SENATE OF THE FEDERAL REPUBLIC OF NIGERIA

VOTES AND PROCEEDINGS

Wednesday, 16th January, 2013

1. The Senate met at 10:22 a.m. The Senate President read prayers.

2. **Votes and Proceedings:**
The Senate examined the Votes and Proceedings(2) of Thursday, 20th December, 2012.

Question was put and the Votes and Proceedings were approved by unanimous consent.

3. **Messages from Mr President:**
The Senate President announced that he had received four letters from Mr President, Commander-in-Chief of the Armed Forces of the Federation, which he read as follows:

(i) Confirmation of Ministerial Nominees:

PRESIDENT,
FEDERAL REPUBLIC OF NIGERIA

January 16th 2013

Distinguished Senator David Mark, GCON
President of the Senate,
Senate Chambers,
National Assembly Complex,
Abuja.

Your Excellency,

CONFIRMATION OF MINISTERIAL NOMINEES

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

S/No.	*Name*	*State*
1.	*KABIRU TANIMU TURAKI*	*KEBBI*
2.	*PROFESSOR CHINEDU NEBO*	*ENUGU*

While trusting that this exercise will receive the traditional prompt attention of the Senate, please accept, Mr. Senate President, the assurances of my highest consideration.

Yours Sincerely,
(Signed)
GOODLUCK EBELE JONATHAN

(ii) Celebration of Nigeria's Centenary:

PRESIDENT,
FEDERAL REPUBLIC OF NIGERIA

10th January 2013

Distinguished Senator David Mark, GCON
President of the Senate,
National Assembly Complex,
Three Arms Zone,
Abuja.

Your Excellency,

PROPOSED PROGRAMME FOR THE CELEBRATION OF NIGERIA'S CENTENARY

You may wish to recall that on the 1st of January 1914, the Northern and Southern Protectorates of Nigeria were formally amalgamated into one country - establishing modern day Nigeria. This implies that the 1st of January 2014 marks one hundred years of our union as a nation. Notwithstanding our challenges, it is considered that this is a significant anniversary deserving of celebration by the citizens and Government of Nigeria.

It is against this background that I constituted a 19-member Planning Committee for the Centenary Celebrations, under the Chairmanship of the Secretary to the Government of the Federation. The Committee has articulated a proposed Framework for the celebrations, which has already been presented to the Federal Executive Council and also to the State Governors at the National Economic Council for their inputs.

The purpose of this letter is to request for a convenient date for the Senate of the Federal Republic of Nigeria to receive a full briefing on the proposed programme for the Centenary Celebrations, so that your input will also be accommodated in the framework.

It is my hope that this request will receive the traditional expeditious consideration of the Distinguished Senators.

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

Yours Sincerely,
(Signed)
GOODLUCK EBELE JONATHAN

(iii) Re-Appointment of a Deputy Governor, Central Bank of Nigeria:

PRESIDENT,
FEDERAL REPUBLIC OF NIGERIA

December 20th, 2012

Distinguished Senator David Mark, GCON
Senate President,
Senate Chambers,
National Assembly Complex,
Abuja.

Your Excellency,

RE-APPOINTMENT OF A DEPUTY GOVERNOR, CENTRAL BANK OF NIGERIA.

In line with the provisions of Section 8(1) and (2) of the CBN Act, 2007, I forward the name of Alhaji Suleiman Barau for kind consideration and confirmation by the Senate of the Federal Republic of Nigeria for re-appointment as Deputy Governor of the Central Bank of Nigeria.

It is my hope that, in the usual tradition of the Distinguished Senate of the Federal Republic, this will receive expeditious consideration.

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

Yours Sincerely,
(Signed)
GOODLUCK EBELE JONATHAN

(iv) FCT 2013 Statutory Budget Proposal:

PRESIDENT,
FEDERAL REPUBLIC OF NIGERIA

November 3rd, 2012

Distinguished Senator David Mark. GCON,
President of the Senate,
Senate Chambers,
National Assembly Complex,
Three Arms Zone, Abuja.

Your Excellency,

FORWARDING OF THE FCT 2013 STATUTORY BUDGET PROPOSAL

Pursuant to Section 299 of the 1999 Constitution which vests legislative powers over the Federal Capital Territory (FCT), Abuja on the National Assembly, I hereby present the 2013 FCT Budget Proposal to the Senate of the Federal Republic of Nigeria.

The Federal Capital Territory Administration (FCTA) has proposed a total sum of ₦253,199,752,409 as its Statutory Budget with ₦155,660,399,641 as Capital Expenditure, while the sum of ₦48,034,818,410 and ₦49,504,534,358 are for Personnel Cost and Overhead Cost respectively.

While hoping that the Budget proposal will receive the usual expeditious consideration and passage by the Distinguished Senators; please accept. Distinguished Senate President the assurances of my highest regards.

Yours Sincerely,
(Signed)
GOODLUCK EBELE JONATHAN

4. Remarks by the Senate President:

The President,
Senate of the Federal Republic of Nigeria

ADDRESS BY THE PRESIDENT OF THE SENATE OF THE FEDERAL REPUBLIC OF NIGERIA, HIS EXCELLENCY, SENATOR (DR) DAVID A. B MARK, GCON, fnim AT THE RESUMPTION OF SENATE PLENARY ON WEDNESDAY, 16TH JUNE, 2013.

Protocol:

1. My Distinguished Colleagues, Senators of the Federal Republic of Nigeria, my bosses!

2. I welcome all of us, most heartily, back from the Christmas and New Year recess. I am happy to see so many of us looking radiant and refreshed. I hope you were able to snatch some rest during this period that was not entirely free from bustle, but was in fact, a working break.

3. That, indeed, is the reality of a legislative recess - a period of interactions and consultations with constituents; a period to feel the pulse of the people; and, a period to rekindle the synergy between the law maker and his constituents.

4. During the recess, we received with heavy hearts the news of the tragic death of Prince Chukwuemeka Ekweremadu, the elder brother of our very dear Deputy President of the Senate. Our thoughts and progress are with the Ekweremadu family in their hour of grief. On behalf of the Senate of the Federal Republic of Nigeria, I commiserate with my brother, Senator Ike Ekweremadu, and the entire Ekweremadu family on this painful loss. We pray that the soul of Prince Chukwuemeka Ekweremadu and the souls of all the faithful departed through the mercy of God, rest in perfect peace.

5. I have no doubt that we have all returned to our challenging legislative tasks totally reinvigorated. When I welcomed you back from our annual recess on the 19th of September, 2012, I called for sacrifice and statesmanship. I stressed then that we must rise above narrow and parochial interests in the discharge of our mandate of making laws for the peace, order and good governance of our nation. As I spoke to you most solemnly on that occasion, the spectre of insecurity and sectarian strife hung ominously across our nation. Our national mood was sombre and was made even darker by uncertainties as to which course Government's fiscal policy would take in 2013.

6. Today, the horizon is not as bleak as it was three months ago. The agents of anarchy and sectarian strife have been kept largely in check by the huge sacrifices of our security forces. I salute the commitment, the sacrifice and the bravery of our men and women in the security services, who on our account, place themselves daily in harm's way to confront the formidable perils tearing at the sinews of our corporate existence. Continued vigilance and even greater sacrifice are still needed for terror and insecurity to be totally routed. Internal security operations can certainly benefit from our imaginative legislative efforts aimed at deterring potential perpetrators of such crimes and making the task of the security forces less hazardous.

The Senate will continue to work towards these twin objectives. Not only will we endeavour to enhance the capability of the security agencies to detect and nip these pernicious crimes in the bud, we will also work to ensure that the penalties for their commission are made even more stringent. In this connection, i strongly reiterate my earlier calls for capital punishment for this category of offences.

7. I salute you the more, Distinguished Colleagues, for collectively living up to your billing as the vanguards of the democratic tradition. It is truly difficult to imagine a greater assemblage of statesmen and patriots than the 7th Senate. When Mr. President unprecedentedly presented the 2013 Budget Estimates in October, 2012, you admirably rose to the challenge, put aside partisan considerations, and you made history. After a robust, meticulous and exhaustive consideration and debate, the National Assembly passed the 2013 Appropriation Bill on Thursday, 20th December, 2012. Anyone who ever sat in a legislative chamber, or who is even remotely acquainted with the rigors of the legislative process, will appreciate the prodigious amount of work and sacrifice that preceded this feat.

8. Without any fear of contradiction whatsoever, and I have been long in this Chamber to know, I can state that this is the first time, since the commencement of the current democratic dispensation in 1999, that the Appropriation Bill would be passed by the National Assembly before the commencement of a fiscal year.

9. We have eloquently made our point. The National Assembly is capable of rising to any constitutional challenge. Not only has the 2013 Appropriation Bill been passed in good time, the National Assembly has prudently and constructively made inputs that we hope will help give vent to this administration's economic and social vision. The inputs we have made derive from a responsible and scrupulous synthesis of the desire of the average Nigerian to be freed from the shackles of abject poverty and deprivation and to put the nation on the path for sustainable economic development. What remains now is for the Executive to ensure that the lofty developmental goals embedded in the budget are fully realised, through full implementation. On our part, we will deploy the mechanism of oversight to ensure that the 2013 Budget is fully implemented, once it is signed into law.

10. Distinguished Colleagues, we have already raised the bar through our stellar performance in 2012. From now onwards, we will be judged by the very high standards we have already set. We cannot therefore afford to flag as we settle to confront the numerous other critical activities dotting the legislative agenda. On our agenda for 2013 are the further Review of the 1999 Constitution, Petroleum Industry Bill, the Education Act Bill, the Procurement Act (Amendment) Bill, the Nigerian Police Reform Trust Fund Bill as well as Crimes Against Humanity, War Crimes, Genocide and Related Offences Bill, just to mention a few.

11. Distinguished Colleagues, you will recall that at the commencement of my stewardship in the 7th Senate, I promised on behalf of all of us that this Senate will always stand with the Nigerian people, at all times and in all circumstances, because we are their elected representatives. We have remained unflinching in this respect. And we will continue to do so in 2013 and the years ahead. Therefore legislative activity for 2013 should perfectly dovetail with the synthesised expectations and wishes of the Nigerian people. Such expectations and wishes are not difficult to discern. The inputs we have made in the 2013 budget are in acknowledgement of some of these expectations.

12. The task of the Senate in 2013 would be to work to restore confidence in the ability of the Government to rise to the challenges elicited by the public expectations. We will seek to bring succour to our nation, and re-energise our people's faith in one indivisible nation, and in constitutional democracy. We will do this by pursuing a legislative agenda that not only promotes the common good, but is also responsive to the national mood and expectations.

13. Some of these expectations can be met within the framework of existing laws, provided that the legislative task of oversight is discharged with firmness, diligence, transparency, courage and commitment. Those expectations requiring constitution amendment will definitely be accommodated and addressed in the ongoing efforts to further amend the 1999 Constitution. What we should never countenance is any talk about the balkanisation of our country. We have become a melting pot, melded by a common history, a common destiny, and a common heritage. The result is that the fault lines if any have become blurred!

14. It is gratifying to note that our people have continued to repose their faith in democracy. That faith can only be repaid through sustained good governance. This is why all of us, without exception, must resist the temptation to sacrifice governance on the altar of politics as the 2015 elections approach. Not to do so is to inordinately pander to the mere selfish craving for career advancement.

15. I therefore call for even greater sacrifice, commitment and patriotism from all of us.

16. We will continue to constructively collaborate with the Executive, within the context of the principle of separation of powers, to ensure that our nation emerges stronger and more dynamic. Such collaboration in no way diminishes the constitutional status of the National Assembly as the driving force of this democracy. It rather enriches it, for the Executive, the Legislature and the Judiciary, are partners, all working towards good governance.

17. Just before our last recess, we did observe certain incidents smacking of disrespect and contumacy towards the Senate, and particularly of its power to investigate some MDAs. For now, let me make this very clear: The power to launch investigations into agencies of government is expressly given to parliament by Section 88 of the 1999 Constitution (As Amended), as part of parliament's oversight functions. The Senate will not brook any act contemptuous of it, nor will it abnegate a responsibility so expressly conferred.

19. Distinguished Colleagues, my bosses, I welcome you back to this Chamber, and wish you a very happy and fruitful 2013.

(Signed)
Senator (Dr) David A.B. Mark, GCON, fnim
PRESIDENT OF THE SENATE

5. Announcements:

(a) African Leadership Grassroot Improvement Award:

The Senate President read a letter from Senator Bukar Abba Ibrahim (*Yobe East*) as follows:

Senator (Dr.) Bukar Abba Ibrahim (CON, FNIQS)
(Galadaima of Gazargamo)
YOBE EAST SENATORIAL DISTRICT

15th January, 2013

Senator David A. B. Mark GCON
The Senate President,
National Assembly,
Abuja.

Your Excellency, Sir,

"DISTINGUISHED AFRICAN LEADERSHIP GRASSROOT IMPROVEMENT AWARD" - MAIDEN EDITION.

Reference to my letter on the above subject matter dated 10th December, 2012. I wish to inform you and the entire Senate that, on further investigation in the process of my preparation to go and receive the award in South Africa by 30th January, 2013. I found out that the award has nothing to do with neither Mo Ibrahim Foundation nor Rockefeller foundation or any of its agents as purported by the award letter.

I have enclosed a copy of a public notice/press release which I have sent out for publication in the print and electronic media.

I regret any inconvenience my earlier information to the Senate may have caused you and the entire Senate.

May I use this opportunity therefore to thank you and my entire colleagues for the support given to me, and advise us and the entire Nigerians to be more vigilant.

Please accept the assurances my highest consideration.

(Signed)
***SENATOR (DR) BUKAR ABBA IBRAHIM,** CON, FNIQS*
Chairman, Senate Committee on Housing, Land & Urban Development.

(b) Acknowledgment:
The Senate President acknowledged the presence of a 3-man delegation of European Parliamentarians with Africa, Amsterdam the Netherlands who were in the gallery to observe Senate Proceedings:

(*i*) Hon. Tadeusz Iwiriski - Vice Chairman Foreign Affairs Committee, Polish National Assembly;

(*ii*) Dr. Jeff Bach - Director Research and Evaluation of European Parliamentarians with Africa; and

(*iii*) Mr. Clement Boutiller - Programme Manager, MDGs Programme of European Parliamentarians with Africa.

6. Petition:
Rising on Rule 41, Senator Dahiru A. Kuta *(Niger-East)* drew the attention of the Senate to a petition from his constituent, Mr Abdul Kareem Ibrahim, on the non-implementation of the Federal Government White Paper and release of promotion letter. He urged the Senate to look into the matter.

Petition laid and accordingly referred to the Committee on Ethics, Privileges and Public Petitions [Rule 41(3)].

7. Committee on Communications:
Report on the Investigation of the Effectiveness of the Services Provided by GSM Operators:
Motion made: That the Senate do receive the Report of the Committee on Communications on the Investigation of the Effectiveness of the Services Provided by GSM Operators (*Senator Gilbert Nnaji — Enugu East).*

Report Laid.

8. **Motion:**
Employment Irregularities in the Nigerian Immigration Services and other Ministries, Departments and Agencies in Nigeria:
Motion made: That the Senate notes with serious concern the media stories on irregularities in employment at the Nigerian Immigration Services, Nigerian Customs Service, Nigeria Security and Civil Defence Corps and other Ministries, Departments and Agencies in Nigeria;

notes also that according to statement credited to the Comptroller General of Nigerian Immigration Service, over 4,000 employment slots were approved by the Federal Government. However, jobs were allegedly being sold to job applicants and some allocated to various other personalities. Due process involving advertisement for interested members of the public to apply have not been observed;

observes that employment letters were also allegedly offered for sale between ₦400,000 and ₦500,000 by the syndicate whose operation base are in Gwagwalada, Karu and other places;

observes also that the recruitment exercise favours some States of the federation which is a total negation of the Federal Character principle; and

aware that the recruitment exercise embarked upon by the Nigerian Immigration Service and others have generated a lot of criticisms and outcry from the general public.

Accordingly resolves to:
mandate the Committees on Interior; and Federal Character and Inter-Governmental Affairs to carry out a holistic investigation into the matter and report to the Senate within two weeks (*Senator Abubakar A. Bagudu — Kebbi Central*).

Debate:

Proposed Resolution:
Question: That the Senate do mandate the Committees on Interior; and Federal Character and Inter-Governmental Affairs to carry out a holistic investigation into the matter and report to the Senate within two weeks.

Amendment Proposed:
Leave out the Proposed Resolution and *insert* the following instead thereof:
"That the Senate do mandate the Committees on Federal Character and Inter-Governmental Affairs; and Employment Labour and Productivity to carry out a holistic investigation into the matter in all the MDAs and report to the Senate within eight weeks (*Senator Wilson Ake — Rivers West).*

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

Resolved:
That the Senate do mandate the Committees on Federal Character and Inter-Governmental Affairs; and Employment Labour and Productivity to carry out a holistic investigation into the matter in all the MDAs and report to the Senate within eight weeks ***(S/Res/025/02/13)***

9. **Committee on Ethics, Privileges and Public Petitions:**
Report on the Discrimination against the Female Gender in the Recruitment Exercise into the Federal Service (Nigerian Customs Service):

Consideration of Report deferred to another Legislative Day.

10. **Committee on Ethics, Privileges and Public Petitions:**
Report on the Wrongful Dismissal of Mr. Michael Odunuyi by the Nigerian Security Printing and Minting Company (NSPMC):

Consideration of Report deferred to another Legislative Day.

11. **Committee on Lands, Housing and Urban Development:**
Report on the Social Housing Bill 2013 (SB. 61):

Consideration of Report deferred to another Legislative Day.

12. **Chartered Institute of Logistics and Transport of Nigeria Bill 2013 (SB. 153):**

Consideration of Bill deferred to another Legislative Day.

13. **Border Communities Development Agency Act (Amendment) Bill 2013 (SB. 143):**

Consideration of Bill deferred to another Legislative Day.

14. **Constitution of the Federal Republic of Nigeria 1999 (Alteration) Bill 2013 (SB. 216):**

Consideration of Bill deferred to another Legislative Day.

15. **Constitution of the Federal Republic of Nigeria 1999 (Alteration) Bill 2013 (SB. 223):**

Consideration of Bill deferred to another Legislative Day.

16. **Constitution of the Federal Republic of Nigeria 1999 (Alteration) Bill 2013 (SB. 225):**

Consideration of Bill deferred to another Legislative Day.

17. **Adjournment:**
Motion made: That the Senate do now adjourn till Thursday, 17th January, 2013 at 10.00 a.m. (*Senate Leader*).

Adjourned accordingly at 1:14 *p.m.*

Dr. David A. B. Mark, GCON, fnim
President,
Senate of the Federal Republic of Nigeria.