



# SENATE OF THE FEDERAL REPUBLIC OF NIGERIA

## VOTES AND PROCEEDINGS

Tuesday, 4th October, 2005

1. The Senate met at 10: 15 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, 27th September, 2005 and approved same.  
  
*By unanimous consent, the Votes and Proceedings were adopted.*
3. Message **from the President:**  
The Senate President announced that he had received a letter from the President, Commander-in-Chief which he read as follows:



**PRESIDENT,**  
FEDERAL REPUBLIC OF NIGERIA

*PRES/134*

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

*Dear President of Senate,*

**CONFIRMATION OF APPOINTMENT OF HONOURABLE JUSTICE**  
**EMMANUEL OLAYINKA AYOOLA. RETIRED JUSTICE OF**  
**SUPREME COURT AS CHAIRMAN, INDEPENDENT**  
**CORRUPT PRACTICES AND OTHER RELATED**  
**OFFENCES COMMISSION (ICPC)**

*Section 3(3) of the Corrupt Practices and Other Related Offences Act, 2000 provides that the Independent Corrupt Practices and Other Related Offences Commission, shall consist of a Chairman and twelve (12) other members, two of whom shall come from each of the six (6) geo-political zones. Section 3(4) of the enabling Act also provides that the Chairman shall be a person who has held or is qualified to hold office as a Judge of a superior court of record in Nigeria.*

*September 28, 2005.*

Section 3(7) of the enabling Act provides that the Chairman shall hold office for a period of five (5) years and may be re-appointed for another five (5) years but shall not be eligible for re-appointment thereafter. In this connection, (he tenure of Honourable Justice M. M. A. Akanbi as Chairman of Independent Corrupt Practices and other Related Offences Commission will expire on 29th September 2005. Honourable Justice Akanbi has indicated that he will not offer himself for re-appointment at the expiration of his present five (5) year tenure.

I have, therefore, in the exercise of the power conferred on me by Section 3(6) of the Corrupt Practices and Other Related Offences Act, 2000, decided to appoint Honourable Justice Emmanuel Olayinka Ayoola, retired Justice of the Supreme Court of Nigeria, a judge of international repute and a former Chief Justice of the Gambia for about ten (10) years, as the Chairman, Independent Corrupt Practices and Other Related Offences Commission to replace Honourable Justice M. M. A. Akanbi, whose tenure will expire on 29th September 2005.

Accordingly, in line with Section 3(6) of the Corrupt Practices and Other Related Offences Act, 2000 which states that the appointment is subject to confirmation by the Senate, I hereby present the nomination of Honourable Justice Emmanuel Olayinka Ayoola, whose Curriculum Vitae is attached herewith, for confirmation by the Senate.

I look forward to your early action.

Yours Sincerely,

(Signed) OLUSEGUN  
OBASANJO

**4. Presentation of Bills:**

- (i) Public Security Officers Compensation Fund (Establishment) Bill 2005 (SB. 235) — *Read the First Time.*
- (ii) Federal Road Safety Commission Act (Amendment) Bill 2005 (SB. 230) — *Read the First Time.* (iii) Finance (Control and Management) Bill 2005 (SB. 232) — *Read the First Time,* (iv) Smoking in Public Places (Restriction) Bill 2005 (SB. 240) — *Read the First Time.*

**5. Displacement of 275 (two hundred and seventy five) families by Landslide at Umuchiana and Umuchi villages in Ekwulobia town, Aguata Local Government Area, Anambra State:**

*Motion made and Question Proposed:* That whereas in Anambra South Senatorial District in Anambra State of Nigeria, a great disaster has befallen the people of Umuchiana and Umuchi villages in Ekwulobia town, Aguata Local Government Area, following a devastating landslide that occurred on Monday, 12th September, 2005;

WHEREAS as a consequence, 275 (two hundred and seventy five) families of men and women: children and elders; have been forced to abandon their homes and are now taking refuge in local school compounds without adequate shelter and provision;

WHEREAS the disaster has destroyed food crops and farmlands, properties and goods worth several billions of naira ;

WHEREAS these families are living as refugees in primary schools in neighbouring villages;

WHEREAS while these primary schools are serving as refugee camps, the students of the schools will be denied the opportunity of going to school this academic year if nothing is done to find alternative adequate accommodation for the displaced persons;

WHEREAS if nothing is done urgently to rehabilitate the families, they remain in danger of contracting diseases;

WHEREAS there is urgent need to provide relief materials and hope for these displaced families; and

WHEREAS according to Section 6(1)(i) of National Emergency Management Agency (Establishment, etc.) Act 1999 the Agency is charged with the responsibility for distributing emergency and relief materials to victims of natural and other disasters and assisting in the rehabilitation of victims of disasters such as this;

Be it resolved: That

- (a) the National Emergency Management Agency (NEMA) do provide and distribute, as a matter of urgency emergency relief materials to victims of the landslide at Umuchiana and Umuchi villages in Ekwulobia town, Aguata Local Government Area, Anambra State;
- (b) the National Emergency Management Agency do urgently assist in the rehabilitation of the said victims and do all that is necessary to safeguard the health of the victims especially the children and elderly among them;
- (c) appropriate government agencies, namely Ministry of Inter-Governmental Affairs and Ministry of Environment, do take immediate steps to check the landslide menace in the area and its environs to avoid future re-occurrence of such disasters;
- (d) the Senate Committees on Special Duties, and Environment and Ecology be sent to Anambra State to undertake on-the-spot inspection of this disaster and ascertain the extent of damage caused by the landslide; and
- (e) the Federal Government be urged to put necessary machinery in motion to check the ravaging landslide in Anambra State (*Senator Ugochukwu Uba*).

*Debate:*

**Amendment Proposed:**

Prayer (c):

Immediately after the word "disasters" in line 3, insert the words "in Anambra State" (*Senator Dalhatu S. Tafida*).

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

**Another Amendment Proposed:**

Prayer (e):

Leave out the provision in prayer (e) (*Senator David Mark*).

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

*Debate concluded:*

Prayer (a):

*Question:* That the National Emergency Management Agency (NEMA) do provide and distribute, as a matter of urgency, emergency relief materials to victims of the landslide at Umuchiana and Umuchi villages in Ekwulobia town, Aguata Local Government Area, Anambra State — *Agreed to.*

Prayer (b):

*Question:* That the National Emergency Management Agency do urgently assist in the rehabilitation of the said victims and do all that is necessary to safeguard the health of the victims especially the children and elderly among them — *Agreed to.*

Prayer (c):

*Question:* appropriate government agencies, namely Ministry of Inter-Governmental Affairs and Ministry of Environment, do take immediate steps to check the landslide menace in the area and its environs to avoid future re-occurrence of such disasters in Anambra State — *Agreed to.*

Prayer (d):

*Question:* That the Senate Committees on Special Duties, and Environment and Ecology be sent to Anambra State to undertake on-the-spot inspection of this disaster and ascertain the extent of damage caused by the landslide — *Agreed to.*

---

*Resolved:*

- (a) That the National Emergency Management Agency (NEMA) do provide and distribute, as a matter of urgency, emergency relief materials to victims of the landslide at Umuchiana and Umuchi villages in Ekwulobia town, Aguata Local Government Area, Anambra State;
- (b) That the National Emergency Management Agency do urgently assist in the rehabilitation of the said victims and do all that is necessary to safeguard the health of the victims especially the children and the elderly among them.
- (c) That appropriate government agencies, namely Ministry of Inter-Governmental Affairs and Ministry of Environment, do take immediate steps to check the landslide menace in the area and its environs to avoid future re-occurrence of such disasters in Anambra State.
- (d) That the Senate Committees on Special Duties, and Environment and Ecology be sent to Anambra State to undertake on-the-spot inspection of this disaster and ascertain the extent of damage caused by the landslide (S, Res/029/05).

**6. Company Income Tax Act (Amendment) Bill 2005 (SB. 178):**

*Motion made and Question Proposed:* That the Company Income Tax Act (Amendment) Bill 2005 be read the Second Time (*Senate Majority Leader*).

*Debate:*

*Debate concluded.*

*Question put and agreed to.*

*Bill accordingly read the Second Time and referred to the Committee on Finance to report within four (4) weeks.*

**7. Petroleum Profit Tax Act (Amendment) Bill 2005 (SB, 177):**

*Motion made and Question Proposed:* That the Petroleum Profit Tax Act (Amendment) Bill 2005 be read the Second Time (*Senate Majority Leader*).

*Debate:*

*Debate concluded.*

*Question put and agreed to.*

*Bill accordingly read the Second Time and referred to the Committee on Finance to report within four (4) weeks.*

**8. Adjournment:**

*Motion made and Question Proposed:* That the Senate do adjourn till Wednesday, 5th October, 2005 at 10:00 a. m. (*Senate Majority Leader*).

*Adjourned accordingly at 1.55 p.m.*

**Ken Nnamani**  
*President of the Senate*