

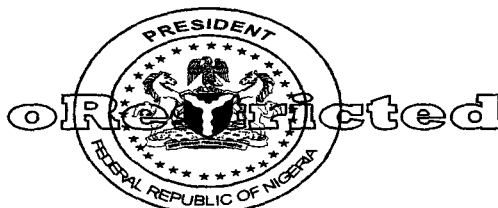


**SENATE OF THE
FEDERAL REPUBLIC OF NIGERIA**
VOTES AND PROCEEDINGS
Tuesday, 28th July, 2009

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 Thursday, 23rd July, 2009 and approved same.

By unanimous consent, the Votes and Proceedings were approved.

3. **Messages from Mr. President:**
The Senate President announced that he had received four letters from Mr. President, Commander-in-Chief which he read as follows:
(A)



PRESIDENT,
FEDERAL REPUBLIC OF NIGERIA

15th July, 2009

*Distinguished Senator David Mark
President of the Senate of the Federal Republic,
National Assembly Complex,
Abuja.*

Dear brother,

**REQUEST FOR CONFIRMATION OF APPOINTMENT OF
CHIEF JUDGE, FEDERAL HIGH COURT**

In line with the provisions of Section 250 (2) of the 1999 Constitution of the Federal Republic of Nigeria, I forward herewith the name of Hon. Justice Daniel Dantsoho Abutu for kind consideration and confirmation by the Senate for appointment as the Chief Judge of the Federal High Court.

Distinguished President of the Senate, it is my hope that, in the usual tradition of the Senate of the Federal Republic, this will receive expeditious consideration.

Please accept, as usual, the assurances of my highest consideration.

Yours Sincerely,

Signed:
UMARU MUSA YAR'ADUA

(B)



PRESIDENT,
FEDERAL REPUBLIC OF NIGERIA

15th July, 2009

*Distinguished Senator David Mark
President of the Senate of the Federal Republic,
National Assembly Complex,
Abuja.*

Dear Brother,

**REQUEST FOR CONFIRMATION OF APPOINTMENT OF DIRECTOR-GENERAL
AND EXECUTIVE COMMISSIONER FOR THE SECURITIES
AND EXCHANGE COMMISSION (SEC)**

In line with the provisions of Section 5 (1) of the Investments and Securities Act, 2007, I forward herewith the under listed for kind consideration and confirmation by the Senate for appointment as Director-General and Executive Commissioner respectively for the Securities and Exchange Commission (SEC):

- *Ms Arunma Oteh. — Director-General*
- *Mr. Ahmed Makele. — Executive Commissioner (Legal & Compliance)*

Distinguished President of the Senate, it is my hope that, in the usual tradition of the Senate of the Federal Republic, this will receive expeditious consideration.

Please accept, as usual, the assurances of my highest consideration.

Yours Sincerely,

Signed:
UMARU MUSA YAR'ADUA

(C)



PRESIDENT,
FEDERAL REPUBLIC OF NIGERIA

15th July, 2009

*Distinguished Senator David Mark,
President of the Senate of the Federal Republic,
National Assembly Complex,
Abuja.*

Dear Brother,

**BILL FOR AN ACT TO MAKE PROVISION FOR NON CONVICTIONS-
BASED FORFEITURE OF PROCEEDS AND INSTRUMENTALITIES
OF UNLAWFUL ACTIVITY**

I forward herewith for kind consideration and passage into law, the attached draft Bill for an Act to Make Provision for Non Convictions-based Forfeiture of Proceeds and Instrumentalities of Unlawful Activity.

Pursuant to the above therefore, and in line with the powers vested in the National Assembly, I hereby present the said Bill for the kind consideration of the Distinguished Senators of the Federal Republic.

Distinguished President of the Senate, it is my hope that, in the usual tradition of the Senate, this will receive expeditious consideration.

Please accept, as usual, the assurances of my highest consideration.

Yours Sincerely,

Signed:

UMARU MUSA YAR'ADUA

(D)



PRESIDENT,
FEDERAL REPUBLIC OF NIGERIA

27th July, 2009

*Distinguished Senator David Mark, GCON
President, Senate of the Federal Republic of Nigeria,
National Assembly Complex,
Three Arms Zone,
Abuja.*

Dear Brother,

**REQUEST FOR ENDORSEMENT OF EMERGENCY SUPPLEMENTARY
EXPENDITURE AND MODIFICATION OF FINANCING ITEMS**

I am writing to request for the kind consideration of the Senate in endorsing emergency supplementary expenditure requirements as well as a modification of the financing items in respect of the 2009 Budget, to enable a more effective response to current challenges.

You may recall, Distinguished Senate President that, when the Senate assented to the 2009 Appropriation Act, I had drawn attention to certain items that were inadvertently omitted or insufficiently provisioned for in the 2009 Appropriation Bill. In addition to these, some urgent needs have arisen recently which require immediate attention. Details of these expenditure items are attached as annex to this letter for your consideration and endorsement.

In relation to the request for endorsement of alternative financing sources, you would recall that the funding of the 2009 Budget had been premised on, among other things, borrowing from International Capital Markets through issuance of \$500 million Naira-denominated Eurobond.

With the global credit crunch, there is a risk that the proposed bond issue will be under-subscribed and over-priced, especially since Nigeria is a first-time issuer. We gave consideration to raising additional financing from the domestic market through government's bond issuance program but have to moderate this, to avoid causing significant strains in the financial markets and crowding out of private sector borrowers. As an alternative, we have sourced special concessional facility from the World Bank to substitute the amount we would have raised from the international capital markets.

The concessionary terms for the World Bank facility include zero interest rate, 0.75% service charge and 0.5% commitment charge on undisbursed balance, 10 - year grace period and 40-year repayment period, as contrasted with the indicative terms for ICM borrowing of 16-18% coupon rate with no grace period. In the circumstance, we are seeking concurrence of the National Assembly to substitute the proposed Naira-denominated Eurobond, which has already been provisioned for in the 2009 Budget, with a World Bank Concessional Credit Facility in an equivalent amount of \$500 million. The amount will assist in preserving critical expenditure in core infrastructure, including power, works, transport, and aviation.

In order to address dwindling revenues and further bridge financing gap, we propose to utilize the gains accrued from exchange rate differential between the budgeted exchange rate of \$1 dollar to ₦125 and the actual exchange rate during the year. As at end June, this amounted to ₦98.873 billion Naira. In addition, we are seeking formal endorsement of the National Assembly to utilize the balance of the Federal Government's share of the Excess Crude, distributed earlier this year, which amounts to ₦53.999 billion. Part of the Federal Government's share (USD287 Million) was applied at source to partially off-set outstanding debts to some State Governments in relation to the Paris Club debt exit payments, as per prior agreement.

May I seize this opportunity to intimate you about concerted efforts being made to accelerate the pace of budget implementation. In this regard, various measures have been put in place to monitor and track budget execution as well as simplify the procurement process. You may also wish to note that while funding constraints have contributed to budget implementation delays during the second quarter, the Federal Ministry of Finance would be in a position to make third quarter capital releases fully to all MDAs, once the exchange rate differential and Excess Crude are captured as financing items.

In addition, the Federal Ministry of Finance expects to make additional releases by end-August, to accommodate shortfalls recorded in the second quarter by some MDAs, as additional funds accrue.

Distinguished Senate President, while wishing you and your Distinguished colleagues a restful recess, I look forward to the continuation of our fruitful collaborative relationship.

Yours Sincerely,

Signed:

UMARU MUSA YAR'ADUA

**4. Announcement:
Letter of Appreciation:**



**The President,
Senate of the Federal Republic of Nigeria**

28th July, 2009

MESSAGE OF APPRECIATION BY SENATOR (DR) DAVID A. B. MARK, GCON, fnim
TO DISTINGUISHED SENATORS: ISSUED ON TUESDAY JULY 28TH 2009

Last Sunday, July 26th, 2009, a Thanksgiving Church Service and civic reception was organised for me in Otukpo. The occasion was chaired by General (Dr) Yakubu Gowon.

As usual, my distinguished colleagues and bosses attended the occasion in very large and unprecedented number. Certainly, the out pouring of love, unsparing solidarity and oneness which has been our hallmark in this Chamber was once more demonstrated in my honour by your good selves. What is more, this is not the first time that you have done so to the admiration of fellow Nigerians.

For these and all that you have been to me, I pray that God Almighty will reward you several folds over as we collectively engage in the task of nation building.

I wish to state once again, that no words or expression in this manner will underscore my depth of gratitude to you all. My family and I remain eternally indebted and look forward to more opportunities to deepening our relationships.

Thank you and may our good God bless us all.

Signed:

President of the Senate

28/07/09

5. Personal Explanation:

By the indulgence of the Senate and leave of the Senate President, Senator Bala A. Mohammed (Bauchi South), rising on (Rule 43), drew the attention of the Senate to the sectarian crises in Bauchi, Borno, Yobe and Kano States. He said that the sad event was triggered when a religious sect opposed to all forms of Western education violently attempted to take over a police station; threaten to possibly change or replace the current system of Government with their own model or Islamic state. He went further to say that in view of the volatility and sensitivity of the matter, he and his colleagues in the affected areas would need more time to gather facts and report to the Senate in the form of a Motion or a Bill.

Ruling from the Chair:

The Senate President directed Senators from the affected States to seek for more information on the crises and update the Senate accordingly.

6. Committee on Drugs, Narcotics, Financial Crimes and Anti-Corruption:

Report of the Sessional Report - June 2008 to June 2009:

Motion Made: That the Senate do receive the Sessional Report (June 2008 to June 2009) of the Committee on Drugs, Narcotics, Financial Crimes and Anti-Corruption (Senator Sola Akinyede — Ekiti South).

Question put and agreed to.

Report Laid.

7. Committee on Establishment and Public Service:

Report on the screening of nominees:

Motion Made: That the Senate do receive the Report of the Committee on Establishment and Public Service on the screening of Mr. Jonah Onuku Ogbole (Benue, Plateau and Nasarawa States), as a Member in the Federal Civil Service Commission (FCSC) (Senator Felix K. Bajomo — Ogun West).

Question put and agreed to.

Report Laid.

8. Committee on Communications:

Report on the 2009 Budget Proposal for the Nigerian Communications Commission (NCC):

Motion Made: That the Senate do receive the Report of the Committee on Communications on the 2009 Budget Proposal for the Nigerian Communications Commission (NCC) (*Senator Sylvester Anyanwu — Imo North*).

Question put and agreed to.

Report Laid.

9. Committee on Communications:

Report on the 2009 Budget Proposal for the Universal Service Provision Fund:

Motion Made: That the Senate do receive the Report of the Committee on Communications on the 2009 Budget Proposal for the Universal Service Provision Fund (*Senator Sylvester Anyanwu — Imo North*).

Question put and agreed to.

Report Laid.

10. Committee on Drugs, Narcotics, Financial Crimes and Anti-Corruption:

Report on the screening of nominee:

Motion Made: That the Senate Do Receive the Report of the Committee on Drugs, Narcotics, Financial Crimes and Anti-Corruption on the screening of Professor James O. I. Ayatse (North Central), as a Member of the Independent Corrupt Practices and Other Related Offences Commission (ICPC) (*Senator Sola Akinyede — Ekiti South*).

Question put and agreed to.

Report Laid.

11. Committee on Niger Delta:

Report on the screening of nominees:

Motion Made: That the Senate do receive the Report of the Committee on Niger Delta on the screening of the following as Chairman and Members of the Governing Board of the Niger Delta Development Commission (NDDC):

S/N	NAME	STATE/BODY	DESIGNATION
1.	Larry Koinyan, AVM (Rtd.)	Bayelsa	Chairman
2.	Chibuzor Ugwoha	Managing Director (Rivers)	Full-Time Member
3.	Arc. Esoetok Ikpong Ikpong Etteh	Executive Director (Projects) Akwa Ibom	Full-Time Member
4.	Pastor Power Aginighan	Executive Director (Finance & Accounts) Delta	Full-Time Member
5.	Mr. Aloysius Nwagboso	Abia	Part-Time Member

6.	Chief (Barr.) Bassey Dan Abia	Akwa Ibom	Part-Time Member
7.	Mr. Anthony Orubo	Bayelsa	Part-Time Member
8.	Hon. Ekpo Asuquo Okon	Cross River	Part-Time Member
9.	Mr. Emmanuel O. Ogidi	Delta	Part-Time Member
10.	Hon. Jude I. Ise-Idehen	Edo	Part-Time Member
11.	Akeru Ikechukwu Joseph	Imo	Part-Time Member
12.	Barr. Benson G. Enikuomehin	Ondo	Part-Time Member
13.	Engr. Emmanuel T. Georgewill	Rivers	Part-Time Member
14.	Dr. Rabiul Musa Kwankwaso	Representative of Non-Oil Mineral Producing States (N/W)	Part-Time Member
15.	Maj. Gen. Tunde Ogbeha (Rtd)	Representative of Non-Oil Mineral Producing States (N/C)	Part-Time Member
16.	Alhaji Asheikh Jarma	Representative of Non-Oil Mineral Producing States (N/E)	Part-Time Member
17.	Dr. Daru Owei	Representative of Oil Producing Companies in the Niger Delta	Part-Time Member

(Senator James E. Manager — Delta South).

Question put and agreed to.

Report Laid.

12. Committee on Banking, Insurance and Other Financial Institutions:

Report on the screening of nominees:

Motion Made: That the Senate do consider 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) and approve the recommendation therein:

- (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

(Senator Felix K. Bajomo — Ogun West).

Question put and agreed to.

Report presented.

Debate.

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)

Consideration of the Report of the Committee on Banking, Insurance and other Financial Institutions on the screening of the Chairman and Members of the Governing Board of the Nigeria Deposit Insurance Corporation (NDIC).

Recommendation:

Nominees recommended for confirmation:

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

(SENATE IN PLENARY)

The Senate President reported that the Senate in the Committee of the Whole considered the Report of the Committee on Banking, Insurance and other Financial Institutions on the screening of the Chairman and Members of the Governing Board of the Nigeria Deposit Insurance Corporation (NDIC) and approved the recommendation therein.

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

Confirmation:

Question:

“Will the Senate confirm the nomination of Hassan Adamu (Wakilin Adamawa) as the Chairman of the Governing Board of the Nigeria Deposit Insurance Corporation (NDIC)?” — *Resolved in Affirmative.*

Nomination of Hassan Adamu (Wakilin Adamawa) as the Chairman of the Governing Board of the Nigeria Deposit Insurance Corporation (NDIC) accordingly confirmed.

Question:

"Will the Senate confirm the nomination of Chief David Oghene as a Member of the Governing Board of the Nigeria Deposit Insurance Corporation (NDIC)?" —*Resolved in Affirmative.*

Nomination of Chief David Oghene as a Member of the Governing Board of the Nigeria Deposit Insurance Corporation (NDIC) accordingly confirmed.

Question:

"Will the Senate confirm the nomination of Chief Oyebisi L. Ilaka as a Member of the Governing Board of the Nigeria Deposit Insurance Corporation (NDIC)?" —*Resolved in Affirmative.*

Nomination of Chief Oyebisi L. Ilaka as a Member of the Governing Board of the Nigeria Deposit Insurance Corporation (NDIC) accordingly confirmed.

Question:

"Will the Senate confirm the nomination of Lawan Z. Gana as a Member of the Governing Board of the Nigeria Deposit Insurance Corporation (NDIC)?" —*Resolved in Affirmative.*

Nomination of Lawan Z. Gana as a Member of the Governing Board of the Nigeria Deposit Insurance Corporation (NDIC) accordingly confirmed.

Question:

"Will the Senate confirm the nomination of Mr. Razaq Tunde Lawal as a Member of the Governing Board of the Nigeria Deposit Insurance Corporation (NDIC)?" —*Resolved in Affirmative.*

Nomination of Mr. Razaq Tunde Lawal as a Member of the Governing Board of the Nigeria Deposit Insurance Corporation (NDIC) accordingly confirmed.

Question:

"Will the Senate confirm the nomination of Mr. Abdulrahman Dikko as a Member of the Governing Board of the Nigeria Deposit Insurance Corporation (NDIC)?" —*Resolved in Affirmative.*

Nomination of Mr. Abdulrahman Dikko as a Member of the Governing Board of the Nigeria Deposit Insurance Corporation (NDIC) accordingly confirmed.

Question:

"Will the Senate confirm the nomination of Ms. Bennedikter China Molokwu as a Member of the Governing Board of the Nigeria Deposit Insurance Corporation (NDIC)?" —*Resolved in Affirmative.*

Nomination of Ms. Bennedikter China Molokwu as a Member of the Governing Board of the Nigeria Deposit Insurance Corporation (NDIC) accordingly confirmed.

13. Recovery of Premises Act (Amendment) Bill 2009 (SB. 193):

Motion made: That the Bill for an Act to amend the Recovery of Premises Act 1990 and for Other Matters Connected Therewith 2009 be read the Second Time (*Senator Heineken Lokpobiri — Bayelsa West*).

Debate:

Question put and agreed to.

Bill accordingly read the Second Time and referred to the Committee on Judiciary, Human Rights and Legal Matters to report as soon as possible.

(Deputy Senate President in Chair)

14. Briefing on the Surging Incidents of Kidnapping and Hostage Taking in Nigeria:

Privileges of the Floor {Rule 17(1)}:

Motion made: That the Senate do suspend Rule 17(1) to admit the invited Heads of Government Security Agencies to the floor of the Senate (*Senate Leader*).

Question put and agreed to.

Invitees accordingly admitted.

Extension of Time:

Motion made: That the Senate do sit this day beyond the time appointed for termination of sitting (*Senate Leader*).

Question put and agreed to.

Motion made: That the Senate do resolve into the Committee of the Whole to resume the briefing by the Heads of Government Security Agencies (*Senate Leader*).

Question put and agreed to.

(SENATE IN THE COMMITTEE OF THE WHOLE)

BRIEFING BY SOME HEADS OF GOVERNMENT SECURITY AGENCIES ON THE SECURITY SITUATION IN THE COUNTRY

Chairman to report progress.

(SENATE IN PLENARY)

(Senate President in Chair)

The Senate President reported that the Senate in the Committee of the Whole interacted with some Heads of Government Security Agencies on the security situation in the Country.

15. Institute of Certified Public Accountants of Nigeria (Establishment, etc.) Bill 2009 (SB. 155):

Consideration of the Bill deferred to another Legislative Day.

16. Committee on Education:

Report on National Institute for Educational Planning and Administration Bill 2009 (SB. 123):

Consideration of the Report deferred to another Legislative Day.

17. Adjournment:

And it being 3. 50 p.m. the Senate President adjourned the Senate till Wednesday, 29th July, 2009 at 10.00 a.m.

Adjourned accordingly at 3. 50 p.m.

Dr. David A. B. Mark, GCON, *fnim*
President,

Senate of the Federal Republic of Nigeria.