



## SENATE OF THE FEDERAL REPUBLIC OF NIGERIA

### VOTES AND PROCEEDINGS

Wednesday, 22nd July, 2009

1. The Senate met at 10.35 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, 21st July, 2009 and approved same.

*By unanimous consent, the Votes and Proceedings were approved.*

3. **Announcements:**  
(A) The Senate President read a letter from Senator Victor Ndoma-Egba (*Cross River Central*) as follows:



**SENATOR VICTOR NDOMA-EGBA** SAN  
DEPUTY SENATE LEADER

July 21st, 2009.

*The Senate President,*

#### ANNOUNCEMENT

*There will be a meeting of the Senate Ad-hoc Committee on the Immortalization of Senators on Wednesday, July 22, 2009 in the Deputy Senate Leader's Office Room 4.27 at 2.00 p.m.*

*Members should endeavour to be punctual.*

*Signed:*  
**Senator Victor Ndoma-Egba, SAN**  
*Deputy Senate Leader and Chairman*  
*Senate Ad-hoc Committee on*  
*Immortalization of Senators*

- (B) The Senate President also read a letter from Senator Mahmud K. Bello (*Katsina North*) as follows:



FEDERAL REPUBLIC OF NIGERIA  
**THE SENATE**  
 AD-HOC COMMITTEE ON MILLENNIUM DEVELOPMENT GOALS  
 National Assembly Complex,  
 Three-Arms Zone,  
 P. M. B. 141, Garki, Abuja - Nigeria

22/07/2009

*The President of the Senate,  
 Senate of the Federal Republic of Nigeria,  
 National Assembly,  
 Abuja.*

**ANNOUNCEMENT**

*The Committee had circulated an Update progress Report on MDGs 2008 Quick Wins Projects as at June 15, 2009.*

*In view of the above, the Committee hereby request that responses from Distinguished Senators on the matter be forwarded to the Chairman at Suite 423, Senate New Wing, National Assembly Complex, Abuja.*

*Your expedited action on this matter will be highly appreciated.*

*Yours Sincerely,*

*Signed:  
 Senator Mahmud K. Bello  
 Chairman*

**4. Committee on Banking, Insurance and Other Financial Institutions:**

***Report of the screening of nominees:***

***Motion made:*** That the Senate do receive the Report of the Committee on Banking, Insurance and other Financial Institutions on the screening of the following as Chairman and Members of the Governing Board of the Nigeria Deposit Insurance Corporation (NDIC):

- |       |                                |   |                                                   |
|-------|--------------------------------|---|---------------------------------------------------|
| (i)   | Hassan Adamu (Wakilin Adamawa) | — | Chairman                                          |
| (ii)  | Chief David Oghene             | — | Member                                            |
| (iii) | Chief Oyebisi L. Ilaka         | — | Member                                            |
| (iv)  | Lawan Z. Gana                  | — | Member                                            |
| (v)   | Mr. Razaq Tunde Lawal          | — | Member                                            |
| (vi)  | Mr. Abdulrahman Dikko          | — | Member                                            |
| (vii) | Ms. Bennedikter China Molokwu  | — | Member<br>(Senator Nkechi Nwaogu — Abia Central). |

*Question put and agreed to.*

*Report Laid.*

**5. Committee on the National Health Bill (SB. 50):**

*Report of the Conference Committee on National Health Bill (SB. 50):*

*Motion made:* That the Senate do consider and approve the Report of the Conference Committee on the National Health Bill (SB. 50) (*Senator Gyang D. Dantong — Plateau North*).

*Question put and agreed to.*

*Report presented.*

*Report accordingly adopted.*

**6. Committee on Environment and Ecology:**

*Report on the National Climate Change Bill 2009 (SB. 24):*

*Motion made:* That the Senate do resume consideration of the Report of the Committee on Environment and Ecology on the National Climate Change Bill 2009 (*Adjourned Debate, Wednesday, 15th July, 2009*) (*Senator Grace F. Bent — Adamawa South*).

*Question put and agreed to.*

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

*Question put and agreed to.*

**(SENATE IN THE COMMITTEE OF THE WHOLE)**

**RESUMED CONSIDERATION OF A BILL FOR AN ACT TO ESTABLISH THE NATIONAL CLIMATE CHANGE COMMISSION AND FOR OTHER MATTERS CONNECTED THEREWITH.**

**Clause 4: Cessation of Membership of the Board:**

- (1)
  - (a) he resigns his appointment by a letter addressed to the President; or
  - (b) he becomes medically unfit to carry out his or her duties; or
  - (c) he becomes bankrupt; or
  - (d) he is guilty of a serious misconduct in relation to his duties; or
  - (e) he is convicted of a felony or any offence involving dishonesty or fraud; or
  - (f) in the case of a professional, he is disqualified or suspended from practising his profession in any part of the world by an order of a competent authority.
- (2) A member may be removed by the President directly or on the recommendation of the Board if he is satisfied that it is not in the interest of the Commission or in the interest of the public that the member should continue in office.

**Amendment Proposed:**

*Leave out the word "directly" in line 1 (Senator Sola Akinyede).*

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

- (3) If a member ceases to hold office for any reason whatsoever before the expiration of the term to which he was appointed, another person representing the same interest shall be appointed by the President for the unexpired term (*Senator Grace F. Bent*).

*Question that Clause 4 as amended do stand part of the Bill, put and agreed to.*

**Clause 5: Remuneration of members.**

A member shall be paid such remuneration and allowances as may be determined by the Revenue Mobilisation, Allocation and Fiscal Commission (*Senator Grace F. Bent*) — *Agreed to.*

*Question that Clause 5 as recommended do stand part of the Bill, put and agreed to.*

**Clause 6: Proceedings of the Boards.**

- (1) The Commission shall have power to regulate its own proceedings and may make standing orders for that purpose and, subject to such standing orders, may function notwithstanding any vacancy in its membership or the absence of any member.
- (2) The Commission shall meet at least six times in every year with at least one meeting in each quarter for the due performance of its functions under this Act.

**Amendment Proposed:**

*Leave out* the words “six times in every year with at least one meeting in each quarter” and *insert* the words “at least once every quarter” (*Senator Osita B. Izunaso*).

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

- (3) The Executive Secretary/CEO shall call the meeting of the Board upon a written request for a meeting by two-thirds of membership of the Board.
- (4) Where upon any special occasion the Commission desires to obtain the advice of any person on any particular matter, the Commission may co-opt that person to be a member for as many meetings as may be necessary and that person while so co-opted shall have all the privileges of a member except that he shall not be entitled to vote (*Senator Grace F. Bent*).

*Question that Clause 6 as amended do stand part of the Bill, put and agreed to.*

**Clause 7: Structure of the Commission.**

- (1) There shall be a Management Committee for the Commission comprising the Executive Secretary and the Heads of the functional Departments stated in subsection (2) of this Section.
- (2) The Commission shall have the following functional Departments, that is

**Amendment Proposed:**

*Leave out* the words “that is” and *insert* the words “these are” instead thereof (*Senator Mohammed Mana*).

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

- (a) Multilateral and Bilateral Programmes (MBP);
- (b) Statistics, Planning, Research and Policies (SPRP);
- (c) Administration, Finance and Services (AFS);
- (d) Vulnerability, Adaptations and Mitigation (VAM); and
- (e) Monitoring and Regulations (*Senator Grace F. Bent*).

*Question that Clause 7 as amended do stand part of the Bill, put and agreed to.*

**Clause 8: Establishment and Membership of the Technical Advisory Committee.**

- (1) There shall be established for the Commission a Technical Advisory Arm to be known as the Technical Advisory Committee with the Executive Secretary as the Chairman and other members drawn from the under-listed professional areas -
  - (a) petroleum resources;
  - (b) power and steel;
  - (c) science and technology;
  - (d) water resources, agriculture and rural development;
  - (e) finance;
  - (f) health;
  - (g) industry and manufacturing
  - (h) communication;
  - (i) environ mental science;
  - (k) solid minerals;
  - (l) Aviation and transport;
  - (m) meteorological science
  - (n) private sector
- (2) The Technical Advisory Committee membership will be constituted by the Board whenever necessary and shall be based on the policy direction and the professional expertise required to execute that particular policy.
- (3) The Technical Advisory Committee may co-opt, when necessary, any suitable person whose contributions may be needed by the Committee subject to the approval of the Board (*Senator Grace F. Bent*) — *Agreed to.*

*Question that Clause 8 as recommended do stand part of the Bill, put and agreed to.*

## PART II — FUNCTIONS AND POWERS OF THE COMMISSION

### Clause 9: Functions of the Commission:

- (1) Subject to this Act, the Commission is hereby charged with the responsibility for the strategic harmonization, strengthening and coordination of resources, policies and actions in the field of climate change in all its ramifications.

#### Amendment Proposed:

Immediately after the words “subject to” *insert* the words “the provision of” instead thereof (*Senator James E. Manager*).

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

#### Another Amendment Proposed:

*Leave out* the words “is hereby charged with the responsibility” and *insert* the words “shall be responsible” instead thereof (*Senator Sola Akinyede*).

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

- (2) Specifically the Commission shall:-
- (a) advise the Federal Government on policies and priorities on climate change;
  - (b) develop a national strategy for the reduction of Green- House Gas (GHG) emission and low carbon economy;
  - (c) co-ordinate national response to climate change among Agencies of Government, and regulate their activities as it relate to this Act.
  - (d) promote, regulate, and develop the Carbon Market in Nigeria;
  - (e) act as Designated National Authority (DNA) for the purpose of the implementation of the Kyoto Protocol and subsequent International Agreements that Nigeria may accede to;
  - (f) promote international cooperation to combat climate change and ensure national compliance;
  - (g) develop strategies for national adaptation on climate change;

#### Amendment Proposed:

*Leave out* the words “strategies for national” and *insert* the words “National strategies for” instead thereof (*Senator Abubakar D. Sodangi*).

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

- (h) prepare periodic report on the state of adaptation and mitigation to Climate Change in Nigeria;
- (i) commission research on Climate Change and ensure that Nigeria's strategies to address these problems are hinged on a sound knowledge base;
- (j) serve as Centre for gathering and dissemination of information relating to national policy on climate change, its effects and mitigation;

- (k) promote training and manpower development on climate change related matters;
- (l) carry out such other functions as conducive are necessary and expedient to the discharge of its function under this Act or as may be directed from time to time by the President;

**Amendment Proposed:**

*Leave out the word "conductive" (Senator Mohammed Mana).*

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

- (m) the powers conferred on the Commission may be exercised by it or through any of its employees or agents authorised in that behalf by the Commission; and
- (n) the Commission shall not be subject to the direction, control or supervision by any other authority or persons in the performance of its functions under this Act other than the President (*Senator Grace F. Bent*).

*Question that Clause 9 as amended do stand part of the Bill, put and agreed to.*

**Clause 10: Powers of the Board.**

The Board shall have power to -

- (a) formulate general policies and guidelines relating to major programmes of the Commission;

**Amendment Proposed:**

*Leave out the words "relating to major programmes" (Senator Uche Chukwumerije).*

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

- (b) supervise the management of the affairs of the Commission;
- (c) subject to the provisions of the Act, make, alter or revoke rules and regulations for carrying out the functions of the Commission and the provisions of this Act; and
- (d) formulate guidelines that are necessary to ensure the efficient performance of the functions of the Commission (*Senator Grace F. Bent*).

*Question that Clause 10 as amended do stand part of the Bill, put and agreed to.*

**PART III — STAFF OF THE COMMISSION**

**Clause 11: Appointment of the Executive Secretary:**

- (1) There shall be for the Commission an Executive Secretary who shall be appointed by the President subject to confirmation by the Senate.
- (2) The Executive Secretary shall be -
  - (a) the Chief Executive and Accounting Officer of the Commission;
  - (b) responsible to the Board for the day-to-day administration of the Commission; and

- (c) a person who possesses relevant and adequate professional qualification and shall have been so qualified for a period of not less than 15 years.

**Amendment Proposed:**

*Leave out the words “ and adequate” in line 1 (Senator Wilson A. Ake).*

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

**Another Amendment Proposed:**

*Immediately after the word “and” in line 2, insert the words “of proven integrity” (Senator James E. Manager).*

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

- (3) The Executive Secretary shall hold office -  
(a) for a single term of five years and no more; and

**Amendment Proposed:**

*Leave out the words “ five years and no more” and insert the words “four years renewable once” instead thereof (Senator Uche Chukwumerije).*

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

- (b) on such terms and conditions as are specified in the letter of appointment.
- (4) The Executive Secretary shall act on behalf of the Board where there is no duly constituted Board and such action shall be subject to the approval of the Vice President (*Senator Grace F. Bent*).

*Question that Clause 11 as amended do stand part of the Bill, put and agreed to.*

**Clause 12: Other Staff of the Commission:**

- (1) The Board shall, from time to time, appoint such persons as members of staff of the Commission as it may deem necessary, to assist the Commission in the performance of its functions under this Act.
- (2) Appointment of staff in the junior cadre, that is levels 01 to 06, shall be made by the Executive-Secretary, while appointment in the senior cadre, that is levels 07 to 17 shall be made with the ratification and approval of the Board.
- (3) The members of staff of the Commission appointed under subsection (2) of this section shall be appointed on such terms and conditions of service (including remuneration, allowances/benefits, pensions) as determined by the National Income, Salaries and Wages Commission.
- (4) Promotion of staff in the junior cadre shall be as recommended by the Junior Staff Committee to the Executive-Secretary for ratification and approval.
- (5) Promotion of staff in the senior cadre shall be as recommended by the Senior Staff Committee to the Board for ratification and approval (*Senator Grace F. Bent*) — *Agreed to.*

*Question that Clause 12 as recommended do stand part of the Bill, put and agreed to.*

**Clause 13: Service in the Commission:**

- (1) Service in the Commission shall be approved service for the purposes of the Pension Reform Act 2004 and, accordingly, officers and other persons employed in the Commission shall be entitled to pensions, and other retirement benefits as are prescribed thereunder.
- (2) Notwithstanding the provisions of subsection (1) of this Section, the Board may appoint a person to any office on terms, which preclude the grant of a pension, or other retirement benefits in respect of that office.
- (3) For the purpose of the Pension Reform Act, any power exercisable thereunder by a Minister or other authority of the Government of the Federation, other than the power to make regulations under Section 97 thereof is hereby vested in and shall be exercised by the Board and not by any other person or authority (*Senator Grace F. Bent*) — *Agreed to.*

*Question that Clause 13 as recommended do stand part of the Bill, put and agreed to.*

**PART IV — FINANCIAL PROVISIONS****Clause 14: Funds of the Commission:**

- (1) The Commission shall establish and maintain a fund into which all the monies accruable to the Commission shall be paid and from which all the activities of the Commission shall be funded.
- (2) There shall be paid and credited to the Fund -
  - (a) a take-off grant as appropriated by the National Assembly;
  - (b) annual budgetary allocations as may be appropriated by the National Assembly;
  - (c) 10 percent of monies in the accounts of the Ecological Fund; and
  - (d) revenues from carbon financing.
- (3) All revenues generated by the Commission shall be paid into the Consolidated Revenue Fund of the Federation (*Senator Grace F. Bent*) — *Agreed to.*

*Question that Clause 14 as recommended do stand part of the Bill, put and agreed to.*

**Clause 15: Expenditure of the Commission:**

The Commission shall apply the proceeds of the fund established pursuant to Section 13 of this Act to -

- (a) the cost of administration of the Commission;
- (b) the payment of salaries, fees, remunerations, allowances, pensions and gratuities payable to members of the Board or Committees of the Board and staff of the Commission;
- (c) the payment of all internal contracts, contract administration, consultancies and other fees;
- (d) the payment of all purchases;

- (e) the payment of accruable sums to the participating organisations as determined by the Board; and
- (f) the undertaking of such other activities as are connected with all or any of the functions of the Commission under this Act (*Senator Grace F. Bent*) — *Agreed to.*

*Question that Clause 15 as recommended do stand part of the Bill, put and agreed to.*

**Clause 16: Power to Accept Gifts:**

- (1) The Commission may accept gifts of land, money or other property on such terms and conditions, if any, as may be specified by the person or organisation making the gift.
- (2) The Commission shall not accept any gift if the conditions attached by the person or organisations making the gift are inconsistent with the functions of the Commission under this Act (*Senator Grace F. Bent*) — *Agreed to.*

*Question that Clause 16 as recommended do stand part of the Bill, put and agreed to.*

**Clause 17: Power to Borrow and Invest:**

- (1) The Commission may from time to time borrow by overdraft or otherwise such sums as it may require for the performance of its functions under this Act.
- (2) The Commission shall not without the approval of the President, borrow money which exceeds at any time the amount set by general guidelines.
- (3) Notwithstanding subsection (1) of this Section, where the sum to be borrowed is in foreign currency, the Commission shall not borrow the sum without the prior approval of the Minister.
- (4) The Board may, subject to the provisions of this Act and the conditions of any trust created in respect of any property, invest all or any of its funds in accordance with any general guidelines approved by the President (*Senator Grace F. Bent*) — *Agreed to.*

*Question that Clause 17 as recommended do stand part of the Bill, put and agreed to.*

**Clause 18: Annual Estimates and Accounts:**

- (1) The Board shall not later than 30th September of each year submit to the Minister an estimate of its expenditure and income including payments to the Board for the next succeeding year.
- (2) The Board shall keep proper accounts in respect of each year and proper records in relation to those accounts and shall cause the accounts to be audited within 6 months after the end of each year by auditors appointed from the list and in accordance with the guidelines supplied by the Auditor-General for the Federation (*Senator Grace F. Bent*) — *Agreed to.*

*Question that Clause 18 as recommended do stand part of the Bill, put and agreed to.*

**Clause 19: Annual Report of the Financial Year of the Commission should be from January to December:**

The Commission shall submit to the President not later than 30th June, of each financial year, a report of its activities during the proceeding financial year and it shall include a copy of the audited accounts of the Commission for that year and a copy of auditors report on it (*Senator Grace F. Bent*) — *Agreed to.*

*Question that Clause 19 as recommended do stand part of the Bill, put and agreed to.*

**PART V — MISCELLANEOUS PROVISIONS**

**Clause 20: Power to acquire land, Cap L5 LFN, 2004:**

The Commission may, subject to the Land Use Act, acquire any land for the purpose of discharging its functions (*Senator Grace F. Bent*) — *Agreed to.*

*Question that Clause 20 as recommended do stand part of the Bill, put and agreed to.*

**Clause 21: Limitation of suits against the Commission, Cap P41 LFN 2004:**

- (1) The provisions of the Public Officers Protection Act shall apply in relation to any suit instituted against any officer or employee of the Commission.
- (2) No suit shall be commenced against a member of the Board, the Executive Secretary, officer or employee of the Commission before the expiration of a period of one month after written notice of intention to commence the suit shall have been served upon the Commission by the intending plaintiff or his agent.

**Amendment Proposed:**

*Leave out* the words “ a member of the Board, the Executive Secretary, officer or employee of ” in lines 1 and 2 (*Senator Audu I. Umar*).

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

- (3) The notice referred to in subsection (2) shall state the cause of action, the particulars of the claims, the name and place of abode of the intending plaintiff and relief sought (*Senator Grace F. Bent*).

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

**Clause 22: Service of Documents:**

A notice, summons or any other document required or authorised to be served upon the Commission under the provisions of this Act or any other law or enactment may be served by delivering it to the Executive Secretary at the principal office of the Commission (*Senator Grace F. Bent*)— *Agreed to.*

*Question that Clause 22 as recommended do stand part of the Bill, put and agreed to.*

**Clause 23: Restriction on execution against property of the Commission:**

- (1) No execution or attachment of process shall be issued against the Commission in any action or suit without the consent of the Attorney-General of the Federation.

**Amendment Proposed:**

*Leave out* the provisions in Sub-Clause 23(1) (*Senator Sola Akinyede*).

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

- (2) Any sum of money which may by the judgment of any court be awarded against the Commission shall, subject to any direction given, be paid from the general reserve fund of the Commission (*Senator Grace F. Bent*).

*Question that Clause 23 as amended do stand part of the Bill, put and agreed to.*

**Clause 24: Indemnity of Officer:**

A member of the Board, the Executive Secretary, any officer or employee of the Commission shall be indemnified out of the assets of the Commission against any proceeding, whether civil or criminal, in which judgment is given in his favour, or in which he is acquitted, if any such proceeding is brought against him in his capacity as member of the Commission, the Executive Secretary, officer or employee of the Commission (*Senator Grace F. Bent*) — *Agreed to.*

*Question that Clause 24 as recommended do stand part of the Bill, put and agreed to.*

**Clause 25: Engagement of Professionals other than staff.**

The Executive Secretary may with the approval of the Board engage persons with knowledge or experience in Climate Change control or in matters relevant to the functions of the Commission to assist otherwise than on the basis of full time employment (*Senator Grace F. Bent*) — *Agreed to.*

*Question that Clause 25 as recommended do stand part of the Bill, put and agreed to.*

**Clause 26: Regulation.**

The Board may make regulations for the purpose of carrying out or giving full effect to the provisions of this Act (*Senator Grace F. Bent*) — *Agreed to.*

*Question that Clause 26 as recommended do stand part of the Bill, put and agreed to.*

**Clause 27: Interpretation:**

In this Act:

"Board" means the Governing Board of the National Climate Change Commission established under section of this Act;

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

"Commission" means National Climate Change Commission established under Section 1(1) of this Act;

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

"Function" includes power and duty;

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

"Member" means a member of the Commission and includes the Chairman;

*Question, That the word "Member" 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.*

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

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

**Clause 28: Citation.**

This Act may be cited as the National Climate Change Commission Act, 2009 (Senator Grace F. Bent)— Agreed to.

*Question that Clause 28 as recommended do stand part of the Bill, put and agreed to.*

## **SCHEDULE**

### **SUPPLEMENTARY PROVISIONS RELATING TO THE COMMISSION, ETC.**

#### **PROCEEDINGS OF THE COMMISSION**

Cap. I23 LFN 2004.

1. (1) Subject to this Act and Section 27 of the Interpretation Act, the Board may make standing orders regulating its proceedings or those of any of its Committees.
- (2) The quorum of the Board shall be five members of the Board.
2. (1) The Board shall meet whenever it is summoned by the Chairman and if the Chairman is required to do so by notice given to him by not less than five other members, he shall summon a meeting of the Board to be held within 24 days from the date of which the notice is given.
- (2) Where the Board desires to obtain the advice of any person on a particular matter, the Board may co-opt him to the Board for such period as it deems fit, but a person who is in attendance by virtue of this subparagraph shall not be entitled to vote at any meeting of the Board and shall not count towards a quorum.

*Question that Paragraphs 1 and 2 under the head "Proceeding of the Commission" stand part of Schedule to the Bill, put and agreed to.*

#### **COMMITTEES**

3. (1) The Board may appoint one or more Committees to carry out, on behalf of the Commission such functions as the Board may determine.
- (2) The Committee appointed under this paragraph shall consist of such number of persons as may be determined by the Board and a person shall hold office in the Committee in accordance with the terms of his appointment.
- (3) A decision of a Committee of the Board shall be of no effect until it is confirmed by the Board
4. (1) The fixing of the seal of the Commission shall be authenticated by the signature of the Chairman or any other member of the Board generally or specifically authorized by the Board to act for that purpose and the Executive Secretary.

- (2) Any contract or instrument which, if made or executed by a person not being a body corporate, would not be required to be under seal may be made or executed on behalf of the Commission by the Executive Secretary or any person generally or specifically authorized by the Board to act for that purpose.
- (3) A document purporting to be a document duly executed under the seal of the Commission shall be received in evidence and shall, unless and until the contrary is proved, be presumed to be so executed.
5. The validity of any proceedings of the Board or of a Committee shall not be adversely affected by:
- (a) a vacancy in the membership of the Board or Committee; or
  - (b) a defect in the appointment of a member of the Board or Committee; or
  - (c) reason that a person not entitled to do so took part in the proceedings of the Board or Committee.

*Question that Paragraphs 3, 4 and 5 under the head "Committees" stand part of Schedule to the Bill, put and agreed to.*

Chairman to report Bill.

**(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 Environment and Ecology on the National Climate Change Commission Bill 2009 and approved as follows:

|                 |   |                |
|-----------------|---|----------------|
| Clause 4        | — | As Amended     |
| Clause 5        | — | As Recommended |
| Clauses 6 - 7   | — | As Amended     |
| Clause 8        | — | As Recommended |
| Clauses 9 - 11  | — | As Amended     |
| Clauses 12 - 17 | — | As Recommended |
| Clause 18       | — | As Amended     |
| Clauses 19 - 20 | — | As Recommended |
| Clause 21       | — | As Amended     |
| Clause 22       | — | As Recommended |
| Clauses 23      | — | As Amended     |
| Clauses 24 - 28 | — | As Recommended |
| Schedule        | — | As Recommended |
| Long Title      | — | As Recommended |

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

*Motion made:* That the Bill be now read the Third Time (*Senate Leader*).

*Question put and agreed to.*

*Bill accordingly read the Third Time and passed.*

**6. Adjournment:**

*Motion made:* That the Senate do now adjourn till Thursday, 23rd July, 2009 at 10.00 a.m. (*Senate Leader*).

*Adjourned accordingly at 1. 05 p.m.*

Dr. David A. B. Mark, GCON, *fnim*  
*President,*  
*Senate of the Federal Republic of Nigeria.*