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**Thursday
4th June, 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, 4th June, 2009

The Senate met at 10:40 a.m.

PRAYERS

(The President in the Chair)

VOTES AND PROCEEDINGS

The President: Distinguished Senators, we have the Votes and Proceedings of Wednesday, 3rd June, 2009 before us for approval: Pages: 751, 752, 753, 754 and 755.

Senator Eme Ufot Ekaette (Akwa Ibom South): Mr. President, I rise to move that the Votes and Proceedings of Wednesday, 3rd June, 2009 be approved.

Senator Zaynab Kure (Niger South): Mr. President, I rise to second the Motion that the Votes and Proceedings of Wednesday, 3rd June, 2009 be approved as moved by Senator Ufot Ekaette.

Question put and agreed to.

Resolved: That the Votes and Proceedings of Wednesday, 3rd June, 2009 be approved.

MESSAGE FROM MR. PRESIDENT

*Senator David Mark,
President of the Senate,*

Dear Sir,

**REQUEST FOR CONFIRMATION OF
APPOINTMENT OF CHAIRMAN AND
MEMBERS OF THE GOVERNING BOARD OF
THE BUREAU OF STATISTICS**

Section 8 of The Bureau of Statistics Act provides that the Governing Board of the Bureau shall consist of:

- a. *A Chairman to be appointed by the President on the Recommendation of the Minister responsible for the National Planning*

Commission subject to confirmation by the Senate;

- b. *The Minister of Finance or his representative;*
c. *The Minister of Agriculture or his representative;*
d. *The Minister of Education or his representative;*
e. *The Chief Executive Officer of the National Planning Commission or his representative;*
f. *The Governor, Central Bank of Nigeria or his representative;*
g. *The Group Managing Director, Nigeria National Petroleum Corporation or his representative;*
h. *The President, Manufacturers Association of Nigeria or his representative;*
i. *The President, Nigerian Statistics Association;*
j. *Five members to be appointed by the President of Federal Republic of Nigeria to reflect the federal character of Nigeria and subject to the approval and confirmation by the Senate;*
k. *Statisticians-General of National Bureau of Statistics*
l. *Chief Executive Officer, National Bureau of Statistics*

I have, therefore, in the exercise of the powers conferred on me by Section 8 of the Bureau's Enabling Act decided to appoint the under listed as Chairman and Members of the Governing Council of the Bureau of Statistics.

- | | |
|----------------------------|----------|
| 1. Ambassador Greg Mbadiwe | Chairman |
| 2. Alhaji Ali Badala Gumel | Member |
| 3. Alhaji Sule Majidadi | Member |
| 4. Alhaji Rami Ayo Raji | Member |
| 5. Chief Franklin Edukumo | Member |
| 6. Captain Joe Agada | Member |

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Accordingly, I hereby forward the nominees whose Curriculum Vitae are attached herewith for consideration and confirmation by the Senate of the Federal Republic of Nigeria.

Yours sincerely

(Signed)
UMARU MUSA YAR'ADUA
PRESIDENT

PRESENTATION OF BILLS

Federal College of Education Act (Amendment) Bill, 2009

Senator Teslim K. Folarin (Oyo Central): Mr. President, the first business of the day is the presentation of an Executive Bill standing in my name on the Federal College of Education Act (Amendment) Bill, 2009.

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

Federal College of Education Act
(Amendment) Bill, 2009 – *read the First Time.*

Personal Income Tax Act (Amendment) Bill, 2009.

Mr. President, the second business of the day is the presentation of the Bill standing in the name of Senator Enyinnanya Abaribe on the Personal Income Tax Act (Amendment) Bill, 2009.

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

Personal Income Tax Act (Amendment) Bill, 2009 presented by Senator Enyinnanya Abaribe (Abia South) – *read the First Time.*

National Honours Act (Amendment) Bill, 2009

The third business of the day is the presentation of the House Bill standing in my name on the National Honours Act (Amendment) Bill, 2009.

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

2010

National Honours Act (Amendment) Bill, 2009
– *read the First Time.*

PRESENTATION OF REPORTS

Report on the 2008 Senate Retreat in Kano

Mr. President, the fourth business of the day is the presentation of the Report on the 2008 Senate retreat in Kano. You may invite the Chairman of the Organising Committee, Senator Kabiru Gaya to move the Motion for the Senate to receive the Report.

Senator Kabiru Gaya (Kano South): Mr. President, I move that this Senate do receive the Report of the 2008 Senate Retreat held in Kano from Monday, 10th to Friday, 14th November, 2008.

May I have your permission to lay the Report on the Table?

Senator Adeleke Mamowora (Lagos East): Mr. President, I rise to second the Motion as moved by Senator Kabiru Gaya that this Senate do grant him leave to lay the Report of the last Senate Retreat.

Question put and agreed to.

(Report accordingly laid on the Table)

ORDERS OF THE DAY

CONSIDERATION OF A REPORT

Report of the Committee on Establishment and Public Service on the Screening of Hon. Olabimtan Victor Adekanye (Edo, Ekiti and Ondo States) as a Member of the Federal Civil Service Commission.

Senator Teslim Folarin: Mr. President, I want to move a Motion that we step down this item on the Order Paper because I understand from the Vice Chairman of that Committee that his Chairman is not around.

Senator Adegbo Eferakeya (Delta Central): Mr. President, the Chairman has asked me to present the Report as a Member of the Committee. I thought the Leader has been informed.

2011

Senator Teslim Folarin: Mr. President, I withdraw the Motion.

In that case, the first Order of the day is the presentation and consideration of the Report of the Committee on Establishment and Public Service Matter on the screening of Hon. Olabimtan Victor Adekanye (Edo, Ekiti and Ondo States) as a member of the Federal Civil Service Commission. The Report of this Committee was laid on the Table of this hallowed Chamber on Tuesday, 2nd June, 2009.

You may invite the key Member of the Committee, Senator Eferakeya to move a Motion for the presentation and consideration of the Report.

The President: Distinguished Senator Eferakeya, what is the full meaning of DNA?

Senator Adegbo Eferakeya: Mr. President, I will answer that first before I go into the Motion. DNA means Deoxyribonucleic Acid.

On the Motion, the Chairman of this Committee has asked me to present the Report, therefore, I rise to move the Motion that that Senate do consider the Report of the Committee on Establishment and Public Service, on the screening of Hon. Olabimtan Adekanye (Edo, Ekiti and Ondo States) as a member of the Federal Civil Service Commission and approve the recommendation therein.

I so moved.

Senator Bob Effiong (Akwa Ibom North-East): Mr. President, as an active Member of this Committee, I rise to second the Motion ably moved by distinguished senator Eferakeya.

Question put and agreed to.

Senator Adegbo Eferakeya: Mr. President, I have been directed just to go straight to the recommendation. The usual procedure for screening a candidate for such position was followed and the Report is before you. As I said earlier, I have given a directive that I have to follow. So, if you go to page 3 of the Report, the recommendations are there.

2012

Having considered the exposure and the experience of the nominee, the Committee found him fit and recommends that the Senate adopts the Report and confirm Hon. Olabinmtan, Victor Adekanye as Commissioner for Federal Civil Service Commission (FCSC).

On behalf of the Committee on Establishment and Public Service, I thank you all for the opportunity given to us to serve.

Senator Sola Akinyede (Ekiti South): Mr. President, it looks to me that this Report is not complete. There was a protest from Ekiti in respect of this nomination and I am surprised that it is not reflected. All the three Senators from Ekiti State signed a letter of protest stating that the tenure that was given to this nominee belongs to Ekiti State. Having said that, I leave the decision to the Senate. We lodged a protest which is not reflected in this Report. I would have wanted it to be reflected for the record that we protested. That is what I am saying.

The President: What was the reason for the protest?

Senator Sola Akinyede: The reason for the protest is that the previous nominee died while he was a member of that Commission and that a nominee from Ekiti State ought to have been nominated to complete his term. That is the basis of the protest. I am saying that I am surprised that the protest which we submitted to the Committee is not reflected in this Report.

Senator Ahmed Ibrahim Lawan (Yobe North): Mr. President, mine is just an observation. At the bottom of the cover page, you have written there: *A Report presented to the Senate, May 2009*. For the record, it is supposed to be dated June, 2009.

Senator Abubakar D. Sodangi (Nasarawa West): Mr. President, I just want to plead with my Learned Senior, Senator Sola Akinyede, to accept this recommendation as presented. At the time they made their protest, I believe it was recorded by the Reporters and when we get the Hansard, people would read that. But to say that we have to capture their protest in the recommendation, I think it is not ideal. I beg of him to suspend his protest that it should be included in this Report.

2013

Senator Nkechi Nwaogu (Abia Central): Mr. President, I would want us to have a proper re-think on this request because as Senator Sola Akinyede has said, the remaining part of the service of the former Commissioner ought to have come from Ekiti and a petition was properly sent to this Committee. It ought to have been reflected and we do not need to allow a wrong precedence to begin to take place once again. We are here to correct certain anomalies, injustices and inequities. This is the time we can correct these once and for all. I crave the indulgence of this Senate to look at it again, to ask the Ekiti people to get their own person since it is on representative basis - Ekiti and Ondo. Ekiti man did few years and died, somebody ought to have come from Ekiti. That is my position.

The President: I thought that this was a straightforward exercise now it is becoming controversial.

Senator Anyim C. Ude (Ebonyi South): Mr. President, as very distinguished men and women in this Chamber, there are certain things we should not sweep under the carpet because it could be anybody's state tomorrow. I support what my distinguished Colleague Sola Akinyede has said. He is not even saying that the man should not be confirmed, but the fact that a petition that came lawfully should be recorded in this document and they should let us know what their findings were in respect of that petition. At the end of the day, they could still recommend that this man gets this job, but to disregard it, definitely is not fair.

The President: Senator Eferakeya, did your Committee actually get the petition signed by three Senators? Senator Sola Akinyede, you said that the petition was signed by the three Senators from Ekiti State?

Senator Sola Akinyede: Yes, Sir, the three of us signed the petition.

The President: Senator Eferakeya, did your Committee get the petition signed by the three Senators?

Senator Adegbo Eferakeya: Mr. President, we looked at the petition and at that time, this was already being considered. The petition, I think, came late and I do not think it was necessary to put it in the Report since we had looked at it. *(Interruptions)*

2014

Senator Bassey Ewa-Henshaw (Cross River South): Mr. President, my distinguished Colleague has presented a Report on behalf of the Chairman. I do not know whether the copy the Senate President has was signed by the Chairman. Mine is not. On page 3 where he read the recommendation, there is space there for the Chairman to sign and it was not signed. On page 4, there is a faint evidence of signing, but on page 3 there is nothing.

The President: That is all right. The three Senators from Ondo should have met with the three Senators from Ekiti once they got a notice that there was a petition so that we do not have to bring that to the whole House to discuss.

Senator Bode Olajumoke (Ondo North): Mr. President, you are perfectly right. We did meet with our distinguished Colleagues from Ekiti and if you had listened to what Senator Sola Akinyede said, he is not opposed to the recommendation *per se*, but he said it should have been reflected in the Report that the Senators from Ekiti protested.

We met with Ekiti Senators. Seventeen years ago was the last time that Ondo presented a Commissioner on behalf of Edo, Ondo and Ekiti. Now, the late Commissioner had exhausted his first term and was about completing the first year of the second term when he passed on. We met with our Colleagues and explained to them that it is the turn of Ondo State because he has about four years more. How are we going to calculate that? A Commissioner is appointed for one-five year term. In principle, they agreed. But what distinguished Senator Sola Akinyede said was that the Report should have reflected that.

The President: It is for two-terms of not more than five years each. The problem is the injustice that happened from the past where Ondo State itself was marginalised all along; we should not allow it to go on. Even though Senator Sola Akinyede said that his argument is that it should have been reflected there. That to me, I do not know whether you were sure that that was what you wanted us to know. That is to take notice of it. I have a feeling that what you wanted is that Ekiti should be given the chance to finish the term. That is my understanding. But you are also not fair to them because you did not tell us that you people met. That is the problem

Senator Hosea O. Ehinlanwo (Ondo South): Mr. President, I want to confirm what Senator

2015

Olajumoke has said. The fact was that Ondo State has been marginalized and this time around they failed. I am sure that Senator Akinyede was not saying that we have to do something about it now, but that the Committee did not reflect it in that Report. I want to say that if this House can step this down so that we can go back and treat the matter ourselves before passing it back.

Senator Adeleke Olorunnimbe Mamowora (Lagos East): Mr. President, as you rightly said, the issue here is that of justice. Peace is not the absence of conflict but the presence of justice. Any Committee at best can only bring recommendations and we are not bound to uphold whatever recommendations and this is clear under Section 62 of our Constitution. We are saying that if we do not correct this, we are laying a very bad foundation for the future, because it will keep recurring and it will become a reference point. I do not want us to have this kind of approach. For the fact that that Commissioner died in office, the proper thing and even by our convention, is for another nominee from that very State to complete the tenure. That is the proper thing. To circumvent it under one guise or the other, is not proper and I believe that this Senate should correct it.

The President: Unless there is any other view, because the two views have been expressed. One is to allow Ondo State leave the Commissioner; the other is for Ekiti to bring a nominee to complete their term.

Senator Ahmed Mohammed Makarfi (Kaduna North): Mr. President, I do not think there is anything like completion of term. This is because any person appointed at a particular time has a term of five years. Whatever decision the Senate may take should not be about anybody completing another person's term. It is not an election of a legislator *per se*. Anybody so appointed will go through the same process and such person's appointment is for a term as specified in the law. I think this should be taken into account in whatever decision we are taking.

The President: The problem with this particular one is because he represents a cluster of states. As a result of this, if we are not careful one state will continuously produce and some other states or a state particularly will be left out completely. So, if a state gets five years, and does only one year and shift it to the next state, that state

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will complete four years and then that state will now say it is our turn and then begin another two terms of five years. To avoid the confusion, rather than trying to solve it in the whole House here, let us refer this back to the Committee. Let the Committee meet with the Senators from both states and see what they can bring back to us. So, can somebody move a Motion in that direction?

Senator Bassey Ewa-Henshaw: In view of the surrounding circumstances that have affected the clearance of this candidate, I do move that the Report be stepped down and referred back to the Committee for review.

I so moved.

The President: We are re-committing the Report to the Committee.

Senator Grace Folashade Bent (Adamawa State): Mr. President, I rise to second the Motion as ably moved by distinguished Senator Ewa-Henshaw that this Report be returned to the Committee to review it in view of the quagmire and entanglement that we have found ourselves.

I so second.

Question put and agreed to.

(Report by leave of the Senate accordingly recommitted to the Committee for further deliberation)

Report of the Committee on Federal Character and Governmental Affairs on the Screening of Bashorun Awofisayo Jonathan Oladele (Osun State) and Hon. Abayomi Sheba (Ondo State) as members of the Federal Character Commission (FCC)

Teslim Kolawole Folarin: Mr. President, the second Order of the day is the presentation and consideration of the Report of the Committee on Federal Character and Governmental Affairs on the Screening of Bashorun Awofisayo Jonathan Oladele (Osun State) and Hon. Abayomi Sheba (Ondo State) as members of the Federal Character Commission (FCC).

2017

The Report of this Committee was laid on Wednesday, June 3rd, 2009. You may now invite the Chairman of that Committee, Senator Smart Adeyemi to move the Motion for the presentation and consideration of the Report.

Senator Smart Adeyemi (Kogi West): Mr. President, I rise to move the Motion that the Senate do receive the Report of the Committee on Federal Character and Inter-governmental Affairs on the screening of Bashorun Awofisayo Jonathan Oladele (Osun State) and Hon. Abayomi Sheba (Ondo State) as Commissioners in the Federal Character Commission (FCC).

I so moved.

Senator Bode Olajumoke: Mr. President, I rise to second the Motion ably moved by distinguished Senator Smart Adeyemi that the Senate do receive the Report of the Committee on Federal Character and Inter-governmental Affairs on the screening of Bashorun Awofisayo Jonathan Oladele (Osun State) and Hon. Abayomi Sheba (Ondo State) as Commissioners in the Federal Character Commission (FCC).

I so second.

Question put and agreed to.

The President: Distinguished Senator, Smart Adeyemi, do you have any instructions as to whether it is the recommendation or otherwise?

Senator Smart Adeyemi: Your Excellency, as far as this Chamber is concerned, thy will be done. *(Laughter)* Please, permit me to go straight to the Committee's findings? Do I start with the Committee's findings or go straight to the recommendations?

The President: I am not a Member of the Committee.

Senator Smart Adeyemi: I start with the Committee's findings. Arising from the screening exercise, the Committee noted as follows that Bashorun Awofisayo Jonathan Oladele was born on 20th May, 1941, in Ife Central Local Government Area of Osun State. He is educationally and administratively qualified. He had his Primary School Leaving Certificate in 1954, and obtained

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Cambridge West African School Certificate in 1959. He later attended University of Ibadan where he obtained Bachelor of Science (B.Sc) Degree in Geology (1969).

He had served in various administrative capacities as:

- * Forest Officer Soil Physics Department, Federal Department of Forest Research, Ibadan,
- * Principal, Geophysical Consultant, Del-Kan Associates as (Civil Engineering Consultant) Bodija, Ibadan
- * Chief Executive, Atlantic Engineering Company Limited. (Geo Science Consultants and Quarry Engineers)
- Chairman, Oranmiyan Local Government Schools' Board, Ile-Ife
- He was an elected Honourable Member, National Constituent Assembly (1988 – 1989)
- Commissioner, Water Resources and Rural Development, Osun State Government, Osogbo. (2003 -2005).
- Chairman, Ife Central Local Government Education Board (2008 – till date).

The Security Reports received in respect of the nominee are favourable. The Committee, therefore, considers Bashorun Awofisayo Jonathan Oladele suitable for appointment as Commissioner, Federal Character Commission.

Hon. Abayomi Sheba, was born on 2nd May, 1961 in Ode-Irele Local Government Area of Ondo State. He is educationally and administratively equipped having obtained a Degree of Bachelor of Arts in Education (B.A) (Ed) Hons. University of Ilorin, Nigeria, (1989) and Masters in Public Administration (MPA) at Obafemi Awolowo University, Ile-Ife (1998)

Furthermore, he is adequately equipped with good managerial and political experience having served in various capacities. He was a Senior Assistant to the Governor of Ondo State (2005 – 2009) and also an elected Member, Federal House

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of Representatives, National Assembly, Abuja, (May 1999 – May, 2003).

He had attended several courses and won several awards. As a matter of fact, he is a Member of the Pen Noble Profession of Journalism.

The Security and Police Reports in respect of the Nominee are favourable. The Committee, therefore, considers Hon. Abayomi Sheba suitable for appointment as Commissioner, Federal Character Commission.

In the light of the above, the Committee recommends that the Senate do confirm Bashorun Awofisayo Jonathan Oladele and Hon. Abayomi Sheba as Commissioners in the Federal Character Commission.

The Committee expresses its gratitude for being given this opportunity once again to discharge this assignment.

Senator Ahmed Ibrahim Lawan (Yobe North): Mr. President, I want to speak on Hon. Abayomi Sheba. I served as a Member of the House of Representatives with this honourable gentleman between 1999 and 2003. We sit like this and a day will always come when we will be witness to each other. I am a witness today for Hon. Abayomi Sheba. This is a gentleman that was very thorough, serious and committed with his responsibilities. We served well and we got on very well. He is a team player. I believe that this is one of the very appropriate nominations. I, therefore, support this nomination.

In addition, I also believe that the Federal Character Commission should be a Clearing House for federal appointments. We have said this on so many occasions that States like Yobe that take employment exercises without having clearance from the Federal Character to ensure that every part of Nigeria produces competent and qualified, and there is no one state in Nigeria, today, that cannot produce qualified and competent people to fill their quota.

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

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Senator Adeleke Olorunnimbe Mamowora: Mr. Senate President, I rise to second the Motion as moved by the Senate Leader.

Question put and agreed to.

Report of the Committee on Federal Character and Inter-Government Affairs on the screening of Bashorun Awofisayo Jonathan Oladele (Osun State) and Hon. Abayomi Sheba (Ondo State) as Members of the Federal Character Commission (FCC) – CONSIDERED IN THE COMMITTEE OF WHOLE.

The Chairman: My I put the Question if there are no further comments?

Several distinguished Senators: Yes.

The Chairman: Will the Senate approve the nomination of Bashorun Awofisayo Jonathan Oladele as a member of the Federal Character Commission (FCC)?

Question put and agreed to.

Will the Senate approve the nomination of Hon. Abayomi Sheba as a member of the Federal Character Commission (FCC)?

Question put and agreed to.

Senator Teslim K. Folarin: Mr. Chairman, I respectfully move that the Chairman reports progress.

Senator Adeleke Olorunnimbe Mamowora: Mr. Chairman, I rise to second the Motion as moved by the Senate Leader that the Chair do now report progress.

Question put and agreed to.

(The President resumed the Chair)

The President: Distinguished Senators, 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 Mr. President's nominees for appointment as Commissioners in the Federal Character Commission and approved the nominations of

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Bashorun Awofisayo Jonathan Oladele and Honourable Abayomi Sheba.

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

Several distinguished Senators: Yes.

Confirmation of Nominations

The President: Will the Senate confirm the nomination of Bashorun Awofisayo Jonathan Oladele as a member of the Federal Character Commission (FCC)?

Question put and agreed to.

Will the Senate confirm the nomination of Honourable Abayomi Sheba, as a Member of the Federal Character Commission (FCC)?

Question put and agreed to.

Resolved: That the Senate do confirm the nominations of Bashorun Awofisayo Jonathan Oladele and Honourable Abayomi Sheba as members in the Federal Character Commission.

The nominations of Bashorun Awofisayo Jonathan Oladele and Honourable Abayomi Sheba are hereby confirmed as members in the Federal Character Commission (FCC). Congratulations to Oladele and Sheba and to Distinguished Senators from their States of origin.

Senator Telism K. Folarin: Mr. President, I want to move that we step down the next item on the Order Paper because the Chairman of the Population Committee appears to have disappeared. He was here some minutes ago.

The President: Senator Ewa-Henshaw, where is Uncle Hosea and who is his Vice?

Senator Adeleke Olorunnimbe Mamowora: Mr. President, I am not too sure of what I am hearing. Some said he went to the latrine. *(Interruptions)*

Some distinguished Senators: Which latrine?

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Senator Teslim Folarin: Mr. President, I hereby withdraw my Motion.

Report of the Committee on National ID Card and National Population on the Screening of Alhaji Mahdi Bukar as a Member of the National Population Commission (NPC)

Senator Teslim Folarin: Mr. President, the third Order of the day is the presentation and consideration of the Report of the Committee on National I.D Card and National Population Commission on the screening of Alhaji Mahdi Bukar (Yobe State) as a member of the National Population Commission (NPC).

The Report of this Committee was laid in this hallowed Chamber on Wednesday, 27th May, 2009. You may now invite the Chairman of that Committee, Senator Hosea O. Ehinlanwo to move the Motion for the presentation and consideration of the Report.

Senator Hosea O. Ehinlanwo: Mr. President, I rise to move that the Senate do consider the Report of the Committee on National I.D Card and National Population Commission on the screening of Alhaji Mahdi Bukar (Yobe State) as a member of the National Population Commission and approve the Recommendation therein.

Senator Osita B. Izunaso (Imo West): Mr. President, I rise to second the Motion ably moved by my friend, an elder Statesman, Senator Hosea Ehinlanwo that the Senate do consider the Report of the Committee on National ID Card and National Population, on the screening of Alhaji Mahdi Bukar (Yobe State) as a member of the National Population Commission and approve the recommendation therein.

Question put and agreed to.

Senator Hosea O. Ehinlanwo: Mr. President. I will go to the recommendation. The reason why I will go through the recommendation is that this nominee, Alhaji Mahdi Bukar, is being re-appointed for the second time as Commissioner representing Yobe State in the National Population Commission. When he appeared before the Committee, the Committee observed that the nominee has been cleared by the relevant security agencies including the Police, the State Security Service and the Code of Conduct Bureau. So, the

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Committee, therefore, went straight to the recommendation.

Members of the Committees were satisfied with the qualification, competence, experience and suitability of the nominee and hereby recommends that the Senate do confirm the nomination for appointment of Alhaji Mahdi Bukar as Commissioner in the National Population Commission.

Senator Bukar Abba Ibrahim (Yobe East): Mr. President, I rise to fully support the nomination and re-appointment of Mallam Mahdi Bukar as a member of the National Population Commission. I have known Alhaji Mahdi Bukar all my life because we come from the same village. In fact, his house is just three houses away from my house (*Interruptions*)

Several distinguished Senators: It is against the federal character.

Senator Bukar Abba Ibrahim: We are not appointing him as a Senator, please. It is only as a member of the National Population Commission.

All that have been written about Mahdi Bukar are absolutely true and in addition, Mahdi Bukar, in fact, was my teacher when he used to come home from the United Kingdom where he had his O' and A' Level Certificates and first and second degrees. He read economics in his first and second degree. (*Interruptions*)

Senator Smart Adeyemi: Point of Order, Mr. President!

The President: Yes, Point of Order, distinguished Senator Smart Adeyemi.

Senator Smart Adeyemi: It is a constitutional Point of Order. The 1999 Constitution Section 14(4) which says:

The composition of government of a state, a local government council or any of the agencies of such government or council and the conduct of the affairs of the government or council or such agencies shall be carried out in such a manner as to recognize the diversity of the people within its area of authority and the need to promote a sense of belonging and

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loyalty among all the peoples of the Federal Republic of Nigeria.

Senator Ahmad Lawal just mentioned earlier that Yobe State have been marginalised and here we are that distinguished Senator Bukar Abba is confirming that the nominee is from his own village. It contradicts the content and spirit of the 1999 Constitution. I so submit.

The President: Distinguish Senator Smart Adeyemi, is it the state or the local government composition, which one has he violated? Your Point of Order at best could only be noted because I do not think Senator Bukar Abba has violated any. He was elected as a Senator and if there is no way in which we can regulate that if they decided to elect him, his wife and his brother, that is their own problem not ours.

Senator Smart you are the Chairman of the Federal Character. There is nothing wrong with the composition. I believe in the government of Yobe State. There is nothing wrong with their representation at the Federal level here. Anyway, I radically rule you out of Order, please.

Senator Bukar Abba Ibrahim, please continue.

Senator Bukar Abba Ibrahim: Mr. President, as I was saying before the proceeding was unnecessarily interrupted and I am glad you have ruled him out of Order. That is the right thing and you are well known for doing the right thing almost all the time.

Alhaji Mahdi Bukar, as I said earlier, was my teacher in the primary school when he used to come on holidays from the United Kingdom when he was doing his O' and A' Levels and even his degree courses until he finished. He joined the Borno State Government where, as it is rightly said, he became a Permanent Secretary, Secretary to the Government, Hon. Commissioner and held several political appointments subsequently before the PDP government of Alhaji Umaru Yar'Adua fished him out as a very big fish and appointed him the Chairman of the National Population Commission. He has been found to be fit and competent and now they are asking for his re-appointment.

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I am in full support of the re-appointment and I appeal to all my Colleagues to support Mahdi Bukar. He is a perfect gentleman; very well educated person, a very well polished Civil Servant. He deserves this re-appointment.

Senator Joel Danlami Ikenya (Taraba South): Mr. President, I just want to draw the attention of this Senate that various nominations have specific period but in terms of Population Commission, everybody know too well that every state has a representation. So, for somebody to raise the issue of federal character here is uncalled for. Even the one that has just been passed is the same thing. If there is any state in this country that will cry of marginalisation it is Taraba State.

The President: Senator Danlami, do you support this nomination?

Senator Joel Danlami Ikenya: Yes, I do support it.

Senator Smart Adeyemi: Point of Order Mr. President. Order 53(6) which says: *It shall be out of order to attempt to reconsider any specific question upon which the Senate has come to conclusion during the current session except upon a substantive motion for recession.*

This issue has been settled by your distinguished self and I feel it would be out of order and a distraction of the Chamber for my distinguished Colleague to raise an issue that you have ruled upon.

The President: Senator Smart, Senator Joel has not really landed and that is the problem with your Point of Order. Senator Joel, what exactly do you want to say? I will rule on your Point of Order Senator Smart but let me first hear him out.

Senator Joel Danlami Ikenya: Mr. President, I just want to say that the Senate has basis for confirming every nominee from Mr. President. We must also make sure that every letter of the Constitution which we have taken Oath to preserve is respected and in so doing we will then assume our proper position in terms of the Constitution.

I am in support of the nomination. If there is any ratification we can do to correct the Executive we have the right to do so and that is why we

oversight them. Therefore, I am every wrong step taken by the Executive should be corrected. That is all I want to say.

The President: What is the relevance of what you said now to the clearance of Alhaji Mahdi Bukar?

Senator Joel Danlami Ikenya: We represent the people and if anything is wrong, either by abnormal appointment, we stand a better chance to correct it. My State has been marginalized and any time I raise the point the response I receive is noted.

You may recall that a woman who was serving in the Police Service Commission died and another woman was picked from the same place to replace her. We did not raise an eyebrow because we believe that she should be able to complete the other woman's tenure.

So, I believe that the Senate stands a better chance to correct any anomaly that comes from the Executive. That is my stand. I support the nomination and also hope that one day all of us would rise in support of Taraba State if the nomination comes.

The President: Senator Smart Adeyemi, do you want to change your Point of Order to 53(4)? Well, your Point of Order is noted and Senator Joel your observation is also noted

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

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

Question put and agreed to.

Report of the Committee on National I.D. Card and National Population Commission on the screening of Alhaji Mahdi Bukar (Yobe State) as a member of the National Population Commission (NPC) - CONSIDERED IN THE COMMITTEE OF THE WHOLE.

The Chairman: If there are no comments, I will then put the Question in favour of the approval of the nomination.

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Several distinguished Senators: Yes, put the Question.

Question put and agreed to.

Senator Teslim K. Folarin: Mr. Chairman, I hereby move that the Chair reports progress.

Senator Adeleke Olorunnimbe Mamowora: Mr. Chairman, I second 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 National ID Card and National Population Commission on the screening of Mr. President's Nominee for appointment as a Commissioner in the National Population Commission and approved the nomination of Alhaji Mahdi Bukar.

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

Several distinguished Senators: Yes.

Confirmation of Appointment

The President: I will put the Question in favour of the confirmation of the nomination of Alhaji Mahdi Bukar (Yobe State) as a member of the National Population Commission (NPC)

Question put and agreed to.

Resolved: That the Senate approved the nomination of Alhaji Mahdi Bukar (Yobe State) as a member of the National Population Commission (NPC)

Congratulations to Alhaji Mahdi Bukar and the distinguished Senators from Yobe State.

Senator Teslim K. Folarin: Mr. Presidents, given the fact that today is the last day of this legislative year and because our Colleagues have to make their traveling arrangements for well-deserved short break, I want to move that the

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remaining items on the Order Paper be stood down to another legislative day.

Senator Adeleke Olorunnimbe Mamowora: Mr. President, pursuant to the reasons adduced by the Leader, I rise to second the Motion that the remaining items on the Order Paper be stood down to another legislative day.

Question put and agreed to.

(By leave of the Senate remaining items on the Order Paper accordingly stood down to another legislative day)

ANNOUNCEMENT

Senate President's Address to Mark the End of Session

The President: Distinguished Colleagues, may I create the indulgence of all my Bosses and Colleagues to make this short announcement.

Very Distinguished Leaders, Principal Officers of the Senate of the Federal Republic of Nigeria, distinguished Senators my Bosses.

Today marks the 10th Anniversary of our uninterrupted legislative activities in our country since 1999 when the First Session of the National Assembly was proclaimed. This was after a very successful transition to civil rule and a transition a hand-over that was conducted by the military and we thank the military for that very successful transition.

Since the convening of this Sixth Session, two years ago, we have made concerted efforts to discharge our respective constitutional mandates very responsibly. These include oversight functions, Hearings and debates on a number of issues of which the collective of this Chamber has remained very consistent. We have done this to the best of our abilities in the best interest of Nigerians and always with the fear of the Almighty God.

It is, however, time for us to take stock and appraise our performance for the out-gone legislative year, particularly with a view to consolidating on our areas of strength and even to avoid the pitfalls encountered during the period.

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Worthy of note, however, is the stability which we have achieved largely due to the spirit of team work, a sense of common purpose and unfiltered commitment to our nation.

I assure you my distinguished Colleagues that I have not taken this stability for granted. We would remain grateful to Almighty God for given us the ability to have this stability and we pray that He continues to ensure that we have the same stability for the rest of the years.

You would also recall that I had earlier sent a letter out this month to you in which I emphasised on the need for our oversight functions to be taken very seriously. The Senate had set precedence and, therefore, commit itself to the delivering of the next budget on the first day of January 2010, if and only if, we have the cooperation of the Executive in this direction. In this respect, therefore, Committees are advised to commence early interactions with various Ministries, Departments and Agencies with a view to ensuring that we operate on the same page and on the same wave-length as we approach the 2010 fiscal year and budget consideration process.

I find it rather ironic or, perhaps, amazing that sometimes the Senate is being challenged even by those who ought to know of not passing enough bills. As a result of this, I have had to cross-check and compare with the rest of the democratic world. It may interest you to know that the verdict tallies with our rate of performance and I believe that the Chairman, Senate Committee on Media and Information has given out some of the details on our performance over the years.

It is not the quantity of bills that are churned out that matter but I believe the quality and the impact of the outcomes which on a scale is certainly above average. Our ultimate testimonies are in Nigerian Institutions whose rules of procedures we have strengthened or those of interest groups whose issues our legislation has had direct impact for the benefit of our people. Commentators often underestimate the procedures and the processes of legislation. We have to dot the *i*'s and cross all the *t*'s.

Distinguished Colleagues, you will agree that the Senate is neither a post office nor a bakery where performance is rated on the number of letters it has posted and the speed with which they

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are moved out nor on the number of breads that are produced. Our mandate requires in-depth appraisal of issues through a process of general and committee debates as well as inputs from stakeholders and the general public.

In doing this, what is always upper-most in our minds are the aspirations of our people and the need to effectively engender development, ensure prosperity, restore public confidence and trust in our institutions and above all, promote good governance and social justice.

For all the commitments, I must commend all of us for our unequalled dedication, cultured maturity, unrivalled honesty, unparallel patience and understanding even while having to contend with sometimes, hostile public perception of the Senate because of the very long period of military rule.

Very often, people tend to ignore the existence of the Senate and the Legislature and this obviously is as a result of our very long military rule. But thank God, we have put that behind us now and the military has decided that even for them, democracy remains the best form of governance and that they would protect and defend democracy.

Meanwhile, for the avoidance of doubt, distinguished Colleagues, let me state very clearly that the Senate has never allocated specific money to individual Senators to undertake constituency projects. We are aware that the award and the execution of official contracts are not within the purview of our mandate.

However, I wish to place on record that a number of Senators have embarked on various projects back home as accomplished community conscious distinguished individuals. While this is commendable, I wish to note that these are at best, personal philanthropic efforts and I urge you to continue and sustain those projects. You must take time to explain to the people the status of these efforts and to let them know that no money has been given to you to go and do your constituency projects. Whatever is reflected in the budget is reflected because they are projects that affect the people, projects that are good for the government and projects that are good for the governed.

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Before I conclude, let me thank all my predecessors in office for their continuous support, their goodwill to the present Senate, in addition to their relentless contributions to enthroning democracy.

Finally, I wish all of you a memorable and reflective commemoration of today which is our anniversary and I also wish you a restful two weeks break before we resume. I thank you and I pray that the Almighty God continues to bless this country, protect all of us and give us wisdom and knowledge so that we can always stand in the part of justice, love and charity to one another.

Thank you very much my distinguished Bosses.

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ADJOURNMENT

Senator Teslim K. Folarin: Mr. President, I move that this Senate do now adjourn till Tuesday, 23rd June, 2009, at 10:00 a.m. prompt.

Senator Olorunnimbe Mamowora: Mr. President, having fulfilled all righteousness, I rise to second the Motion ably moved by the Leader that this Senate do adjourn till 23rd June, 2009.

Question put and agreed to.

Resolved: That the Senate do stand adjourned till 23rd June 2009 at 10:00 a.m. prompt.

The Senate accordingly adjourned at 12:15 p.m.