



# SENATE OF THE FEDERAL REPUBLIC OF NIGERIA

## VOTES AND PROCEEDINGS

Thursday, 24 January, 2008

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1. The Senate met at 10.00 a.m. The Senate President read prayers.
2. Votes and Proceedings:  
The Senate President announced that he had examined the Votes and Proceedings of Wednesday, 23rd January, 2008 and approved same.

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

3. Announcement:  
The Senate President on behalf of the Senate wishes the Super Eagles of Nigeria good luck in their upcoming match on Friday, 25th January, 2008 against Mali in the ongoing African Cup of Nations (Ghana 2008).

4. Motion:  
*Gas Flaring in Nigeria:*  
*Motion made and Question:* That the Senate do note the negative impact of Gas Flaring on our environment;

*Concerned* that Nigeria flares more gas than any other country in the world with 2.5 billion cubic feet per day equivalent of 40% of all natural gas used in the continent of Africa. Also gas flaring by the upstream sector contributed 58.1 million tons of carbon dioxide (CO<sub>2</sub>) or over 50% of gross emissions from energy sector, while other gases like methane (CH<sub>4</sub>), carbon monoxide (CO), nitrous oxide (N<sub>2</sub>O) and other oxides of nitrogen are grossly emitted by the sector;

*Concerned* that the toxic substances emitted over the years which include benzene and panaculate have exposed our communities to health risks that includes premature deaths, respiratory illnesses, asthma, cancer and eye cataracts to name but a few;

*Notes* that even with added focus on cleaning up of our communities and tightening environment laws and regulations, gas flaring remains the nightmare and threat in the life of these poverty-ridden dwellers;

*Aware* that broken promises, lack of commitment, shady deals and ignored legislations have marred the history of flare-out target in Nigeria;

*Concerned* that from available statistics Nigeria contributes more to global warming and green house emissions than any other country in Sub-Saharan Africa to the extent that the opening that has been created in the ozone layer by these emissions are more than the size of West Africa;

*Observes* that the flared Gas if properly harnessed, Nigeria will be praised for using the Gas flared or resources to speed up industrialization through power generation, aluminum smelting and as feedstock for the production of methanol and fertilizer;

*Concerned* also that the issue of Gas flare down has been in the front burner of national discourse over the years;

Aware that the earlier Gas flare down date of January 01, 2008 was not realisable because of the activities of some interest groups who protect their perceived interests; and

*Worried* that Shell has pushed their flare down date to 2009 as a result of Government under funding of the Joint Venture and if immediate action is not taken by Government, the environment will be farther exposed to danger.

*Accordingly resolve that the Senate do:*

- (i) *Call* on the Federal Government and indeed the National Assembly to take a position on the earliest possible flare down date and where an extension is to be given, oil companies should be compelled to provide shielding around the flares;
- (ii) *Urge* all stakeholders in the Gas sector to put in place a gas development process that will ensure the success of Gas flare down programme in Nigeria;
- (iii) *Call* the Federal Government to invest and put in place gas infrastructure that should make gas available for industrial growth in Nigeria and gas more available for domestic use; and
- (iv) *Call* on the Federal Government to meet up with agreement towards contributing to counterpart funding that will be used in developing the Gas sector (*Senator Grace F. Bent*).

*Debate:*

*Prayer (i):*

*Question:* That the Senate do call on the Federal Government and indeed the National Assembly to take a position on the earliest possible flare down date and where an extension is to be given, oil companies should be compelled to provide shielding around the flares.

*Player (ii):*

*Question:* That the Senate do urge all stakeholders in the Gas sector to put in place a gas development process that will ensure the success of Gas flare down programme in Nigeria;

*Prayer (iii):*

*Question:* That the Senate do call the Federal Government to invest and put in place gas infrastructure that should make gas available for industrial growth in Nigeria and gas more available for domestic use;

*Prayer (iv):*

*Question:* That the Senate do call on the Federal Government to meet up with agreement towards contributing to counterpart funding that will be used in developing the Gas sector.

**Amendment Proposed:**

*Leave out* all the Prayers of the Motion and *insert* the following instead thereof:

That the Senate do direct its Committees on Gas, Environment and Petroleum (Upstream) to:

- (i) Investigate the shifting of the stoppage of Gas Flaring from 1st January 2008 to 31st December, 2008 and report to the Senate within two weeks; and
- (ii) Present to the Senate within one month a comprehensive legal framework for the stoppage of Gas Flaring (*Senator Tawar U. Wada*).

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

*Resolved:*

- (i) That the Senate do direct its Committees on Gas, Environment and Petroleum (Upstream) to investigate the shifting of the stoppage of Gas Flaring from 1st January, 2008 to 31st December, 2008 and report to the Senate within two weeks; and

- (ii) That the Senate do direct its Committees on Gas, Environment and Petroleum (Upstream) to present to the Senate within one month a comprehensive legal framework for the stoppage of Gas Flaring (*S. Res/40/08*).

5. **Interim Report of the Committee on Banking, Insurance and Other Financial Institutions:**

*Report on the Agonies of Depositors of Failed Banks and Financial Institutions:*

*Motion made and Question Proposed:* That the Senate do receive and consider the Interim Report of the Committee on Banking, Insurance and Other Financial Institutions on the Agonies of Depositors of Failed Banks and Financial Institutions (*Senator Nkechi J. Nwaogu*).

*Report presented and Laid.*

*Committee recommendations:*

- (i) That the Senate do commend the applied wisdom of the CBN and NDIC in virtually resolving all the problems associated with the depositors funds trapped in the failed banks.
- (ii) That the Central Bank of Nigeria and the Nigerian Deposit Insurance Corporation should discipline their Director or Management staff found to have contributed towards the failure of these banks; and
- (Hi) That the Senate without interference in the functions of the Judiciary and with due respect to the principles of separation of powers should urge this third arm of government to facilitate the determination of the pending court cases on the failed banks to enable the CBN and NDIC perfect their statutory responsibilities accordingly

*Debate:*

*Recommendations:*

- (i) That the Senate do commend the applied wisdom of the CBN and NDIC in virtually resolving all the problems associated with the depositors funds trapped in the failed banks.

**Amendment Proposed:**

*Leave out the provision in Recommendation (i) and insert the following instead thereof:*

"That the Senate do urge the Central Bank of Nigeria (CBN) and the Nigeria Deposit Insurance Corporation (NDIC) to intensify their enlightenment campaign on the Depositors funds trapped in the failed Banks (*Senator Felix K. Bajomo*).

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

*Question on Main Prayer as amended, put and agreed to.*

*Recommendation (ii) :*

That the Central Bank of Nigeria and the Nigerian Deposit Insurance Corporation should discipline their Directors or Management staff found to have contributed towards the failure of these banks — *Agreed to.*

*Recommendation (iii):*

That the Senate without interference in the functions of the Judiciary and with due respect to the principles of separation of powers should urge this third arm of government to facilitate the determination of the pending court cases on the failed banks to enable the CBN and NDIC perfect their statutory responsibilities accordingly — *Negatived.*

**Amendment Proposed:**

*Insert a new Recommendation (Hi) as follows:*

- "(iii) That the Central Bank of Nigeria and the Nigerian Deposit Insurance Corporation should prosecute the Directors or Management staff of the Banks found to have contributed towards the failure of these banks" (*Senator Tawar U. Wada*).

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

*Resolved:*

- (i) That the Senate do urge the Central Bank of Nigeria (CBN) and the Nigeria Deposit Insurance Corporation (NDIC) to intensify their enlightenment campaign on the Depositors funds trapped in the failed Banks;
- (ii) That the Central Bank of Nigeria and the Nigerian Deposit Insurance Corporation should discipline their Directors or Management staff found to have contributed towards the failure of these banks; and
- (iii) That the Central Bank of Nigeria and the Nigerian Deposit Insurance Corporation should prosecute the Directors or Management staff of the Banks found to have contributed towards the failure of these banks (*S. Res/041/08*).

**6. Committee on Foreign Affairs:**

*Report on the Screening Nominees:*

*Motion made and Question Proposed:* That the Senate do receive and consider the Report of the Committee on Foreign Affairs on the screening of the following Nominees as Ambassadors of the Federal Republic of Nigeria and approve the recommendations:

*Nominees:*

|       | <b>Name</b>                    |   | <b>State</b>                             |
|-------|--------------------------------|---|------------------------------------------|
| (i)   | Dr. (Mrs) Kema Chikwe          | — | Imo                                      |
| (ii)  | Senator (Chief) Polycarp Nwite | — | Ebonyi                                   |
| (iii) | Brig. Gen. (Rtd) Buba Marwa    | — | Adamawa ( <i>Senator Jibril Aminu</i> ). |

*Report presented and laid.*

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

*Question put and agreed to.*

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

**Consideration of the Report of the Committee on Foreign Affairs on the screening of Ambassadorial nominees.**

*Recommendations:*

*Nominee recommended for confirmation:*

- (i) Dr. (Mrs) Kema Chikwe (Imo State)

*Nominees presented for confirmation:*

- (ii) Senator (Chief) Polycarp Nwite (Ebonyi State)
- (iii) " Brig. Gen. (Rtd) Buba Marwa (Adamawa State)

*Debate:*

By leave of the Senate, Report recommitted to the Committee on Foreign Affairs for further legislative action and to report on Tuesday, 29th January, 2008.

Chairman to report progress.

**(SENATE IN PLENARY)**

The Senate President reported that the Senate in the Committee of the Whole considered the Report of the Committee on Foreign Affairs on the screening of Ambassadorial nominees and recommitted the report to the Committee on Foreign Affairs for further legislative action and to report on Tuesday, 29th January, 2008.

*Question:* That the Report of the Committee of the Whole be approved — *Resolved in the Affirmative.*

7. Presentation of **a Bill:**

A Bill for an Act to make Provision about Sexual Offences, their Definition, Prevention and the Protection of All Persons from Harm, Unlawful Sexual Acts, and for purposes connected therewith Bill 2007 (SB. 12).

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*Consideration of Bill stood down to the next legislative day.*

8. Adjournment:

*Motion made and Question Proposed:* That the Senate do adjourn till Tuesday, 29th January, 2008 at 10.00 a.m. (*Senate Majority Leader*).

*Adjourned accordingly at 1. 55p.m.*

**David A. B. Mark**  
*President of the Senate*