



SENATE OF THE FEDERAL REPUBLIC OF NIGERIA

VOTES AND PROCEEDINGS

Wednesday, 12th October, 2005

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, 11th October, 2005 and approved same.

By unanimous consent, the Votes and Proceedings were adopted.
3. **Messages from the President:**
The Senate President announced that he had received two letters from the President, Commander-in-Chief which he read as follows:

(A)



PRESIDENT,
FEDERAL REPUBLIC OF NIGERIA

PRES/134

10 October, 2005

The Senate President, Senate
Chambers, National Assembly
Complex, **Three-Arms Zone**,
Asokoro - Abuja,

Dear President of Senate,

**PRESENTATION OF COMPUTER SECURITY AND
CRITICAL INFORMATION INFRASTRUCTURE
PROTECTION BILL 2005**

I hereby present, for formal consideration and passage into law by the Senate, the attached Bill, which seeks to secure computer systems and networks in Nigeria as well as protect critical information infrastructure by providing criminal liabilities and penalties for undesirable activities carried out using computers and other information and communication technology devices.

I hope the Bill will receive prompt attention of Distinguished Members of the Senate.

Yours Sincerely,

(Signed)
OLUSEGUN OBASANJO (B)



PRESIDENT,
FEDERAL REPUBLIC OF NIGERIA

PRES/134

10 October, 2005

The Senate President, Senate
Chambers, National Assembly
Complex, Three-Arms Zone,
Asokoro - Abuja.

Dear President of Senate,

**PRESENTATION OF A CONSOLIDATED BILL FOR AN ACT TO
CREATE OFFENCES PERTAINING TO ADVANCE FEE FRAUD
AND OTHER RELATED FRAUD OFFENCES, ETC**

Distinguished Senators may wish to recall that I recently assented to the Advance Fee Fraud and Other Fraud Related Offences (Amendment) Bill, 2005 earlier passed into law by the National Assembly.

In the course of implementation of the Act, it was discovered that, while the Bill earlier forwarded to the National Assembly sought to, among other things, confer jurisdiction on both the Federal and State High Courts to try offences under the Act, however in passing the Bill, the National Assembly conferred jurisdiction only on the Federal High Court, thereby excluding State High Courts and FCT High Courts from exercising jurisdiction in respect of offences under the Act

This development has turned out to have far-reaching negative implications on the operation of the Economic and Financial Crimes Commission (EFCC). This is because several cases of Advance Fee Fraud earlier filed before the various State High Courts nationwide and the FCT High Courts can no longer be prosecuted by the Commission in those Courts for lack of jurisdiction. It is, (Meed, a serious set back for the commisswn since the Federal' High Court alone does not have the capacity to handle the Commission's cases nationwide, while all those cases before the State and FCT High Courts would have to start de novo in the Federal High Court.

In view of the above, it is considered necessary to forward herewith, a new Bill to the Senate which aims at correcting the anomaly and strengthening the operations of the Commission. In addition to some new provisions in the Bill which seek to enhance the performance of the Commission, the Bill also consolidates all existing legislations relating to Advance Fee Fraud and other fraud-related offences by bringing them under one legislation. By implication therefore, the Bill also seeks to replace the existing "Advance Fee Fraud and other Related Offences Act No. 13 of 1995" as well as "the Advance Fee Fraud and other Related Offences (Amendment) Act, 2005".

While urging for the cooperation of the Senate by ensuring urgent consideration and passage of this Bill into law, accept the assurances of my highest esteem and best wishes, please.

Yours Sincerely,

(Signed) OLUSEGUN
OBASANJO

Copy to:

Executive Chairman, Economic and Financial Crimes Commission

4. Announcement:

The Senate President announced the presence of the Legislative Assembly of Ikpoba-Okha Local Government Council, Idogbo, Edo State in the gallery to watch Senate proceedings.

5. Motion:

Armed Banditry in Sokoto East Senatorial District:

Motion made and Question Proposed: That whereas the people of Sokoto East Senatorial District, particularly the people of Isa, Sabon Birni, Goronyo, Rabahand Wurno Local Government Areas, have been under siege for the last two months by armed bandits suspected to be from neighbouring Niger Republic;

WHEREAS women, children and the elderly are being harassed, intimidated, maimed and killed by these armed bandits on a daily basis; and

WHEREAS economic activities in the areas have been brought to an abrupt halt and life has become unbearable to people especially with commencement of the Ramadan Fast.

Be it resolved:

That this distinguished Senate do hereby:

- (a) condemn the activities of armed bandits in its entirety;
- (b) urge the Inspector General of Police to send a detachment of mobile policemen to crack down on the armed bandits and restore security to the area;
- (c) urge the Federal Government to enhance the security of our border areas by maintaining constant patrol of the affected areas; and
- (d) direct the Senate Committees on Police, and National Security and Intelligence to investigate the matter thoroughly and report to the Senate (*Senator Sule Yari Gandi*).

Debate:

Amendment Proposed:

Prayer (c):

Leave out the word "patrol" in line 2, insert the words "aerial and ground patrols" instead thereof (*Senator Mohammed Abba Aji*).

Question that the amendment be made put and agreed to.

Debate concluded.

Prayer (a):

Question:

That the Senate do condemn the activities of armed bandits in its entirety —*Agreed to.*

Prayer (b):

Question:

That the Senate do urge the Inspector General of Police to send a detachment of mobile policemen to crack down on the armed bandits and restore security to the area —*Agreed to.*

Prayer (c):

Question:

That the Senate do urge the Federal Government to enhance the security of our border areas by maintaining constant aerial and ground patrols of the affected areas —*Agreed to.*

Prayer (d):

Question:

That the Senate do direct the Senate Committees on Police, and National Security and Intelligence to investigate the matter thoroughly and report to the Senate —*Negatived.*

Resolved:

That the Senate do:

- (a) condemn the activities of armed bandits in its entirety
- (b) urge the Inspector General of Police to send a detachment of mobile policemen to crack down on the armed bandits and restore security to the area.
- (c) urge the Federal Government to enhance the security of our border areas by maintaining constant aerial and ground patrols of the affected areas (*S. Res/031/05*).

6. Committee on Anti-Corruption:

Report on the Screening of Hon. Justice Emmanuel Olayinka Ayoola as Chairman, ICPC:

Consideration of Report deferred till Thursday, 20th October, 2005.

7. Suspension of Sitting:

Motion made and Question Proposed: That the Senate do suspend sitting to receive an address by the Central Bank Governor on the introduction of the new One Thousand Naira note (N1,000) (*Senate Majority Leader*).

Question put and agreed to.

Sitting suspended — **11. 30 a. m.**

Sitting resumed — **12. 10 p. m.**

8. Chartered Institute of Certified Secretaries and Reporters of Nigeria Bill 2005 (HB. 43):

Motion made and Question Proposed: That the Chartered Institute of Certified Secretaries and Reporters of Nigeria Bill 2005 be read the Second Time (*Senate Majority Leader*).

Debate:

Question put and agreed to.

Bill accordingly read the Second Time and referred to the Committee on Establishment and Public Service Matters to report within four (4) weeks.

9. - Environmental Tax Fund Management Agency Bill 2005 (SB 101)

Motion made and Question Proposed: That the Environmental Tax Fund Management Agency Bill 2005 be read the Second Time (*Senator Lee L. Maeba*).

Debate:

Question put and negatived.

10. Adjournment:

Motion made and Question Proposed: That the Senate do adjourn till Thursday, 13th October, 2005 at 10.00 a.m. (*Senate Majority Leader*).

Adjourned accordingly at 1.40 p.m.