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**Tuesday
20th January, 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**

Tuesday, 20th January, 2009

The Senate met at 10.35 a.m.

PRAYERS

(The President in the Chair)

VOTES AND PROCEEDINGS

The President: Distinguished Senators, let us consider the Votes and Proceedings of Thursday, 15th January, 2009, page 413.

Senator Blessing Chris Anyanwu (Imo East): Mr. President, I rise to move that the Senate adopt the Votes and Proceedings of Thursday, 15th January, 2009.

Senator George Anthony Manzo (Taraba North): Mr. President, I rise to second the Motion ably moved by distinguished Senator Chris Blessing Anyanwu that the Votes and Proceedings, of Thursday, 15th January, 2009, be approved.

Question put and agreed to.

Resolved: That the Votes and Proceedings of Thursday, 15th January, 2009, be approved.

ANNOUNCEMENTS

**Commissioning of the Nigerian Open University
Study Centre at Otukpo**

The President: There will be an aircraft to convey distinguished Senators, from Abuja to Makurdi on Friday, 23rd January, 2009, for the commissioning of Nigeria Open University Study Centre, at Otukpo. The return flight from Otukpo will be at 4 p.m.

Please indicate if you would like to go on the flight.

Marriage Ceremony

There is also an arrangement for an aircraft to convey distinguished Senators who want to go to Katsina on Saturday morning for the marriage ceremony of the Governor of Bauchi State. The aircraft will bring those going back on Saturday afternoon.

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Either distinguished Senator Bala Muhammed or distinguished Senator Muhammed A. Muhammed will let us know the details by tomorrow.

Birthday Wishes

We want to wish our following distinguished Colleagues happy birthday: distinguished Senator Ibrahim Ida Mohammed and distinguished Senator Isiaka Adeleke whose birthday was on 15th January, 2009. The other person is distinguished Senator Umar Gada whose birthday was on 16th January, 2009.

We wish you all happy birthday, long life, God's protection and blessings.

Closed Session

In the Closed Session this morning, we discussed issues affecting the Senate and our intention to move the nation forward. Is that a true reflection of what we discussed in the Closed Session?

Several distinguished Senators: Yes.

Question put and agreed to.

PRESENTATION OF REPORT

**Report of the Committee on Environment and
Ecology on the National Climate Change Bill, 2009,
SB.24**

Senator Teslim Kolawole Folarin (Oyo Central): Mr. President, the first business of the day is the presentation of the Report of the Committee on Environment and Ecology on the National Climate Change Bill, 2009, SB.24.

You may wish to invite the Chairman of the Committee, distinguished Senator Folashade Grace Bent to move the Motion for the Senate to receive the Report.

Senator Folashade Grace Bent (Adamawa South): Mr. President, I seek the leave of the Senate to lay the Report of the Committee on Environment and Ecology on the National Climate Change Bill, 2009, SB. 24.

Senator Nimi Barigha-Amange (Bayelsa East): Mr. President, I rise to second the Motion that the Senate do receive the Report of the Committee on Environment and Ecology on the National Climate Change Bill, 2009.

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Question put and agreed to.

Resolved: That the Senate do receive the Report of the Committee on Environment and Ecology on the National Climate Change Bill, 2009.

(The Report accordingly laid on the Table)

ORDERS OF THE DAY

MOTION

Confirmation of Nominations

Senator Teslim Kolawole Folarin: The first Order of the day is a Motion requesting this Senate to consider the request of Mr. President, Commander-in-Chief, for the confirmation of the nominations of Hon. Justice John Afolabi Fabiyi (North Central), and Hon. Justice Olufunlola Oyelola Adekeye (South West) as Justices of the Supreme Court of Nigeria in accordance with Section 231(2) of the 1999 Constitution of the Federal Republic of Nigeria. The purpose of this Motion is for the request of Mr. President, C-in-C, to be referred to the relevant committee for further legislative action.

I, therefore, move that this Senate do consider the request of Mr. President, C-in-C, for the confirmation of Hon. Justice John Afolabi Fabiyi (North Central) and Hon. Justice Olufunlola Oyelola Adekeye (South West) as Justices of the Supreme Court of Nigeria in accordance with Section 231(2) of the 1999 Constitution of the Federal Republic of Nigeria.

Senator Maina Ma'aji Lawan (Borno North): Mr. President, I rise to second the Motion that the Senate do consider the request of Mr. President, Commander-in-Chief, for the confirmation of the nominations of Hon. Justice John Afolabi Fabiyi (North Central) and Hon. Justice Olufunlola Oyelola Adekeye (South West) as Justices of the Supreme Court of Nigeria in accordance with Section 231(2) of the 1999 Constitution of the Federal Republic of Nigeria.

Question put and agreed to.

The President: It is referred to the Committee on Judiciary and Human Rights. It should be reported backed latest two weeks.

Resolved: That the Senate do consider the request of Mr. President, Commander-in-Chief, for the confirmation of the nominations of Hon. Justice John Afolabi Fabiyi (North Central) and Hon. Justice Olufunlola Oyelola Adekeye (South West) as Justices of

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the Supreme Court of Nigeria in accordance with Section 231 (2) of the 1999 Constitution of the Federal Republic of Nigeria.

(Confirmation of the Honourable Justices of the Supreme Court referred to the Committee on Judiciary and Human Rights, and to be reported back within two weeks)

Senator Teslim Kolawole Folarin: Mr. President, the second Order of the day is a Motion requesting this Senate to consider the request of Mr. President, Commander-in-Chief, for the confirmation of the nominations of Mr. Olumuyiwa Akinboro and Alhaji Mohammad Bala Shagari as Members of the Federal Capital Territory Judicial Service Committee in accordance with Section 304(1) and (2) of the 1999 Constitution of the Federal Republic of Nigeria. The purpose of this Motion is for the request of Mr. President, C-in-C to be referred to the relevant Committee for further legislative action.

I, therefore, move that this Senate do consider the request of Mr. President, C-in-C, for the confirmation of the nominations of Mr. Olumuyiwa Akinboro and Alhaji Mohammad Bala Shagari as Members of the Federal Capital Territory Judicial Service Committee in accordance with Section 304(1) and (2) of the 1999 Constitution of the Federal Republic of Nigeria.

Senator Maina Ma'aji Lawan: Mr. President, I rise to second the Motion that the Senate do consider the request of Mr. President C-in-C, for the confirmation of the nominations of Mr. Olumuyiwa Akinboro and Alhaji Mohammad Bala Shagari as Members of the Federal Capital Territory Judicial Service Committee in accordance with Section 304(1) and (2) of the 1999 Constitution of the Federal Republic of Nigeria.

Question put and agreed to.

The President: It is referred to the Committee on Judiciary and Human Rights. It should be reported backed latest two weeks.

Resolved: That the Senate do consider the request of Mr. President, Commander-in-Chief, for the confirmation of the nominations of Mr. Olumuyiwa Akinboro and Alhaji Mohammad Bala Shagari as Members of the Federal Capital Territory Judicial Service Committee in accordance with Section 304(1) and (2) of the 1999 Constitution of the Federal Republic of Nigeria.

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(Confirmation of the Mr. Olumuyiwa Akinboro and Alhaji Mohammad Bala Shagari as Members of the Federal Capital Territory Judicial Service Committee referred to the Committee on Judiciary and Human Rights, and to be reported back within two weeks)

CONSIDERATION OF REPORT

Report of the Committee on Federal Character and Governmental Affairs

Senator Kolawole Folarin: Mr. President, the next item on the Order Paper is the presentation and consideration of the Report of the Committee on Federal Character and Governmental Affairs on the Screening of Elder Bob Francis Ozaka (Bayelsa State) and Hon. Lawal Ibrahim Funtua (Katsina State) as Members of the Federal Character Commission (FCC).

You would recall that this Report was laid on the Table on Thursday, 15th January, 2009. You may wish to invite Senator Smart Adeyemi, Chairman of the Committee, to move the Motion for the consideration of the Report.

Senator Smart Adeyemi (Kogi West): Mr. President, I rise to present the Report on the confirmation of Elder Bob Francis Ozaka (Bayelsa State) and Hon. Lawal Ibrahim Funtua (Katsina State) as Members of the Federal Character Commission (FCC) representing their States respectively.

With your kind permission, I will go straight to the Committee's findings or do you want me to begin with the introduction?

The President: I am sorry, please; I did not quite get your request?

Senator Smart Adeyemi: Mr. President, I sought your kind permission to commence the presentation of this Report from the Committee's findings and eventually read the recommendations after that.

The President: Present it the way you want.

Senator Smart Adeyemi: The Senate of the Federal Republic of Nigeria at its sitting on Tuesday, 18th November, 2008 considered the request by the President, Commander-in-Chief for the re-appointment of Elder Bob Francis Ozaka and Hon. Lawal Ibrahim Funtua as Commissioners representing Bayelsa and Katsina States respectively in the Federal Character Commission and referred same to the Committee on

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Federal Character and Inter-Governmental Affairs for further legislative action.

Methodology

For thorough clearance procedure the Committee requested for and received from the Office of the Special Adviser to the President on National Assembly Matters the following documents in respect of each of the nominees:

- (i) Curriculum Vitae
- (ii) Relevant certificates
- (iii) Clearance letter from the State Security Service
- (iv) Police Report on fingerprint search and
- (v) Assets Declaration

The nominees were invited for screening on Tuesday, 25th November, 2008. The Committee went through their credentials, Curriculum Vitae, State Security and Police Reports and asked questions to which they were not found wanting.

Also, during the screening exercise, several questions relating to their education, work experience and current affairs were asked. The nominees answered all the questions satisfactorily.

Committee's Findings:

Arising from the screening exercise, the Committee noted that Elder Bob Francis Ozaka was born on 5th July, 1942 in Yenagoa Local Government Area of Bayelsa State. He had his First School Leaving Certificate in 1956 and obtained Cambridge West African School Certificate in 1961. He later attended University of North Carolina, Chapel Hill, North Carolina – United States of America, where he bagged Bachelor of Arts (BA) Degree in Sociology/Anthropology in 1971 and later had Masters of Science Degrees in Public Health (MSPH) and Health Services Administration (HADM) in 1974.

He had worked in various capacities as Head of the Civil Service, Bayelsa State designated Permanent Secretary; Director General, General Services and Establishment, Training and Pension Services, Governor's Office, Yenagoa; Director in charge of Personnel Management – Ministry of Commerce Industry and Tourism, Port Harcourt; Deputy Director Personnel Management – Ministry of Health and Social

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Welfare, Port Harcourt; Vice Principal – School of Health Technology, Port Harcourt; Secretary – Rivers State Health Management Board, Port Harcourt.

He had also attended several courses and won several awards. The Security and Police Reports received in respect of the nominee are positive. The Committee considers Elder Bob Francis Ozaka suitable for re-appointment as Commissioner, Federal Character Commission.

In the case of Hon. Lawal Ibrahim Funtua the Committee noted that he was born in January 1952 in Funtua Local Government Area of Katsina State. He had his First School Leaving Certificate in 1966 and proceeded to Government College, Keffi from 1967 - 1971 and obtained his West African School Certificate (WASC). He went for Higher School Certificate in Kaduna (GCE Advanced Level in 1972 -1973). He later attended Ahmadu Bello University, Zaria, where he obtained B.Sc. in Social Sciences (Government) 1973-1976.

He worked in various positions as Administrative Personnel Officer, Marketing Officer and Principal Marketing Officer with the Nigerian Cotton Board, Gusau.

He has had both administrative and political experienced. He was once an elected Member of the House of Representatives 1999-2003. He was nominated a member to represent Katsina State in the Federal Character Commission from November 2003 to November 2008 for a five year term.

The Security and Police Reports received in respect of the nominee are in order. The Committee, therefore, considers Hon. Lawal Ibrahim Funtua suitable for re-appointment as Commissioner, Federal Character Commission.

Committee's Recommendations

In the light of the above, the Committee recommends that the Senate do confirm Elder Bob Francis Ozaka and Hon. Lawal Ibrahim Funtua as Federal Commissioners, Federal Character Commission.

We so recommend.

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

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Senator Maina Ma'aji Lawan: Mr. President, I second the Motion moved by the Leader.

Question put and agreed to.

Screening of Elder Bob Francis Ozaka (Bayelsa State) and Hon. Lawal Ibrahim Funtua (Katsina State) as Members in the Federal Character Commission - CONSIDERED IN THE COMMITTEE OF THE WHOLE.

The Chairman: Is there any comment, please?

Senator Abubakar Danso Sodangi (Nasarawa West): Mr. President, I had the privilege of knowing, at least, one of the nominees, Hon. Lawal Ibrahim Funtua. From the record we have received and the excellent job done by the Committee on Federal Character, there is a common saying in the legal parlance that *res ipsa loquitur*, that is, the document speaks for itself. All the documents received and exercises done are excellent. The nominees are competent for re-appointment.

I, therefore, lend my support that we should not hesitate in passing these nominees because they are very competent and will do justice to the responsibility they are going to carry to complete their term. So, I support these recommendations.

The President: Senator Nimi Barigha-Amange, the candidate from Yenagoa was born on 5th July, 1942.

Senator Nimi Barigha-Amange (Bayelsa East): Mr. Chairman, before I comment on that, I would like to make an observation.

Senator Smart Adeyemi, you wrote First Primary School Certificate for Hon. Lawal Ibrahim Funtua. That is supposed to be First School Leaving Certificate. Have you seen it?

Senator Smart Adeyemi: Yes.

Senator Nimi Barigha-Amange: I would like that to be corrected. The candidate from Bayelsa State was the Secretary to Bayelsa State Government for so many years. So, it was as a result of his meritorious service that we decided to *donate* him to the Federal Government as a Commissioner, Federal Character Commission.

The Committee decided to summarise his CV in a concise way because if his CV is well written it will take about five pages. The man has really worked in so many areas from the old Rivers State to the present day

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Bayelsa State. He is extremely qualified to be confirmed as a Commissioner, Federal Character Commission more so as this is a re-nomination. He worked very well in the first four years, hence the whole State decided that he should continue. That is why we are praying the Senate to, please, confirm him.

Senator Mujitaba Mohammed Makama (Jigawa South-West): Mr. Chairman, I want to fully associate myself with the Report just presented by my Chairman, Senator Smart Adeyemi. I want to express my support to the recommendation of the Committee. In doing this, I want to urge this distinguished Senate to consider the Report of the Committee and approve it accordingly.

Senator Simeon Olasunkanmi Oduoye (Osun Central): Mr. Chairman, the Report dealt with the subject matter to a level that I am convinced that the two nominees are suitable for the positions they are being recommended. I support that the appointments be confirmed.

The Chairman: Sorry, did you say that your name is *Simon* or *Simeon*

Senator Simeon Olasunkanmi Oduoye: My name is *Simeon*; spelt *S I M E O N*.

The Chairman: I will no longer mix it up with Ayogu Eze's name again.

Senator Smart Adeyemi, why did Senators Ewa-Henshaw, Rufai, Maccido and Saraki sign the Report?

Senator Smart Adeyemi: Some Members of the Committee were out of the country then and we had to meet. I am sure that distinguished Senator Ewa-Henshaw is here and he has just told me that he has actually endorsed the Report. We had more than two-thirds of the Members who appended their signatures on the Report. The few Senators you mentioned were not available when we met.

Senator Bassey Ewa-Henshaw (Cross River South): Mr. Chairman, I endorsed the Report. It was just that at the time of signing, I was not available to add my signature but I did endorse the Report.

The Chairman: Distinguished Colleagues, thank you for your contributions. I can now put the Question.

Would the Senate approve the nomination of Elder Bob Francis Ozaka as a Member of the Federal Character Commission?

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Question put and agreed to.

Would the Senate approve the nomination of Hon. Lawal Ibrahim Funtua as a Member of Federal Character Commission?

Question put and agreed to.

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

Senator Maina Ma'aji Lawan: Mr. Chairman, I second the Motion that the Chair do report progress.

Question put and agreed to.

(The President resumed the Chair)

The President: The Senate in the Committee of the Whole considered the Report of the Committee on Federal Character and Inter Governmental Affairs on the screening of Presidential Nominees for appointments as Commissioners in the Federal Character Commission and approved the nominations of Elder Bob Francis Ozaka (Bayelsa State) and Hon. Lawal Ibrahim Funtua (Katsina State).

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

Several distinguished Senators: Yes.

Confirmation of Nominations

The President: Would the Senate confirm the appointment of Elder Bob Francis Ozaka as a Member of the Federal Character Commission?

Question put and agreed to.

Resolved: That the Senate do hereby confirm the nomination of Elder Bob Francis Ozaka as a Member of the Federal Character Commission.

Would the Senate confirm the appointment of Hon. Lawal Ibrahim Funtua as a Member of the Federal Character Commission?

Question put and agreed to.

Resolved: That the Senate do hereby confirm the nomination of Hon. Lawal Ibrahim Funtua as a Member of the Federal Character Commission.

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CONSIDERATION OF BILL

**Nigeria Mining, Cadastral Office Establishment Bill,
2009**

A Bill for an Act to Provide for the Establishment and Administration of the Nigeria Mining, Cadastral Office, and for Matters Connected Therewith, 2009 (SB. 207)

Senator Teslim Kolawole Folarin: Mr. President, the fourth Order of the day is the Second Reading of the Nigeria Mining, Cadastral Office Establishment Bill, 2009. The sponsor of the Bill conferred with me this morning that a bit of work needs to be done on that Bill before it is ready. For that reason, I move that this Bill be stood down till another legislative day.

Senator Maina Ma'aji Lawan: Mr. President, I rise to second the Motion that the last item on our Order Paper be stood down till another legislative day.

Question put and agreed to.

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Bill by leave of Senate stood down to another legislative day.

ADJOURNMENT

Senator Teslim Kolawole Folarin: Mr. President, I move that the Senate do stand adjourned till tomorrow, Wednesday, 21st January, 2009 at 10.00 a.m.

Senator Maina Ma'aji Lawan: Mr. President, I rise to second the Motion that the Senate do stand adjourned till tomorrow, Wednesday, 21st January, 2009 at 10.00 a.m.

Question put and agreed to.

Resolved: That the House do stand adjourned till tomorrow, Wednesday, 21st January, 2009 at 10.00 a.m.

The Senate adjourned accordingly at 1.05 p.m.