



SENATE OF THE FEDERAL REPUBLIC OF NIGERIA

VOTES AND PROCEEDINGS

Wednesday, 21st February, 2007

1. The Senate met at 10:20 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, 20th February, 2007 and approved same.

By unanimous consent, the Votes and Proceedings were approved.
3. **Announcements:**
The Senate President read two letters from Senator Dr Bode Olowoporoku and Senator Ben Ndi Obi respectively as follows:
(i) **Change of Party Affiliation:**



SENATOR DR. BODE OLOWOPOROKU
(Ph.D. Econs. Manchester)

Senate Chambers National
Assembly Complex Garki -
Abuja

Date: 7th February, 2007

His Excellency,
The Senate President
Senate Chambers,
National Assembly
Abuja

Office: 092349829
Residence: 092311059
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MOVEMENT FROM ACD BACK TO PDP

Your Excellency would recall that sometimes ago, I was compelled by circumstances to move from PDP to A CD However, two unforeseen circumstances have arisen which had again compelled me to move back to my Political Party, the PDP.

- (1) *A Lagos High Court has set aside my expulsion from PDP.*
- (2) *A CD into which I moved officially has even become extinct because the people in A CD then, had moved en-mass into what is now known as AC.*

In view of the foregoing, and since my membership of PDP has been upheld by the High Court, I hereby wish to notify the Senate that I want to move back to my Seat in the Senate.

I am grateful to the President and my colleagues in the Senate for their sympathy and support during those agonizing travail in Ekiti State when everything turned upside down.

The State of Emergency has restored sanity into Ekiti PDP and Ekiti State in general.

Highest Regards.

Signed:

Senator Dr. Bode Olowoporku

(ii) Change Party Affiliation:



Senator Ben Ndi Obi
(Oje/uigbo)
(Anambra Central Senatorial District)

Chairman. Senate Committee on Air Force; Member, Senate Committee on Power & Steel,
Foreign Affairs, Commerce, Finance & Integration and Co-operation in Africa

His Excellency,
Chief Ken **Nnamani** - (GCON)
President of the Senate
Federal Republic of Nigeria.

20/02/07

Your Excellency,

TIME TO PART WAYS

I write to intimate the Senate through you that following the trauma I have passed through as a member of PDP and the need to save and continue my political career which I had built laboriously for about 30 years, it is time for me to part ways with the PDP.

Distinguished colleagues you will recall that I was sworn in as a Senator of this Red chamber on 2nd, February, 2005, about 19 months after I had won the elections in April 2003. It would be recalled that I was duly sworn in after the court had delivered a total of nine (9) judgments and thirty two (32) rulings in my favor upon my election petition that went through the baptism of fire via election tribunals, high courts, the court of appeal and the erudite. Supreme Court of Nigeria subjoined with a confirmation to that effect, by the then INEC Chairman, Sir Abel Guobadia. It was indeed a locus classicus.

It is pertinent to mention that I suffered nineteen (19) months mental agony on the legal battle field for the recovery of my stolen mandate albeit the intrigues and high handedness of some opportunists within the PDP leadership who hate me with passion for reasons I do not know till date.

More so, while my membership of the PDP subsisted, I was not allowed to enjoy peace of mind for I was made to suffer humiliation, discrimination, intimidation and exclusion from participating in party activities and meetings. The last straw that broke the camel's back was my being de-registered as a member of PDP during the membership re-validation exercise.

The fallout of that ignoble exercise within the party is now history. The affairs of the party have been characterized by dictatorship and Gerry—Meandering thereby destroying all the ethics and ethos of a Democratic Party system.

Distinguished colleagues, after a wide consultation seconded by a deep reflection on how I have weathered the storm as a member of the PDP and in compliance with Section 68(g) of the 1999 Constitution, I have resolved to save my political career by taking a decision to join the Action Congress Party (AC).

At this juncture, I wish to invoke from William Shakespeare the following words;

*"There are tides in the affairs of men
Which taken to the current leads unto success;*

*Omitted, all their voyages of life abound in shallows and miseries,
Upon such a great sea are we now afloat;*

*We must take to the current as it serves
Or else we lose our venture. "*

Finally, I pray that the Good Lord will continue to grant the legislature of the Federal Republic of Nigeria the fortitude to uphold its sanctity, independence and defense of our Democracy.

Long live Federal Republic of Nigeria.

God bless you.

Signed:

*Senator Ben Ndi Obi
(Ojeluigbo)*

5. President Obasanjo's Utterances on General Elections in April 2007: A Call to Order:

Motion made and Question Proposed: That whereas the success of an election in a true democracy hinges solely on three issues - namely, free and fair elections, respect for the choice of the electorate as reflected in their votes, and prevalence of law and order;

WHEREAS failure to meet these three requirements has led to crippling national disputes over the integrity of two past elections (1964 and 1983) and the eventual collapse of these democratic dispensations;

WHEREAS history has clearly shown that the role of the Federal Government and its relevant agencies is critical to the success of any election in Nigeria;

WHEREAS the public utterances of Mr. President are already sending clear danger signals that the three requirements of successful elections, listed above, will be violated in the forthcoming (April 2007) elections;

WHEREAS these utterances include but not limited to two disturbing declarations in a speech which he made ■ in a stakeholders' meeting of PDP in Abeokuta on Saturday, February 10, 2007, to the effect that

(i) April 2007 election will be a do-or-die affair for PDP and Nigeria and

(ii) he, President Olusegun Obasanjo, would not hand over the reins of power to anyone who he believed would not continue his economic reforms.

WHEREAS Mr. President earlier at a rally in Akure Ondo State had been widely quoted in media reports to have cast aspersions on the integrity of an opposition candidate-Dr. Rahman Mimiko, former Housing Minister and the Labour Party Governorship candidate in Ondo State. Mr. President announced that the EFCC was after Dr. Mimiko, a statement which EFCC has since denied.

WHEREAS the implications of these statements which are lethal to the success of the forthcoming elections and the survival of democracy can be summarized as follows: —

(i) Any candidate who wins the next Presidential election in a free and fair manner but who is not enamored of the outgoing President's economic reform agenda will be deprived of the people's mandate.

(ii) Any other candidates who do not support the outgoing President's economic reform agenda but who succeed in winning the elections in a free and fair contest may be robbed of their electoral victories.

(Hi) The expected and highly legitimate attempts by the electorate and supporters of such popular and successful candidates to defend their electoral mandate may most likely precipitate a break-down of law and order - a bleak prospect further enhanced by the use of language of smear and threats against unfavoured candidates.

(iv) The growing public fear that the April elections will either be incurably marred or may even not hold at all is further aggravated.

WHEREAS these implications points to a grim situation which all Nigerians will do everything in their power to prevent and

WHEREAS the Senate, as the highest law-making organ of the Federation, has a solemn duty to lead such a preventive measure against an abortion of electoral verdicts in April 2007 elections.

Be it resolved:

(i) That the Senate do urge Mr. President to desist from utterances which raise doubts over the disposition of his Administration to allow free and fair elections and sovereign expression of electorate's will in the forthcoming elections.

(U) That the Senate do draw the attention of Mr. President to the importance of transparency and strict compliance with all the relevant electoral laws of the land - and also with particular reference to the laws on the supremacy of the 1999 Constitution (Sect 1 (i); qualifications and disqualifications of candidates (Sect 65 and 66, and 106 and 107, 131 and 137); and tenure of the office of the President and hand-over - (Sect 135); incitement and public order(Sect 97(1) of the Electoral Act 2006); actions including language derogating the high office of the President (Seventh Schedule - Oath of Office of President)

(iii) That in furtherance of absolute respect for the supremacy of the Constitution and rule of law, Senate do **URGE** Mr. President to review all aspects of the current exercise of indictments and disqualification including the suspiciously undue haste with which the operation was carried out and concluded.

(iv) That the Senate do **REASSERT** its determination to exercise its over-sight functions over INEC and other relevant electoral organs with even greater vigour, in the interest of the rule of law and survival of democracy in Nigeria (*Senator Uche Chukwumerije*).

Debate

Prayer (i):

Question: That the Senate do urge Mr. President to desist from utterances which raise doubts over the disposition of his Administration to allow free and fair elections and sovereign expression of electorate's will in the forthcoming elections — *Agreed to.*

Prayer (ii):

Question: That the Senate do draw the attention of Mr. President to the importance of transparency and strict compliance with all the relevant electoral laws of the land - and also with particular reference to the laws on the supremacy of the 1999 Constitution (Sect 1 (i); qualifications and disqualifications of candidates (Sect 65 and 66, and 106 and 107, 131 and 137); and tenure of the office of the President and hand-over - (Sect 135); incitement and public order(Sect 97(1) of the Electoral Act 2006); actions including language derogating the high office of the President (Seventh Schedule - Oath of Office of President). i

Amendment Proposed:

Immediately after the figures and words in bracket in line 4 "(Sect 65 and 66, and 106 and 107, 131 and 137)" insert the words and figure "Section 45 of the 1999 Constitution" (*Senator Adeleke O. Mamora*).

Question that the amendment be made put and agreed to.

Prayer (iii);

Question: That in furtherance of absolute respect for the supremacy of the Constitution and rule of law, Senate do **URGE** Mr. President to review all aspects of the current exercise of indictments and disqualification including the suspiciously undue haste with which the operation was carried out and concluded.

Amendment Proposed:

Refer the entire Prayer (Hi) to the Ad-hoc Committee on Economic and Financial Crimes Commission (EFCC) and renumber accordingly (*Senator Dalhatu S. Tafida*).

Question that the amendment be made put and agreed to.

Prayer (iv):

Question: That the Senate do **REASSERT** its determination to exercise its over-sight functions over INEC and other relevant electoral organs with even greater vigour, in the interest of the rule of law and survival of democracy in Nigeria.

Amendment Proposed:

Leave out the entire Prayer (iv) and *insert* a new Prayer (iv) as follows:

"(iv) That the Senate do urged the Independent National Electoral Commission, (INEC) to work in accordance with the Electoral Act 2006" (*Senator Udoma Udo Udoma*).

Question that the amendment be made put and agreed to.

Resolved:

- (i) That the Senate do urge Mr. President to desist from utterances which raise doubts over the disposition of his Administration to allow free and fair elections and sovereign expression of electorate's will in the forthcoming elections.
- (ii) That the Senate do draw the attention of Mr. President to the importance of transparency and strict compliance with all the relevant electoral laws of the land - and also with particular reference to the laws on the supremacy of the 1999 Constitution (Sect 1 (i); qualifications and disqualifications of candidates (Sect 65 and 66, and 106 and 107, 131 and 137); Section 45 of the 1999 Constitution and tenure of the office of the President and hand-over - (Sect 135); incitement and public order (Sect 97(1) of the Electoral Act 2006); actions including language derogating the high office of the President (Seventh Schedule - Oath of Office of President).

(Hi) That the Senate do urged the Independent National Electoral Commission, (INEC) to work in accordance with the Electoral Act 2006 (*S. Res/08/07*).

6. Matter of Urgent Public Importance:

Fire Incident at Onitsha Main Market:

Rising on Rules 42 and 52, Senator Joy Emodi brought to the attention of the Senate the fire incident which gutted the Onitsha main market on Sunday, 18th February, 2007. She sought and obtained the leave of the Senate to introduce the Issue as a Matter of Urgent Public Importance, which should be debated forthwith

Motion made and Question Proposed: That whereas Onitsha Main Market is the largest market in the entire West African sub region and providing daily living to millions of Nigerians and non Nigerians alike.

Be it known by this distinguished Senate that in the early hours of Sunday the 18th day of February 2007 the shoe and clothing section of the market was completely razed by an unfortunate fire incident. The fire which raged for over six hours took the combined effort of concerned traders and fire service men to put out.

By the time the fire was controlled, goods worth over 2.5 billion Naira has been gutted by the fire. These goods are the live wire of the hard working Nigerians we represent here. They are today helpless and look up to us as their representatives to act.

I therefore move that this Senate do resolve as follows:

- (i) That the Senate do direct the Committee on Special Duties to visit Anambra State to sympathize with the Government and the affected traders.
- (ii) That the Senate do urge the National Emergency Management Agency (N.E.M.A) to provide immediately all possible assistance to the affected traders in accordance with the mandate of the agency.
- (iii) That this Senate do urge the Anambra state Government to:
 - (a) Reconstruct the affected part of the market as quickly as possible.
 - (b) Revamp and reposition the Fire Service Station at the Onitsha Main Market to be able to tackle future challenges (*Senator Joy Emodi*).

Debate:

Prayer (i);

Question; That the Senate do direct the Committee on Special Duties to visit Anambra State to sympathize with the Government and the affected traders — *Agreed to*.

Prayer (ii):

Question; That the Senate do urge the National Emergency Management Agency (N.E.M.A) to provide immediately all possible assistance to the affected traders in accordance with the mandate of the agency — *Agreed to*.

Resolved:

- (i) That the Senate do direct the Committee on Special Duties to visit Anambra State to sympathize with the Government and the affected traders.
- (ii) That the Senate do urge the National Emergency Management Agency (N.E.M.A) to provide immediately all possible assistance to the affected traders in accordance with the mandate of the agency (*S. Res/09/07*).

7. Committee on **Information:**

Conference Report on the Freedom of Information Bill 2006 (HB. 08):

Motion made and Question Proposed: That the Senate do receive and adopt the Conference Report on the, Freedom of Information Bill 2006 (*Senator Victor Ndoma-Egba*).

Question put and agreed to.

Report presented and adopted.

8. Ad-hoc Committee on Fiscal **Responsibility Bill 2007 (SB.226):**

Report of the Ad-hoc Committee on Fiscal Responsibility Bill 2007:

Motion made and Question Proposed: That the Senate do resume the consideration of the Report of the Ad-hoc Committee on Fiscal Responsibility Bill 2007 (*Adjourned Debate - Tuesday, 20th February, 2007*) (*Senator Udoma Udo Udoma*).

Motion made and Question Proposed: That the Senate do resolve into Committee of the Whole to resume consideration of the Report of the Ad-hoc Committee on Fiscal Responsibility Bill 2007 (*Senate Majority Leader*).

Question put and agreed to.

(SENATE IN THE COMMITTEE OF THE WHOLE)

Debate

Clause 35:**Application of Part V to States and Local:**

In implementing their annual budgets, States and Local Governments shall be guided by and adopt the provisions of this Part with such modifications as may be appropriate and necessary.

Committee's Recommendation:

That the provision in Clause 35 be retained (*Senator Udoma U. Udoma*) — *Agreed to.*

Question that Clause 35 do stand pan of the Bill, put and agreed to.

PART VI - PUBLIC REVENUES**Clause 36:****Forecast and Collection of Public Revenues:**

Any fund due to the Federation from any tier of government may be set off by the Federation in or towards payment or remittance of any sum due to that tier of government from the Federation.

Committee's Recommendation:

That the provision in Clause 36 be retained (*Senator Udoma U. Udoma*) — *Agreed to.*

Question that Clause 36 do stand part of the Bill, put and agreed to.

Clause 37:**Revenue Forecast:**

- (1) Revenue forecast revisions by the Legislative arm of Government shall only be permitted upon proof of technical or legal error or omission.
- (2) The estimated receipts accruing from borrowing shall only be applied towards capital expenditures included in the Appropriation Act.
- (3) The Executive arm of each tier of Government shall at least 30 days before the deadline for the submission of their budget proposals, place at the disposal of the other arms of Government, the revenue estimates for the following year, including the net current revenue and the respective memorandum items.
- (4) Non-compliance with subsection (3) of this section shall attract a reprimand.

Committee's Recommended

Leave out the provision in Subclauses 37 (1), (2), (3) and (4) and **insert** the ■ following instead thereof:

"The Executive arm of the Federal Government shall at least 30 days before the deadline for the submission of its budget proposals, place at the disposal of the National Assembly, the revenue estimates for the following year, including the net current revenue and the respective memorandum items" (*Senator Udoma U. Udoma*) — *Agreed to.*

Question that Clause 37 do stand part of the Bill, put and agreed to.

Clause 38:**Executive to Breakdown Estimated Revenue:**

Estimated revenue shall be broken down by the Executive arm of Government into monthly collection targets, including, where applicable, a separate description of measures to combat tax fraud and evasion.

Committee's Recommendation:

That the provision in Clause 38 be retained (*Senator Udoma U. Udoma*) — *Agreed to.*

Question that Clause 38 do stand part of the Bill, put and agreed to.

PARTVii — SAVINGS AND ASSET MANAGEMENT**Clause 39: Penalty for Non-Compliance with Part VI:**

- (1) Where the Reference Commodity Price rises above the predetermined level, the resulting excess proceeds shall be saved in accordance with the provisions of subsection (2) of this section.
- (2) The savings of each Government in the Federation in pursuance of subsection (1) of this section shall be deposited in a separate account, which shall form part of the respective Governments Consolidated Revenue Fund to be maintained at the Central Bank of Nigeria by each Government.
- (3) The Central Bank of Nigeria shall, in consultation with the Federal Minister of Finance, the State Commissioners of Finance, and Local Government Treasurers, invest for and on behalf of the Governments in the Federation, the savings of each Government and such investment can be undertaken in a consolidated manner, provided that, the shares of each government and income due them from the investment are clearly identified.
- (4) The Central Bank of Nigeria in the discharge of its obligation under subsection (3) of this section shall, observe the limits and conditions imposed by safety and prudential considerations and the need to maintain macroeconomic stability and such safety and prudential conditions are to be agreed upon with Minister of Finance, State Commissioners of Finance, and Local Government Treasurers.
- (5) No Government in the Federation shall have access to the savings made in pursuance of subsection (2) of this section, unless, the reference commodity price falls below the predetermined level for a period of three consecutive months.
- (6) The augmentation referred to in subsection (5) of this section shall be limited to such sums that will bring the revenue of government to the level contained in its budget estimates.
- (7) Notwithstanding the provisions of subsections (5) and (6), of this section and subject to agreement by Federal and State Governments in the Federation, a proportion of the savings may be appropriated in the following year for the capital projects and programmes.

Committee's Recommendation:

That the provision in Clause 39 be retained (*Senator Udoma U. Udoma*) — *Agreed to.*

Question that Clause 39 do stand part of the Bill, put and agreed to.

Clause 40: Penalty for Non-Compliance with Part VII:

Non-compliance with the provisions of this Part shall constitute an offence punishable under this Act for which Minister of Finance, State Commissioner of Finance, Local Government Treasurer, and the Accountant-General at Federal and State levels shall be held accountable.

Committee's Recommendation:

Leave out the provision in Clause 40 (*Senator Udoma U. Udoma*) — *Agreed to.*

PART: VIII — PUBLIC EXPENDITURES**Clause 41: Conditions for Increasing Government Expenditure**

- (1) The creation, expansion or improvement in government action which result in an expenditure increase shall be accompanied by-
 - (a) an estimate of the budgetary or financial impact in the year it becomes effective and in the two subsequent years:

(b) a statement by the person requesting for the expenditure, stating that the increase is consistent with the Appropriation Act and the Medium-Term Expenditure Framework.

(2) The provisions of this section shall not apply to expenditures deemed inconsequential and shall apply to States and Local Government only to the extent to which they have adopted these provisions.

Committee's Recommendation:

That the provision in Clause 41 be retained (*Senator Udoma U. Udoma*) — Agreed to.

Question that Clause 41 do stand part of the Bill, put and agreed to.

Clause 42:

Conditions for Increasing Personnel Expenditure:

The granting of any advantage or increase of remuneration, the creation of posts or alteration of career structures and admission of personnel on any account by bodies and entities including foundations established and maintained by the Federal Government shall only be effected if, there is a prior budgetary allocation sufficient to cover the estimated expenditure.

Committee's Recommendation:

That the provision in Clause 42 be retained (*Senator Udoma U. Udoma*) — Agreed to.

Question that Clause 42 do stand part of the Bill, put and agreed to.

Clause 43:

All contracts to Comply with Rules and Guidelines:

All contracts with regards to the execution of annual budget; shall comply with the rules and guidelines on-

(a) procurement and award of contracts; and

(b) due process and certification of contract.

Committee's Recommendation:

That the provision in Clause 43 be retained (*Senator Udoma U. Udoma*) — Agreed to.

Question that Clause 43 do stand part of the Bill, put and agreed to.

Clause 44:

Effect of Violation of Public Expenditure Rules:

Any violation of the requirements in sections 41. 42 and 43 shall be unlawful.

Committee's Recommendation:

That the provision in Clause 44 be retained (*Senator Udoma U. Udoma*) — Agreed to.

Question that Clause 44 do stand part of the Bill, put and agreed to.

Clause 45:

Application of Part VIII to States and Local Governments:

In incurring public expenditures, States and Local Governments may adopt the provisions of this Part with such modifications as may be appropriate and necessary.

Committee's Recommendation:

That the provision in Clause 45 be retained (*Senator Udoma U. Udoma*) — Agreed to.

Question that Clause 45 do stand part of the Bill, put and agreed to.

Clause 46:

PART IX — DEBT AND INDEBTEDNESS

Framework for debt management:

(1) The framework for debt; management during the financial year shall be based

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- (a) Government at all tiers shall only borrow for capital expenditure and human development, provided that, such borrowing shall be on concessional terms with low interest rate and with a reasonably long amortization period subject to the approval of the appropriate legislative body where necessary.
 - (b) Government shall ensure that the level of public debt as a proportion of national income is held at a sustainable level as prescribed by the National Assembly from time to time on the advice of the Minister.
 - (c) notwithstanding the provisions of subsection 1(a) of this section and subject to the approval of the National Assembly the Federal Government may borrow from the capital market.
- (2) Non-compliance with the provisions of this section shall make the action taken unlawful.

Committee's Recommendation:

That the provision in Clause 46 be retained (*Senator Udoma U. Udoma*) — *Agreed to.*

Question that Clause 46 do stand part of the Bill, put and agreed to.

Clause 47:

Limits on Consolidated Debt of Federal and State and Local Governments:

- (1) The President shall, within 90 days from the commencement of this Act, and with advice from Minister of Finance, subject to approval of National Assembly, set overall limits for the amounts of consolidated debt of the Federal, State and Local Governments pursuant to the provisions of items 7 and 50 of Part I of the Second Schedule to the Constitution and the limits and conditions approved by the National Assembly, shall be consistent with the rules set in this Act and with the fiscal policy objectives in the Medium Term-Fiscal Framework.
- (2) The President may choose to delegate this function to the Minister of Finance, who shall be advised by the Debt Management Office (DMO) as part of the management of the overall fiscal framework.

Committee's Recommendation:

Leave out the provision in Subclause 47(2) (Senator Udoma U. Udoma) — • Agreed to.

- (3) Outstanding judgment debts not paid shall be considered part of the consolidated debts for the purpose of application of the respective limits set in pursuance of this section.
- (4) For the purpose of verifying compliance with the limits specified pursuant to this section, the Fiscal Responsibility Council shall at the end of each quarter, determine the amount of the consolidated debt of each tier of government.
- (5) The Fiscal Responsibility Council shall publish, on a quarterly basis, a list of the Governments in the Federation that have exceeded the limits of consolidated debt, indicating the amount by which the limit was exceeded.
- (6) Where at the end of any quarter, the consolidated debt of the Federal, State or Local Governments exceeds the respective limits; it shall be brought within the limit, not later than the end of the three subsequent quarters with a minimum of 25 per cent reduction in the First quarter.
- (7) Violators of the limits specified pursuant to this section shall-
 - (a) be prohibited from borrowing from internal or external sources, except **for** the refinancing of existing debts;

- (b) bring **the** debt within the established limit by inter alia, restricting funding commitments accordingly.
- (8) Where non-compliance with the limit specified pursuant to this section persists after the time limited by subsection (5) of this section, the affected tier of Government shall also be prohibited from receiving grants from any other Government in the Federation.
- (9) whenever the fundamentals of the proposals referred to in this section are changed due to economic instability or changes in monetary or exchange policies, the President shall submit to the National Assembly a request for a review of the current limits.

Question that Clause 47 do stand part of the Bill, put and agreed to.

Clause 48:

Servicing of External Debt:

- (1) Servicing of external debts shall be the direct responsibility of the Government that incurred the debt.
- (2) The cost of servicing Federal Government guaranteed loans shall be deducted at source from the share of the debtor Government from the Federation Account

Committee's Recommendation:

That the provision in Clause 48 be retained (*Senator Udoma U. Udoma*) — *Agreed to.*

Question that Clause 48 do stand part of the Bill, put and agreed to.

PARTX - BORROWING

Clause 49:

Conditions of Borrowing and Verification of Compliance with Limits: (1) Any

- (1) Government in the Federation or its agencies and corporations desirous of borrowing shall, specify the purpose for which the borrowing is intended and present a cost-benefit analysis, detailing the economic and social benefits of the purpose to which the intended borrowing is to be applied.
- (2) Without prejudice to subsection I of this section, each borrowing shall comply with the following conditions-
 - fa) the existence of prior authorization in the Appropriation or other Act or Law for the purpose for which the borrowing is to be utilized: and
 - (b) the proceeds of such borrowing shall solely be applied towards long-term capital expenditures.
- (3) Nothing in this section shall be construed to authorize borrowing in excess of the limits set pursuant to section 44 of this Act.
- (4) The Fiscal Responsibility Council shall verify on a quarterly basis, compliance with [he limits and conditions for borrowing by each Government in the Federation.
- (5) * Without prejudice to the specific responsibilities of the National Assembly and Central Bank of Nigeria, the Debt Management Office shall maintain comprehensive, reliable and current electronic database of internal and external public debts, guaranteeing public access to the information.

Committee's Recommendation:

That the provision in Clause 49 be retained (*Senator Udoma U. Udoma*) — *Agreed to.*

Question that Clause 49 do stand part of the Bill, put and agreed to.

Clause 50: Lending by Financial Institutions:

- (1) All banks and financial institutions shall request and obtain proof of compliance with the provisions of this Part before lending to any Government in the Federation.
- (2) Lending by banks and financial institutions in contravention of this Part shall be unlawful.

Committee's Recommendation:

That the provision in Clause 50 be retained (*Senator Udoma U. Udoma*) — *Agreed to.*

Question that Clause 50 do stand part of the Bill, put and agreed to.

Clause 51:**Prohibition against CBN in its relation ami Government agencies and Parastatals:**

- (1) The Central Bank of Nigeria in its relations with Government agencies and Parastatals shall be subject to the following prohibitions-
 - (a) purchasing fresh issues of government securities on the date of its primary issue in the market, except in the circumstances under subsection (2) of this section;
 - (b) exchanging on a temporary basis, the debt securities of any Government hi the Federation for federal public debt securities and forward purchase or sale of such securities when the final result is similar to an exchange;
 - (c) granting guarantees on behalf of any Government in the Federation.
- (2) The Central Bank of Nigeria may only underwrite securities issued by the Federal Government, which are rolled-over to refinance maturing securities.
- (3) The underwriting permuted under subsection (2) of this section shall be offset through a public auction at market-determined rate.

Committee's Recommendation:

That the provision in Clause 51 be retained (*Senator Udoma U. Udoma*) — *Agreed to.*

Clause 52: *Question that Clause 51 do stand part of the **Bill**, put and agreed to.*

Power of the Minister to Grant Guarantees:

- (1) Subject to the provisions of this Part, the Minister may with the approval of the Federal Executive Council, grant guarantees on behalf of any Government in the Federation.
- (2) Any guarantee granted by the Minister shall be conditional upon the provision of a counter-guarantee in an amount equal to or higher than the guarantee obligation, provided that, there are no overdue obligations from the requesting Government in the Federation to the guarantor and its controlled corporations and such guarantee shall also be in compliance with the following-
 - (a) Counter-guarantee shall only be accepted from State or Local Governments;
 - (b) The counter-guarantee required by the Federal Government from State or Local Government or by State from Local Government, may consist in the appropriation of tax revenue directly collected and resulting from statutory transfers and the guarantor shall be authorised to retain such revenue and use the respective amount to repay overdue debts.
- (3) In the case of foreign currency borrowing, Federal Government guarantee shall be a requirement and no State, Local Government or Federal Agency shall, on its own borrow externally.

- (4) Any guarantee provided in excess of the debts limits set pursuant to 2 subsection (1) of section 44 of this Ac; shall be unlawful.

Committee's Recommendation:

That the provision in Clause 52 be retained (*Senator Udoma U. Udoma*) — *Agreed to.*

Question that Clause 52 do stand part of the Bill, put and agreed to.

PART XI — TRANSPARENCY AND ACCOUNTABILITY

Clause 53:

Fiscal transparency:

- (1) The Federal Government shall ensure that its fiscal and financial affairs are conducted in a transparent manner and accordingly shall ensure full and timely disclosure and wide publication of all transactions and decisions involving public revenues and expenditures and their implications for its finances.
- (2) The legislative arm of each tier of Government shall ensure transparency by way of public hearings during the preparation and discussion of the Medium-Term Expenditure Framework. Annual Budget and the Appropriation **Bill.**

Committee's Recommendation:

Leave out the provision in Subclause 53 (2) and *insert* a new Subclause 53(2) instead thereof:

"(2) The National Assembly shall ensure transparency by way of public hearings during the preparation and discussion of the Medium-Term Expenditure Framework. Annual Budget and the Appropriation Bill" (*Senator Udoma U. Udoma*).

Amendment Proposed:

Immediately after the word "transparency" in line 1, leave out the words "by way of Public Hearing" (*Senator Sanusi M. Daggash*).

Question that the amendment be made put and agreed to.

Question that Clause 53 as amended do stand part of the Bill, put and agreed to.

Clause 54:

Publication of Audited Accounts by All Tiers and All Arms of Government:

- (1) The Federal Government shall publish their audited accounts not later than six months following the end of the financial year.
- (2) Federal Government shall, not later than two years following **the** commencement of this Act and thereafter, not later than 7 months following the end of each financial year, consolidate and publish in the mass media, its audited accounts for the previous year.
- (3) The publication of general standards for the consolidation of public accounts **shall be the** responsibility of the Office of the Accountant-General of the Federation.
- (4) The Accountant-General of the Federation shall not later than 9 months following the end of the financial year, cause to be consolidated and published in the mass media, the accounts of all Governments in the Federation.

Committee's Recommendation:

Leave out the provision in Subclause 54 (4) (*Senator Udoma U. Udoma*) — *Agreed to.*

Question that Clause 54 do stand part of the Bill, put and agreed to.

Clause 55: Publication of a summarized report on budget execution:

The Federal Government through its budget office shall within 30 days after the end of each quarter, publish a summarized report on budget execution in such form as may be prescribed by the Fiscal Responsibility Commission and not later than 6 months after the end of the financial year, a consolidated budget execution report showing implementation against physical and financial performance targets shall be published by the Minister of Finance for submission to the National Assembly and dissemination to the public.

Committee's Recommendation:

That the provision in Clause 55 be retained (*Senator Udoma U. Udoma*) — *Agreed to.*

Question that Clause 55 do stand part of the Bill, put and agreed to.

PARTXII - ENFORCEMENT PART**XII - OFFENCES AND PENALTIES****Clause 56: Penalties, Enforcement:**

- (1) Any person who wilfully or negligently fails to perform his obligation under this Act, or who knowingly or recklessly makes a false statement in the discharge of his obligations under this Act, commits an offence and is liable on conviction to one year imprisonment or a fine of N1,000,000.00
- (2) Any person who wilfully or negligently acts in contravention of the provisions of this Act commits an offence and is liable on conviction, to a term of imprisonment not less than 3 years.
- (3) Where an institutional responsibility is provided for in this Act, the head of the institution shall ensure the performance of such responsibility and where he fails to do so, he commits an offence punishable under subsections (1) and (2) of this section as appropriate.

Committee's Recommendation:

Leave out the provision in Subclauses 56(1), (2) and (3) and insert a new Clause 56 instead thereof:

"Any person shall have legal capacity to enforce the provisions of this Act by obtaining prerogative orders or other remedies at the Federal High Court, without having to show any special or particular interest" (*Senator Udoma U. Udoma*) — *Agreed to.*

Question that Clause 56 do stand part of the Bill, put and agreed to.

Clause 57: Limit for Consolidated Debt Securities:

A State Law may set a limit for consolidated debt securities, borrowing 16 and granting of guarantees lower than the one provided for pursuant to this Act.

Committee's Recommendation:

Leave out the provision in Clause 57 (Senator Udoma U. Udoma) — Agreed to.

Clause 58: Government Securities as Collateral to:

Government securities, provided that, they are duly listed on the Stock Exchange, may be offered as collateral to guarantee loans or other financial transactions under the law for their economic value as defined by the Ministry.

Committee's Recommendation:

That the provision in Clause 58 be retained (*Senator Udoma U. Udoma*) — *Agreed to.*

Question that Clause 58 do stand part of the Bill, put and agreed to.

Clause 59: Restriction on Utilisation of Proceeds of Sale of Public Assets:

The proceeds derived from the sale or transfer of public properties and rights over public assets shall not be used to finance recurrent and debt expenditure, provided that, such proceeds may be used to liquidate existing liabilities directly charged against such properties or assets.

Committee's Recommendation:

That the provision in Clause 59 be retained (*Senator Udoma U. Udoma*) — *Agreed to.*

Question that Clause 59 do stand part of the Bill, put and agreed to.

Clause 60: Conditions for Local Government contribution:

A Local Government shall only contribute to cover cost of expenditure incurred by the other tiers of Government, if authorized in a covenant, agreement accord, or any similar arrangement.

Committee's Recommendation:

Leave out the provision in Clause 60 (*Senator Udoma U. Udoma*) — *Agreed to.*

Clause 61: Technical and Financial Assistance to Governments:

The Federal Government may provide technical and financial assistance to States and Local Governments that adopt similar Fiscal Responsibility legislation along the same lines as this Act for the modernization of their respective tax, financial and asset administration.

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Committee's Recommendation:

That the provision in Clause 61 be retained (*Senator Udoma U. Udoma*) — *Agreed to.*

Question that Clause 61 do stand part of the Bill, put and agreed to.

Clause 62: Interpretation of other laws:

In the event of any inconsistency between the provisions of this Act and the provisions of any other legislation, the provisions of this Act shall prevail and the provisions of that other legislation shall, to the extent of the inconsistency be void.

Committee's Recommendation:

Leave out the provision in Clause 62 (*Senator Udoma U. Udoma*) — *Agreed to.*

Clause 63: Power of the President to Make Regulations:

The President shall in addition to any other powers conferred on him under this Act. make regulations generally for the purposes of carrying into effect the provisions of this Act

Committee's Recommendation:

That the provision in Clause 63 be retained (*Senator Udoma U. Udoma*) — *Agreed to.*

Question that Clause 63 do stand part of the Bill, put and agreed to.

PART XIV - INTERPRETATION AND SHORT TITLE**Clause 64: Interpretation In this Act, Except the Context Otherwise Requires:-**

"Appropriation Act" means an Act or Law passed by the National or State Assembly or Local Government authorizing spending from the Consolidated Revenue Fund and includes a Supplementary Appropriation Act or Law;

Question, That the words "Appropriation Act" be as defined in the Interpretation to this Act, put and agreed to.

"Appropriation Bill" means the Bill referred to is sections 59 of the Constitution;

Question, That the words "Appropriation Bill" be as defined in the Interpretation to this

Act, put and agreed to.

"Arms of Government" means the Executive, Legislature and Judiciary:

Question, That the words "Arms of Government" be as defined in the Interpretation to this Act, put and agreed to.

"Borrowing" means any financial obligation arising from (i) any loan including principal, interest, fees of such loan, (ii) the deferred payment for property, goods or services. (Hi) bonds, debentures, notes or similar instruments, (iv) letters of credit and reimbursement obligations with respect thereto, (v) trade or bankers' acceptances, (vi) capitalized amounts of obligations under leases entered into primarily as a method of raising financing or of financing the acquisition of the asset leased, (vii) agreements providing for swaps, ceiling rates, ceiling and floor rates, contingent participation or other hedging mechanisms with respect to the payment of interest or the convertibility of currency and (viii) a conditional sale agreement, capital lease or other title retention agreement;

Question, That the word "Borrowing " be as defined in the Interpretation to this Act, put and agreed to.

"Budget Call Circular" means a circular-

- (i) requesting the submissions in a prescribed form, of the revenue and expenditure estimates of Ministries, Extra-Ministerial Departments, and other executing agencies of Government for the next financial year; and
- (ii) giving detailed guidelines and instructions on the preparation of the estimates and expenditure in a manner consistent with the medium term developmental priorities set out in the Medium-Term Expenditure Framework;

Question, That the words "Budget Call Circular" be as defined in the Interpretation to this Act, put and agreed to.

"Capital Expenditure" means spending on an asset that lasts for more than one financial year and expenses associated with the acquisition of such assets;

Question, That the words "Capital Expenditure " be as defined in the Interpretation to this Act, put and agreed to.

"concessional terms" means the terms of the loan must be at an interest rate not exceeding 3 %;

Question, That the words "concessional terms " be as defined in the Interpretation to this Act, put and agreed to.

"consolidated debt" means the aggregate of the outstanding financial obligations of Government including those of its Parastatals and agencies at any point in time arising from (i) borrowed money including principal, interest, fees of such borrowed money (ii) the deferred payment for property, goods or services. (Hi) bonds, debentures, notes or similar instruments, (iv) letters of credit and reimbursement obligations with respect thereto, (v) Guarantees (iv) trade or bankers' acceptances, (vii) capitalized amounts of obligations under leases entered into primarily as a method of raising financing or of financing the acquisition of the asset leased, (viii) agreements providing for swaps, ceiling- rates, ceiling and floor rates, contingent participation or other hedging mechanisms with respect to the payment of interest or the convertibility of currency and (ix) a conditional sale agreement, capital lease or other title retention agreement;

Question, That the words "consolidated debt" be as defined in the Interpretation to this Act, put and agreed to.

"Cost-benefit-analysis" means an analysis that compares the cost of undertaking a service, project or programme with the benefits that citizens are likely to derive from it;

Question, That the words "Cost-benefit-analysis " be as defined in the Interpretation to this Act, put and agreed to.

"Fiscal Risk Appendix" An explanatory attachment that provide a set of indicator that can be used to measure local fiscal risks;

Question, That the words "Fiscal Risk Appendix" be as defined in the Interpretation to this Act, put and agreed to.

"Fiscal Risk Target" provides numerical target for each risk indicator with which a fiscal entity will be considered fiscally healthy.

Question, That the words "Fiscal Risk Target" be as defined in the Interpretation to this Act, put and agreed to.

"Financial Year" has the meaning ascribed thereto in the Constitution;

Question, That the words "Financial Year" be as defined in the Interpretation to this Act, put and agreed to.

"Fiscal Policy Objectives" means the goals set by Government for attainment of set targets for a given period;

Question, That the words "Fiscal Policy Objectives " be as defined in the Interpretation to this Act, put and agreed to.

"Government Owned Company" means a statutory corporation, Government agency and a company in which Government has controlling interest;

Question, That the words "Government Owned Company" be as defined in the Interpretation to this Act, put and agreed to.

"Medium-Term Expenditure Framework" means the document referred to and the contents of which is prescribed in Section 1 of this Act:

Question, That the words "Medium-Term Expenditure Framework" be as defined in the Interpretation to this Act, put and agreed to.

"Minister" means the Minister charged with the responsibility for finance;

Question, That the word "Minister" be as defined in the Interpretation to this Act, put and agreed to.

"Net debt" means the Consolidated Debt less what is owed to Government, its Parastatals and agencies at any point in time;

Question, That the words "Net debt" be as defined in the Interpretation to this Act, put and agreed to.

"President" means the President of the Federal Republic of Nigeria;

Question, That the word "President" be as defined in the Interpretation to this Act, put and agreed to.

"Public Debt Securities" means public debt represented by securities issued by the Federal Government (including those of the Central Bank of Nigeria), the State and Local Governments:

Question, That the words "Public Debt Securities" be as defined in the Interpretation to this Act, put and agreed to.

"Public Expenditure" means outlays other than those resulting into debt reduction;

Question, That the words "Public Expenditure" be as defined in the Interpretation to this Act, put and agreed to.

"Public revenue" all moneys received by a Government in the Federation.

Question, That the words "Public revenue" be as defined in the Interpretation to this Act, put and agreed to.

"Quarter" means one quarter of a financial year and quarterly shall be construed accordingly;

Question, That the word "Quarter " be as defined in the Interpretation to this A ct, put and agreed to.

"Recurrent Expenditure" means normal overhead and administrative expenses and personnel cost including salaries, emoluments and other benefits of employees:

Question, That the words "Recurrent Expenditure " be as defined in the Interpretation to this Act, put and agreed to.

"Reference Commodity Price" means such price as may be determined by the President subject to the approval of the National Assembly.

Question, That the words "Reference Commodity Price" be as defined in the Interpretation to this Act, put and agreed to.

"Refinancing of debt securities," means issuance of securities to repay the existing debt

Question, That the words "Refinancing of debt securities" be as defined in the Interpretation to this Act, put and agreed to.

"State financial institution," means any financial institution in which one or more state governments has controlling shares; "State" shall be construed to include the Federal Capital Territory; and

Question, That the words "State financial institution " be as defined in the Interpretation, to this Act, put and agreed to.

"Tax expenditure projections" means the projected amount expected to be utilised in the granting tax relief or tax holiday.

Question, That the words "Tax expenditure " be as defined in the Interpretation to this Act, put and agreed to.

"Tax revenue projections" means the projected collectible tax or revenue within a particular planning period.

Question, That the words "Tax revenue projections " be as defined in the Interpretation to this Act, put and agreed to.

"Tiers of Government" means the Federal, State and Local Governments;

Question, That the words "Tiers of Government" be as defined in the Interpretation to this Act, put and agreed to.

Committee's Recommendation:

That the provision in Clause 64 be retained (*Senator Udoma U. Udoma*) — *Agreed to.*

Question that Clause 64 do stand part of the Bill, put and agreed to.

Clause 65: Short Title:

This Act may be cited as the Fiscal Responsibility Act, 2007.

Committee's Recommendation:

That the provision in Clause 65 be retained (*Senator Udoma U. Udoma*) — Agreed to.

Question that Clause 65 do stand part of the Bill, put and agreed to.

SCHEDULE LIST OF CORPORATIONS, AGENCIES**AND GOVERNMENT-OWNED COMPANIES**

1. Nigerian National Petroleum Corporation.
2. Nigeria Deposit Insurance Corporation.
3. Bureau of Public Enterprises.
4. National Agency for Science and Engineering Infrastructure.
5. Nigerian Social Insurance Trust Fund.
6. Corporate Affairs Commission.
7. National Clearing and Forwarding Agency.
8. Nigeria Unity Line.
9. Nigerian Airspace Management Agency.
10. Nigerian Shippers Council.
11. National Maritime Authority.
12. Raw Material Research and Development Council.
13. Nigerian Civil Aviation Authority.
14. National Sugar Development Council.
15. Nigerian Postal Service.
16. Nigerian Ports Authority.
17. Federal Airport Authority of Nigeria.
18. Nigeria Mining Corporation.
19. Nigeria Re-insurance. -
20. Nigerdock Nigeria Pic.
21. Securities and Exchange Commission.
22. National Insurance Corporation of Nigeria.
23. Nigeria Re-insurance Corporation.
24. Nigerian Telecommunication.
25. National Automotive Council.
26. Nigerian Tourism Development Corporation.
27. National Communication Commission.
28. National Agency for Food & Drug Administration & Control.
29. Nigerian Customs Service.
30. Federal Inland Revenue Service.
31. Central Bank of Nigeria.

Any other Corporation, Agency or Government-owned company that may be included by the Minister through a local notice.

Question that Items 1 to 31 (List of Corporations, Agencies and Government-owned Companies) stand part of the Schedule to the Bill, put and agreed to.

Chairman to report **Bill.**

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(SENATE IN THE PLENARY)

The Senate President reported that the Senate in the Committee of the Whole resumed consideration of the Fiscal Responsibility Bill 2007 and approved as follows:

Clauses 35 — 39 — As Recommended

Clauses 40 — 46 — As Recommended

Clauses 47 — 52	—	As Recommended
Clause 53	—	As Amended
Clauses 54 — 60	—	As Recommended
Clauses 61—65	—	As Recommended
Short Title	—	As Recommended

Motion made and Question Proposed: That the Senate do approve the Report of the Ad-hoc Committee on Fiscal Responsibility Bill 2007 (*Senate Majority Leader*).

Question put and agreed to.

Motion made and Question Proposed: That the Fiscal Responsibility Bill 2007 be read the Third Time and Passed (*Senate Majority Leader*).

Question put and agreed to.

Bill accordingly read the Third Time and Passed.

9. **Committee on Appropriations:**

Report on the Ekiti State Appropriation Bill 2007 (SB. 345A):

Motion made and Question Proposed: That the Senate do consider the Report of the Committee on Appropriation, on the Consolidated Ekiti State Appropriation Bill 2007 (*Senator Clement K. Awoyelu*).

Question put and agreed to.

Motion made and Question Proposed: That the Senate do resolve into the Committee of Supply to consider **the** Report of the Committee on Appropriation on the Ekiti State Appropriation Bill 2007 (*Senate Majority Leader*).

Question put and agreed to.

(SENATE IN THE COMMITTEE OF SUPPLY)

An Act to authorise the issue from the Consolidated Revenue Fund of the Ekiti State the total sum, of N33,094,911,428.73 (Thirty Three Billion, Ninety Four Million, Nine Hundred and Eleven Thousand, Four Hundred and Twenty Eight Naira, Seventy Three Kobo) of which the sum of ^18,544,295,111.05 (Eighteen Billion, Five Hundred and Forty Four Million, Two Hundred and Ninety Five Thousand, One Hundred and Eleven Naira, Five Kobo) only is for Recurrent Expenditure and the balance of N14,550,616,317.68 (Fourteen Billion, Five Hundred and Fifty Million, Six Hundred and Sixteen Thousand, Three Hundred and Seventeen Naira, Sixty Eight Kobo) is for Capital Expenditure, for the Government of Ekiti State for the Year Ending on the 31st day of December, 2007.

Debate

That the Senate do approve the Consolidated Ekiti State Appropriation Bill 2007 — *Agreed to.*

Chairman to report Bill.

(SENATE IN PLENARY)

The Senate President announced that the Senate in the Committee of Supply considered the Report of the Committee on Appropriation on the Consolidated Ekiti State Appropriation Bill 2007 and approved as follows:

"That for the Fiscal Year ending 31st December, 2007, the Ekiti State Government be authorised to issue from the Consolidated Revenue Fund of Ekiti State the sum of **N33,094,911,428.73 (Thirty Three Billion, Ninety Four Million, Nine Hundred and Eleven Thousand, Four Hundred and Twenty Eight Naira, Seventy Three Kobo)** out of which the sum of **N18,544,295,111.05 (Eighteen Billion, Five Hundred and Forty Four Million, Two Hundred and Ninety Five Thousand, One Hundred and Eleven Naira, Five Kobo)** only is for the Recurrent Expenditure whilst the balance of **N14,550,616,317.68 (Fourteen Billion, Five Hundred and Fifty Million, Six Hundred and Sixteen Thousand, Three Hundred and Seventeen Naira, Sixty Eight Kobo)** is for Capital Expenditure for the year ending 31st December 2007"

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

Motion made and Question Proposed: That the Bill be now read the Third Time (Senate Majority Leader).

Question put and agreed to. Bill accordingly read the Third Time and Passed.

10. Ad-hoc Committee on the Breach of Senate Procedure:

Report on the Nigerian Minerals and Mining Act (Repeal and Re-enactment) Bill 2007:

Motion made and Question Proposed: That the Senate do receive and consider the report of the Ad-hoc Committee on the Breach of the Procedure for the Passage of the Nigerian Minerals and Mining Act (Repeal and Re-enactment) Bill 2007 into law.

Findings: 1. The correct procedure of moving a Bill is as follows:

- (i) First Reading
- (ii) Second Reading
- (iii) Third Reading
- (iv) Clean Copy produced by the Bill's office and forwarded to the Senate President by of the Senate for endorsement.
- (v) Constitution of Conference Committee by Senate Leadership and announcement by Senate President.
- (vi) Clerk of the Senate forwards Senate decision with a copy of the Bill signed by Senate, President and Clerk, to Chairman of the Conference Committee.
- (vii) Conference Committee produces report, attaches the harmonized Bill and forwards a copy each, to Clerk of the Senate and Rules and Business Committee for scheduling.
- (viii) Senate approves and adopts the Conference Committee Report.
- (ix) Clerk of the Senate Forwards a copy of Conference Committee Report with the harmonized Bill as approved by Senate to Clerk, National Assembly.
- (x) Clerk to the National Assembly sends the report to Legal Department.
- (xi) Legal Department vets the Bill and returns to Clerk, National Assembly. (xii)

Clerk to the National Assembly sends the Bill to Mr. President for assent.

Amendment Proposed:

Insert a new item (xii) as follows and renumber accordingly:

"(xii) The Clerk to the National Assembly shall forward a clean copy of the Bill to the Senate President and The Speaker, House of Representatives for their endorsement" (Senator Udoma U. Udoma).

Question that the amendment be made put and agreed to.

Recommendations:

- (i) That in the case of this particular Bill, a new copy should be sent to Mr. President for assent for a new date of the commencement of the **Act**.
- (ii) That for the future, regardless of the urgency involved, the Clerk of the Senate must ensure that administrative and legislative procedure are strictly followed.
- (in) That Senators must not engage in undue rumour mongering, particularly where it appears to indict colleagues.
- (iv) That the colleague involved in the allegation tenders apology to the Senate.

Debate

Recommendation (i):

Question: That in the case of this particular Bill, a new copy should be sent to Mr. President for assent for a new date of the commencement of the Act — *Agreed to*.

Recommendation (ii):

Question: That for the future, regardless of the urgency involved, the Clerk of the Senate must ensure that administrative and legislative procedure are strictly followed — *Agreed to*.

Recommendation (Hi):

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Question: That Senators must not engage in undue rumour mongering, particularly where it appears to indict colleagues — *Agreed to*.

Resolved:

- (i) That in the case of this particular Bill, a new copy should be sent to Mr. President for assent for a new date of the commencement of the Act.
- (ii) That for the future, regardless of the urgency involved, the Clerk of the Senate must ensure that administrative and legislative procedure are strictly followed.
- (iii) That Senators must not engage in undue rumour mongering, particularly where it appears to indict colleagues (*S.Res/10/07*).

11. Adjournment:

And it being 2.05p.m. the President adjourned the Senate till Thursday, 22nd February, 2007 at 10.00 a.m.

Adjourned accordingly at 2.05 p.m.

Ken Nnamani, GCON
President of the Senate