the Security Agencies to conclusively apprehend and prosecute the perpetrators of these heinous crimes

Amendment Proposed:

Leave out the provision in prayer (vi) (Senator Daniel I. Saror).

Question that the amendment be made put and agreed to.

Resolved: That

- (i) the Senate do condemn in the strongest terms, the spate of assassinations in the country;
- (ii) **the** Senate do condole with the families of all victims of assassinations in the recent past;
- (in) the Police and other Security Agencies should immediately unravel the mystery surrounding the recent assassinations of Chief Funso Williams and Dr. Ayodeji Daramola (not excluding those before them), not only as a debt they owe the nation but also to engender the much-needed confidence of the Nigerian public (*S. Res.59/06*).

9. Committee on Rules and Business:

Report on the Legislative Calendar and Schedule of Legislative Business of the Senate for the Fourth Session:

Motion made and Question Proposed: That the Senate do receive the Reports of the Committee on Rules and Business on the Legislative Calendar (June 2006 — May 2007) and the Schedule of Legislative Business of the Senate (Tuesday, 22nd August, 2006 to Wednesday, 24th January, 2007) (*Senator Umaru I. Tsauro*).

Question put and agreed to.

Report presented and Laid.

The Senate President ordered the review of the Schedule of the Legislative Business in order to accelerate the consideration of Bills requiring urgent attention.

10. Computer Security and Critical Information Infrastructure Protection Bill 2006 (SB. 254):

'Motion made-and Question Proposed; That the-Computer Security and Critical Information Infrastructure

. Protection Bill 2006 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 Science and Technology to report within three weeks.

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11. Adjournment:

Motion made and Question Proposed: That the Senate do adjourn till Wednesday, 23rd August, 2006 at 10.00 a.m. (Senate Majority Leader).

Adjourned accordingly at 1: 35 p. m.

Ken Nnamani
President of the Senate