

0239

**SENATE OF THE FEDERAL
REPUBLIC OF NIGERIA**

Thursday, 15th October, 2009

The Senate met at 10:35 a.m.

PRAYER

(The President in the Chair)

VOTES AND PROCEEDINGS

The President: Distinguished Senators, we have the Votes and Proceedings of Wednesday, 14th October, 2009 before us for approval. Page 227;

Senator Dahiru Kuta (Niger East): Mr. President, on page 227, I just need clarification from my colleagues on the spelling of *Corp member*. I thought that there supposed to be letter 's' after the letter 'p'. I thought that it should be *corps* and not *corp*.

The President: You are right; there is an (s). It is Youth Corps Member. There is always letter 's' at the end.

Pages 228; 229 and 230.

Senator Mohammed Adamu Bello (Kano Central): Mr. President, I move for the approval of the Votes and Proceedings of Wednesday, 14th October, 2009 as amended

Senator Isiaka Adeleke (Osun West): Mr. President, I second the Motion that the Votes and Proceedings of Wednesday, 14th October, 2009 be approved as amended.

Question put and agreed to.

Resolved: That the Votes and Proceedings of Wednesday, 14th October, 2009 be approved as amended.

0240

MESSAGES FROM MR. PRESIDENT

*Distinguished Senator David Mark,
The President of the Senate,*

Dear Brother,

**A BILL FOR NIGERIA COMPUTER
SECURITY AND PROTECTION AGENCY 2009**

I hereby introduce for formal consideration and passage into Law the attached Bill for Nigeria Computer Security and Protection Agency 2009.

It is my hope that the distinguished members of the Senate of the Federal Republic of Nigeria will consider and pass the Bill in your usual expeditious manner.

Please accept Mr. Senate President, the assurances of my highest consideration.

*Yours sincerely,
(Signed)
Umaru Musa Yar'Adua
President*

*Distinguished Senator David Mark
The President of the Senate,*

Dear Brother,

**A BILL FOR AN ACT TO PROVIDE FOR
MEASURES TO COMBAT TERRORISM**

I forward herewith for your kind consideration and passage into Law the attached Bill to provide for Measure to Combat Terrorism.

It is my hope that the distinguished members of the Senate of the Federal Republic Nigeria will consider and pass the Bill in you usual expeditious manner.

Please accept Mr. Senate President, the assurances of my highest consideration.

*Yours sincerely,
(Signed)
Umaru Musa Yar'Adua
President*

0241

0242

ANNOUNCEMENTS

Membership of Conference Committee

The President: We passed the amendment to the Public Procurement Act and the House of Representatives has also passed the Act but there are areas where we need to set up a Conference Committee to resolve.

Membership of our own Conference Committee will be:

1. Distinguished Senator Ahmed Makarfi - Chairman
2. Distinguished Senator Justina Nkechi Nwogu, - Member
3. Distinguished Senator Felix Bajomo - Member
4. Distinguished Senator Heineken Lokpobiri - Member
5. Distinguished Senator Zaynab Kure - Member
6. Distinguished Senator Ahmed Lawan - Member

Letter From Senator Osita Izunaso

Letter of Appreciation

I wish to on behalf of the members of the Senate Committee on Gas Resources express our profound gratitude to the President of the Senate, Senator David B. Mark, GCON, for finding time to attend and declare open the First Nigeria Summit on Liquefied Petroleum Gas, LPG cooking gas, organised by the Committee on Gas Resources that just ended.

We also extend our gratitude to the Deputy Senate President of the Senate, Senator Ike Ekweremadu CFR for attending and also chairing the First Session of the summit. Our gratitude goes to all the Distinguished Senators that attended the summit in spite of their very crowded schedules.

May God bless you all thank you. (Merci bouqou)

Signed
Senator Osita Izunaso
Chairman

Happy Birthday

The President: I will like to on behalf of all of us wish Distinguished Senator Emmanuel Paulker a happy birthday. Today October 15 is his birthday. We wish you a happy birthday.

Public Hearing on the Constitution Review

The President: The Public Hearing today is very important; it is the last day on the Constitution Review. All the members should please endeavour to be there on time. We are hoping that very many people will show up including General Buhari (Rtd.) and a few more others. It will be important that as many of us as possible should attend just to support our Committee.

Pension Verification

The President: The former Military Officers should please go and complete their Pension Verification. Tomorrow is the last day for it.

Senator Ahmad Ibrahim Lawan (Yobe North): Mr. President, I have a Point of Order.

The President: You can raise your Point of Order.

MATTER OF URGENT PUBLIC IMPORTANCE

Senator Ahmad Ibrahim Lawan (Yobe North): Order 42 (1) and (2) Mr. President with your permission I will read.

(1).The matter for discussion shall, if possible, be referred to the President of the Senate before commencement of the day's sitting and the President of the Senate shall refuse to allow the claim unless he is satisfied that the matter is definite and urgent.

(2).If the claim is allowed by the President of the Senate, and the Leave of the Senate is given, by at least one-fifth of all the Senators, the matter shall stand over till the next Legislative day.

Mr. President, I am coming by this Order on the issue of the warning by the Director-General of the National Emergency Management Agency (NEMA) over the imminent threat of drought in eleven States of the

0243

Federation. As the saying goes; to be forewarned is to be forearmed. Our experiences of 1972- 1974 and 1984-1994 was very disastrous. That situation shows that we have to be a little bit more proactive; and now that NEMA has warned, I believe that we take this warning very seriously because the basis is grounded on real time quality information from both Nigeria Metrological Agency (NIMETA) and of course Ground Verification.

So I want to seek the leave of the Senate to present a substantive Motion at the next Legislative day for the Federal Government to take the most appropriate and prompt action in this regard.

The President: Senator Ahmad Lawan spoke to me about the impending drought and it is not just eleven States, it is far much more than that. Their prediction is that it is going to really go right down up to a lot of the States in North Central and even South East and South West. It is a very serious issue that needs to be taken into consideration and needs to be handled before it gets to us. It is a serious matter and we need to be prepared for it. I have no objection to it but as it is required by our Standing Order, I have to seek the consent of one-fifth of the entire Senate. So, I will put the question.

Question put and agreed to.

Resolved: That Senator Ahmad Ibrahim Lawan be allowed to bring a substantive Motion on the next legislative day on the impending drought as warned against by the Director General of the National Emergency Management Agency.

ORDERS OF THE DAY

MOTION

Senator Teslim Folarin (Oyo Central): Mr. President, I want to move that we step down the first item on the Order Paper till the next legislative day.

Senator Olorunnimbe Mamowora (Lagos East): Mr. President, I rise to second the Motion as moved by the Leader that the first item on the Order Paper be stood down till another legislative day.

The President: We have to clarify this now. Leader said *next legislative day* and you are supporting the Motion by saying *another legislative day*. I think you have to second his Motion

0244

Senator Olorunnimbe Mamowora: I am seconding the Motion moved by the Leader by saying *the next legislative day*.

Question put and agreed to.

(By leave of the Senate, the first item on the Order Paper accordingly stood down till the next legislative day).

CONSIDERATION OF A REPORT

Report of the Committee on Judiciary, Human Rights and Legal Matters on:

Screening of Justice Daniel Dantsoho, as the Chief Judge of the Federal High Court of Nigeria

Senator Teslim Folarin: The second Order of the day is the consideration of the Report of the Committee on Judiciary, Human Rights and Legal Matters on the screening of Justice Daniel Dantsoho, as the Chief Judge of the Federal High Court of Nigeria.

Mr. President, you will recall that the Report of this Committee was laid on Tuesday 6th October, 2009. You may now invite the Vice Chairman of that Committee who is the Deputy Leader of the Senate, Senator Victor Ndoma-Egba (SAN) to move the Motion for the consideration of this Report.

Senator Victor Ndoma-Egba (Cross River Central): Mr. President, the Committee on Judiciary, Human Rights and Legal Matters, considered the referral of the plenary on Mr. President's request for the confirmation of Hon. Justice Daniel Dantsoho Abutu as Chief Judge of the Federal High Court of Nigeria. The Committee found that Justice Abutu was qualified and was the next most senior to the retiring Chief Judge and thus recommends to the Senate that this Senate do confirm the appointment of Hon. Justice Daniel Dantsoho Abutu as Chief Judge of the Federal High Court.

We so recommend Mr. President.

The President: Distinguished Colleagues, is there any comment?

Senator Teslim Folarin: Mr. President, I move that this Senate do resolve into the Committee of the Whole to consider this Report.

0245

0246

Senator Olorunnimbe Mamowora: Mr. President, I rise to second the Motion that the Senate do proceed to the Committee of the Whole for the consideration of this Report.

Question put and agreed to.

Report of the Committee on Judiciary, Human Rights and Legal Matters on the screening of Justice Daniel Dantsoho as the Chief Judge of the Federal High Court of Nigeria - *CONSIDERED IN THE COMMITTEE OF THE WHOLE*

The Chairman: Are there any comments please? If there are no comments, can I put the question?

Several distinguished Senators: Yes.

The Chairman: Will the Senate approve the nomination of Justice Daniel Dantsoho Abutu as Chief Judge of the Federal High Court of Nigeria?

Question put and agreed to.

Senator Teslim Folarin: Thank you Mr. Chairman, you may now report progress.

Senator Olorunnimbe Mamowora: I rise to second the Motion that you do report progress.

Question put and agreed to.

(Mr. President resumed the Chair).

The President: The Senate in the Committee of the Whole considered the Report of the Committee on Judiciary, Human Rights and Legal Matters, on the Screening of Mr. President's Nominee for Appointment as Hon. Chief Judge of the Federal High Court, and approved the recommendation of Hon. Justice Daniel Dantsoho Abutu as the Chief Judge.

Is this a true reflection of what transpired in the Committee of the Whole?

Several Distinguished Senators: Yes.

Confirmation of Nomination

The President: Would the Senate confirm the nomination of Hon. Justice Daniel Dantsoho Abutu as the Chief Judge of the Federal High Court of Nigeria?

Question put and agreed to.

Resolved: That the Senate do confirm the nomination of Hon. Justice Daniel Dantsoho Abutu as the Chief Judge of the Federal High Court of Nigeria.

The President: The nomination of Hon. Justice Daniel Dantsoho Abutu is hereby confirmed as the Chief Judge of the Federal High Court of Nigeria.

Congratulations to Justice Abutu. We wish him luck and we pray that God will give him the courage and the wisdom to deliver justice. We congratulate the Senate too for doing justice to the Screening, approval and confirmation.

Thank you very much.

Suspension of Items on the Order Paper

Senator Teslim K. Folarin: Mr. President, I move that we suspend other items on the Order Paper and resolve into Committee of the Whole to receive briefings from the Governor of the Central Bank of Nigeria and the Chairman of EFCC.

Senator Adeleke Olorunnimbe Mamowora: Mr. President, I rise to second the Motion as moved by the Leader that other items on the Order Paper be stood down while we invite the Governor of the Central Bank of Nigeria and the EFCC Chairman for further briefing.

Question put and agreed to.

Resolved: That the Senate do suspend the other Items on the Order Paper to resolve into Committee of the Whole to receive briefings from the Governor of Central Bank of Nigeria and the Chairman of EFCC.

Senator Teslim K. Folarin: I move that we suspend Order 17 to allow the Governor of Central Bank and the Chairman of EFCC into the Chamber of the Senate.

0247

Senator Adeleke Olorunnimbe Mamowora:

Mr. President, I rise to second the Motion as moved by the Senate Leader.

Question put and agreed to.

(The Senate in Closed Session)

Sitting Suspended: 10.50 a.m.

Sitting Resumed: 12.40 p.m.

The President: The Senate in a Closed Session was briefed by the Governor of Central Bank and the Chairman of the Economic and Financial Crimes Commission (EFCC) on CBN's Special Audit Exercise of Commercial Banks. The Governor and the EFCC Chairman clarified issues involved and also answered questions raised by distinguished Senators on the subject matter.

Is this a true reflection of what transpired in the Closed Session?

Several Distinguished Senators: Yes.

The President: Thank you very much.

ADJOURNMENT

Senator Teslim K. Folarin: Mr. President, I move that the Senate should step down all other items on the Order Paper to another legislative day.

0248

Senator Kabiru Ibrahim Gaya (Kano South):

Mr. President, I second the Motion moved by the Leader that all other items be moved to another legislative day.

Question put and agreed to.

(By leave of the Senate, all other Items on the Order Paper stood down to another legislative day)

Senator Teslim K. Folarin: Mr. President, I now move that this Senate do adjourn till Tuesday, 20th October, 2009 at 10.00 a.m.

Senator Kabiru Ibrahim Gaya: Mr. President, I second the Motion moved by the leader that this Senate do adjourn till Tuesday, 20th October, 2009 at 10.00 a.m. prompt.

Question put and agreed to.

Resolved: That the Senate do stand adjourned till Tuesday, 20th October, 2009 at 10.00 a.m.

The Senate adjourned accordingly at 12.45 p.m.