



SENATE OF THE FEDERAL REPUBLIC OF NIGERIA

VOTES AND PROCEEDINGS

Wednesday, 16th February, 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, 15th February, 2005 and approved same.

By unanimous consent, the Votes and Proceedings were adopted.

3. **Message from the President of the Federal Republic of Nigeria:**
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

February 14, 2005

*The Distinguished Senate President,
Senate of the Federal Republic of Nigeria,
Senate Chambers,
Abuja.*

Dear President of the Senate,

RE: NATIONAL LOTTERY BILL 2005

The National Lottery Bill, 2005 recently passed by the National Assembly was forwarded to me by the Clerk to the National Assembly for my assent on 4th February, 2005,

Having carefully studied the provisions of the passed Bill, I observed that certain amendments were made to some Sections of the Bill originally forwarded to the National Assembly, While I am amenable to the amendments made to Sections 2-(2); 5; 7(e); 20-(1); 24-(1) and 36-(2)(f) of the Bill, I consider the amendments made to Sections 2-(3); 12(g); 19-(1); 33-(1); 3'6-(3) and 43-(1) clearly unnecessary as they are capable of hindering the effective implementation of the provisions of the Act when eventually signed into law due to the apparent bottlenecks they are bound to create, while at the same time militate against quick and efficient management of government business by the Executive. With all due respect, other than

those Commissions listed in the Constitution, which require confirmation by the Senate, I believe imposing such condition can only cause delay and confusion even within the National Assembly. The amendments considered undesirable in the passed Bill are as follows:

(1) Section 2-(3)

Under Section 2-(3) of the Original Bill, the President was empowered to appoint the Chairman and Members of the Governing Board of the National Lottery Regulatory Commission. This provision was amended to subject these appointments to confirmation by the Senate.

(2) Section 12(g)

Under Section 12(g) of the original Bill, the National Lottery Regulatory Commission was empowered to, among other things, apply from time to time, the proceeds of the fund established under Section 11 thereof, for maintaining general financial reserves subject to general or specific directives that may be given in that behalf by the President. This provision was amended to subject such general or specific directives that may be given by the President to confirmation by the National Assembly as a whole.

(3) Section 19-(1)

Under Section 19-(1) of the original Bill, the President was empowered to grant licenses to any person or body corporate to operate a nation lottery or any lottery, by whatever name called, if satisfied that the applicant meets the conditions stipulated in Section 19(1) (a)-(e) thereof. This provision was amended to make the grant of license by the President solely conditional upon the recommendation of the National Lottery Regulatory Commission without any discretion whatsoever in the exercise of that power by the President.

(4) Section 33-(1)

Under Section 33-(1) of the original Bill, the President was empowered to enter into an agreement with the Government of any other country or State with respect to, among other things, the operation of a license granted under the Act in that other country or state. This provision was amended to require prior consultation with and approval of the National Assembly as a whole, before any such agreement is entered into by the President with the Government of any other country or state.

(5) Section 36-(3)

Under Section 36-(3) of the original Bill, the President was empowered to appoint the Chairman and Members of the Board of Trustees of the National Lottery Trust Fund. This provision was amended to subject these appointments to confirmation by the Senate.

(6) Section 43-(1)

Under Section 43-(1) of the original Bill, the President was empowered to appoint the Secretary/Chief Executive Officer of the National Lottery Trust Fund. This provision was also amended to subject the appointment of the Secretary to confirmation by the Senate.

In view of the above, I consider it necessary to return herewith, the Bill with strong appeal to the Senate to reconsider its position on the highlighted amendments and reinstate the original provisions in the affected sections of the Bill for the reasons earlier advanced. It is my ardent hope that in the spirit of the usual cooperation between the Executive and the Legislature, the Senate would speedily and positively consider the request to enable me assent to the Bill without further delay.

Accept, the Distinguished President of the Senate, the assurances of my highest esteem and best wishes for the entire Senate, please.

Yours Sincerely,

(Signed)

OLUSEGUN OBASANJO

4. Announcement:

The Senate President read a letter from Senator Tunde Ogbeha as follows:

Senator Tunde Ogbeha, mni

National Assembly Complex

P.M.B. 141, Three Arms Zone, Abuja. Tel: 234-9-5230432, 2310487(Fax)

[E-mail:togbeha@yahoo.com](mailto:togbeha@yahoo.com), Website:www.togbeha.com

February 8, 2005

*His Excellency
Rt. Hon. (Dr) Adolphus Wabara
President of the Senate
Federal Republic of Nigeria
National Assembly Complex
Abuja*

My dear Boss.

APPRECIATION

*On behalf of myself and the entire Ogbeha family, I write with utmost gratitude and humility to express my sincere thanks and appreciation to you for your esteemed presence during the burial ceremony and interment of my beloved mother **Chief (Mrs) Priscilla Rakiya Ogbeha**, who was laid to rest on Saturday, February 5, 2005.*

Your words of advice and encouragement greatly lifted my spirit during the period. Your prayers, assistance and physical presence at the ceremony contributed in no small measure to the success of the whole event. I am overwhelmed by the support of my fellow distinguished colleagues who rallied round me to ensure a glorious exist for mama. The memory of this rare demonstration of love and support will remain with me for a very long time.

I pray that the Almighty God will continue to guide and protect you and your family in the service of our nation. Through you and on behalf of the family, I am once more expressing my profound gratitude and appreciation to you and the entire Senate.

Thank you.

Yours Sincerely,

(Signed)

Senator Tunde Ogbeha

5. Committee on Commerce:**Report of the Parliamentary Conference on the World Trade Organisation (WTO):**

Motion made and Question Proposed: That the Senate do receive the Report of the Parliamentary Conference on the World Trade Organisation (WTO) held in Brussels Belgium (Senator Ibikunle Amosun).

Question put and agreed to.

Report Laid.

6. Report of the Senate Delegation to Commiserate with the Government and People of Sokoto State over the Sokoto Central Market Fire Incident:

Motion made and Question Proposed: That the Senate do receive the Report of the Senate delegation to commiserate with the Government and People of Sokoto State over the Sokoto Central Market fire incidence (*Senator Ibikunle Amosun*).

Question put and agreed to.

Report Laid.

7. Committee on Culture and Tourism:

Report on the National Institute for Hospitality and Tourism(SB.02):

Senator Effiong D. Bob explained that the inability of the Committee to report on the National Institute for Hospitality and Tourism was as a result of errors noted in the final copies of the Report. He urged the Senate to stand down the Report till next legislative day.

Consideration of Report, accordingly deferred till the next legislative day.

8. Freedom of Information Bill 2005 (HB. 6):

Motion made and Question Proposed: That the Freedom of Information Bill 2005 be read the Second Time (*Senate Majority Leader*).

Debate:

9. Closed Session:

Motion made and Question Proposed: That the Senate do resolve into a Closed Session to deliberate on matters important to the workings of the Senate (*Senate Majority Leader*).

Question put and agreed to.

Closed Session — **11. 50 a.m.**

Open Session — **1. 05 p.m.**

The President reported that the Senate in Closed Session discussed the workings of the Senate and the machinery for the discharge of its responsibilities and agreed that while the Committee on Rules and Business has been performing excellently, there was need for more efficient and effective information flow between the Committee and Senators. It was also agreed that there was need for improvement in the performance of some Committee Secretariats. The Senate also noted the provision of Rule 22 which is very relevant to the deliberations at the Closed Session.

10. Adjournment:

Motion made and Question Proposed: That the Senate do adjourn till Thursday, 17th February, 2005 at 10.00 a.m. (*Senate Majority Leader*).

Adjourned accordingly at 1.10 p.m.

Adolf Wabara
President of the Senate