



# SENATE OF THE FEDERAL REPUBLIC OF NIGERIA

## VOTES AND PROCEEDINGS

Thursday, 1st June, 2006

1. The Senate met at 10. 20 a.m. The President read Prayers.
2. Votes and Proceedings:  
The Senate President announced that he had examined the Votes and Proceedings of Wednesday, 31st May, 2006 and approved same.

*By unanimous consent, the Votes and Proceedings were adopted.*

3. Message from the President:  
The Senate President announced that he had received a letter from the President, Commander-in-Chief which he read as follows:



**PRESIDENT,  
FEDERAL REPUBLIC OF NIGERIA**

*1 June, 2006*

*Senator Ken Nnamani,  
President of the Senate, Senate  
Chambers, National Assembly  
Complex, Three Arms Zone,  
Abuja.*

*Dear President of the Senate,*

### CONFIRMATION OF MINISTERIAL NOMINEES

*In accordance with Section 147(2) of the 1999 Constitution of the Federal Republic of Nigeria, I hereby submit the following names, with their CVs, for confirmation by the Senate as Ministers:*

- |     |   |   |                      |
|-----|---|---|----------------------|
| (1) | <i>Engr. Ellas Nwalem Mbam</i>          | — | <i>Ebonyi State</i>  |
| (2) | <i>Mr. Sayyadi Abba Ruma</i>            | — | <i>Katsina State</i> |
| (3) | <i>Chief (Mrs.) Salome Audu Jankada</i> | — | <i>Taraba State</i>  |
| (4) | <i>Mr. BalaBawa Ka'Oje</i>              | — | <i>Kebbi State</i>   |

- (5) Mrs. Amina J. Ibrahim — Gombe State  
 (6) Mr. Olufemi Fani-Kayode — Osun State

While I trust your prompt confirmatory action, please accept, Mr. Senate President, the assurances of my highest consideration.

Yours Sincerely,

Signed: *OLUSEGUN  
OBASANJO*

4. Announcements:

- (i) The Senate President read a letter from Lagos State House of Assembly as follows:



**LAGOS STATE HOUSE OF ASSEMBLY**

Office of the Clerk of the House, House of Assembly Complex, Alausa, Ikeja.

Tel: 4961686

Ref No: LSHA/LM/C/911/VOL1/118

Date: 22nd May, 2006

*The Senate President,  
Office of the President of the Senate,  
National Assembly Complex,  
Three Arms Zone,  
Garki, Abuja.*

**CONTROVERSIAL CONSTITUTIONAL AMENDMENT BILL, 2006**

*I wish to convey to you the RESOLUTION of the Lagos State House of Assembly, passed at its plenary session held on Monday, 22nd May, 2006 to the effect:*

*"That, this Honourable House do hereby affirm her solidarity with the Distinguished Senators and Members of the National Assembly of the Federal Republic of Nigeria, especially, those truly representing the interest of Lagos State on the occasion of the historic stance in support of the will of the people as regards the recently concluded debates on tenure elongation; and this House further call on the President of the Federal Republic of Nigeria, Chief Olusegun Obasanjo, GCFR, to ensure a smooth transition process that would usher in another democratically elected Government before his exit in May, 2007".*

2. *This resolution is hereby communicated to you for your information and further necessary action.*
3. *Grateful, acknowledge the receipt and accept my best regard for your esteemed person and office.*
4. *Thank you*

Signed:  
*R.O. JAIYESIMI Perm. Sec.  
/Clerk of the House.*

- (ii) The Senate President read a letter from Senator Amadu A. Ali, as follows:



# PEOPLES DEMOCRATIC PARTY

POWER TO THE PEOPLE Motto;

Justice, Unity and Progress

Secretariat : Plot 1970 Wadata Plaza, Michael Okpara Street, Wuse Zone 5, Abuja. Tel: 09-5234442, 5232569.

5233429. Fax:

Office of the National Chairman

31 May 2006

His Excellency Senator Ken  
Nnamani Senate Chamber  
National Assemblé Abuja.

Dear Mr President of Senate,

BBC Interview: Hausa Service

Please refer to my earlier letter on this issue.

I am a Senator and would not wish to hurt the feelings of any Senators or the Senate. I therefore do not mean any harm.

I sincerely hope that this letter closes the incident. As colleagues let us move this country forward. Accept the assurances of my highest regards.

Signed:

Senator Dr. Amadu A. AH, CON  
National Chairman

## 5. Personal Explanation:

Rising on Rule 43, Senator Jonathan S. Zwingina informed the Senate that the International Retreat organised by the Association of Senates, Shoorá and Equivalent Councils in Africa and Arab World, will hold in Abuja on Monday 5th and Tuesday 6th June, 2006 at the Congress Hall, Transcorp Hilton Hotel, Abuja by 10.00a. m. He reminded Senators of the importance of their personal attendance.

## 6. Matter of Urgent Public Importance:

*Withdrawal of Funds from Federation Account:*

Rising on Rules 42 and 52, Senator Farouk Bunza, drew the attention of the Senate to the unauthorised withdrawal of funds from the Federation Account by the Executive in flagrant disregard to constitutional provision. He sought and obtained leave of the Senate for the matter to be debated forthwith as a Matter of Urgent Public Importance.

*Motion made and Question Proposed:* That whereas all revenues accruing to the Federal Republic of Nigeria shall be credited to the Federation Account in accordance with Section 162 of the Constitution of the Federal Republic of Nigeria;

WHEREAS all amounts standing to the credit of the Federation Account shall be distributed to the three tiers of government in accordance with the Revenue Allocation Formular;

WHEREAS since the beginning of 2004, records available to us indicate withdrawals from the said account, which are at variance with constitutional provisions;

WHEREAS the President in a letter addressed to the Senate President dated 9th September 2005 had requested for the endorsement of the Senate of a Power Sector Development Scheme costing \$2,475 Billion;

WHEREAS the Senate in a resolution contained in its votes and proceedings of Thursday 20th October 2005, had advised the President to forward his request by way of an Appropriation Bill for the contribution of Federal Government to the project and for the States and Local governments contribution to be appropriated by relevant authorities as required by law;

WHEREAS the Senate in a resolution contained in its votes and proceedings of 22nd November 2005, had approved the issue from the Consolidated Revenue Fund account of N1.612 Trillion or equivalent of \$12.4 Billion being payment of outstanding debt to Paris Club of creditors;

WHEREAS records available from the Central Bank of Nigeria have indicated withdrawals from the Federation account of various sums for the purpose of payment for the Paris Club outstanding debt, the Power Sector Reform Scheme and other sundry payments;

WHEREAS the withdrawals from the Federation account are at variance with the approvals of the Senate, and the provision of Section 162 of Constitution of the Federal Republic of Nigeria;

**Be it resolved that:-**

- (i) the **Committees** on Finance, Appropriation and Public Accounts invite the Minister of Finance, the Central Bank Governor and the Chairman Revenue Mobilisation and Fiscal Commission to clarify **these** supposed constitutional breaches.
- (ii) the Committees on Finance, Appropriation and Public Accounts come up with a legislation that would ensure regular monitoring of the Federation Account by the National Assembly.
- (Hi) the Committees conduct any other investigation that would assist the Senate unravel the anomaly and promote transparency and accountability in the affairs of the treasury and report back within two (2) weeks.

*Debate:*

**Amendment Proposed:**

*Leave out prayers (i) - (Hi) and insert a new prayer as follows:*

"That the Senate do direct its Committees on Finance and Appropriation to investigate the matter and report its findings to the Senate within three weeks" (*Senator Dalhatu S, Tafida*).

*Question that the amendment be made put and agreed to.*

*Resolved:*

-That the Senate do direct its Committees on Finance and Appropriation to investigate the matter and report its findings to the Senate within three weeks (**5. Res/57/06**).

**7. Civil Aviation Act (Amendment) Bill 2006 (SB. 216):**

*Motion made and Question Proposed:* That the Civil Aviation Act (Amendment) Bill 2006 be read the Second Time (*Senate Majority Leader*).

*Debate:*

*Question put and agreed to.*

*Bill accordingly read the Second Time and referred to the Committee on Aviation to report within four weeks,*

**8. Committee on Rules and Business:**

*Report on the Legislative Activities of the Senate for the Third Session:*

*Motion made and Question Proposed:* That the Senate do receive the Report of the Committee on Rules and Business on the Legislative Activities of the Senate of the Federal Republic of Nigeria for the Third Session (June 2005 - June 2006) (*Senator Tsaouri U. Ibrahim*).

*Question put and agreed to.*

*Report presented and Laid.*

**9. End of the Third Session Adjournment:**

*Motion made and Question Proposed:* That the Senate do adjourn sitting for the Third Session today Thursday, 1st June, 2006 and resume sitting for the Fourth Session on Wednesday, 7th June, 2006 (*Senate Majority Leader*).

*Debate:*

The following Senators made contributions:

(i)	Senator Ibrahim Nasiru Mantu	—	Deputy Senate President Senate
(ii)	Senator <b>Dalhatu S. Tafida</b>	—	Majority Leader Senate
(iii)	Senator Lawal Shuaibu	—	Minority Leader Senate Chief
(iv)	Senator Udoma Udo Udoma	—	Whip Senate Deputy Minority
(v)	Senator Daniel <b>I. Saror</b>	—	Leader Senate Deputy Chief
(vi)	Senator Clement K. Awoyelu	—	Whip
(vii)	Senator Adolphus Wabara		
(viii)	Senator Mohammed Abba Aji		
(ix)	Senator Mamman Bello Ali		
(x)	Senator Uche Chukwumerije		
(xi)	Senator David Mark		
(xii)	Senator Jibril Aminu		
(xiii)	Senator Idris Kuta		

**Remarks by the Senate President on the End of Third Session:**



**PRESIDENT OF THE SENATE  
FEDERAL REPUBLIC OF NIGERIA**

**A TEXT OF REMARKS BY SENATOR KEN NNAMANI,  
PRESIDENT, SENATE OF THE FEDERAL REPUBLIC OF  
NIGERIA, TO END LEGISLATIVE SESSION FOR 2006 ON  
THURSDAY, 1ST JUNE 2006.**

*"In Defence of Democracy"*

*Distinguished colleagues, we have come to the end of another busy legislative session today. This is another time to take stock of activities of this distinguished upper chamber.*

*While closing plenary session last year I observed that the Senate has been maturing in the learning curve. We enacted more laws in that session than in the previous session. We also conducted more intense and result-oriented oversight activities, as well as organized more inclusive and value-adding public hearings. My distinguished colleagues, I am happy to report that we have continued gallantly on the arch of ever-increasing productivity. We have done more in all aspects this legislative year than we did in the last. So many bills that add tremendously to democratic consolidation and economic development were timely passed into law.*

*This year, This Senate worked efficiently and effectively for the common good. We achieved a historical mark in passing the 2006 Appropriation Law in record time. President Obasanjo did not mince words in praising the dexterity and patriotism of members of the National Assembly in passing the 2006 budget without the usual friction and antagonism between the Legislature and the Executive. We passed the 2006 budget quickly because we care for the welfare of Nigerian people. We are all committed to the success of the economic reform of the federal government. We worked extra hard to make sure the executive has the necessary fiscal and monetary tools to grow the economy and provide for the happiness and liberty of Nigerian households. Our commitment to effectively co-manage the national economy through a prudent and non-inflationary national budget is part of our constitutional responsibility under Chapter V of the constitution. In enacting the 2006 Appropriation Act we exhibited maturity and competence. Our great success derives from unanimous devotion to the liberty, welfare and prosperity of every Nigerian. Overall, the Senate has so far considered 172 Bills, 98 have passed through First Reading, and 34 through Second Reading while 20 have been passed. Of this number 12 are Executive Bills and 8 Private Bills. Our emphasis has been strong on Bills that have vital relevance to the re-engineering process of the economy and the political structure in the system.*

*I will not fail to mention our outstanding performance during the last debate on the proposed constitutional amendment. I heartily salute every Senator for attempting to speak-up and take a position on the issues for the good of democracy in the most decorous and convivial manner. Both national and international observers have hailed the Senate as the defender of democracy. I am not the "Man of the moment". The "Man of the Moment" is every Senator. You proved to Nigerians that fair and free procedure is the soul of democracy. By your civility and matured deliberation you have proved that as long as we follow due process, we will peacefully resolve political conflicts and consolidate good governance and national prosperity.*

*Distinguished colleagues, I want to salute the friendship we share in this hallowed chambers. I take special delight in the friendship of every Senator. Even though we step out from different sides of the aisle and take our stand on different perspectives of national issues, we remain first and foremost colleagues, friends and comrades.*

*We share common joy in the triumph of democracy. On a day like this I remember the counsel of a high-ranking U. S. Senator, Hubert Humphrey, to a younger Senator, Joseph Clark, on how to behave when in the Senate. The ranking Senator told his young colleague "the Senate is a friendly, courteous place. You will have no trouble getting along ... Don't let your ideology embitter your personal relationships. It won't if you behave with maturity...". I can testify that this Senate is a friendly and courteous place. I can testify that every Senator has espoused his or her ideology and political interests without embittering our personal relationships. I can testify that we have all behaved with maturity.*

*Distinguished colleagues, we have maintained unity in our diversity; unity of purpose with diversity of talents and perspectives. As we take deserved rest from plenary session, we should be justly proud of our collective service to democracy. We are all vanguards of democracy.*

*Thank you,*

*(Signed):  
Senator Ken Nnamani  
President  
Senate of the Federal Republic of Nigeria*

*Question put and agreed to.*

*Adjourned accordingly at 1.10p.m.*

**Ken Nnamani**  
*President of the Senate*