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**SENATE OF THE FEDERAL
REPUBLIC OF NIGERIA**

Tuesday, 28th September, 2010

The Senate met at 11.20 a.m.

PRAYERS

(The President in the Chair)

*Senate Resolved into Executive Session at 11.25 a.m.
Senate Resumed from Executive Session at 12.10 p.m.*

VOTES AND PROCEEDINGS

The President: Distinguished Senators, we have before us for approval, the Votes and Proceedings of Tuesday, 10th August, 2010: Page 113.

Senator Chris N. D. Anyanwu (Imo East): Mr. President, I rise to move that the Votes and Proceedings of Tuesday, 10th August, 2010 be approved.

Senator Grace Folashade Bent (Adamawa South): Mr. President, I rise to second the Motion ably moved by distinguished Senator Chris N. D. Anyanwu that the Votes and Proceedings of Tuesday, 10th August, 2010 be approved.

Question put and agreed to.

Resolved: That the Votes and Proceedings of Tuesday, 10th August, 2010 be approved.

OATHS

OATH OF ALLEGIANCE

AND

OATH OF MEMBERSHIP

The President: Any new Member desirous of taking the Oaths should please come forward.

Thereupon, the following Senators-Elect took and subscribed the Oaths as required by the law.

1. Senator-Elect Adamu Ajuju Waziri – Gombe South Senatorial District
2. Senator-Elect Adamu Ibrahim Gumba – Bauch South Senatorial District

3. Senator-Elect Saidu Ahmed Alkali – Gombe North Senatorial District

Let me, on behalf of all of us, congratulate our three new Colleagues and I am sure that Senator Lee Maeba would be talking to them later in his capacity as the Senator who knows about ranking (*Laughter*).

MESSAGES FROM MR. PRESIDENT

I have some letters from Mr. President, Commander-in-Chief of the Armed Forces of the Federal Republic of Nigeria. The letters read:

*Distinguished Senator David Mark,
Your Excellency,*

**CONSTITUTION OF THE BOARD OF ASSET
MANAGEMENT CORPORATION**

In compliance with Section 10 of the Asset Management Corporation of Nigeria (AMCON) Act, 2010, I write to forward to you the under-listed nominees for your kind consideration and confirmation for the positions of Chairman and Members of the Board of Asset Management Corporation:

1. Mr. Aliyu Kola Belgore - Chairman
2. Mr. Mustafa Chike Obi -Managing Director (CEO)
3. Mr. Hewet Adegboyega Benson - Executive Director
4. Abbas Muhammed Jega - Executive Director
5. Dosumu Mofoluke Benedicta - Executive Director
6. Ms. Eniye Ambakaderemur Non Executive Director
7. Permanent Secretary, Federal Ministry of Finance - Non Executive Director
8. Deputy Governor, Financial System Stability (CBN) - Non Executive Director
9. Director-General, Securities & Exchange Commission – Non Executive Director
10. Managing Director, Nigeria Deposit Insurance Corporation – Non Executive Director

The Curriculum Vitae of the nominees are attached.

I am confident that this exercise will receive the usual expeditious consideration of the Distinguished Members of the Senate.

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

Yours sincerely,

(Signed)

DR. GOODLUCK E. JONATHAN

Senator David Mark, GCON
Senate President,
Your Excellency,

**REQUEST FOR CONFIRMATION OF
APPOINTMENT OF CHAIRMAN AND
MEMEBRS OF THE REVENUE MOBILIZATION,
ALLOCATION AND FISCAL COMMISSION
(RMAFC)**

The Revenue Mobilization, Allocation and Fiscal Commission is one of the Federal Executive Bodies established under Section 153(1)(n) of the 1999 Constitution of the Federal Republic of Nigeria. By the provision of Part I(N) of the Third Schedule of the Constitution, the Commission shall comprise a Chairman and one person from each State of the Federation and the Federal Capital Territory, Abuja who in the opinion of the President are persons of unquestionable integrity with requisite qualifications and experience. In this connection, there are vacant positions of one (1) Chairman and twenty three (23) members to be filled in the Commission.

I have, therefore, in the exercise of the powers conferred on me by Sections 154(1) and 156(3) of the Constitution of the Federal Republic of Nigeria, 1999 decided to appoint the under-listed as Chairman and Members of the Revenue Mobilization, Allocation and Fiscal Commission.

1. Engr. Elias Nwalem Mbam, FNSE - Chairman Ebonyi
2. Senator Chris Adighije - Member - Abia
3. Senator Emmanuel Ibok Essien Member- Akwa Ibom
4. Mr. Ekweogwu Nnamdi Osita Member Anambra
5. Hon. Aondona Simon Sylvanus Sengev - Member Benue
6. Chief Okeagu C. Ogada - Member Ebonyi
7. Chief Pius Afebu Akpabior - Member - Edo
8. Popoola, Afolabi - Member - Ekiti
9. Umeh, Christopher Odika - Member - Enugu

10. Engr. Perez Danjuma Bussa - Member - FCT
11. Amb. Saidu Mohammed, OON (re-appointment) Member - Gombe
12. Alhaji Adamu Mohammed - Member Jigawa
13. Mr. Bulus James - Member - Kaduna
14. Engr. Bala M. Borodo - Member - Kano
15. Tukur Ahmed Jikamshi - Member - Katsina
16. Hon. Ignatius Amodu (re-appointment) -Member - Kogi
17. Alhaja Salamatu O. Gobir - Member - Kwara
18. Amb. Subairu Dada - Member - Niger
19. Olufunmilola A. Otegbola - Member- Ogun
20. Otunba Oladeji Ariyibi JP (re-appointment) - Member - Osun
21. Ademola Ayodeji Sina - Member - Oyo
22. Mr. Yusuf Pam - Member - Plateau
23. Alhaji Isa Geidam (re-appointment) - Member - Yobe
24. Alhaji Muhammad Jabbi Maradun - Member - Zamfara

The CVs of the nominees are attached.

In accordance with the provision of Section 154(1), I hereby present the nominees for the kind consideration of the Senate.

Please accept, Mr. Senate President, the assurance of my highest regard.

Yours sincerely,

(Signed)

DR. GOODLUCK E JONATHAN, GCFR

Distinguished Senator David Mark,
Your Excellency,

**RE: APPOINTMENT INTO THE BOARD OF
NIGER THE DELTA DEVELOPMENT
COMMISSION**

Further to the appointments made into the Board of the Niger Delta Development Commission and in consonance with Sections 1(a) and 2(a) respectively on the Niger Delta Development Commission (Establishment, etc) Act, I write to forward the name of Mr. Farouk Iya Sambo, to replace Alhaji Musa Kwankwaso on the Board of the Commission.

The name is accordingly forwarded for kind consideration and confirmation by the Distinguished Senate of the Federal Republic of Nigeria.

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Please accept, as always, the assurances of my esteemed regards.

Yours Sincerely,

(Signed)

DR. GOODLUCK EBELE JONATHAN, GCFR
President, Commander-in- Chief

*Distinguished Senator David Mark,
Your Excellency,*

**A BILL TO REPEAL THE COMMUNITY BANKS
ACT CAP C18 LAWS OF THE FEDERATION OF
NIGERIA 2004**

*I hereby introduce for formal repeal by the Senate,
the above-named Bill.*

While I hope that the Bill would receive the usual prompt attention of the Distinguished Members of the Senate, please accept, Senate President, the assurances of my highest consideration.

Yours sincerely,

(Signed)

DR. GOODLUCK EBELE JONATHAN, GCFR
President, Commander-in-Chief

*Distinguished Senator David Mark,
Your Excellency,*

**A BILL FOR AN ACT TO ESTABLISH THE
NIGERIA POLICE REFORM TRUST FUND
ESTABLISHMENT (ETC), 2010**

I forward herewith, for your kind consideration and passage into law, a Bill for an Act to Establish the Nigeria Police Reform Trust Fund (Establishment, etc), 2010.

It is my hope that this Bill will receive the usual expeditious consideration and passage by the Distinguished Senate.

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

Yours sincerely

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(Signed)

DR. GOODLUCK EBELE JONATHAN, GCFR
President, Commander-in-Chief

*Distinguished Senator David Mark,
Your Excellency,*

INEC'S REQUEST FOR EXTENSION OF TIME

I am in receipt of a letter from the Chairman of the Independent National Electoral Commission (INEC) on the above subject matter (copy attached).

According to the Chairman, the request is predicated on the inability of INEC to implement its detailed Action Plan with regard to planning, procurement and deployment for registration of voters and elections, within the timelines in the context of the Electoral Act. It is noteworthy that the leadership of all the political parties endorsed the request in a recent retreat.

While I agree with INEC on the validity of the request and the need to address the apparent difficulties, I shall propose an amendment of the relevant laws by inclusion of transitional provisions which will enable INEC conduct general elections between now and the end of April, 2011.

It is my hope that the Distinguished Senators of the Federal Republic of Nigeria will consider and pass the amendment in your usual expeditious manner.

Please accept, Mr. Senate President, the assurance of my highest esteem.

Yours sincerely,

(Signed)

DR. GOODLUCK EBELE JONATHAN, GCFR
President, Commander-in-Chief

*Distinguished Senator David Mark,
Your Excellency,*

**FORWARDING OF A BILL FOR AN ACT TO
AMEND THE ELECTORAL ACT, 2010**

I wish to refer to my letter notifying you of the letter by the Chairman of the Independent National

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Electoral Commission (INEC), regarding its apprehension of the implementation of the Electoral Calendar.

In this regard, I hereby propose the amendment of the relevant laws, as attached, through the inclusion of transitional provisions which will enable INEC, conduct general elections between now and the end of April, 2011.

It is my hope that the Distinguished Senators will consider and pass the amendments in their usual expeditious manner.

Please accept, Mr. Senate President, the assurance of my highest esteem.

Yours sincerely,

(Signed)

DR. GOODLUCK EBELE JONATHAN, GCFR
President, Commander-in-Chief

ANNOUNCEMENTS

Birthday Wishes to Distinguished Senators

Whilst we were away, few of our Colleagues celebrated their birthday. We would like to wish them happy birthday. For those who have not celebrated, we are available they could call us for the party if they have not had it already. Those who have already celebrated are:

Distinguished Senator Patrick Enebeli Osakwe 11th August
Distinguished Senator Alhaji Yisa Braimoh 12th August
Distinguished Senator Adamu Garba Talba 15th August
Distinguished Senator Smart Adeyemi 18th August
Distinguished Senator Jibril Aminu 25th August
Distinguished Senator John Nanzip Shagaya 2nd September,
Distinguished Senator Iyiola Omisore 15th September,
Distinguished Senator Kabiru M. Jibrin 18th September,
Distinguished Senator Mohammed I. Ahmed 19th September
Distinguished Senator Wilson Asinobi Ake 21st September
Distinguished Senator Gbenga Ogunniya 24th September

May I, on behalf of all of us, wish you happy birthday in arrears and we pray that we see many more of your celebrations, God blessings and protection.

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Letter from Senator Uche Chukwumerije

This is a letter from distinguished Senator Uche Chukwumerije and it says:

*His Excellency,
Senator David Mark,
The President of the Senate,
National Assembly,
Abuja.*

Your Excellency and my dear friend,

CHANGE OF PARTY AFFILIATION

It is my constitutional to duty to inform Your Excellency and the entire Senate that I am now a Member of the People's Democratic Party (PDP).

Thank you.

(Signed)

Comrade Uche Chukwumerije, Senator

PERSONAL EXPLANATION

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

The President: Point of Order, distinguished Senator Ahmad Lawan.

Senator Ahmad Lawan: It is Order 43 and with your permission, I will read.

The President: Yes, read.

Senator Ahmad Lawan: The Order reads: *By the indulgence of the Senate and the leave of the President of the Senate, a Senator may make a Personal Explanation although there be no question before the Senate; but no controversial matter may be brought forward nor may debate arise upon the Explanation. The terms of the proposed statement shall be submitted in detail to the President of the Senate when his leave to make it is sought.*

The President: I do not know what point you are going to explain but I just want you to read the last sentence. Let us get through that one first before you begin to mention anything.

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Senator Ahmad Ibrahim Lawan: *The terms of the proposed statement shall be submitted in detail to the President of the Senate when his leave to make it is sought.*

The President: You have not submitted anything to me in detail yet. In detail it says.

Senator Ahmad Ibrahim Lawan: Mr. President, I submitted the statement not, perhaps, in the kind of detail you expected.

The President: But the detail has to come to me. Senator Ahmad, do not explain yet. First, let us get over the Order then you can explain. You did not submit anything to me in detail. You told me what you wanted and I was hoping that you bring it in detail.

Secondly, read the first portion that says the issue should not be controversial. Anything to give an impression that the Comrade is not a Comrade is controversial.

Senator Ahmad Ibrahim Lawan: If somebody had told me that today this could happen, I would not have believed. It is a disaster.

The President: That is the reason why you are raising a controversial issue. I would have loved to grant you this but I rule you Out of Order.

Senator Lee Ledogo Maeba (Rivers South-East):
Mr. President, Point of Order.

The President: Point of Order, Senator Lee Maeba.

Senator Lee Maeba: Order 1(b), if I may read it says: *In all cases not provided for hereinafter, or by sessional or other orders or practice of the Senate, the Senate shall by resolution regulate its procedure.*

Why I raised this Order is that we were all here when Senator Uche Chukwumerije left here and moved there. Now again, he is leaving there and moving here. By convention, he should write a resolution not to move again before we accept him here (*Laughter*).

The President: Senator Lee Maeba, this is provided for in our Order. In the Order you quoted, there is no restriction in the number of times he can move. So, I rule you Out of Order.

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Senator George Thompson Sekibo (Rivers East):
Mr. President, Point of Order.

The President: Point of Order Senator George Sekibo.

Senator George Sekibo: It is Order 15. May I crave your indulgence to read?

The President: Read.

Senator George Thompson Sekibo: Order 15 says: *Any Senator may rise at any time to speak upon a matter of privilege suddenly arising and he shall be prepared to move without notice, a motion declaring that a contempt or breach of privilege has been committed or referring the matter to the Committee on Ethics and Privileges but if the matter is raised in Committee of the Whole Senate, the Chairman shall leave the Chair to report progress.*

There had been about ten cases of our Colleagues who were on the other side of the Senate moving to this side. (*Interruptions*)

The President: Forget about the movement, where is your privilege involved?

Senator George Thompson Sekibo: Each time there is a movement he always gets up and condemns the movement. He does not appreciate the movement at all. (*Interruptions*)

The President: Senator George, you were talking about your privilege on the movement. He is going to be allocated a seat not too far from you there and allocation of seat is my responsibility not your own. Nothing has happened to your privilege. I will allocate the seat and that is clearly spelt out in Order 11. Again, I rule you out of order.

The Chief Whip of the National Assembly, please take Senator Chukwumerije to his seat on the other side. (*Thereupon Senator Uche Chukwumerije was allocated a seat on the side of PDP*)

Senator Kanti Bello (Katsina Central): Mr. President, we are now ready.

The President: We have more announcements please. Senator Mamora, is there any Point of Order? (*No response*)

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Meeting of the South East Senators

There will be a meeting of the South East Senators today, Tuesday, 28th of September, 2010 immediately after Sitting at the Deputy Senate President's Office, New Senate Building.

(Signed)

Distinguished Senator Ike Ekweremadu, CFR
Deputy Senate President

Death of Senator Polycarp Nwite

20th September, 2010

*His Excellency,
Distinguished Senator David Mark
The President of the Senate
National Assembly Complex
Abuja.*

THE PASSING AWAY OF SENATOR POLYCARP NWITE YOUR SENIOR SPECIAL ASSISTANT ON POLITICAL MATTERS

It is with deep sense of sorrow and total surrender to the will of God Almighty that we painfully wish to bring to the notice of your Excellency, the passing away of Mr. President's Senior Special Assistant on Political Matters, Senator Polycarp Nwite.

Senator Nwite resumed work in this office on August 5th 2010 after his medical trip to India and his annual leave which started on May 2nd 2010. This enabled him to fully recover from the eye/brain surgeries he underwent in that country. He had traveled to his home state of Ebonyi for annual Yam Festival last month only to be rushed back to the National Hospital in Abuja due to a sudden relapse in his health condition.

Doctors at the National Hospital battled for four weeks to save Senator Nwite's life. And he had already started showing some encouraging signs of recovery before he again fell into coma. He was confirmed dead at about 8 p.m. on Sunday 19th September, 2010 by doctors on duty.

May I, on behalf of the Office of the Senior Special Assistant to Mr. President, the Nwite family, relatives and friends of Senator Polycarp Nwite, condole Your

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Excellency, over this irreparable loss at this critical period when his services are most needed.

Please your Excellency, accept our heartfelt condolences.

(Signed)

*Dr. Amina Idris (Turaki Nasarawa)
Special Assistant*

As it is customary, we will observe a one minute silence in his honour and when we get the arrangement for burial we will announce it again. *(A minute silence accordingly observed)*

May the soul of our departed Colleague rest in perfect peace, Amen.

Senator Umaru Dahiru (Sokoto South): Point of Order, Mr. President.

The President: Order What?

Senator Umaru Dahiru: It is Order 42 and with your permission, I will like to read

The President: You can read, please.

Senator Umaru Dahiru: Order 42(1) reads: *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.*

42(2) says: *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.*

42(3) says: *Not more than one such Motion may be made at the same sitting.*

The Senators from Sokoto, Kebbi, Jigawa and Yobe States intend to move a Motion tomorrow in respect of the flood disaster that occurred within their States as a result of collapse of the dams in Gwaranyo. I so move Sir.

The President: Senator Dahiru spoke to me about the flood in Kebbi, Sokoto and Jigawa States. This is

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actually a national emergency and the President had to go down quickly to take a look at it and also deal with it whilst we were on Recess. I do not see any problem with it except prayers. I do not know what will come out of it any more because Mr. President had already visited but I have no problem about bringing it up tomorrow if you seriously want us to do so. But as required by Section 42 of our Standing Orders I have to put the Question and we have to accept it.

Question put and agreed to.

Resolved: That he be allowed to bring the matter up tomorrow.

Suspension of the Remaining Items on the Order Paper

Senator Teslim Kolawole Folarin (Oyo Central): Mr. President, I want to respectfully move that we step down all the remaining items on the Order Paper till another legislative day.

Senator Maina Ma'aji Lawan (Borno North): Mr. President, I rise to second the Motion that we step down all the items on the Order Paper till another legislative day.

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Question put and agreed to.

Resolved: That all the remaining items on the Order Paper be stood down till another legislative day.

ADJOURNMENT

Senator Teslim Kolawole Folarin: Mr. President, I now move that this Senate do adjourn till tomorrow, Wednesday, 29th September, 2010 at 10.00 a.m.

Senator Maina Ma'aji Lawan: Mr. President, I rise to second the Motion that the Senate do adjourn till tomorrow, Wednesday, 29th September, 2010 at 10.00 a.m.

Question put and agreed to.

Resolved: That the Senate do stand adjourned till tomorrow, Wednesday, 29th September, 2010 at 10.00 a.m. prompt .

The Senate adjourned accordingly at 1.15 p.m.