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**Thursday
19th February, 2009**

FEDERAL REPUBLIC OF NIGERIA

NATIONAL ASSEMBLY DEBATES

FOURTH REPUBLIC

**THIRD ASSEMBLY
(SIXTH SENATE)**

SECOND SESSION

THE SENATE OFFICIAL REPORT

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**SENATE OF THE FEDERAL
REPUBLIC OF NIGERIA**

Thursday, 19th February, 2009

The Senate met at 10.30 a.m.

PRAYERS

(The President in the Chair)

VOTES AND PROCEEDINGS

The President: Distinguished Senators, the Senate is called to order. Let us consider the Votes and Proceedings of Wednesday, 18th February, 2009. Pages 483, 484, 485, 486, 487?

Senator Aloysius Akpan Etok (Akwa Ibom North-West): Mr. President, I move that the Votes and Proceedings of Wednesday, 18th February, 2009 be approved.

Senator Hassan Mohammed Gusau (Zamfara Central): Mr. President, I rise to second the Motion that the Votes and Proceedings of Wednesday, 18th February, 2009 be approved.

Question put and agreed to.

Resolved: That the Votes and Proceedings of Wednesday, 18th February, 2009 be approved.

ANNOUNCEMENTS

**Conferment of Chieftaincy Title on
Senator Nkechi Justina Nwaogu**

The President: This is a letter from Senator Nkechi Justina Nwaogu. It reads:

The President of the Senate,

**Conferment of Chieftaincy Title on
Senator Nkechi Justina Nwaogu**

I wish to inform my distinguished Colleagues of this hallowed Chamber that a chieftaincy title will be conferred on me by his Majesty, Eze Obidiegwu Onyeso (MFR) (JP) Ezenri Nwala II of Nri, the custodian of Igbo culture and tradition and the keeper of their ancestral home of Ndi-Igbo. The event comes up as follows:

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Place: Ezenri Palace, Nri, Aniocha LGA, Anambra State.

Date: 21st of February, 2009.

Time: 12.00 noon.

You are by this letter invited, and my Colleagues who would be chanced to grace this occasion are expected to indicate their names.

(Signed)

SENATOR NKECHI J. NWAOGU

**List of Zonal Coordinators for Millennium
Development Goals Quick Wins Projects**

The Zonal Coordinators for Millennium Development Goals (MDGs) Quick Wins Projects listed below:

- i. Senator Bassey Ewa-Henshaw -South-South
- ii. Senator Chris N. D. Anyanwu -South-East
- iii. Senator Gyang Dalyop Dantong -North - Central
- iv. Senator Mohammed Bello - North-West
- v. Senator Anthony Martins Manzo -North-East
- vi. Senator Andrew A. O. Babalola -South-West

They should see the Chairman, MDGs Committee to collect MDGs Quick Wins Projects Progress Sheet for their Zones.

(Signed)

SENATOR MAHMUD KANTI BELLO
*Whip of the National Assembly and
Chairman, MDGs Projects*

**Visit of Staff and Students of Lead
British International School, Gwarimpa
And Learning Spring School, Asokoro, Abuja**

I wish to acknowledge the presence of Staff and Students of Lead British International School, Gwarimpa, Abuja and Staff and Students of Learning Spring School, Asokoro, Abuja. They are all in the Gallery to observe our Senate proceedings. Interestingly the grandsons of some Senators are also in their midst as students.

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We wish them fruitful observations of Senate proceedings. *(The visitors stood for recognition)*
Thank you and seat down, please.

PRESENTATION OF BILLS

Graduate Employment, Allowances, Trust Fund and Incidental Matters Bill, 2009 (SB. 241)

Senator Teslim Kolawole Folarin (Oyo Central): Mr. President, the first business of the day is the presentation of a Bill standing in the name of Senator Hassan M. Gusau on the Graduate Employment, Allowances, Trust Fund and Incidental Matters Bill, 2009.

You may wish to invite the Clerk of the Senate to read the Short Title of the Bill.

Graduate Employment, Allowances, Trust Fund and Incidental Matters Bill, 2009 – presented by Senator Hassan M. Gusau (Zamfara Central); *read the First Time.*

Nigerian Industrial Development Authority Establishment) Bill, 2009 (SB. 237)

Senator Teslim K. Folarin: Mr. President, the second business of the day is the presentation of a Bill standing in the name of Senator Kamorudeen Adedibu on the Nigerian Industrial Development Authority (Establishment) Bill, 2009.

Again you may invite the Clerk of the Senate to read the Short Title of the Bill.

Nigerian Industrial Development Authority (Establishment) Bill, 2009 – presented by Senator Kamorudeen Adedibu (Oyo South); *read the First Time.*

PRESENTATION OF REPORT

Report of the Committee on Commerce on the Financial Reporting Council Bill (SB. 100)

Senator Teslim K. Folarin: Mr. President, the third Business of the Day is the presentation of the Report of the Committee on Commerce on the Financial Reporting Council Bill, 2009.

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You may wish to invite Senator Joel D. Ikenya to move the Motion for the Senate to receive the Report.

Senator Joel D. Ikenya (Taraba South): Mr. President, I rise to move that the Senate do allow me to lay the Report on a Bill for an Act to Repeal the Nigerian Accounting Standard Board Act No. 22 of 2003 and Enact the Financial Reporting Council of Nigeria and for Related Matter (SB.100) 2009.

Senator James Ebiowou Manager (Delta South): Mr. President, I rise to second the Motion moved by Senator Joel D. Ikenya representing Taraba South in the Senate to lay the Report of his Committee on the Table.

Question put and agreed to.

Resolved: That the Senate do receive the Report of the Committee on Commerce on the Financial Reporting Council Bill, 2009.

(Report accordingly laid on the Table)

ORDERS OF THE DAY

CONSIDERATION OF REPORTS

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

Senator Teslim Kolawole Folarin: Mr. President, the first Order of the Day is the presentation and consideration of the Report of the Committee on Judiciary, Human Rights and Legal Matters on the Screening of Mr. Olumuyiwa Akinboru and Alhaji Mohammad Bala Shagari as Members of the Federal Capital Judicial Service Committee.

You will recall that the Report of the Committee was laid on Tuesday, 10th February 2009. You may wish to invite the Chairman of the Committee, Senator Umaru Dahiru to move the Motion for the consideration of the Report.

Senator Umaru Dahiru (Sokoto South): Mr. President, I move that the Senate do consider the Report of the Committee on Judiciary, Human Rights and Legal Matters on the Screening of Mr. Olumuyiwa Akinboru and Alhaji Mohammad Bala Shagari as Members of the Federal Capital Judicial

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Service Committee and approve the recommendations therein.

Senator Abubakar Danso Sodangi (Nasarawa West): Mr. President, I rise with all sense of humility to second the Motion ably moved by distinguished Senator Umaru Dahiru *Dan Galadima Sokoto*.

Question put and agreed to.

Senator Umaru Dahiru: Mr. President, my Report is as follows:

The Senate at its sitting on Tuesday, 20th January, 2009, deliberated on a request by Mr. President for the confirmation of the following nominees as Members of the FCT Judicial Service Committee. They are:

- i. Mr. Olumuyiwa Akinboro - Osun State; and
- ii. Muhammad Bala Shagari - Sokoto State.

These appointments were made pursuant to Section 304(1) and (2) Part III of the Third Schedule to the Constitution of the Federal Republic of Nigeria, specifically paragraph 1(e) and (f).

By Order of Reference, the Senate referred Mr. President's request to this Committee and mandated it to screen the nominees and report back its recommendations.

The Committee requested for and received Curriculum Vitae and other supporting documents as well as Security and Code of Conduct Bureau clearances from the relevant agencies charged with the responsibilities. On Thursday, 29th January, 2009, the nominees appeared before the Committee for the screening exercise. The first Nominee to be screened was Mr. Olumuyiwa Akinboro.

The Committee interviewed Mr. Olumuyiwa Akinboro and received explanations regarding his life, work experience, suitability, competence and integrity to assume the position of Member, Federal Capital Territory Judicial Service Committee.

Mr. Akinboro was born on 21st November, 1965, he hails from Osun State. He holds LL.B

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(Hons) Degree from Lagos State University. He was called to the Nigerian Bar in 1991. In 1992 he started his professional career with the Law Firm of Chief Olufemi Lanlehin & Co. He is currently the Principal Partner of Akinboro & Co (Legal Practitioners).

The nominee has served in a number of professional bodies and organisations, amongst them; Chairman, Nigerian Bar Association, Abuja Branch, Board Member, Abuja Multi-Door Court, etc.

He has made presentations on topical issues such as: Nigerian Democracy and the Judiciary; Justice Delivery Sector in Africa; the Nigerian Judicial Situation; etc. He is also a recipient of THISDAY Personality Award, 2007.

The Committee after a critical scrutiny of his CV and other accompanying documents and having been satisfied about his integrity, suitability and competence, found him a fit and proper person for appointment as Member, FCT Judicial Service Committee.

This appointment is in line with paragraph 1(e), Part III of the Third Schedule to the Constitution, which enjoins Mr. President to appoint one person who is a legal practitioner and who has been qualified to practice as a legal practitioner in Nigeria for a period of not less than twelve years.

We also screened the second Nominee, Alhaji Muhammad Bala Shagari. The Committee interviewed Alhaji Muhammad Shagari and received explanations regarding his life, work experience; suitability, competence and integrity to assume the position of Member, non-legal, Federal Capital Territory Judicial Service Committee.

Alhaji Shagari was born on 17th March, 1949. He hails from Sokoto State. He attended Government College (Now Barewa College) Zaria from 1964 to 1966. He proceeded to Government Technical School, Kano from 1967 to 1969. He then proceeded to the United Kingdom where he attended Fulton Technical College, Bristow from 1970 to 1974. He later enrolled into the Nigerian Defence Academy, Kaduna and was commissioned into the Nigerian Army as 2nd Lieutenant in 1975. In 1979, he proceeded to the Nigerian Army School of Infantry, Jaji for a short

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military training. Thereafter, he was promoted to the rank of Lieutenant and Captain before his retirement in 1984. While in the Army, he served as Assistant Mechanical Superintendent, Platoon Commander, Adjutant as well as Instructor /Company 2ic and Company Commander.

The nominee has served in various capacities in different Boards and Companies amongst them are:

- i. Member, Board of Trustees PZ Cussons Foundation;
- ii. Chairman/CEO, Shag Nigerian Limited, Sokoto, and
- iii. Director/Chairman, Hamada Shipping Services Ltd.

He is currently the District Head of Shagari (Sarki Mafaran Shagari), Sokoto Emirate.

The Committee after a critical scrutiny of his CV and other accompanying documents and having been satisfied about his integrity, suitability and competence, found him a fit and proper person for appointment as Member, FCT Judicial Service Committee.

This appointment is in line with paragraph 1(f), Part III of the Third Schedule to the Constitution, which enjoins Mr. President to appoint one person, not being a legal practitioner, who is in the opinion of the President of unquestionable integrity.

Recommendation

The Senate Committee on Judiciary, Human Rights and Legal Matters, after careful scrutiny of the CVs and other accompanying documents of Mr. Olumuyiwa Akinboro and Alhaji Muhammad Bala Shagari and having been satisfied about their experience, track records, qualifications, competence and integrity, hereby recommends that the Senate do confirm the nominations of Mr. Olumuyiwa Akinboro and Alhaji Muhammad Bala Shagari as Members of the Federal Capital Territory Judicial Service Committee.

The President: Are there comments, please?

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Senator John Nazip Shagaya (Plateau South): Mr. President, on this particular candidate whom I know very well and I am also aware of the circumstances under which he voluntarily left the service of the Nigerian Army, I do support the recommendation of the Committee and commend the approval of Mohammad Bala Shagari, to be appointed as a Member of the Federal Capital Territory Judicial Service Committee.

The President: I will take one more comments from distinguished Senator James Manager.

Senator James Manager (Delta South): Mr. President, having been involved in the making of this Report as a Member of the Committee on Judiciary, Human Rights and Legal Matters, I want to support the presentation made by the most senior lawyer in this Chamber as he was called to the Bar in 1977 and we all worked under him and are very proud of him. I urge that my distinguished Colleagues support this Report as presented by the Chairman.

The President: The reason I asked for the two comments is to balance two constituencies; Senator John Shagaya representing the military constituency and Senator James Manager representing the legal constituency.

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

Senator Kabiru Ibrahim Gaya (Kano South): Mr. President, I second the Motion as ably moved by the Senate Leader that the Senate do resolve into Committee of the Whole to consider the Report.

Question put and agreed to.

Report of the Committee on Judiciary, Human Rights and Legal Matters, on the Screening of Presidential Nominees - CONSIDRED IN THE COMMITTEE OF WHOLE

The Chairman: Are there further comments?

Several distinguished Senators: No.

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The Chairman: Would the Senate approve the nomination of Mr. Olumuyiwa Akinboro as a Member of the Federal Capital Territorial Judicial Service Committee?

Question put and agreed to.

Would the Senate approve the nomination of Alhaji Mohammad Bala Shagari as a Member of the Federal Capital Territory Judicial Service Committee?

Question put and agreed to.

Senator Teslim Kolawole Folarin: Mr. Chairman, I move that the Chairman do report progress.

Senator Kabiru Ibrahim Gaya: Mr. Chairman, I second the Motion moved that the Chairman reports progress.

Question put and agreed to.

(The President resumed the Chair)

The President: The Senate in the Committee of Whole, considered the Report of the Committee on Judiciary, Human Rights and Legal Matters on the confirmation of Mr. President's Nominees as Members of the Federal Capital Territory Judicial Service Committee and approved the nominations of Mr. Olumuyiwa Akinboro (Osun State) and Alhaji Mohammad Bala Shagari (Sokoto State).

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

Several distinguished Senators: Yes.

Confirmation of Nominees

The President: Would the Senate confirm the nomination of Mr. Olumuyiwa Akinboro as a Member of the Federal Capital Territory Judicial Service Committee?

Question put and agreed to.

Would the Senate confirm the nomination of Alhaji Mohammad Bala Shagari as a Member of the Federal Capital Territory Judicial Service Committee?

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Question put and agreed to.

Resolved: That the Senate confirmed the nominations of Mr. Olumuyiwa Akinboro and Alhaji Mohammad Bala Shagari as Members of the Federal Capital Territory Judicial Service Committee.

Report of the Committee on Federal Character and Inter-Governmental Affairs

State of the Nation Address Bill, 2009

(Second Allotted Day: Adjourned Debate 18th February, 2009)

Senator Teslim Kolawole Folarin: Mr. President, the second Order of the Day is the resumption of Adjourned Debate on the Report of the Committee on Federal Character and Inter-Governmental Affairs on the State of the Nation Address Bill, 2009. You will recall that further consideration of this Report was deferred to the next legislative day, which is today.

I wish to move that this Senate do resume the consideration of this Report.

Senator Kabiru Ibrahim Gaya: Mr. President, I second the Motion as moved by the Senate Leader that the Senate do resume consideration of the Report

Question put and agreed to.

Report of the Committee on Federal Character and Inter-Governmental Affairs on the State of the Nation Address Bill, 2009 – CONSIDERED IN THE COMMITTEE OF WHOLE

The Chairman: Distinguished Colleagues, we were on Clause 1(3) when we adjourned yesterday. Clause 1(3) provides that: *The State of the National Address shall be delivered to the Joint Sitting of the National Assembly on the first legislative day of the second week in May of every year.*

Let me quickly remind us of the dates that were proposed yesterday. They are: May, January, October, March, September, July, and December. We have 12 months in a year and only five months are left.

Senator James Manager: Mr. Chairman, you will recall that yesterday while the Debate was on

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about the possible month and date to be chosen for the State of the Nation Address by Mr. President of the Federation, I was the very first person to suggest January, but having gone through the entire Bill and having slept over it, I want to reconsider my suggestion.

This is an important Bill sponsored by Senator Ike Ekweremadu, and by the grace of God the Deputy Senate President of today. I recall that this Bill went through First and Second Readings in the last Senate. I was involved, too. He suggested the month of May. The Committee in its wisdom has also suggested the month of May, therefore, I want to believe that the month of May recommended by the Committee is simply wonderful. I have reconsidered the January month that I suggested. It is good for a wise man to reason wisely (*Laughter*)

Senator Nuhu Aliyu (Niger North): Mr. President, I did not make any contribution on this yesterday. I listened to my Colleagues and I have slept over the suggestions they made yesterday. I have found that the most appropriate month of the year for the President to make his State of the Nation Address is the same month the Committee recommended, that is, May. This is because the incoming President takes over either on the 29th of May or thereabout. Then the new President will have the opportunity to administer the nation for one year after which he can now make an adequate and reasonable address to the nation. Therefore, I stand by the recommendation of the Committee.

The Chairman: Senator Joel Danlami, you raised an issue yesterday and you narrowly got away with it.

Senator Ayogu Eze (Enugu North): Mr. Chairman, what is happening this morning is the beauty of democracy. Giving us the opportunity to go home and sleep on this matter has brought up a lot of issues and angles that a lot of people did not advert their minds to yesterday and we are wiser this morning. You can see that what we did at the Federal Character Committee has tallied with the views of all the wise men here who had gone to sleep on this matter.

Without much ado I urge Mr. Chairman to put the Question on this matter because everybody has seen the need for us to abide by the wisdom of the man who crafted the Bill and the wisdom of the Committee that also retained that Clause.

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The Chairman: When I put the Question, if your month is October, you will say nay to it. When I put the Question on October you will say aye to it. That is the way to do it because we heard all the arguments yesterday.

Some distinguished Senators: Yes.

Senator Wilson Asinobi Ake (Rivers West): Mr. Chairman, Senator James Manager suggested January and he has been given the opportunity to say something. I suggested October; let me be given the opportunity to also say something.

The Chairman: I will start with October. Let me put the Question on October first. Is that all right by you?

Some distinguished Senators: Yes.

The Chairman: Senator Wilson Ake, having slept over October you now have additional information and if you want I can put the Question, but let me first of all put the Question on the month of May.

There will be two Questions here; one is on the month alone and then the Clause. I will now put the Question in respect having the Address in May.

Question put and agreed to.

I will now put the Question on Clause 3 to stand part of the Bill.

Question put and agreed to.

Clause 1(3) – ordered to stand part of the Bill.

Clause 2(1) provides that - *The President shall address the Joint Sitting aforesaid on such critical issues including but not limited to national security, the economy, external debt situation, defence, poverty eradication, social justice and observance of Federal Character in key government appointments, inter-governmental relationships, foreign policy and regional cooperation, education, health and agricultural policy.*

Now, the Committee is recommending that you remove the words; *critical* and *key* from the sub-clause.

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Senator Bassey Ewa-Henshaw (Cross River South): First of all, I do not understand the numbering of this Clause. Should it be 2 or 4; we have just finished with Clause 3.

The Chairman: The one we did just now was Clause 1(3). So this is Clause 2(1).

Senator Enyinnaya H. Abaribe (Abia South): Mr. Chairman, the Amendment I want to suggest here is that the Clause is too long. There is also what may be regarded as repetition. When you talk about the economy it includes the external debt situation and poverty eradication. So, I would suggest that we limit it to national security, the economy and social justice. Social justice also includes the observance of the Federal Character principle. Inter-governmental relationship is not of serious significance because everything they would say in such a speech includes it.

If we can make it in terms of four or five key issues such as foreign policy, economy, defence, education and agricultural policy.

The Chairman: I followed when you started but when you concluded you virtually called everything again. What are the areas you have in mind: economy, national security, justice and foreign policy? Is that all?

Senator Enyinnaya H. Abaribe: Yes.

The Chairman: That is all right. If there is no other Amendment I will now put the Question that Clause 2(1) as amended stand part of the Bill.

Amendment put and agreed to.

Clause 2(1) - *as amended ordered to stand part of the Bill.*

Clause 2(2) provides that: *The two Houses of the National Assembly shall variously debate the issues raised within five legislative days following the presentation of the State of the Nation Address.*

Senator Abubakar D. Sodangi: Mr. Chairman, I will suggest that we change the word; *variously* to *independently*. It will now read as follows: *The two Houses of the National Assembly shall independently debate the issues raised within five legislative days following the presentation of the State of the Nation Address.* Using the word

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variously does not follow from my own thinking and reasoning. The word *independently* is better.

Senator Joel Danlami Ikenya (Taraba South): Mr. Chairman, my observation and worry about this provision is that it depends on how many issues Mr. President would raise. To say that the National Assembly must debate the issues within five days is not necessary. It depends on how many issues he raised with us. If there is nothing on paper to debate on, what do we do? I am of the opinion that we should not peg the time of debate of the State of the Nation Address.

The Chairman: Since we have guided Mr. President that he must deliver within a particular period, we should also guide ourselves so that we do not take eternity in doing it or we do not do it all.

Senator Victor Ndoma-Egba (Cross River North Central): Mr. Chairman, I want to address Clause 2(2). The word; *variously* is not drafting language and it is inelegant. What we should have there is that the two Houses of the National Assembly *shall each debate the issues*.

The Chairman: You want to change it from *independently* to *each*?

Senator Audu Idris Umar (Gombe Central): Mr. Chairman, I want to re-enforce what Senator Joel Danlami Ikenya suggested. We should not box ourselves to a corner. We said that Mr. President should present his address within a stipulated time. Assuming the President delivers the address and for any reason the National Assembly has to be on recess, what do we do? Shall we not be in breach of the provision of this Act? My position is that we should leave out the date and leave it open.

The Chairman: I am still of the opinion that if we can discipline the President to say do this, we should discipline ourselves to do something also. It will not show seriousness on our part if we cannot say that as soon as he does it within the next five legislative sitting days, we must also deal with it.

Senator Ibrahim Mohammed Ida: Mr. Chairman, the way it stands here is ambiguous; what does it mean? Does it mean that debate should start within five days of delivery or it

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should be conducted and ended within five days of the delivery? In drafting we should say what we mean and mean what we say. But the way it is here it is not very clear whether it should start five days after delivery or that it should be concluded within five days. I want that clarification.

Senator Ike Ekweremadu: It is clear here. It says within five days we should debate it; that means we must start and end within five legislative days. Within the next five legislative days, we would have started and concluded it.

Senator Ahmad Lawan: Mr. Chairman, before the Amendment, let me say that five days is too restrictive and too little a time for us to get information that may be necessary for us to have a very rich debate. Therefore, I will suggest that instead of five days, we should make it two weeks. That is to say that after the President presents his address within two weeks after the address it should be debated. That gives us enough time to get more information so that our debate arising from the presentation of the President would be such that Nigerians would also understand our position and be able to follow.

Senator Mahmud Kanti Bello (Katsina North): Mr. Chairman, this Clause 2 should read simply thus. *The two Houses of the National Assembly shall each debate the issues raised and complete debate within five legislative days following the presentation of the State of Nation address.* It takes care of everything.

The Chairman: That is to complete debate within five legislative days. The issue Senator Ahmad raised is that five days is too small.

Senator Abubakar Danso Sodangi: Mr. Chairman, five days is not too small. Even in the National Budget whenever it is presented to us the two Chambers normally used to debate it within two days. If we can take two to three days to debate the national Budget that cut across ministries and agencies of government; I see no reason we could not utilise five working legislative days to discuss whatever national issues Mr. President would present to us. We are not discussing things that would cut across years rather than what Mr. President may deem fit to discuss within the items which has even been reduced to four. So, five days is reasonable and we should accept it.

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Senator Lee Ledogo Maeba: Mr. Chairman, if you look at our Rules on debate of any issue; every Senator has 40 minutes to debate an issue. It is good to debate this type of address exhaustively. Our business is to expand and debate issues. If we put a time limit, we are shooting ourselves in the leg. What if within five days we have not finished debating, we stop debate because the law says we must stop after five days? This is completely unparliamentary. We can say that we should debate the issue without putting the number of days within which we must debate it.

To me, the issue of time frame shows that we are setting a dangerous precedent where in the real event where Senators take sufficient time to discuss and after five days you still have a long list of Senators who have not debated would you shut them up because we have made a law to stop ourselves from debating after five days. Our business here is to debate and if it takes us two weeks what is wrong with that? We should not time ourselves because it is completely against our Rule that gives each Senator a minimum of 40 minutes to discuss issues. If you multiply 108 Senators by 40 minutes, it is completely in excess of five days. By that Rule, if we put five days, we are doing disserve to ourselves.

The Chairman: If I give each Senators 40 minutes that will give us 4,320 minutes. If you divide that by 60 minutes, you get 72 hours and that would mean three days. *(Laughter)* That is what you have done. I should put the Question now. The two corrections made are; *each and complete.*

Amendments put and agreed to.

Question on the Main Clause put and agreed to.

Clause 2(2) - *as amended ordered to stand part of the Bill.*

Clause 2(3) provides thus: *The resolutions of both Houses shall be harmonised by a Joint Conference Committee and forwarded to the President.*

Senator Osita Izunaso (Imo West): Mr. Chairman, my Amendment to Clause 2 (3) is that since we have started to give ourselves time frame, I want to amend it to read as follows: *That the*

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resolution of both Houses shall be harmonised by a Joint Conference Committee and forwarded to Mr. President within one month of the Address.

The Chairman: Distinguished Senators, the Amendment suggested is time limit that is within one month.

Senator Ayogu Eze: Mr. Chairman, the Amendment I want to propose comes from the premise that this is not a Budget in which the President must get one single version. I am suggesting that the word, *harmonised* should be replaced with *compiled*. (*Interruptions*)

Sir, I do not know whether you got what I said. I said that whereas in the case of budget, we must present one harmonised Budget which is submitted to us from the Executive but in this particular case, we are debating the matter as two separate arms of the National Assembly. So, I am suggesting that rather than use the word, *harmonisation*, we should substitute it with, *compiled* since we are going to send out a single communication. We have to compile the views of both the Senate and the House of Representatives as a reflection of what both Chambers think of the issues. So, it should read as follows: *The Resolutions of both Houses shall be compiled by a Joint Conference Committee and forwarded to the President*. Or possibly it could even be done by the Clerk to the National Assembly.

Senator Ahmed Ibrahim Lawan: Mr. Chairman, along the line of argument of my Friend and Brother, Senator Ayogu Eze, whatever we would at the end of the day come up with would simply be Resolutions that we have always passed. This is not a Bill. The address by Mr. President is simply an address. The two Chambers could see the issues in different light, the Executive would be richer and better if the Resolutions from the two Chambers are sent as they are. We do not need to harmonise anything. We should delete the word, *harmonise* and there is equally no need for a joint conference committee.

The Chairman: Just for clarification. If we pass Resolutions in the two Houses, do we ever harmonise them?

Several distinguished Senators: No.

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The Chairman: They go independently. Now, why do we want to harmonise this one?

The Chairman: I can hear a distinguished Senator saying Joint Sitting, accepted, but why do you want to harmonise? What is the advantage of harmonising? That is what you must get right.

Senator Anthony George Manzo (Taraba North): Mr. Chairman, I do not know what the practise is in other countries especially the United States of America when they are given a State of the Nation Address. I thought it was the feeling of Mr. President as well as ours. I do not think there is any need for any communication. He says something and the National Assembly state their own view. It is like going back and forward. I think that the entire Sub-clause is not necessary.

Senator Joel D. Ikenya: Mr. Chairman, I am aware that every Joint Session especially in the case of the Budget after the budget whole process, if there are minus and plus in the two Chambers, they are harmonised. I am also aware that this very important Bill seeks to give us an insight into what happens in the Executive arm of government. If Mr. President gives us details, we should be able to debate it and have a common position. For us to work as a National Assembly we need to harmonise our positions and forward it to Mr. President.

My worry is that when a Conference Committee meets and after agreeing on the minus or plus they would forward the report without any recourse to the Senate for approval. That means if I am not opportune to be in the Committee I would not know the Report as was forwarded to Mr. President. Therefore, I am of the opinion that we should harmonise and final report should come back to the Senate for approval just as we do with Appropriation.

The Chairman: We should distance this from budget speech, please. This is because at the beginning we said that it is without prejudice to the budget. Therefore, we should not align this with the budget otherwise, we are going to be repeating ourselves. The issue here is whether we should harmonise or see if it is necessary at all. If we want to communicate, why do we not communicate our views direct?

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Senator Smart Adeyemi (Kogi West): Your Excellency, I want to shade some light on this issue as to why the Committee decided to retain this particular clause. The State of the Nation Address is a very serious presentation that is being expected from the Executive, which, of course, would touch on socio-economic and political development of the nation. Taking a look at our functions as Legislators, and the budget itself, the perception of Legislators as it affects the nation, in most cases is quite different from the way the Executive look at issues. We are supposed to speak on issues as it affects the people directly.

The Executive branch looks at issues from the perspective of the figures before them. When Mr. President comes here and presents a State of the Nation Address, definitely, quite a number of us are going to interpret it from the perception of what we know of the people. So, I am of the opinion that we should retain this particular Clause because we are going to debate it and each one of us will make contributions as we see it, different from the perception of the Executive. I also think that it is important we harmonise. Communication is a two-way thing. Mr. President cannot come and present a State of the Nation Address and we swallow it the way it is presented to us. Legislators are supposed to debate issues and since it is going to be contemporary issues, we are equally expected to make our position known. I want to submit that the Committee is of the opinion that this Sub-Clause should be retained.

Senator Ahmed Mohammed Makarfi (Kaduna North): Mr. Chairman, with due respect to the argument for the retention of this, it is dangerous to start elevating a Resolution to a point of law.

I believe the Constitution provides for harmonisation with respect to lawmaking, not with respect to Resolution. Presentation of a State of the Nation Address by the President is not presentation of a Bill to the National Assembly no matter how important it is.

I will rather suggest that this Sub-Clause be deleted so that we do not begin to create issues that are totally unnecessary and then set as precedents that every important Resolutions should be harmonised - and you can define importance depending on how people look at the issue. I do not think it is necessary.

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Senator Ibrahim Mohammed Ida: Mr. Chairman, I think the Sub-Clause (3) is already pre-empted in Sub-Clause (2) which provides that there should be a debate. A debate obviously leads to Resolution. So, the question now is whether or not these Resolutions are to be harmonised. They can be harmonised if we aim to arrive at the same thing but as it has been variously raised, these are two distinct Chambers of the same National Assembly. Each is entitled to and should arrive at its own Resolution in respect of the issues that will be raised in the State of the Union.

In the event, Sub-Clause (2) which provides for a debate, obviously inherent in that is the question of Resolutions that would follow the debate. Definitely, once Resolutions are passed, the National Assembly already has its own means of communicating them to the Executive. Therefore, I will very strongly suggest that we adopt the recommendation of Senator Makarfi and delete this Sub-Clause.

The Chairman: The difficulty I have really is that after this Address what Resolutions are we going to pass? It is a State of the Nation Address. Any Resolution that we want to pass or any way that we want to express our view to Mr. President is done through the budget. What other Resolutions are we going to arrive at here if the man says this is his foreign policy, are we going to say it is not good or good or applaud it?

So, we should think carefully about what we really want to do before we put ourselves into a corner and cannot get anything out of it. I want us to think very seriously about it.

Senator Bukar Abba Ibrahim: I am in full support of retaining Clause 2(3) but it should read thus: *The resolutions of both Houses shall be compiled and forwarded to the President.*

There is nothing like harmonisation conference or whatever. I believe if the President talks about the State of the Nation he is going to talk on issues which are very important to this country and it is good for us to tell him our feelings and offer suggestions. We are not going to force him to do anything. But if we find, for example, any aspect of his foreign policy unnecessary or not in the interest of this country, it is not wrong for the National Assembly to point out to Mr. President that even though he has said it

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the National Assembly feels it should have been something else. It is left to him to take or leave it; it is only an advice. So, I believe we should retain it. I believe we should compile and forward whatever our views are without any harmonisation or conference.

The Chairman: I will now put the Question on Clause 2(3).

Question put and negatived.

Clause 3(1) reads: *Ministers and heads of parastatals and government agencies shall prepare and forward to the appropriate committee of both Houses of the National Assembly an annual report on the performance of their ministries, parastatals and agencies once in every year and such report shall give details of their budget performance for that year.*

The committee is recommending that Clause 3(1) be deleted.

Some distinguished Senators: Yes.

The Chairman: Do you want it retained?

Senator Osita B. Izunazo: Yes.

The Chairman: I will put the Question that Clause 3(1) form part of the Bill.

Question put and negatived.

The Chairman: Clause 3(2) provides: *The appropriate committee of any of the Houses of the National Assembly or both may under this Act invite a Minister and or head of parastatal and government agency and or a maker of any report forwarded to it under this Act for further investigation.*

Clause 3(2) – deleted.

Clause 3(3) – deleted

Clause 4 – (INTERPRETATION)

Clause 4 provides: *In this Act, unless the context otherwise requires, the following expressions have the meanings thereby assigned to them respectively; that is to say –*

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National Assembly means the two legislative houses namely, the Senate and the House of Representatives.

President means The President, Commander-in-Chief of the Armed Forces of the Federal Republic of Nigeria.

Address means State of the Nation Address.

Senator Umaru Dahiru: I have an Amendment, Mr. Chairman. On the issue of definition, the National Assembly and the President have been defined under our own Constitution and we must not try to do anything extra. I believe we should limit our definition as contained in the 1999 Constitution.

I will make reference to Section 318 of the Constitution where it says: **National Assembly means the Senate and the House of Representatives established by this Constitution.** Then it defines the President thus: **President or Vice President means the President or Vice President of the Federal Republic of Nigeria.**

So it is not as has been defined in the Bill here. So we should limit it as has been defined under our own 1999 Constitution. I so submit.

The Chairman: The legal people here can we not retain the Address?

Some distinguished Senators: We can.

The Chairman: The question is Clause 4 as amended. Is it not?

Some distinguished Senators: Yes.

Senator Lee Ledogo Maeba: Mr. Chairman, when we compare this Bill *vis-à-vis* the provisions of Section 67 of the Constitution, it is making it look as if this Bill is an intensive interpretation of the Constitution or an adjustment or an expansion of the Constitutional provision.

So, I want to find out from you the provision of Section 67 of the Constitution as it relates to this Bill whether it is an expansion of the constitutional provision of Section 67(1) or an extension of it. I can read Section 67 if you permit.

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The Chairman: I think Section 67 of the Constitution is not a compelling section. It provides as follows: *The President may attend any joint meeting of the National Assembly or any meeting of either House of the National Assembly either to deliver an address on national affairs including fiscal measures or to make such statement on the policy of government as he considers to be of national importance.*

A distinguished Senator pointed it out yesterday and I read it and my conclusion was that this is not a mandatory provision in the Constitution but what we are saying now if passed makes it mandatory for the President to do so.

Senator Lee L. Maeba: Like the demand of a letter.

The Chairman: Not quite, Senator Lee. Like so many other points of Orders that you raised here.

Senator Mahmud Kanti Bello: Point of Order, Mr. Chairman!

The Chairman: What is the point of Order, Senator Kanti Bello?

Senator Kanti Bello: Mr. Chairman, Senator Lee should always remember Order 71 of our Rule which says that. *No Senator may speak on any question after the same has been fully put by the President of the Senate or the Chairman.* Each time we have finished something, Senator Lee Maeba will bring us back. He should be called to order.

The Chairman: Did you come by way of a Point of Order or an explanation?

Senator Kanti Bello: I came under Order 71; Senator Lee Maeba should stop bringing us back whenever we have finished something.

The Chairman: The Chief Whip's Point of Order is sustained to the extent that it applied to all of us. I will now put the Question on Clause 4 as amended.

Question put and agreed to.

Clause 4 - (INTERPRETATION) - as amended ordered to stand part of the Bill.

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Clause 5 – (CITATION) - This Act shall be cited as the State of the Nation Address Bill 2009.

Question put and agreed to.

Clause 5 – (CITATION) – as amended ordered to stand part of the Bill.

LONG TITLE: *A Bill for an Act to Enshrine an Annual State of the Nation Address in the Laws of the Federation of Nigeria and Other Matter Connected Thereto.*

Question put and agreed to.

LONG TITLE – ordered to stand part of the Bill.

Senator Teslim Kolawole Folarin: Mr. Chairman, I move that the Chairman do report progress.

Senator Kabiru Ibrahim Gaya: Mr. Chairman, I rise to second the Motion ably moved by the Senate Leader.

Question put and agreed.

(The President resumed the Chair)

The President: The Senate in the Committee of the Whole resumed consideration of the Report of the Committee on Federal Character and Inter-Governmental Affairs on the State of the Nation Address Bill, 2009 and approved as follows:

Clause 1(3) as recommended;

Clause 2(1) & 2(2) as amended;

Clause 2(3) deleted;

Clause 3 as recommended;

Clause 4 as amended;

Clause 5 as amended;

Long Title as amended.

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

Several distinguished Senators: Yes.

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Senator Teslim Kolawole Folarin: Mr. President, I now move that the State of the Nation Address Bill, 2009 be now read the Third Time.

Question put and agreed to.

Bill read the Third Time and passed.

CONSIDERATION OF BILLS

Federal Capital Territory Appropriation Bill, 2009

A Bill for an Act to Authorise the issue from the Federal Capital Territory Administration Revenue Fund of the Federal Capital Territory Administration Account the total sum of N135,901,297,300 (One Hundred and Thirty Five Billion, Nine Hundred and one Million, Two Hundred and Ninety Seven Thousand, Three Hundred Naira) only of which the sum of N24,356,948,618.00 (Twenty Four Billion, Three Hundred and Fifty Six Million, Nine Hundred and Forty Eight Thousand, Six Hundred and Eighteen Naira) only is for Personnel Costs and the sum of N19,032,799,407.00 (Nineteen Billion, Thirty Two Million, Seven Hundred and Ninety Nine Thousand, Four Hundred and Seven Naira) only is for Overhead Costs Whilst the Balance of N92,511,549,275.00 (Ninety Two Billion, Five Hundred and Eleven Million, Five Hundred and Forty Nine Thousand, Two Hundred and Seventy Five Naira) only is for Capital Projects for the Service of the Federal Capital Territory, Abuja, for the Financial Year Commencing on 1st January and Ending 31st December, 2009.

Senator Teslim Kolawole Folarin: The third Order of the Day is the Second Reading of the Federal Capital Territory Appropriation Bill, 2009.

This is an Executive Bill which was read the First Time in this hallowed Chamber on Tuesday, 3rd February, 2009.

With your very kind permission, I wish to move the Motion for the Bill to be read the Second Time.

The President: It is a lead debate, so I will merely invite you to lead the debate on the Appropriation Bill for the Federal Capital Territory.

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Senator Teslim Kolawole Falarin: Mr. President, once again, I thank you for giving me the privilege to lead the debate on the general principles of a Bill for an Act to Authorise the issue from the Statutory Revenue Fund of Federal Capital Territory the total sum of N135,901,297,300 (One Hundred and Thirty Five Billion, Nine Hundred and One Million, Two Hundred and Ninety-Seven Thousand, Three Hundred Naira) only.

As I earlier said, the Bill was read the First Time in this Chamber on Tuesday, 3rd February, 2009. Our powers to deliberate on this Bill is derived from Section 299 of the 1999 Constitution of the Federal Republic of Nigeria which vests legislative powers over the FCT on the National Assembly.

The proposed expenditure profile is as follows:

- (1) The sum of N24,356,948,616 (Twenty Four Billion, Three Hundred and Fifty Six Million Nine, Hundred and Forty Eight Thousand, Six Hundred and Sixteen Naira) only is for personnel costs;
- (2) The sum of N19,032,799,407 (Nineteen Billion, Thirty Two Million, Seven Hundred and Ninety Nine Thousand, Four Hundred and Seven Naira) only is for overhead costs; while
- (3) The balance of N92,511,549,275 (Ninety Two Billion, Five Hundred and Eleven Million, Five Hundred and Forty Nine Thousand, Two Hundred and Seventy Five Naira) only is for Capital Projects for the service of the FCT for the financial year commencing 1st January and ending 31st December, 2009.

This year's Budget proposal is N66.6 billion more than the 2008 Appropriation Act for the FCT. This no doubt, is the biggest and most ambitious Budget ever envisaged for the FCT in its 33 years of existence and its target is to execute a number of vital projects calculated at bringing Abuja up to date in infrastructural development.

The thrust of the FCT Appropriation Bill, 2009 includes the following:

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- (1) The key highlight of the Budget is the allocation of N9 billion (Nine Billion Naira) only to the Satellite Towns Infrastructure Department meant for the provision of infrastructures like roads, bridges and drainages in the Satellite Towns.
- (2) Water problem would be thoroughly addressed in this Budget with the intention of providing water on a 24 hour basis in the next one year within the FCT. This will be achieved with the allocation of N1 billion Naira only to the FCT Water Board.
- (3) Light Railway to provide mass transiting across the FCT will commence with an initial budget of N5 billion so that the long awaited mass transit project and the long term solution to Abuja transport problem can commence. This is complemented by N11 billion provisions in the National Budget. The issue of growing traffic menace in the FCT is being tackled with the construction of three overhead bridges. One is at Lugbe on the Airport Road, and two are along Kubwa Expressway. They are to be constructed within the period under review.
- (4) The health sector will be invigorated with the completion and equipping of four (4) hospitals in the Satellite Towns across the FCT. The sum of N4.3 billion has been earmarked for these projects. The completion of all on-going projects that started in the 2007/2008 financial year is another area of priority.

In order to enable the national Assembly monitor the implementation of this ambitious budget, Sections 5(1) and (2) of this Bill, required the Minister of the FCT, the Director of Treasury of the FCT, and all Accounting Officers of the FCTA, Agencies, Parastatals and Extra-Ministerial Departments, who control Heads of expenditure upon the coming into force of this Act, to furnish the National Assembly with monthly and quarterly Reports; detailing the progress of implementation of this Act. This control mechanism will put the FCT Administration on its toes to ensure that Nigerians get the full benefit of democratic dividend.

I am impressed with the articulation of this budgetary proposal, therefore, will not hesitate to urge you all to give it the support it deserves going

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by the fact that one of us is at the saddle of the FCT.

Senator Ike Ekweremadu: Mr. President, as the House of Assembly of the FCT we are called upon to do one of our duties to the FCT, which is namely; to consider and pass the FCT Budget for 2009.

Every four years, we hold elections in this country. At the end of every election, we will have at the Federal Capital Territory, 469 Members of the National Assembly, and 40 to 50 Ministers all with their Aides, Assistants, relations, wives and friends. The implication is that at the end of every four years, all these people who have turned into Abuja would not leave and another set of National Assembly Members will come, another set of Ministers and Assistants, Advisers will come and increasingly, the population of Abuja continues to grow because those who come to Abuja never leave. This brings a lot of pressure on the infrastructure available in the FCT.

If you have ever passed along the Airport Road in the morning or in the evening, you will see how helpless our people are every day either coming to work or going home. The same goes for Kubwa Road and the road around Asokoro area. This is the time for this budget to address some of these infrastructural challenges. As a result of the population explosion in Abuja, you can notice the deteriorating services in the areas of water and electricity supply. There are so much pressure on some of these infrastructures. We need to plan ahead to ensure that this population is catered for in terms of infrastructure. We need as well to develop new Satellite Towns, providing infrastructure so that the concentration within the municipality would be reduced. This is an opportunity for this Assembly to deal with some of these problems that confront us in the FCT every year.

FCT holds a lot of hope for everybody in this country and I believe that any person, who wants to come, live and settle in Abuja, is entitled to do so. I am talking of people of African descent. Abuja should be able to provide home for all black people all over the world including white people as well. We need to have world class infrastructure in Abuja and continue progressively, to build upon what we have so that the status of Abuja will continue to be maintained.

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I support this Appropriation Bill, and I believe that the Committee that would look into it will need to ensure that adequate provisions have been made to be able to deal with this infrastructure challenges in the FCT. This is my contribution.

Senator Kabiru Ibrahim Gaya: Mr. President, this year's FCT Budget is unlike the previous years. This year's budget is more detailed and very specific. I am happy to say that, at least, on Capital Expenditure, they have about 75 *per cent* while 25 *per cent* is for Recurrent Expenditure. This is a good budget. This is a budget of hope and I expect the Administration of FCT to perform for the benefit of Nigerians in Abuja and those that come to Abuja.

The next thing is the issue of road network, especially the road from Suleija to Abuja; the Airport Road and other major roads. For anybody working in those areas or working in the Capital City but live in those areas; they must leave as early as 5.00 a.m. to be able to get to their offices at about 8.00 a.m. That is, staying four hours on the road. When they close by 5.00 p.m. they will not get home until 9.00 or 10.00 p.m. That is why there is need to have three lanes on those areas to split Abuja-Suleija and then the Airport Road. I expect that efforts should be made immediately by the new Administration on that. Generally speaking, the budget is balanced. Having 25 *per cent* Recurrent and 75 *per cent* Capital makes it a good budget. I hope the Federal Government's Budget, too, should reflect this.

Senator Annie Okonkwo (Anambra Central): I lend my support to this very important Bill. The most important thing about this Bill is the development of infrastructure. I am happy that the amount for this has been increased from what it used to be to, at least, address the needs of the Satellite Towns.

You will realise that every day the population of Abuja is increasing. We must start opening up towns so that people can have accommodation. Things are becoming very expensive in Abuja. Housing and land are becoming so expensive. People cannot afford to rent one bedroom flat in Abuja. I do not wish that these things will continue this way. Abuja has a vast land that needs to be opened up so that people should be able to have lands and develop those places. It is very

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important and I am happy that this Bill is addressing it.

Another area that has not been addressed properly is the issue of security. The issue of security in Abuja today is becoming a concern to all of us. What has been happening in the Niger Delta States such as kidnapping is now happening in Abuja. Last week, I heard that some people were kidnapped here. We do not want this sort of thing to happen in this City because it will definitely scare people from coming to this City. Abuja is a model City in Africa. We should strive as much as possible to ensure that the cleanliness for which Abuja is known is maintained.

Of course, a lot is expected from the new Minister of the FCT. We hope that with his stance and the support of this hallowed Chamber, the Minister will improve in all aspects of infrastructure development in the FCT. I fully support this Bill.

Senator Paulker Emmanuel (Bayelsa Central): Mr. President, I rise to contribute to this important Bill on the Appropriation for the Federal Capital Territory.

I am actually impressed with the highlights of the Bill. From all indications, the infrastructure in Abuja is becoming overstretched day-in day-out. The hold-ups that were not in Abuja in the recent past are fast coming. If we continue at the rate we are going, my fear is that Abuja, in the next few years, will be like Lagos which is now over congested today.

Looking at the Bill, it is very specific in areas that show concern to the citizenry of Abuja. If you pass through Lugbe in the morning or evening, you will agree with me that the traffic there is very heavy and the Bill has provided a solution to it. Even water which is one of the basic needs of human beings is becoming a problem in Abuja and here again the Bill has made provision for it. In our legislative quarters, you will agree that water is becoming a scarce commodity. You wake up one morning and notice that the taps are not flowing. The Bill is equally addressing that area. To me, the Bill is well channelled to address the problems of Abuja. The Satellite communities are being provided with specific amounts to improve the facilities in those areas so that a lot of the population can relocate to the Satellite Towns.

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So, I join others in saying that this Bill should be given prompt attention it deserves. We should also give the Minister the real backing to execute these projects especially in a situation where monitoring is entrenched in the Bill. It is one thing to pass the Appropriation and it is another to implement. Here again, the Bill has taken care of that such that monthly reports will be sent to this Assembly so as to ascertain how far they are implementing the Bill. That is a good point, too, so that the projects can be monitored effectively. Therefore, I enjoin my Colleagues to give their support to this Bill so that the FCT Administration can implement this budget to the letter.

Senator Patricia N. Akwashiki (Nasarawa North): Mr. President, this Appropriation is one of the most detailed and one of the best I have seen of FCT in the sense that it is people oriented. It is focusing on the people who live in the FCT in improving facilities. Most credible is this monorail system that is being introduced in the Bill. It is high time we have monorails not only in the FCT but also in some of our cities. I commend the FCT Committee; at the same time I encourage them to do more in terms of oversight and supervision of these projects.

In the last budget, we know that there was emphasis on Satellite Towns development, but very little was achieved because halfway in the budget, the Minister suddenly decided to do direct labour and that put a lot of the projects in jeopardy, hence many of the projects were not completed. So, it is very important and good that Satellite Towns are given priority in this Budget. If we improve the infrastructures in the Satellite Towns, we would be decongesting the Capital City. They people there will have basic facilities to live.

On the issue of health, I want to commend FCT Authorities because I believe they have done better in health sector than any other State. Many of the hospitals in FCT are properly run with better facilities. This is an area you see government spending money from the budget and you see it physically in terms of hospital infrastructure. Building more hospitals will further improve healthcare in the FCT. I think it is a good budget.

Senator Garba Yakubu Lado (Katsina South): Mr. President, I rise to support the FCT Appropriation Bill, 2009. The FCT Appropriation

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Bill is well detailed. It is a Budget of hope. From the way the Bill has been proposed, there is no doubt in my mind that it will address most of the critical areas that are becoming worrisome in the FCT especially Kubwa and Airport Roads where there are always heavy traffic which has caused most of the civil servants living in those areas from coming to work on time.

An interesting aspect in the Bill is the proposed Mass Transit Scheme. As one of the biggest Cities in Africa, we ought to have Mass Transit Scheme in place by now. Now that the government is proposing it, of course, it is a very interesting development that will transform the FCT into one of the most modern Cities in the world. On this basis, I am absolutely in support of this Bill and I urge my distinguished Colleagues to give this Bill utmost support.

Finally, I concur with what Senator Akwashiki said that the Committee on FCT should seriously intensify its oversight function to see that this budget is well implemented. I so support this Bill.

Senator Osita B. Izunaso: Mr. President, I align myself with the previous speakers about the quality of this FCT Appropriation Bill for 2009. My major interest is the fact that this Bill has captured the issue of railway which I believe, if vigorously pursued and concluded will certainly ease the problem of transportation within the FCT.

Again, I have seen here that a total of N9 billion has been budgeted for the Satellite Cities which I believe that part of the greatest problems we have today in FCT is people insisting that they must live within the first phase of Abuja development which are Garki, Wuse, Maitama and Asokoro. This is not right because it is the major cause of the congestion we have today in the Federal Capital Territory.

I believe that if the Satellite Towns are properly developed with proper infrastructure, several of the people trying to live within the first phase will have alternatives in places such as Karshi, Kubwa, Bwari, Kuje and Gwagwada. However, a major problem they will have is transportation. That is why I am supporting the idea of voting a handsome sum of N5 billion to the issue of light railway which I believe will

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ultimately reduce and ease FCT transportation problem.

I do not want to believe that N1 billion would be appropriate for water problem within the FCT. I believe that by the time the Committee goes into work, they would find a way of adjusting some of the figures.

But my worry is that juxtaposing the 2008 Budget of FCT with the 2009 Budget, you will discover that the Recurrent Expenditure for 2009 is very high in the sense that it is now N46 billion for both Personnel and Overhead Cost; whereas that of 2008 was just about N26 billion. What has happened between 2008 and 2009 that will warrant the Recurrent to so jump from N26 billion to N46 billion, which is an increase of N20 billion within a short period of time? I am sure that by the time the Committee moves into work they would be able to give us more explanation.

The Capital Project for 2009 is N92 billion whereas that of 2008 was N43 billion. I have seen that the revenue profile does not change much; but at the end of the day they arrived at N135 billion. It is almost two times of the Budget of 2008 that is being proposed of 2009. So, the astronomical jump between 2008 and 2009 is something that the Committee would equally explain in greater details. By and large, some of the issues are well itemised in the overall Budget Expenditure book.

I believe that the FCT should be more proactive. They have a Rolling Plan of about five years which is contained in the overall Budget. I believe that when these issues are properly tackled, the 2009 Appropriation would eventually ease the major problems of this City which is to decongest the Central Districts of Abuja by more people going to live in the Satellite Towns.

Senator George Anthony Manzo (Taraba North): Mr. President, let me align myself also with my Colleagues that have spoken so far on this Bill. For the first time, it is a Bill that really seeks to squarely address the problems of FCT as was anticipated by the founding fathers of FCT. I remember that Abuja came to be because of the problems of congestion and security in Lagos and also to find a place that is central for the nation's capital. We have achieved a lot of these other objectives but as times go by, we to discover that the issue of congestion is rearing its ugly head in

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Abuja. One of the things that this Budget seeks to address is the issue of opening up a road network.

Tackling the Satellite development issues has never happened. The only attempt, in my opinion, that was made by an FCT Minister was during the reign of Major General Mamman Kontagora who tried to open up, especially Gwagwalada, which is a town where I lived for about eight years. Since then, the succeeding FCT Administrations have concentrated their energy within the City forgetting that the greatest threat to Abuja is that of urban migration from other parts of the country and from the Satellite Towns to the City. I believe that the attempt by this Budget to address the issues of opening up the roads, developing social services in the Satellite Towns is what this Senate should support. I equally believe that at the end of the day, if this Budget is fully implemented, which I believe it will be, because we have one of our own now as the Minister, he knows what we have been doing here and importance National Assembly attaches to the issue of implementing Budgets.

I urge the Committee on FCT and the relevant Committees that would look at it to, perhaps, address the rather ambitious revenue profile of the Budget. We must also consider what Senator Osita has said as regards the jump in the Recurrent Expenditure.

Senator Chris N. D. Anyanwu (Imo East): Mr. President, I am happy to see some elements that we have been talking about for a long time. The most important, as far as I am concerned, is the inclusion of the railway system in the Budget. This is something that many cities in Nigeria have been avoiding. Lagos State has been postponing its own until it has become a major problem to do it. Every year you postpone these things, the cost goes up. So, it is a good thing that we are starting it in Abuja. There is no alternative mass transit to railway system. I am pleased to see it.

I want to call attention to some omissions. I have just received the details but unfortunately, I was not able to go through to the details. However, one thing I noticed that is missing is the development of tourism in this City. For a long time Nigeria has been trying to position Abuja as a Conference Tourism Centre of the world and you notice the number of international conferences happening here. Unfortunately, there is hardly

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anything in Abuja that lends itself to relaxation and tourism of that nature.

Only a few weeks ago when we were going on an oversight of the Defence Committee, we saw that what, perhaps, could have been the most beautiful centre of relaxation is being turned into a barrack. The best Fort in Abuja is now going to be used as barracks. I thought that was very sad. I did convey my views to the Authorities. If FCT has been forward thinking; forward looking and forward planning that place would not have been taken over by the military to construct a barrack. I will use this opportunity to express my dissatisfaction with what has gone on there. It is imperative that FCT thinks about developing tourism; that is not integrated in this Budget which I believe is a big omission. I hope that in subsequent Budgets they would do something and begin to plan ahead.

It is also time for FCT to end the over 20 years delay in infrastructural development in certain parts of the city; Mabushi being the example. Mabushi has become a slum that is surrounded by affluent neighbourhoods like the Ministers' Hill, the Jabbi Lakeview. Mabushi is undeveloped. There are no roads there. The place had been allocated to people for over 25 years and I do not know what is happening to FCT why they would not put roads and infrastructure in that area. It is an eyesore and has become a point for congregation of criminals and people doing things that are untoward. The Committee on FCT should note this and take it up with the Engineering and Public Works Department of FCT on why they are not finishing that area so that it would be in harmony with its neighbourhood.

Another area I want to call attention to; I urge the present Administrator of FCT to really press on with monitoring and policing of the City in terms of conformance; get the people to conform to zoning and planning laws. There has been a little bit of laxity and we are seeing things that were not there few months ago. They should not just have teams of bulldozers and demolishers, I suggest they have foot men and women to police the neighbourhood and ensure that people are not selling in the streets; throwing garbage everywhere and making this place less than the ideal City it is supposed to be. We do not have another Abuja in Nigeria. It is the last resort for us in terms of living

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a fine life that is comparable to the life that people live elsewhere in the world.

Finally, I would like to urge FCT for a provision for public education. There is no provision for it here. I keep saying that public education is getting the people to begin to see some of the programmes of government as their own, and take possession of them. They should factor public education programmes in their planning. I would like to see more money spent on that in future Budgets.

Senator Bello Gwarzo (Kano North): Mr. President, I want to associate myself with most of the speakers that spoke in favour of this Bill. FCT Appropriation Bills have been coming to this Chamber since the inception of this democratic dispensation and a lot has been achieved but more needs to be achieved.

I want to advise the Committee on FCT to seriously scrutinise the performance of last year's Appropriation Act. Going by the Statutory Revenue, the submission by FCT as at 2008 was about N30 billion and this year, they are proposing N35 billion. The Value Added Tax for last year was N3 billion, and N6.5 billion is being proposed for 2009 Appropriation Bill. It is an increase of over 100 *per cent*. The Committee on FCT needs to work and find out how they would realise this target. We need to have a realistic budget, and not a budget that cannot be executed.

Water shortage in FCT is a very serious problem which the Committee on FCT needs to consider and address very seriously. With these few words, I support the Bill and I urge my Colleagues to also support the passage of this Bill.

Senator Sylvester Ayodele Arise (Ekiti North): Mr. President, I rise to support this Appropriation. I want to suggest that the issue of comprehensive Development Plan, which should be reviewable every five years, be looked into. As we grow, we should be able to know the number of people coming into Abuja on regular basis so that we can make adequate planning for schools and pressure on utilities. This goes in line with some of the contributions my Colleagues have submitted this afternoon.

I looked at the Budget critically and the only area I want to suggest to the FCT is the purchase

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of auto cars rather than quoting for single ones at the same price. There is possibility now that you can buy user licenses which are not as expensive as buying the individual ones. I want them to look at that area because these are areas of the leakages we have been complaining about in the public sector.

Besides that, this is a very beautiful Budget particularly, as it would take care of the issue of transportation the development of new areas. I support this Bill especially with regard to the good work they have done in this Budget.

The President: I believe all the issues have been reasonably addressed; therefore, I should put the Question.

Senator Munirudeen Adekunle Muse (Lagos Central): Mr. President, my contribution on this matter is on security and availability of houses, particularly for the first time Legislators, to have the opportunity to purchase their own houses.

On the Airport Road, there is need for the FCT to build foot bridges. There are two dangerous spots, which are causing hold up. We have a convergence of roads on the Airport Road. On a stretch, you drive for about 20 minutes without any other road leading to the Airport. It is not good for security in FCT. If there is any serious accident; and one had occurred at a particular time where a petrol station got burnt; the whole place was jam packed. FCT in this Budget or in future, should think on these two areas, that is, providing foot bridges and another road to link the Airport because of security reasons.

With this, I support this Bill. FCT should give priority for more houses to be constructed because as the DSP has said, whoever comes to Abuja would not like to go back and it is a statement of fact.

The President: Distinguished Senator Ayogu Eze, you will sum up for distinguished Senators Jibril, Idah and Olajumoke. I noticed four of you conferring and I guess you have put all your ideas together.

Senator Ayogu-Eze: Your Excellency, you are very observant. The people you mentioned

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have summed up their views and passed it to me to advance.

The issue I wanted to point out is that last year when we passed the Budget of the FCT there was an observation that we made based upon which we made a Resolution that we are going to increase and give them adequate budget. I wanted to advert our mind to that fact because of some of the observations very rightly put by some of my Colleagues about certain jumps. It is important that we situate those jumps in the Resolutions that we took here when we considered their Budget last year. We said that some of the failures in infrastructure in areas of power, water and roads were for the fact that the funding of FCT, in our opinion, was not adequate. If we should have a Federal Capital that reflects the aspirations of its founding fathers, we must provide adequate funding for it in line with the local proverb that *good soup na money make am*.

So, I want to support the size of this Budget. What should concern us is the Resolution we took when we passed the Budget of the Federal Government. We said that we are going to take the Budget to the streets to look at how it is implemented.

We should urge our Committee on FCT and all the people who are charged with the responsibility of over-sighting certain aspects of this Budget to take the budget to the streets and ensure that whatever we give them is utilised for the purpose for which it is appropriated. This is because I am becoming ashamed that power supply in Abuja has become more epileptic than in Lagos. Water supply in some areas has ceased entirely. Since they stopped providing infrastructures in Satellite Towns and concentrate everything within the first phase, if you drive towards Kubwa you meet chaos on the road. People stay for days without electricity. This is not acceptable in Abuja, the Federal Capital Territory because one of the reasons of the movement from Lagos to Abuja was to avoid congestion. As of now the Lagos State Governor is reclaiming Lagos and transforming it into what it ought to be while Abuja is sliding into chaos. That cannot be.

We must support this Budget. It is not about the amount but what that amount is used for. We asked for the increase in the Budget and we should

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support the increase and ensure that it is utilised for the comfort of the people who live here.

The President: I thank you very much, distinguished Colleagues. We have done a lot of good to the analysis and I believe that if this Budget is properly implemented, there will be a positive impact. The problem will be the implementation rather than the amount of money involved.

Although I noticed that we are suggesting the submission of monthly report to the National Assembly, we should be careful so that we do not usurp the work of the Committee on FCT. If the Committee on FCT does its work properly, they can brief us on quarterly basis but submission of monthly report to the National Assembly will be really overstretching our supervisory role. We have got a Committee that should monitor it.

My humble suggestion to the Committee will be that from day one, you will get a programme of the schedule of implementation from the FCT. You have got ₦5 billion for light railway here; they should tell you what ₦5 billion is going to do and every month you monitor the various stages to determine if they are doing it properly.

It is one thing to budget but more important to ensure that whatever is budgeted is properly utilised and we can feel the benefit immediately. We should not start a project that we cannot finish and at the end of the day it will just become wasted effort or money down the drain.

I thank you for your comments and the interest you have shown in FCT. We are the House of Assembly that supervises FCT. So, it is also our responsibility to ensure that it performs properly. I will now put the Question that this Bill be now read a Second Time.

Question put and agreed to.

The President: Senator Sodangi, how soon can you return this Bill because we do not want to continue with this business of passing FCT Budgets in June?

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Senator Abubakar D. Sodangi: Mr. President, we will return it in two weeks.

The President: The Bill is referred to the Committee on FCT to be returned in two weeks.

Bill accordingly read the Second Time and referred to the Committee on Federal Capital Territory to report in two weeks time.

Senators Teslim K. Folarin: Mr. President, the fourth Order of the Day is the Second Reading of an Executive Bill and the last Order of the Day which is a Bill sponsored by Senator Chris Anyanwu are very similar. We just realised it this morning. There is need to marry these two Bills. For this reason, I move that the last two items on the Order Paper be stood down to the next legislative day.

Senator Kabiru Ibrahim Gaya: Mr. President, I second the Motion that the last two items on the Order Paper be stood down to the next legislative day.

Question put and agreed to.

By leave of the Senate the last two items on the Order Paper stood down to the next legislative day.

ADJOURNMENT

Senator Teslim K. Folarin: Mr. President, I move that this Senate do now adjourn till Tuesday, 24th February 2009 at 10.00 a.m. prompt.

Senator Kabiru I. Gaya: Mr. President, I second the Motion moved by the Leader that we adjourn till Tuesday, 24th February, 2009 at 10.00 a.m. prompt.

Question put and agreed to.

Resolved: That the Senate do stand adjourned till Tuesday, 24th February, 2009 at 10.00 a.m. prompt.

The Senate adjourned accordingly at 2.40 p.m.