



SENATE OF THE FEDERAL REPUBLIC OF NIGERIA

VOTES AND PROCEEDINGS

Wednesday, 17th January, 2007

1. The Senate met at 10:30 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, 16th January, 2007 and approved same.

By unanimous, consent, the Votes and Proceedings were, adopted.

3. Announcement:
Change of Party Affiliation:
The Senate President read a letter from Senator Bello Maitama Yusuf as follows:



Senator (Dr) Bollo Maitama Yusuf

(Sardaunan Dutse) CHAIRMAN SENATE COMMITTEE ON SPORTS AND
SOCIAL DEVELOPMENT

16th January, 2007

*His Excellency
The Senate President
Federal Republic of Nigeria*

RE: CHANGE OF POLITICAL PARTY

You may recall that I, Senator Bello Maitama Yusuf and Senator Dalha Danzomo both Representing Jigawa, sometime late last year in this same chamber notified our colleagues through your Distinguished self of our movement alongside the entire Jigawa State Executive Council and Legislators to the Ruling Peoples Democratic Party (PDP)

The move meant to effect some political realignment in my state turned out to be sour rather than sweet. My 60 days surgeon under the umbrella exposed me to an atmosphere where even the fittest cannot survive.

Mr President Sir, my experience was like taking a trip to the Eskimo's abode, where one's temperature remains permanently high. I was therefore left with no option than to return to my original abode - the ANPP.

I have since returned to my former party, the ANPP and will once again appreciate Mr. President's consent to revert to my "original" sitting arrangement please.

Accept Mr. President my continued loyalty.

Signed:

*Senator (Dr.) Bello Maitama Yusuf
(Sardaiman Dulse)
Chairman Senate Committee on Sports*

4. Matter of Urgent Public Importance:

Inadequacies of the Voters Registration Exercise:

Rising on Rules 42 and 52, Senator Timothy U. Adudu invited the attention of the Senate to the on-going Voters Registration exercise being conducted by the Independent National Electoral Commission (INEC) and its inherent inadequacies. He sought and obtained the leave of the Senate for the issue to be debated forthwith as a Matter of Urgent Public Importance.

Motion made and Question Proposed: That whereas being a registered voter is a sinequanon of a free society signifying one of the tenets of democracy as embodied in the inalienable right of enfranchisement.

WHEREAS by the provision of the Nigerian Constitution and the Electoral Act 2006 update of voter registration is a mandatory statutory requirement prior to election

WHEREAS the Independent National Electoral Commission (INEC) has commenced the update of the voters Registration preparatory of the 2007 elections using a novel method called e- Registration in place of the hitherto process which was manual Registration.

WHEREAS this, senate nay National Assembly out of concern and anxiety in ensuring that the update of the registration exercise is hitch free and credible had cause to invite the INEC chairman on several occasions who briefed the senate and painted a picture of complete preparedness for the exercise using the e-Registration method by direct Data capture machines.

WHEREAS the commencement of the exercise over three months ago has proved the INEC chairman wrong as it is smeared with worrisome inadequacies which include but not limited to the following:

- (i) Scarcity of machines;
- (ii) Lack of power supply to run available machines;
- (iii) Non functional defective or broken down machines;
- (iv) The improvisation of Lap Top computers supplied by Zinox as opposed to the initial Direct Data capture machines; and
- (v) No ward in the country has completed the exercise since commencement with a claimed figure of a little over thirty million Nigerians who have so far registered.

WHEREAS more than forty million Nigerians have not been registered since the commencement of the exercise more than three months ago.

WHEREAS from our previous experience in voters registration update the exercise if done manually will not last more than fourteen days, but over forty million Nigerians have not been registered since the Commencement of the exercise more than three months ago.

WHEREAS the inadequacies as adumbrated signifies portent danger on democracy and the 2007 election as there is no assurance or guarantee that the exercise will be completed by ensuring that all eligible voters are Registered in the next two weeks that the exercise is scheduled to end despite its unintended protracted nature.

Be it resolved:

- (i) That the Senate do hereby pass a vote of no confidence on the INEC Chairman in the person of Prof Maurice Iwu;
- (ii) That the INEC Chairman in the person of Prof. Maurice Iwu ought to resign his appointment in order to restore confidence in the democratic process; and
- (iii) That the President of Federal Republic of Nigeria is hereby advised by this distinguished and hallowed chambers to appoint a replacement for Prof. Maurice Iwu as Chairman of INEC in order to restore the much desired confidence in the polity.

Debate:

Amendment Proposed:

That further consideration of the Motion be stood down to a later date (*Senator David Mark*).

Question that the amendment be made put and agreed to.

5. **Executive Communication:**

Report on Census 2006 Provisional Results:

Motion made and Question Proposed: That the Senate do receive the Report on Census 2006 Provisional results sent by-the President, Commander-in-Chief of the Federal Republic of Nigeria (*Senate Majority-Leader*).

Debate:

Resolved: That the Report be referred back to the President, Commander-in-Chief of the Federal Republic of Nigeria to effect compliance with Section 213 (3) of the 1999 Constitution.

6. **Committee on Rules and Business:**

Reports on the Calendar and Schedule of Business (January - June 2007):

Motion made and Question Proposed: That the Senate do receive the Reports of the Committee on Rules and Business, on the Legislative Calendar and the Schedule of Legislative Business of the Senate (*Senator Umaru I. Tsauri*).

Debate:

Question put and agreed to.

Report presented and Laid.

7. **Confirmation of Nomination:**

Motion made and Question Proposed: That the Senate do consider the request by Mr President, Commander-in-Chief of the Federal Republic of Nigeria for the confirmation of the nomination of Justice Idris Legbo Kutigi, CON as Chief Justice of Nigeria (*Senate Majority Leader*).

Debate:

Question put and agreed to.

Resolved: That the nominee be screened in the Committee of the Whole on Thursday, 18th January, 2007 at 12.00 noon, •

8. **Committee on Federal Character and Governmental Affairs:**

Report on the Federal Road Safety Commission Act (Amendment) Bill 2006:

Motion made and Question Proposed: That the Senate do resolve into the Committee of the Whole to resume consideration of the Report of the Committee on Federal Character and Governmental Affairs on the Federal Road Safety Commission Act (Amendment) Bill 2007 (SB 57) (*Adjourned Debate, Tuesday, 19th December, 2006*) (*Senate Majority Leader*).

Question put and agreed to.

(SENATE IN THE COMMITTEE OF THE WHOLE)

REPORT OF THE COMMITTEE ON FEDERAL CHARACTER AND GOVERNMENTAL AFFAIRS ON THE FEDERAL ROAD SAFETY COMMISSION BILL 2006

Clause 21: Reckless driving on the Highway, etc:

- (1) Any person who drives **a motor vehicle on a highway recklessly or negligently**, or at a speed or in a manner which is dangerous to the public, having regard to all the circumstances of the case including the state, condition, and use of that highway, and to the amount of traffic which at the time is or might reasonably be expected to be on that highway shall be guilty of an offence and liable on conviction to a fine of three thousand Naira or to imprisonment for two years or to both such fine and imprisonment.
- (2) If upon the trial of **a** person for an offence against section **20** of this Act the court is not satisfied that the person driving was the cause of the death but is satisfied that he is guilty of reckless, negligent or dangerous driving the court may convict that person accordingly.

Committee's Recommendation:

Leave out the provision in Clause 21 and *insert* a new Clause 21 as follows:

"Any person who causes the death of another person by the driving of **a** motor vehicle on highway recklessly, or at a speed or in a manner which is dangerous to the public, having regard to all the circumstances of the case, including the nature, condition and use of the highway, and the amount of traffic which is actually at the time, or which might reasonably be expected to be, on the highway, shall be guilty of an offence and liable on conviction to imprisonment for a term of seven years" (*Senator Ike Ekweremadu*).

Amendment Proposed:

Leave out the word "of" in Sine 7 and *insert* the words "not exceeding" (*Senator Daniel I. Saror*).

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

Question that Clause 21 as amended do stand part of the Bill put and agreed to.

Chairman to report progress.

(SENATE IN PLENARY)

The Senate President reported that the Senate in the Committee of the Whole resumed consideration of the Report of the Committee on Federal Character and Governmental Affairs on the Federal Road Safety Commission Act (Amendment) Bill 2006 and approved as follows:

Clause 21 — As Amended

Further consideration of the Bill deferred to a later date.

Question, that the Senate do approve the Report of the Committee of the whole; resolved in the Affirmative.

9. Adjournment:

Motion made and Question Proposed: That the Senate do adjourn till Thursday, 18th January, 2007 at 10-00 a.m. (*Senate Majority Leader*).

Adjourned accordingly at 1.55p.m.

Ken Nnamani, GCON
President of the Senate