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**FEDERAL REPUBLIC OF NIGERIA**

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**Tuesday  
20<sup>th</sup> April, 2010**



# **NATIONAL ASSEMBLY DEBATES**

## **FOURTH REPUBLIC THIRD ASSEMBLY (SIXTH SENATE)**

### **THIRD SESSION**

#### **SENATE OFFICIAL REPORT**

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**SENATE OF THE FEDERAL  
REPUBLIC OF NIGERIA**

*Tuesday 20<sup>th</sup> April, 2010*

The Senate met at 11.30 a.m.

**PRAYERS**

(The President in the Chair)

**VOTES AND PROCEEDINGS**

**The President:** Distinguished Senators, we have the Votes and Proceedings of Wednesday 14<sup>th</sup> of April 2010, before us for approval. Pages 735, 736, 737.

**Senator Anthony Manzo** (Taraba North): Mr. President, I do not know if there is anything we can do about the *Valedictory Speech by the President of the Senate of Federal Republic of Nigeria – His Excellency, Senator Dr. David Mark, GCON*. I think it should be Speech by the *President of the Senate, Federal Republic of Nigeria, His Excellency Senator David Mark on the Valedictory Session on late Senators*, because it is the *Session* that is *Valedictory* not the *Speech* Sir. But I do not know if there is anything we can do about it.

**The President:** It is all right, that will be corrected because it is really a serious grammatical issue. Page 738, 739.

**Senator Patricia Naomi Akwashiki** (Nasarawa North): Mr. President, I rise to propose that the Votes and Proceedings of Wednesday 14<sup>th</sup> April, 2010 be adopted as amended.

**Senator Clement Annie Okonkwo** (Anambra Central): Mr. President, I rise to support that the Votes and Proceedings of Wednesday 14<sup>th</sup> April, 2010 be approved as amended.

*Question put and agreed to:*

*Resolved:* That the Votes and Proceedings of Wednesday 14<sup>th</sup> April, 2010 be approved.

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**MESSAGE FROM THE ACTING PRESIDENT**

**The President:** This is a letter from the Acting President.

*Distinguished Senator David Mark (GCON)  
President of Senate Chambers  
National Assembly Complex  
Three Arms of Zone  
Abuja*

Your Excellency,

**APPOINTMENT OF MINISTERS OF FEDERAL  
GOVERNMENT**

*I refer to my earlier letters with Reference No. SH/GHP/FEC/ 147 dated 23rd and 29<sup>th</sup> of March, 2010 respectively on the above subject matter. I wish to forward the nominees listed hereunder for appointment as Ministers of the Government of the Federation for the consideration and confirmation of the Senate of the Federal Republic of Nigeria. They are:*

- i. Mr. Obadiah Ando - Taraba State*
- ii. Prof. Christian Onyebuchi Chukwu - Ebonyi State*

*Please accept the assurances of my esteemed regards always.*

*Yours sincerely*

(Signed)

**DR. GOODLUCK EBELE JONATHAN (GCON)**

**The President:** We also have another letter from the Acting President. It reads thus:

*Your Excellency  
Senator David Mark  
President of the Senate*

**LETTER OF CONDOLENCE**

*My family and I and indeed the entire nation receive with shock and profound grief the news of the sudden passing away within days of each other of two*

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of our distinguished Senators and co-patriots Senators Tawar Umbi Wada PDP Gombe South and Kawo Peto Dukku PDP Gombe North on Wednesday, 31<sup>st</sup> of March and Friday, 2<sup>nd</sup> of April, 2010 respectively. The sudden demise of these distinguished legislators at the high point of concerted efforts towards the consolidation of our democratic governance through Constitutional Reform is indeed sad and a great loss not only to the Upper Legislative Chamber but to their Constituencies in Gombe and the nation in general.

We shall continue to be grateful as a nation for the invaluable contributions of these highly patriotic law makers in the various roles they played in furtherance of our democratic development particularly in the case of Senator Wada as Attorney General and Commissioner for Justice, Gombe State, Chairman, Senate Committee on information and Communication as well as Agriculture. And in the case of Senator Dukku as a member and later Speaker of Gombe State House of Assembly and a prominent Member of the Senate Committees on Aviation, Establishment and Public Service, Security and Intelligence, Sports as well as States and Local Government.

I wish to commiserate with your Excellency and bereaved family on behalf of my family and the Nigerian nation on the loss of these great compatriots. We are praying that the Almighty Allah will grant them eternal rest.

Please accept your Excellency, the assurances of our deepest condolences.

Yours sincerely

(Signed)

**DR. GOOD LUCK EBELE JONATHAN, GCON  
ACTING PRESIDENT.**

**The President:** I have a letter from the Speaker, House of Representatives.

Your Excellency,

**Death of Senator Tawar Umbi Wada:  
Condolence Message**

*It is with a heavy heart that I receive the sad news of the passing away of Senator Tawar Umbi Wada Chairman, Senate Committee on Agriculture;*

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*the sad event which occurred yesterday 31<sup>st</sup> March 2010 at the National Hospital Abuja. We in the House of Representatives share with the Senate over this unfortunate incident.*

*On behalf of my family and the House of Representatives, I convey our condolences on this very unfortunate occurrence. While we fully appreciate his qualities and contributions to the Senate and the nation at large, we pray that the Senate as well as his family find the strength to bear this irreparable loss.*

(Signed)

*Hon. Dimeji Bankole (CFR)*

*The Senate President,  
Your Excellency,*

**Death of Senator Kawo Peto Dukku:  
Condolence Message**

*It is with a heavy heart that I received the sad news of passing away of Senator Kawo Peto Dukku, Vice Chairman, Senate Committee on States and Local Government Affairs; the sad event which occurred on Friday, the 2<sup>nd</sup> of April 2010. We in the House of Representatives, share with the Senate over this unfortunate incident.*

*On behalf of my family and the House of Representatives, I convey our condolences on this very unfortunate occurrence. While we fully appreciate his qualities and contributions to the Senate and the nation at large, we pray that the Senate as well as the family find the strength to bear this irreparable loss.*

(Signed)

*Hon. Dimeji Bankole, CFR  
Speaker (House of Representatives)*

**The Senate President:** I have another announcement from Distinguished Senator Bassey Ewa-Henshaw. It reads thus:

**Contribution for Haiti Relief Fund**

Distinguished Senators are kindly reminded to make their contributions to the Haiti Relief Fund before the end of this week. As you will recall, each distinguished Senator is expected to contribute N100,000.00. Please make your payment in cheque or cash as follows:

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1. Senator Bassey Ewa-Henshaw - to collect from South-South Senators.
2. Senator Harcourt Enyinnaya Abaribe - to collect from South-East Senators.
3. Senator Mujitaba Mustapha Mallam - to collect from North-West Senators.
4. Senator Felix Bajomo - to collect from South-West Senators.
5. Senator Ahmad Lawan - to collect from North-East Senators.
6. Senator Patricia Akwashiki - to collect from North-Central Senators.

Please know that your contributions will go a long way in helping to re-establish democratic structures in Haiti.

Thank you for your co-operations.

(Signed)  
Senator Bassey Ewa-Henshaw  
Chairman

#### Notice of Meeting

**The Senate President:** Members of the Senate Ad-hoc Committee on Armed Robbery and Breach of National Security will meet as follows:

Date: April 21<sup>st</sup> 2010

Time: 1.00 p.m.

Venue: Room 4.31 New Senate Building.

Signed:  
Distinguished Senator Patrick Enebeli Osakwe  
Chairman

#### Birthday Anniversary

The Senate President,

This is to inform you that by the special grace of God my birthday was Friday the 16<sup>th</sup> of April 2010. I therefore wish to humbly request you to join me in thanking God for sparing my life thus far.

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I pray to God to continue to guide and guard me in the continued struggle on the side of justice.

Thank you very much as you join me this day.

(Signed)  
Senator Comrade Dahiru Kuta

#### Birthday Wishes to some distinguished Senators

**The Senate President:** Distinguished Senators, may I, on behalf of all of us, wish Senator George Thomson Sekibo who celebrated his birthday on Thursday the 1<sup>st</sup> of April, 2010, a happy birthday.

May I also on behalf of all of us congratulate Distinguished Senator Maccido Muhammad Ahmed who also celebrated his birthday on the 1<sup>st</sup> of April, 2010.

I also congratulate Distinguished Senator David Mark who celebrated his birthday on the 8<sup>th</sup> of April, 2010, Distinguished Senator Nazif Mohammad Sulaiman who celebrated his birthday on the 12<sup>th</sup> of April, 2010, Distinguished Senator Tanko Abubakar Ayuba who celebrated his birthday on the 12<sup>th</sup> of April, 2010, Distinguished Senator Oduoye Olasunkanmi Simeon who celebrated his birthday on the 13<sup>th</sup> of April, 2010, Distinguished Senator Bello Hayatu Gwarzo who celebrated his birthday on the 14<sup>th</sup> April, 2010, and Distinguished Senator Dahiru Kuta whose birthday was on 16<sup>th</sup> April, 2010.

On behalf of all of us, I wish all those whose birthdays were in April and who have celebrated them a happy birthday.

**Senator Ike Ekweremadu** (Enugu West): Mr. President, I have a Point of Order.

**The President:** Point of Order, the Deputy Senate President.

**Senator Ike Ekweremadu:** Mr. President, permit me to raise Order 43 which states thus: *By the indulgence of the Senate and the leave of the President of the Senate, a Senator may make a Personal explanation although there be no question before the Senate; but no controversial matter may be brought forward nor may debate arise upon the Explanation. The terms of the proposed statement shall be submitted in detail to the President of the Senate when his leave to make it is sought.*

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Distinguished Colleagues, few minutes ago we heard announcement of the birthday of our very distinguished Colleagues that took place in the month of April. You will recall that one of the celebrants is the President of the Senate. His birthday came at the time we were on holidays. I believe, speaking for all of us that this is an appropriate theatre to announce that God had added one more year in the life of our President.

I believe that the birthday and life of the President of the Senate is indeed worth celebrating because over the last one year a lot has happened under his leadership. This country was drifting and it took the intervention of this Senate under his leadership to bring us on the part of progress and peace.

For the first time in the history of this country, especially between 1999 and now, this Senate successfully amended the Constitution under his Leadership. We recall all the sacrifices that he made to ensure that Ministers of the Federal Republic of Nigeria were properly confirmed to start work in earnest; and you will also recall the long hours the Senate President in spite of his age sat here. As you know, at his age, we expect that he would be visiting the small room from time to time but it never happened. So, we thank God for his health, strength and the wisdom He has given him and our prayer collectively is that he will continue to excel and enjoy such quality life to do those things those of his age will not attempt to do.

On our behalf, your Excellency, we wish you many more years of service to your father land, your commitment to the work and to continue to lead the Senate from glory to glory. Our prayer is that God will bless and your family now and always.

**The President:** Thank you very much Deputy Senate President. I do not qualify for paid advert. Also, Senator Oduoye does not qualify for paid advert, Senator Tanko Ayuba does not qualify; those are the nearest to paid advert. We all know the age that gets a paid advert.

#### **PRESENTATION OF BILLS**

##### **National Environmental Standards and Regulation Enforcement Agency Act (Amendment) Bill, 2010 (SB. 389)**

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**Senator Teslim K. Folarin** (Oyo Central): Mr. President, the first Business of the Day is the presentation of a Bill standing in the name of Senator Chris Anyanwu on National Environmental Standards and Regulation Enforcement Agency Act (Amendment) Bill, 2010.

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

National Environmental Standards and Regulation Enforcement Agency Act (Amendment) Bill, 2010 - *read the First Time*.

#### **Electoral Bill, 2010 (SB. 391)**

The second Business of the Day is the presentation of the Bill standing in the name of the Deputy President of the Senate, Senator Ike Ekweremadu and forty others on the Electoral Bill, 2010.

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

Electoral Bill, 2010 – *read the First Time*.

#### **Federal Capital Territory (FCT) Water Board Establishment, etc.) Bill, 2010 (SB. 392)**

The third Business of the Day is the presentation of a Bill standing in the name of Senator Abubakar Umar Gada on the Federal Capital Territory (FCT) Water Board (Establishment, etc.) Bill, 2010.

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

Federal Capital Territory (FCT) Water Board (Establishment, etc.) Bill, 2010 – *read the First Time*.

#### **ORDERS OF THE DAY**

#### **CONSIDERATION OF A REPORT**

##### **Report of the Committee on Ethics, Code of Conduct and Public Petitions**

Mr. President, the first Order of the day is the presentation and consideration of the Report of the Committee on Ethics, Code of Conduct and Public Petition on the screening of the following persons as

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Chairman and Members of the Code of Conduct Bureau. The names are as contained in the Order Paper.

You will also recall that the Report of this Committee was laid on Wednesday 24<sup>th</sup> March, 2010.

You may invite the Chairman of that Committee, Senator Omar A. Hambagda to move the Motion for the presentation and consideration of the Report.

**Senator Omar A. Hambagda** (Borno South): Mr. President, may I move that I be granted leave to present the Report of the Committee on Ethics, Code of Conduct and Public Petitions on the screening of the Chairman and other Members of the Code of Conduct Bureau.

**The President:** Senator Omar, I think what the Leader should do is to move the Motion and then somebody will second it, and I will invite Senator Omar Hambagda to present the Report.

**Senator Teslim K. Folarin:** Mr. President, I only asked that you invite him to present his Report.

**The President:** But he is moving a Motion to present it. If you move the Motion, it will be seconded here and then I will invite him to present the Report.

**Senator Teslim K. Folarin:** Mr. President, I now move that you invite the Chairman of Ethics, Senator Omar Hambagda to move for the presentation and consideration of the Report.

**Senator Ahmad Rufa'i Sani** (Zamfara West): Mr. President, I second the Motion that Senator Omar Hambagda be invited to present his Report.

*Question put and agreed to.*

**Senator Omar A. Hambagda** (Borno South): Mr. President, you will recall that in the sitting of Wednesday 24<sup>th</sup> February, 2010, Senate considered the request of Mr. Acting President, Commander-in-Chief of the Armed Forces of the Federal Republic of Nigeria for the confirmation of the appointment of Mr. Sam Saba as Chairman and members of the Code of Conduct Bureau. This was subsequently referred to the Committee for further legislative action.

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Thereafter, the Committee held interactive sessions with each of the nominees, screened their credentials including reports from security agencies.

The following Report therefore is an outcome of this interaction and the screening of documents.

The first is Mr. Sam Saba nominated as Chairman. He has a B.Sc. Degree in Broadcast Management and at the University of Hong Kong he also obtained his Post Graduate Certificate in Corruption Studies in 2004. He started his career in broadcasting and rose to the rank of Manager, News and Current Affairs in NTA Abuja by 1987. He also Acted as General Manager in NTA Sokoto and Abuja on several occasions. He joined the Code of Conduct Bureau as an Assistant Director in 1991 and served as Head of Department responsible for the day-to-day administration of Finance and Supplies. He was subsequently appointed Secretary of the Code of Conduct Bureau in 2000.

Questions put to the nominee were properly and adequately answered. He particularly demonstrated a good grasp of the workings and constraints of the Bureau. He also demonstrated a very good idea of how he intends to move the Bureau forward.

### **Recommendation**

The nominees responded very well to the numerous questions the distinguished Members of the Committee asked and also elaborated on comments and observations made by the Members. The Committee noted that the nominees performed creditably well in their various fields and demonstrated clear ideas on how to move the performance of the Bureau and to renew and invigorate the weak internal control mechanisms which had characterized the Bureau if confirmed as Chairman and members of the Bureau. They all agreed to work in unity and also pledged individual and collectively to move the Bureau forward.

Consequently, at the end of the screening exercise, Members of the Committee, having been satisfied with the qualifications, competence, experience, suitability and character of the nominees, unanimously resolved to recommend all the Nominees as listed below for confirmation by the Senate.

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|---------------------------------------|----------|
| 1. Mr. Sam Saba                       | Chairman |
| 2. Ibrahim Manzo                      | Member   |
| 3. Chief Stephen F. Bekefula          | Member   |
| 4. Ambassador Habib O. Elabor         | Member   |
| 5. Dr. (Mrs.) Christiana Ekoja Okwori | Member   |
| 6. Alhaji Disina Mohammed             | Member   |
| 7. Prince Okechukwu Ikechi Nwadinobi  | Member   |
| 8. Dr. Ademola Adebo                  | Member   |

The Committee has done its job to the best of its ability and within the limits of the briefs and documents presented to it. It has remained guided by the nominees' profiles and the relevant documents presented during the screening.

On behalf of the entire members of the Senate Committee on Ethics, Code of Conduct and Public Petitions, I thank the Senate President and the entire Senate for giving us the opportunity to render service of this nature.

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

**Senator Ahmad Rufa'i Sani (Zamfara Central):** Mr. President, I second the Motion that the Senate do resolve to the Committee of the Whole to consider the Report.

*Question put and agreed to.*

Report of the Committee on Ethics, Code and Conduct and Public Petitions – *CONSIDERED IN THE COMMITTEE OF WHOLE.*

(The Chairman in the Chair)

**The Chairman:** I think I can put the Question unless anybody has any serious objection?

**Senator Joel Danlami Ikenya (Taraba South):** Point of Order, Mr. President.

**The Chairman:** What is your Point of Order, distinguished Senator Joel Danlami.

**Senator Joel Danlami Ikenya:** Mr. Chairman, my Point of Order is a Constitutional Order which is Section 14 (3). I want to raise this very fundamental issue and I believe that the Senate has the capacity to correct wrongs from either the Executive or the Judiciary.

Section 14 (3) of the 1999 Constitution talks about the composition of the government of the Federation and it reads thus: *The composition of the government of the Federation or any of its agencies, which the Code of Conduct Bureau belongs, and the conduct of its affairs shall be carried out in such a manner as to reflect the Federal Character of Nigeria and the need to promote national unity, and also to command national loyalty, thereby ensuring that there shall be no predominance of persons from a few States or from a few ethnic or other sectional groups in the government or in any of its agencies.*

I want to draw the attention of this Senate, *vis-à-vis* the appointment of Mr. Saba. I am not against Mr. Saba as a Nigerian but I am against the way and manner he is going to take the affairs of the Code and Conduct Bureau, taking into cognizance of the fact that Mr. Saba was a Secretary under a person who only acted for two years. For him to come back as a Chairman of that Commission; there is a moral burden.

Secondly, I want to say that the Central Zone which also you are part of, the Central geo-political zone, has dominated this government and has also swallowed most of the appointments that are supposed to go to other geo political zones.

It is only the Senate that can correct the excess of the Executive. If you look critically at some of these appointments, you will see that you have everything in the Central. I am of the opinion that Mr. Saba is very qualified for the job, but Mr. Saba who has worked as a Secretary in the Code of Conduct Bureau where somebody has acted for almost two years now, for him to come back to become the Chairman is morally wrong.

I have been raising a lot of dust over the issue of appointment in the State, even in the North-East Zone, especially my State. A State that is close to Cameroon, a State where we supposed to have integration, a state that is supposed to be recognized as part of this State, I believe that something can be done about this. I leave everybody in the conscience of this Senate to look at it because I am also surprised.

I reported this matter to the Chairman of this Committee and he said that he would note it in his Report. I have gone through the Report but he never noted it. I am surprised that a Colleague Senator would raise an issue and a Chairman of the

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Committee would never note it. We are not against the appointment but we feel that if anything is wrong, we should correct it.

Let me also inform this Senate that Nigerian Accounting Standard Board brought somebody as Public Administrator to head the Organization; I wrote back to them stating that the Law says, it is only a Chartered Accountant that can be appointed. They immediately dropped the man and brought in a new person as a Chartered Accountant. I believe that it is only the Senate that can stand on its feet to correct some of these abnormalities and make sure that things are done properly.

**Senator Manzo G. Anthony** (Taraba North): Mr. Chairman, I will like to align myself with the comment of distinguished Senator Danlami. I do not know Mr. Saba, but he is probably a very nice man. I am sure he is competent but the larger picture we are trying to present is that of marginalization. Even in the three zones of the North, you will find out that the North-East is always being short-changed. If you come to the North-East, you will find out that Taraba State is even more short-changed. It is in line with this general observation that I want to suggest that we should take a look at this appointment again and then see what we can do. We have always been saying these things.

There was an issue of appointment of the Federal Civil Service Commissioner from Gombe State, we came to an arrangement and I want to put it to my Colleagues that if there are any other appointments in the future, please, Taraba State should be considered because we stand a risk of being forgotten in this great country. It is this general sentiment that I want to say that I do not have anything personal against Mr. Saba but the larger point should be made that we in Taraba State are heavily marginalized.

**The Chairman:** Distinguished Senators Danlami and Manzo, where is Alhaji Disina Mohammed from?

**Senator Manzo G. Anthony:** The Ibrahim Manzo in the list has no relationship with me Sir; just for the record.

**Senator Danlami Ikenya:** Alhaji Disina Mohammed is from the North-East. It may interest you to know that the person acting as Chairman has been that Barrister Tuku, from Taraba State. He has acted for two years but only to find out that they have

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brought somebody that has been working with the Chairman and he has done nothing wrong.

**The Chairman:** If there was nobody from the North-East, you would have had a valid point but there is somebody from the North-East. You cannot come here and say that this is the person that must come from this or that place; that is not our prerogative. If the Committee screening the people did not find the person competent, then you also have a point. But this is on geo-political basis and your geo-political zone is represented here.

To say that because a Taraba man acted he must also be made the Chairman, I think that is not a very valid point; that is the point you are raising.

You came by Point of Order and the Point of Order you raised is on spread; and the *spread* here is geo-political and not State. You came by Section 14 of the Constitution, which is spread. The spread in this nomination is geo-political, it is not State. Is there any zone that is not represented?

**Several Distinguished Senators:** All the Zones are represented.

**The Chairman:** Senator Joel you are not listening, all the zones are represented. This is on geo-political. Therefore, Section 14 of the Constitution has not been violated. I sustain your Point of Order because your Point of Order is right that all the geo-political zones have been covered. Do you get the point? (*Laughter*)

**Senator Bassey Ewa-Henshaw** (Cross River South): Mr. Chairman, my worry is that the man has been the Secretary of the Bureau for ten years. I think it is probably time for him to allow someone else to run the place.

**The Chairman:** Senator Hambagda, is he competent, is he qualified?

**Senator Omar A. Hambagda** (Borno South): From our judgment, Sir, he is.

**The Chairman:** I think the issue here should really be competence. The point that Senator Joel raised is valid, that is why I sustained his Point of Order because it shows geo-political spread.



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**Senator Nkechi Nwaogu** (Abia Central): Mr. Chairman, I have taken time to read the report on the proposed Chairman for this Commission. Under his qualification, I found him qualified, but in furtherance to what Senator Joel Danlami said, the man has been on Acting capacity from 1997 to 2000 before he was appointed Secretary of the Bureau. The concern in this appointment of Mr. Sam Saba as Chairman of the Code of Conduct Bureau is really on what would be the work relationship if he comes in as Chairman of the Bureau.

Morally, in as much as we look at the requisite qualifications enshrined for appointments for agencies and Parastatals, we must go beyond the qualifications as indicated. We should know from this Senate that this appointment would eventually lead to negative productivity as a result of unhealthy rivalry that might ensue as a result of this man becoming the Chairman of the Bureau. I urge my Colleagues to look at this recommendation seriously and see whether it is right and whether we can get value added from these appointments in the discharge of their duties in the Code of Conduct Bureau.

**Senator James Manager** (Delta South): Mr. Chairman, I have never set my eyes on Mr. Sam Saba. I am from a very far place considering where Mr. Sam Saba came from. From the Report, he is from Niger State while I am from Delta State. I have gone through the Report and I have also listened very passionately to this development on the Floor of this Chamber. This is the Senate of the Federal Republic of Nigeria, and we have Standing Committee on this matter; and this matter was referred to the Standing Committee headed by highly respected Senator Hambagda. The Report is before us, and I want to believe that the Committee did a thorough job. They must have met with these Nominees, interviewed and cross-examined them, and from all available evidence, it is very clear from their Report and from what he has told us that Mr. Sam Saba is competent to do the work. All other sentiments that are being expressed here are secondary as far as I am concerned.

The man is qualified and competent by all material particulars. If he is qualified, then what is the problem? If you say reduction in productivity, is it in what respect? The man would be Chairman and he would take control, he would be in charge. That is what is important, that is what is material and that is what we should look at. From what we have been told, all other geo-political zones are represented in this nomination. What is the problem Mr. Chairman,

I cannot understand? Like I said, I have never met the man nor set my eyes on him; I am from the South-South but this is Senate of which I am a Member. I represent my people and as far as I am concerned, this man is qualified, he is competent and he should be passed.

**Senator Abubakar Danso Sodangi** (Nasarawa West): Mr. Chairman, as a rider to what Senator James Manager has said, I am not from Niger State, I come from Nasarawa State, but I know Sam Saba. Like it has been said, he has been there for so many years but it is not a reason to disqualify him. The man is very energetic, a journalist par excellence and a sound administrator. He has no grey hair. He is very energetic and competent. Look at his Curriculum Vitae.

I urge my Colleagues not to express sentiments on the approval of this gentleman. I can speak his mind even though he is not here. He is very competent and the judgment has been delivered. Are we now faulting the judgment of our Committee Members? I urge Mr. Chairman to put the question for those of us who are ready to approve his nomination to do so; those who have some reservations have right to their reservations but I want them to know that Mr. Sam Saba will definitely serve the interest of this country in that office.

**The Chairman:** Let me hear from those who are against because those who agree with it are already in agreement with the Report. It is those who have objections that we need to hear their views. (*Interruptions*) So, I can then put the question.

**Senator George Anthony Manzo** (Taraba North): Point of Order!

**The Chairman:** Yes, Point of Order, Distinguished Senator Manzo.

**Senator Anthony Manzo:** Order 53 (8) and with your permission Sir, I would like to read.

**The President:** Yes, read.

**Senator Anthony Manzo:** *No Senator shall impute improper motives to any other Senator.* I am referring to comments by Senator Sodangi and also my very highly respected Senator from Niger Delta, Senator James Manager. The point we are saying from my angle and that of Senator Danlami is not about the competence of the Committee's work or the

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competence of Mr. Saba. The point we are making is that the federal character should be reflected as it refers to Taraba. We are fighting for our own people who sent us here to represent them. It has nothing to do with the competence of the job done wonderfully well by Senator Hambagda. I want to make that point clear, Sir.

**The Chairman:** All right, Senator Manzo, *no Senator shall impute improper motives to any other Senator*, how have they done this?

**Senator Anthony Manzo:** There were suggestions that we are against Mr. Saba as a person; we are not. We did say in our comments that he is properly qualified but we are also speaking from our own angle. To suggest that because the Committee did a work we cannot express our opinion, I think it is not fair and it is improper. That is the point we are making but you have the ruling Mr. Chairman

**The Chairman:** But I even asked that those who were against it should speak. So, have I by asking that question now impute any improper motive? Let me just rule please.

Senator Manzo, nobody has really violated Section 53(8). So, I rule you out of Order. I think I should put the question.

Will the Senate approve the nomination of Mr. Sam Saba as the Chairman of the Code of Conduct Bureau.

*Question put and agreed to.*

Will the Senate approve the nomination of Ibrahim Manzo as a Member of the Code of Conduct Bureau?

*Question put and agreed to.*

Will the Senate approve the nomination of Chief Stephen F. Bekefula as a Member of the Code of Conduct Bureau?

*Question put and agreed to.*

Will the Senate approve the nomination of Amb. Habib O. Elabor as a Member of the Code of Conduct Bureau?

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*Question put and agreed to.*

Will the Senate approve the nomination of Dr. (Mrs.) Christiana Ekoja Okwori as a Member of the Code of Conduct Bureau?

*Question put and agreed to.*

Will the Senate approve the nomination of Alh. Disina Mohammed as a Member of the Code of Conduct Bureau?

*Question put and agreed to.*

Will the Senate approve the nomination of Prince Okechukwu Ikechi Nwadinobi as a Member of the Code of Conduct Bureau?

*Question put and agreed to.*

Will the Senate approve the nomination of Dr. Ademola Adebo as a Member of the Code of Conduct Bureau?

*Question put and agreed to.*

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

**Senator Ahmed Rufa'i Sani** (Zamfara West): Mr. Chairman, I second the Motion that the Chairman 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 Ethics, Code of Conduct and Public Petitions on the screening of Mr. Acting President's nominees for appointments as Chairman and Members of Code of Conduct Bureau and approved the recommendations as follows:

- |                                       |          |
|---------------------------------------|----------|
| 1. Mr. Sam Saba                       | Chairman |
| 2. Ibrahim Manzo                      | Member   |
| 3. Chief Stephen F. Bekefula          | Member   |
| 4. Amb. Habib O. Elabor               | Member   |
| 5. Dr. (Mrs.) Christiana Ekoja Okwori | Member   |
| 6. Alh. Disina Mohammed               | Member   |

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7. Prince Okechukwu Ikechi Nwadinobi Member  
8. Dr. Ademola Adebo Member

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

**Several distinguish Senators:** Yes.

**The President:** We will now go for confirmation.

Will the Senate confirm the appointment of Mr. Sam Saba as the Chairman of the Code of Conduct Bureau?

*Question put and agreed to.*

Will the Senate confirm the appointment of Ibrahim Manzo as a Member of Code of Conduct bureau?

*Question put and agreed to.*

Will the Senate confirm the appointment of Chief Stephen F. Bekefula as a Member of Code of Conduct Bureau?

*Question put and agreed to.*

Will the Senate confirm the appointment of Amb. Habib O. Elabor as a Member of Code of Conduct Bureau

*Question put and agreed to.*

Will the Senate confirm the appointment of Dr. (Mrs.) Christiana Ekoja Okwori as a Member of Code of Conduct Bureau?

*Question put and agreed to.*

Will the Senate confirm the appointment of Alh. Disina Mohammed as a Member of Code of Conduct Bureau?

*Question put and agreed to.*

Will the Senate confirm the appointment of Prince Okechukwu Ikechi Nwadinobi as a Member of Code of Conduct Bureau?

*Question put and agreed to.*

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Will the Senate confirm the appointment of Dr. Ademola Adebo as a Member of Code of Conduct Bureau?

*Question put and agreed to.*

### **Confirmation of Nominations**

The nomination of Mr. Sam Saba is hereby confirmed as Chairman of the Code of Conduct Bureau.

The nomination of Ibrahim Manzo is hereby confirmed as a Member of the Code of Conduct Bureau.

The nomination of Chief Stephen F. Bekefula is hereby confirmed as a Member of the Code of Conduct Bureau.

The nomination of Amb. Habib O. Elabor is hereby confirmed as a Member of the Code of Conduct Bureau.

The nomination of Dr. (Mrs.) Christiana Ekoja Okwori is hereby confirmed as a Member of the Code of Conduct Bureau.

The nomination of Alh. Disina Mohammed is hereby confirmed as a Member of the Code of Conduct Bureau.

The nomination of Prince Okechukwu Ikechi Nwadinobi is hereby confirmed as a Member of the Code of Conduct Bureau; and

The nomination of Dr. Ademola Adebo is hereby confirmed as a Member of the Code of Conduct Bureau.

I wish to on behalf of the Senate congratulate all the Members and the Chairman of the Code of Conduct Bureau. As we all saw from the debate on the Floor here it is a very important Agency of Government and we expect them to live up to the expectations of the people. We wish them good luck.

### **CONSIDERATION OF A BILL**

#### **Federal Capital Territory Appropriation Bill, 2010**

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A Bill for an Act to authorize the issue from the Federal Capital Territory Administration Consolidated Revenue Fund of the Federal Capital Territory Administration Account the total sum of N350,324,793,630.00 (three hundred and fifty billion, three hundred and twenty-four million, seven hundred and ninety-three thousand, six hundred and thirty naira) only of which the sum of N38,260,514,722 (thirty-eight billion, two hundred and sixty million, five hundred and fourteen thousand, seven hundred and twenty-two naira) only is for Personnel costs and the sum of N33,095,196,447 (thirty-three billion, ninety-five million, one hundred and ninety-six thousand, four hundred and forty-seven naira) only is for overhead costs whilst the balance of N278,969,082,461 (Two hundred and seventy-eight billion, nine hundred and sixty-nine million eight-two thousand, four hundred and sixty-one naira) only is for Capital Projects for the service of the Federal Capital Territory, Abuja, for the Financial Year commencing on 1<sup>st</sup> January, and ending 31<sup>st</sup> December, 2010.

**Senator Teslim Kolawole Folarin:** Mr. President, the second Order of the Day is the Second Reading of an Executive Bill on the Federal Capital Territory Appropriation Bill 2010.

The Bill was read the First Time in this in this Hallowed Chamber on Tuesday, 1st December, 2009.

With your very kind permission I would like to start the lead debate.

**The President:** Lead us in the debate, please.

**Senator Teslim Kolawole Folarin:** Mr. President, once again I thank you for the opportunity to lead the debate of the general principles on the FCT Statutory Appropriation Bill 2010. As I earlier said, the Bill was read the third time on Tuesday, 25<sup>th</sup> February, 2010.

The 2010 Statutory Appropriation Bill seeks to authorize the issue from the Federal Capital Territory Administration Consolidated Revenue Fund of the Federal Capital Territory Administration Account the total sum of N350,324,793,630.00 (three hundred and fifty billion, three hundred and twenty-four million, seven hundred and ninety-three thousand, six hundred and thirty naira) only of which the sum of N38,260,514,722 (thirty-eight billion, two hundred and sixty million, five hundred and fourteen thousand, seven hundred and twenty-two naira) only

is for Personnel costs and the sum of N33,095,196,447 (thirty-three billion, ninety-five million, one hundred and ninety-six thousand, four hundred and forty-seven naira) only is for overhead costs whilst the balance of N278,969,082,461 (Two hundred and seventy-eight billion, nine hundred and sixty-nine million eight-two thousand, four hundred and sixty-one naira) only is for capital projects for the service of the Federal Capital Territory, Abuja, for the financial year commencing on 1<sup>st</sup> January, and ending 31<sup>st</sup> December, 2010.

The fundamental concept of the Bill among other things is to achieve the following:

- (i) Set the Capital City and its environs on a firm and progressive path of growth;
- (ii) Make the Federal Capital City Centre a regional hub for private Capital and Tourism Investment and Entrepreneurship;
- (iii) Creating an enabling environment for residents to create wealth and enjoy his/her fundamental freedom and peaceful co-existence;
- (iv) Realising the Millennium Development Goals (MDG's); and
- (v) Counterpart funding from China for the construction of light rail line. The loan attracts only 10 *per cent* interest rate;

You may wish to note that Abuja is too far behind in terms of achieving the development target envisaged by its founding fathers. As planned, all phases of the Federal Capital Territory ought to have been completed by 2001 that is 36 years counting from 1976. But even now, 33 years later, less than 20 *per cent* of the target has been achieved due to scarce resources often made available to the administration over the years.

Again, in recent years, the FCT Administration has been confronted with enormous infrastructure and socio-economic challenges. By virtue of being the capital of the nation, the FCT is growing in leaps and bounds. This has overstretched and strained the existing infrastructure and amenities and thereby creates dire consequences that include the slowing down of development and growth.

Furthermore, service delivery has also been adversely affected. Cleaning up the city is becoming more challenging. Over 90 *per cent* of the FCT is still without potable water. The few hospitals are fast losing their essence. Unlike other cities like Lagos,

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the FCT does not have adequate private hospitals to complement the public hospitals and clinics. It is therefore fast becoming a risky thing to fall ill in the FCT.

Also, the standard in the public school system are falling by the day. The population of pupils and students in the public schools is growing daily as parents from across the country are bringing their children and wards to the FCT.

You may wish to note that FCT is today the safest place in the country but it can only maintain this standard by addressing the challenges as aforesaid. The FCT requires a minimum of N300 billion to resuscitate the complete abandoned and on-going projects within the few districts that have so far been developed or partially developed. These include the completion of roads and utility projects like water that have high socio-economic value to residents and visitors of the FCT, infrastructure layouts in districts, engineering and electrical projects, sewage and refuse management facilities.

As a result of the above, I urge you all to give this Bill an expeditious passage into law. I thank you for listening.

**Senator Ahmad Ibrahim Lawan** (Yobe North): Mr. President, I want to start by stating that the expenditure on social services in the FCT is supposed to be very consistent and should be much more than we have reflected in the last two years.

It is a tragedy that today in the FCT potable water is supplied to less than 10 *per cent* of the inhabitants of the FCT. It is a tragedy that the health services are so poorly provided and our schools are not enough. Therefore, I believe there is need for emphasis on private/public partnership on some of the issues especially issues that in my opinion, are not very critical. For example, we have Item 52; facilities, maintenance and management taking over N2.6 billion. I believe that the private sector could be involved in this and therefore we will be able to free this kind of money for investment in social services. We need to ensure that people within the FCT enjoy quality life and one way that we will be able to achieve this, is by providing health services that are affordable and that Government is able to provide for the inhabitants of the FCT.

The sum of N7.9 billion or less than N8 billion is for Education. In fact this is not even the Capital

provision. We have so many people that never envisaged to be inhabitant here who are today residents of the FCT. We need therefore to have more money for provision of basic education. This we can do if we can cut costs in areas that are not necessary. I believe that some of the areas we have made some provisions are not necessary.

The entire health service is provided with less than N8 billion; I believe that we can do better than this. In my opinion the National Assembly should have a target even though we are coming to the end of this administration; but I believe that we should have a target that we provide for, reasonable. I would not like to use the word *adequate* because the resources are not there; but we must provide reasonable social services to the people and therefore we must have a target that every year we should allocate reasonable funds for social services and we discourage the FCT from putting allocations for services that could ordinarily be provided by the private sector.

With this I want to support the passage of the Budget for the FCT for 2010.

**Senator Iyiola Omisore** (Osun East): Mr. President Sir, I appreciate the fact that this is coming at this time, though a bit late but all the same, we have to do the work according to the schedule.

On the highlights of the Bill, the issue of the city and its environments, the allocation to the health sector and the Millennium Development Goals (MDG), MDG are goals that are central to the economy of this nation, so whether it is coming from the MDG is a central disbursement. The more importantly is the issue of the funding from China for the construction of light rail. The loan attracted 10 *per cent*, 10 *per cent* loan is criminal at this time because the one we took for Abuja/Kaduna light rail is 1.1 *per cent* and 15 years moratorium. So taking 10 *per cent* loan, which we call *suppliers' credit* because it is being done by China itself; I do not know where a nation at this time all over the world takes loans that attract 10 *per cent* interest. It is unacceptable to us here and it is not a thing that we can take with right hand.

So we have to look at it critically and it is unprecedented. Though the World Bank these days takes three *per cent* to four *per cent* loan and EIB takes three *per cent* loan. If you go to International Money Market they take 7.7 *per cent* loan, so how can you take 10 *per cent* loan at this time for this

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huge of money. We are going to look at this critically and possibly look at the way of sending it back to them.

Secondly, any loan to be obtained must be sought for approval from the National Assembly; that is what the law says, precisely. So, I want to advise that this idea of loan attracting 10 *per cent* interest rate should either be reduced or find a way of taking that loan.

**The President:** Is it 10 *per cent* or one *per cent* loan?

**Senator Iyiola Omisore:** It is 10 *per cent*.

**The President:** Is that the correct thing, Leader?

**Senator Jibril Mohammed Aminu** (*Adamawa Central*): Mr. President, thank you very much for allowing me to speak on Federal Capital Territory (FCT) Budget of 2010. I think this is always an occasion not only to approve the budget but to make some general remarks as one sees them on the FCT. I see it doing very well and hope the Senate will understand this as coming, sincerely.

First of all, this budget does not tell me whether Abuja is considered as a State or a Ministry. A State is when it suites them, they are a ministry then they bring a budget through the federal government and get what they want. When it suites them for their own independence they behave like a State. I think we ought to be consistent and know how to regard the Federal Capital and it has its own responsibilities and certain accomplishments.

Secondly, Abuja is gradually degenerating into the largest centre of consumerism in Nigeria with no production at all. It looks like what they are interested in is to enhance the consumer and service sector without any production. Nobody seems to care very much about industrialization in Abuja or about agriculture; yet we are always consuming because it is the centre of the federation and there will always be money for Abuja; and I think that is wrong. The Ministry for the FCT and the Federal Government should begin a strategy of finding out how to industrialize Abuja and make them earn more than they are doing now and not just a consumer centre.

Sir, Abuja is building up into a looming disaster of uncontrolled demography and migration. Everybody moves to Abuja, there is no effort whatsoever made to regulate or control this.

Everybody who finishes primary school or secondary school or university even retired people, those who are looking for husband; in fact everybody is in Abuja and Abuja is going to be a looming disaster in no time and you know what accompanies uncontrolled demographic changes; crime and other things like that. Abuja is going to become like that because nobody is doing anything about it; and I think that we should do something about it. People moved from different States, they just come in and fill all the places and nobody is doing anything about it simply because it is centre for unity; it is not centre for unity, it is going to be centre for chaos and disaster, people should look at that very well.

Also by doing this, there was a candidate here, I am not a Gwari man but Gwari people were here, their culture is being sub-planted and destroyed by the movement of some of us from other parts of the country. Now, nobody will know that there was any culture, the only useful thing is when the President comes; take for instance when the American President came, they took him to a little village, he shook hands and left and nobody cares about the culture of Abuja, such things should be looked at.

Sir, Abuja is being developed without any respect with the environment, all they want is to get as much as they get from here, nobody really cares to look at deemphasize. We raised this point when they started the new road to the airport. They cut down all the beautiful mango trees, they uproot and cut the whole thing there, they did not care. They should have even examined if there was another way which they could have preserved those trees and still build their roads and widened it. I think we should look at it.

Then the question of services, there is no city of the size of Abuja, capital of a country like Nigeria where they will not look at underground metro. Nobody is looking at metro at Abuja, nobody cares, they are just widening the road because the contractors are aware of this. They monopolize the place and find it easier to build road than to consider making a metro. I think we should look at it.

Sir, Services are being increasingly outreached, the water is being outreached, and the land is being outreached. Look at the cost of a plot, it is out of this world. It does not make any sense at all and we sit down here and allow it because some of us made money out of it. How can you have a place where what somebody has to do is to sell a plot and he is all right. You can gain a billion dollar from oil blocs

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but in Abuja it is not so. I think I will recommend to them to look at this thing very well.

I will also like to say that in a place like this, corruption will make a home; centre of consumerism, centre of money, centre of public money, rent, human being for doing nothing; that is where corruption breaths, yet we say we are trying to build a corruption free, clean and democratic society.

On the whole, I think Abuja is not doing very well. You will find out that appointments in Abuja are made more for political consideration rather than for the ability to do things. Ministers come and worry us with their sanctimonious behaviours and in the end you will find out that they added to the problem in spite of finding solution.

So, while this budget may pass, I will honestly urge those who are concerned, beginning with my brother here, distinguished Senator Sodangi the Chairman of FCT, let them begin to look at broader picture about Abuja and what would be done in the context of Nigeria. Why should you have a place so big, from Bwari to the border with Kogi is 50 kilometers, why do you want so much land, why do you not return some of it to Kaduna, to Niger, to Kogi and some of it to Nasarawa. You are going to end up with a very huge village because everybody feels he can move to Abuja and we are not doing anything about it. I am sure people who are from Lagos or those who know Lagos know what Lagos experienced. Lagos is now free, they are now looking up to the affairs and Abuja has taken up the burden. Those who are alive twenty, thirty or forty years from now will remember what I have said today and will remember the experience of Lagos and will probably find solution. If they try to do anything, it will be good for them.

**Senator Bode Olajumoke** (Ondo North): Mr. President, I want to lend my support to some of the comments made by my Colleagues and note also that it is a shame that the status of Abuja as a Federal Capital Territory deteriorate day by day. At least, we have comparison a couple of years ago to what Abuja looked like. The Satellite Towns have been neglected. If you are coming from Lokoja and you get to Gwagwalada, what an eyesore in terms of Federal Capital Territory. The entire streets are littered with nylon papers, no drainages; and one feels extremely sorry that we refer to Gwagwalada as a satellite town of Federal Capital Territory. Right here in Abuja, we have beggars back on the roads. Right in front of the

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National Assembly this morning, I was accosted in my car by a beggar begging for money.

Honestly, because of this deterioration over the past few years, my suggestion is that we return this Bill for proper scrutiny of the new Minister of Federal Capital Territory. The young man, Senator Bala Mohammed came into public limelight by displaying integrity and focus. I believe that there are certain loopholes in the budget that has been sent to the National Assembly but for the time constraint we cannot wait because this administration has about fourteen months to go. I would have suggested that we sent it back for proper scrutiny. Senator Iyiola Omisore mentioned the criminal interest rate on the loan from China and I believe that something has to be done.

To save time, the Committee Chairman on Federal Capital Territory has a lot of job to do in terms of monitoring and ensuring that whatever Kobo and Naira that has been approved here are judiciously implemented.

I have said it over the time that we had problems in the implementation of our budgets and I am glad that one of the Nominees here who is now the Minister proposed that there should be quarterly performance assessment of Ministers which gladly the Acting President has put in place. I want to urge that the Senate Committee on Federal Capital Territory to sit up and put the Committee on its toes to ensure that whatever money is approved here is judiciously spent so that the Federal Capital Territory can regain its lost honour of place.

**Senator Ahmed Mohammed Makarfi** (Kaduna North): Mr. President, while subscribing to the observations of my Colleagues so far made, I would like to observe that since we are doing Second Reading any idea of sending back this Bill does not arise. This is because the Committee, I trust, will do a thorough job in consultation with the Ministry and make appropriate recommendations to that Senate that would capture and address the observations that have been made as much as possible.

I would also like to add my support to the comments made by Senator Iyiola Omisore and Senator Bode Olajumoke that this is the highest interest rate that I have seen in the world at the present moment; an interest rate of 10 *per cent*. In Europe, interest rate is near zero on Dollar or 0.5 *per cent*. Here in Nigeria currently, deposit rate is on the

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range of 5 to 6 *per cent*, which means that new lending would be in the region of 7 to 10 *per cent*. Then you are talking of Dollar component and paying 10 *per cent*. I cannot recall if this loan request has even come to the National Assembly for approval. If not, we need to be careful here. Do you approve a Budget with the borrowing component that has not been approved as required by law? We need to take the two concurrently. If we have not done so, I suggest that the request for the approval of this loan be forwarded to the National Assembly so that the two requests can go concurrently and then justice is done to the interest rate.

I will strongly advice that the relevant Ministries have a second look at this. The amount in question, I believe is about UD\$500 million which is just about ₦75 billion which you can easily raise through DMO here. For the FCT to take such a high interest rate for just ₦75 billion, I do not think it is in the nation's interest; I so observe.

**Senator Uche Chukwumerije** (Abia North): Mr. President, I have very few comments to make on this Bill. Firstly, I consider the appropriation well thought out but the few comments I want to make on the assumption that if we all agree that the future of Nigeria is the future of a middle world power. Whatever the difficulties of the moment, it is going to grow into Black Africa's greatest power and the middle world power. I want to emphasize that point before I come to the status of Abuja.

We must be very futuristic when we are thinking about Abuja and that means that:

Firstly, the size of Abuja as of now is the barest minimum you require for a Nigeria of our future. In fact, if it is possible to increase the size of Abuja, I will say yes to it.

Secondly, we have to take a look into the implementation of the Compensation Policies with regard to the original indigenes of Abuja. There are still a lot of clumsiness and a lot of irregularities, and we are ending up in a situation where in certain sections, nobody knows whether it is Federal Capital Territory because we see a lot of hangovers of aborigines and indigenes.

Thirdly, Abuja as it is now is a city for money-bags. The cost of living in Abuja is probably among the highest in the world. My guess is that the average income earner in Abuja spends some 90 *per cent* of

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his or her pay on transport and lodging alone; probably on lodging alone. And of course, this can be traced to the civil service origin of Abuja's history.

If I were the FCT Minister I would look very closely into the economy of Abuja and devise more populist policies in order to make Abuja within the reach of the middle class.

**Senator Mujitaba Mohammed** (Jigawa South-West): Mr. President, I want to express my support to this very important Bill presented to this Senate for the FCT Administration. The developmental challenges of the FCT are very enormous, more especially when we consider its rapid urbanization and the attendant consequences. The developmental challenges of the FCT are so enormous that it will require huge amount of money to be able to record any appreciable impact on this problems.

I want to advise the FCT administration, the Senate Standing Committee on FCT, and indeed all other stakeholders, to exploit the possibility of adopting a Strategic Budget Prioritization Initiative so that funds can be allocated to specific areas of development that are of critical importance to the Capital City. For instance, they should look at the areas of water supply, efficient transport system, etc., and allocate significant amount of funds to those areas so that we can see immediate result.

It is my candid believe that spreading resources across various sectors of FCT development will not bring about the needed development in the near future. So, I once again implore these relevant stakeholders to take a look at the concept of strategic Budget Prioritization so that we can see result in earnest.

**Senator Effiong D. Bob** (Akwa Ibom North-East): Mr. President, I support this Bill that has been read a second time with the following reasons.

Abuja is the centre for everybody, a neutral place for all Nigerians but unfortunately, the concept of Abuja has been bastardized in the implementation of the goals of the founding fathers. Each year we pass budgets, but the implementation of these budgets have been a problem. The Dr. Nnamdi Azikiwe International Airport, which is supposed to be the Centre of Excellence of all Airports in this country, is an eye-sore, especially the Local Wing. I do not know whether the previous Ministers of Aviation do go to other countries to see how airports are managed,



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mostly in their capital. In our Local Wings, if there is light at all, the conveyor belt will not be working. Dr. Nnamdi Azikiwe International Airport is the first point of contact of a foreigner to Abuja. I feel so disgraced that each year we budget money, they do not use these monies in those projects. I believe that the Committees on FCT and Aviation have a lot to do in this regard. They have to work in concert so that many things that should be done should be done rightly. You can imagine in Abuja, roads are still under construction after many years as the nation's capital. They are now expanding the entry into Abuja. What were they thinking about Abuja as at that time? You can imagine the cost of expanding that road now to what it would have been 20 years ago.

I also feel that in the implementation of this budget for 2010 there must be substantial changes that would uplift the status of Abuja as the Federal Capital Territory. It should also be the duty of this Committee; I am speaking to the Committee because when most of these things get to the Committee stage, the Committee should be able to investigate and find out why, for instance, the residential areas like Maitama is now a commercial centre. All residential houses have been converted to commercial houses, banks and industries. That was not in the original plan of Abuja. The residential areas are now commercial centres; before you know it they would be worse than Victoria Island in Lagos.

We should not sit down here and be approving budgets year-in-year-out, the implementation of the Master Plan of Abuja should be followed to the letter. I thank God, at least the new Minister has just ordered for the removal of speed bumps on the high ways, but it should be more than that.

Since Abuja is the centre for all Nigerians and for them to feel a sense of being Nigerians, I will also speak on the allocation of plots. I believe that the Committee on FCT should look into this because some States do not benefit at all. I am talking about administration because when we approve money for the administration of the FCT, it also goes to the administration and allocation of plots. States are not properly represented in the allocation of plots. For instance, my own State Akwa Ibom, nobody has been given land. Of course, I had the opportunity of speaking with the Minister last time on this matter. I call on the Committee to look at the allocation of plots. It should be state-by-state. Some people are taking undue advantage of other States to get allocation of plots and then sell them to these states that do not even have money to buy at second or third

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hand rate. I felt that this budget should be passed so that the Committee can review it and bring the report in a very shortest possible time.

**Senator Sidi Ali** (Federal Capital Territory): Mr. President, I want to align myself with contributions so far given here in particular, the contribution given by Senator Lawan and Senator Chukwumerije.

This country resolved to have a federal capital territory and it went through pains to take this decision and Abuja is now a reality. What we should contend with or face now is to face the problems coming out of this decision squarely.

The key word here is influx of people to Federal Capital Territory – population. Because of this population, it affects even the planning of almost everything in the Ministry of the Federal Capital Territory. Since Abuja is now a reality and Nigeria has to provide money to take care of issues in the Federal Capital Territory, and budgetary allocation is one key factor that this problem could be addressed; both National Budget and FCT Budget.

I want to comment on the area of education in this budget. We have provided a lot of money for roads. In fact, last time there are virements and combing of money from social sector to capital projects. It was quite painful; it went down into educational provision in the Federal Capital Territory. As a Capital Territory of Nigeria, presently, we have a good number of primary and secondary school students under trees. If you take a drive to the nearest neighbourhood of this centre, you would see exactly what I am talking about.

I think this budget should really address the issue of education; this would solve a lot of social problems that we are now sweeping under the carpet. We have a good number of students who have gone through secondary schools, some of them were born here about thirty years ago. They had both their primary and secondary schools here. They cannot go back to their States to take quotas because they are not known there. And in Abuja here, we do not have quotas for these children into universities. They go back hanging around through personalities to get admitted into universities. They come to people like you and me to get note for admission. This is not really a good omen for our Capital.

The most pressing issue in terms of security is the issue of resettlement. For the past 34 years, these

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people are staying there; you are neither telling them to leave tomorrow nor next tomorrow, nor not leaving at all. You are going to integrate them. They are in a confused situation for thirty-four years.

If you just look around you, you will see these villages we are talking about. Drive into what you call *Gishiri* under Radio House and see the kind of population there and you can see what we are breeding for this nation and for the Federal Capital Territory; the kind of people that you have there, call them criminals, call them good people and so on and so forth, they are there. We have this problem before us. As such, I expected this budget to provide adequately and address the issue of resettlement so that this issue can be addressed now to avoid what might be another problem for this nation in future. We have one at hand now which we are trying to address and everybody would say it could have been addressed forty years ago, and that is the issue of Niger-Delta. This issue could have been addressed thirty or forty years ago – this is what we are saying. So, I think that the issue of resettlement is very crucial. That is on the budget.

On the issue of the size of the Federal Capital Territory, I would only say that maybe we have to return Niger State to North-Western State so that we can go back from where we started.

**Senator Patricia Naomi Akwashiki** (Nasarawa North): Mr. President, I want to agree with almost everything that has been said and to re-emphasize on them. I agree with Senator Sidi Ali that if we do not tackle the issue of resettlement and building of houses, it would cause a lot of problem for us. I think the problem we have in this country is that any new Minister who comes pushes aside the agenda or the planning of the budget and focuses on what he wants to do; this has been a problem in this country. In that essence, I want to talk about satellite towns. The idea of satellite town is to decongest Abuja and to make sure that satellite towns develop along with Abuja so that we have people who would live comfortably in a satellite town. It does not necessarily mean that you must live in Abuja or Asokoro. I think there is a lot of disinterest in satellite town. They have not given it the required attention. I am happy that I saw a little money, not much but there is quite adequate money going into the satellite towns. The initial idea was to push the Immigration to the airport area and it has worked because immediately you relocate the Immigration there, they built their Head office and their houses there. A whole new town is being opened up for people and what we want is the construction.

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When we have bulk budget, we want to know how much of transportation that is budgeted; like N76 million. How much of it is really going to Kubwa, how much of it is going to Gwagwalada and how much is going to other satellite towns; instead of the overconcentration on Abuja.

I think we should always see that development is spread across Abuja. When construction of buildings of replacement houses for our traditional settlers in Abuja, it should be followed through and it should not be just houses that are not comfortable. It should be good houses with good roads, water, light and all other amenities so that when they are moved they would know that they have moved from a smaller place to a better place. That is the idea of compensation and resettlement.

So, I want to emphasize and plead with the Committee that they must always look at developments at satellite towns and areas so that our development is evenly spread and not much concentration of big projects in Abuja itself and nothing happening in other areas.

**Senator Clement Annie Okonkwo** (Anambra Central): I want to support this very important Bill. Having said that, I have also observed from the comments by my colleagues that one of the greatest challenges I think we have in Abuja is the issue of infrastructure. Every year we appropriate funds for these developments and we realize that instead of these infrastructures improving, they deteriorate every year. It is a big issue and I believe it is the work of the Minister and, of course, our Colleague who oversees the FCT Ministry.

This is because if we allocate all these funds and they are not properly utilized, we may end up in problems. Like we have mentioned about the satellite towns, I understand that it is supposed to have been developed last year and a lot of funds was also allocated for that, but from all observations, I have not seen any improvement in terms of providing infrastructures. That is why today Abuja still remains the most expensive town in the country. It is very expensive in terms of transportation and living; it should not be so. We have satellite towns and whilst that is done, people should be able to build their houses at very low cost and also be able to live in Abuja. I believe that we have to look into how the funds when appropriated are being utilized.

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I want also to comment seriously on the issue of counter funding by the Chinese. A lot of my Colleagues have mentioned about it, but what I want to say is that most of these types of funds like the 10 *per cent*, the percentage is not only the problem. What do they mean by *counter funding* and what is the cost? It may even be that the amount of money that we are using for our own counter funding would be enough to build the rails. When they *counter funding*, they will take the money from us and also charge us interest on what does not exist. I want to say that there is no country that would develop without the rail system because the rail system will actually enhance our transportation system because the traffics on the roads are mostly caused by the heavy trucks.

I also want to suggest that they should look into how to concession the rail system so that it could be done privately so that it does not cause the government extra money and to disallow people from taking undue advantage and give a proposal that would not work. If that happens, it would become another fraud. For instance, on the issue of 10 *per cent* interest rate, why should one go outside the country? Interest rate from outside the country does not go more than 3 *per cent*. I believe that it is the work of the Committee to look into how these things are funded and find a means so that it could be privately oriented so that people do not take undue advantage of the system.

Meanwhile, I want to support this Bill.

**Senator Ayogu Eze** (Enugu North): Mr. President, I rise to speak on this Bill before us because I believe that it is a Bill that concerns all of us. I want to refer us to one of the points made by the Leader, leading the debate on this presentation. He said: *the fundamental concept of the Bill among other things is to achieve the following*; In the second point it says: *Making the Federal Capital City Centre a regional hub for private Capital and Tourism Investment and Entrepreneurship*. Taking it from there, I think that the new Minister has a lot of work in his hands because the way Abuja is currently cannot in any way be said to be a centre that can promote tourism. This is because Abuja's Environmental Sanitation is in a state that it has never been since coming into this city.

In 2008, we passed a budget of about N78 billion; in 2009, this jumped to over N140 billion. This year it has gone a leap to N350 billion. What is disturbing is that there is no corresponding

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improvement in the facilities on the ground as enunciated by my Colleagues that have spoken; and I think that if we are approving this size of budget, there must be evidence on the ground about what they are using this money to do.

A lot of people have spoken about power failure, lack of security and more importantly, Abuja has become a dirty city. The hedges are overgrown with untended weeds, the median divisions on our highways are left unkempt, and Abuja is just looking very shabby. So the job before our colleague who has just stepped in as the FCT Minister is to restore the glory of Abuja using the opportunity of this Budget.

I associate myself with the sentiments expressed by those who have spoken about the attempt to borrow a loan at a prohibitive cost; and Senator Annie Okonkwo has brought a very good angle to the issue. All over the world, including here in Nigeria, we are talking about concessioning our airports, roads and bringing in private capital; so how come we are stepping backwards to go and borrow crushing loans to build light rails. There are capitalists that can come from outside and put in their money and recover it at a very profitable rate.

Therefore, the suggestion by Senator Annie Okonkwo has nixed in on this issue of going to borrow to build light rails in Abuja. There are Nigerians who are here that can provide that money to build and operate. So, we should not bother the people who are paying this tax with another borrowing. This country had had a checkered history with borrowing and not too long ago we started hearing that our foreign reserve is dropping. In the face of the dropping foreign reserve how can we go on a borrowing spree?

I would support that we approve this Budget but between the Committee on Appropriation and the Committee on FCT more work should be done on this Budget to bring it to a size that will remove borrowing. I understand, even though I do not have official confirmation, that last year or sometime this year about N200 billion was sourced from the Capital Market for the same FCT. These are all burdens that are being placed on the fragile shoulders of our economy and we can ill afford it. This Budget should be properly scrutinized, and prepared in a manner that will be a progressive Budget that will promote growth and also promote Abuja as the hub for Capital Development and Tourism as envisaged by the Leader in his presentation.

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**Senator Eme Ufot Ekaette** (Akwa Ibom South): Mr. President, I am happy today to comment on this Budget that we have in front of us. Abuja has not met with the visions of the founding fathers, especially in the areas of environment. Last year, we had the opportunity as a Committee to go round Abuja to look at what is happening to the environment. We are not talking of the streets and the houses. Where do we put all the dirt that is collected in Abuja? It is a sorry sight and I want to advise the Chairman of this Committee to visit that site before you can assign money to it. You will notice the health problems that we have because of the exposure; the place is not fenced and the people are complaining that no Budget has ever been given to it. So before we fine tune the figures, I will advise that the Chairman should visit that site. It is somewhere around Idu. You will see and then appropriate for it because I believe that Budgets should address pressing issues of governance.

Secondly, all the things that were banned before such as the *Okada* motorcycles and the street traders are all back on the streets. This is not very fit for the Federal Capital of this country. We should be able to control them in whatever means and provide for those who take care of this.

I do not support the issue of going to take loan when we can do PPP and get some of these projects off the ground. I remember talking to one of the players asking about the expansion of the road that we are just doing only one angle of it that is the airport road. There are other in-roads in this Abuja, Federal Capital Territory that should be addressed because once you leave the good road and go into very bad roads; these are things I believe that we should address.

I want to lend my support that we have a paper that is giving us some idea of what the budget for the Federal Capital Territory should be. I believe that they should be redesigned to meet the pressing issues that confront Abuja so that we have a capital territory that is worth the name.

**Senator Anyim Ude** (Ebonyi South): Mr. President, I would like to draw your attention to the last paragraph of page two of the lead debate which says that *Abuja is too far behind in terms of achieving the development targets envisaged by its founding fathers*. It went further to say that *we should have gone as far as the founding fathers wanted by 2001, 33 years after we are still crawling*.

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There are three major problems that affected this Abuja issue. One is distortion of the Master Plan. Those that gave us Abuja had a Master Plan and the Master Plan is like a hundred metre race. A Minister comes and he does five metres, another one comes and he does another five metres, giving us ten metres, *et cetera*.

What has been happening since 1999 in particular, is that every Minister that comes embark on what he believes is right and sets aside the Master Plan. Another one comes and embarks on what he conceives to be the proper thing and the result is policy inconsistency. Otherwise, how can we be talking about borrowing at this time? A particular Minister comes and he believes that the answer is to borrow money. I bet you that if we investigate that borrowing, you would find that there would be smelling gases in that package. There would be need for the appropriate Committee of the Senate to investigate it.

The next one is corruption. All these have already been exposed in some of our public hearings. What some Ministers who were there before did; but because nothing has happened to them, every other one comes, he believes he can do the same thing and get away with it. That brings me to the fact that if we take a record of all our resolutions on public hearings and all our Motions, we would find that almost 100 *per cent* of them, nothing has happened from the Executive. They have not implemented one of them.

I think they believe that we can do all the talking and at the end of the day, they would do what they want to do. These are the issues that are affecting the development of Abuja. It is not just a matter of not having enough money, some are asking for more money but what about the one that had been put to it. How much of it had been fairly and judiciously utilized? Corruption is at the centre.

I believe that with our new Minister who had been a Colleague who knows these things we are talking about would turn out to get something better out of the present budget which I recommend we should approve.

**Senator Dahiru A. Kuta** (Niger East): Mr. President, I want to remember with nostalgia when in 1975 we agreed to give our lands so that Nigeria would have centre for unity. During that time, we were promised heaven and earth but what I have not seen year in year out is that during the preparation of

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the budget, knowing fully that two-thirds of what is today Federal Capital was carved out of Niger State, knowing fully too that 50 *per cent* of the junior workers from the Federal Capital reside in Suleja, Niger State, I was thinking that the budget would do something to at least make a grant to assist Niger State by putting in place infrastructural facilities that are being overstretched because all those people who are now working in Federal Capital, particularly the junior workers who have a lot of families stay in Suleja and they have completely overstretched the educational facilities in Suleja.

If you go to our hospitals in Suleja, you would realize that those who actually patronize these hospitals are the families of those who are working in Abuja. There should have been allocation or a grant each year to assist Niger State government in maintaining some of these facilities that have been overstretched by 50 *per cent* of the workers who are residing in Suleja.

Secondly, during the movement to Abuja, it was realized that paying adequate compensation and proper relocation of our people was going to cost a lot of money, so that gave birth to haphazard way of relocating the people of our area that are living within the 8000 square metres of Abuja. I want to agree that since the Federal Capital Territory cannot maintain the 8000 square kilometres of the size of Abuja, they should please return to us the areas that they no longer need. Niger State is appealing to you to return part of the lands that have been allocated to the Federal Capital. In the actual sense, please reconsider our plight that we require grants from the FCDA and FCT so that our facilities that are being overstretched because of the influx of the people into Suleja looking for areas to stay. The grants would enable us to maintain our facilities.

**The President:** Senator Dahiru A. Kuta, when you said you gave your land out in 1975, they were wondering how old you were in 1975. It is interesting to know that you were just a little over 20 years then but that is a good time.

I would have the last two from distinguished Senator Grace Folashade Bent and Senator James Manager would round it up. Please we are not extending time.

**Senator Grace Folashade Bent** (Adamawa South): Mr. President, I think a lot has been said about FCT budget. Abuja remains the image of

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Nigeria and the mirror that everybody looks into. Anyone coming into Abuja for the first time will first and foremost be confronted with the state of the environment in Abuja. I want to say without any fear or contradiction that Abuja environment is not the best and it is not what it should be.

The only department that caters for the environment Ministry in Abuja is the Abuja Environmental Protection Board which has its budget here totaling ₦3,135,693 plus. You will agree with me that in view of development all across the world as it affects the environment I think this is really too meager to address the very enormous environmental challenges that we have in the FCT.

When my Colleague was speaking, a member of the Environment Committee; every waste in Abuja including the Satellite cities is always being taken to a place they call Gwoza. A day we visited Gwoza on an oversight function, what we saw there was bizarre. In a Federal Capital that visitors come from every nooks and crannies of the world, you have such a dumping site that is not a land filled, not fenced up and that does not have a Recycling Plant, you see scavengers all over the place, I think this is totally unacceptable to us in that Committee. It is an eyesore and an embarrassment to the people of Nigeria.

On seeing that situation, we had had cause to summon the then Minister and everyone that was involved in the dumping of refuse in that place. Lo and behold, what we got was one person shifting blame to the other. Where do we get money from to fence the place? Are they trying to say that what they had in the budget cannot fence such a very sensitive place that we dump all our waste? Believe you me, the implication on the health of the Abuja people is very monumental because those dirties keep sinking down into the soil and we say we are drinking water. It is so unfortunate that the situation is that bad.

Let me use this opportunity to call on the Chairman of FCT to look into this thing and make sure that that place is immediately fenced up because the scavengers go there, bring out the stuff and dump it on the road. If you go to Karu, Nyayan and all the Satellite cities, you will see refuse dumps. I think the fundamental concept of being among others, is to achieve these five points. It is not going to be achievable. It would remain a mirage as long as Abuja environment is not adequately taken care of.

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On that note, may I digress a little bit for one minute, to quickly urge the FCT Committee Chairman to call on the Federal Road Safety Corps to quickly move their men to the Airport road that is being worked on. A lot of people have often more than not been missing their flights because of this road construction. You will see a lot of taxi drivers and buses parked on the road, blocking the entrance into the Airport. At times, people spend between 30 minutes to one hour before they can gain access. Invariably, one would miss one's flight. That is an embarrassment. It is not only in Nigeria that they are reconstructing roads. There is a way they can go about it and Nigerians would go about their normal duties and would not have cause to miss whatever they need to do at any point in time. I think that should be addressed.

On that note, I will keep my reservation until another time because of time. But for Abuja to realize the Millennium Development Goals, our environment in Abuja must be given immediate and due attention otherwise, making Abuja a city that will compete with another nation in Year 2020 would remain a mirage.

**Senator James E. Manager** (Delta South): Mr. President, I adopt from A to Z the submissions made by those who had the opportunity to speak before me, particularly, Senators Jibril Aminu and Chukwumerije. When we came into Abuja for me in June, 2003 as a Senator Elect the type of Abuja that I met at that time is not exactly the same Abuja I am seeing today. I want to believe that every year we have been budgeting for the development of this great city but it is like there is a steady decline of everything about infrastructure in this city and this is rather unfortunate.

A few days ago, I was in Lagos with the Chairman of Banking, Senator Nkechi Nwaogu. I saw Lagos as a great city and it has all the features of a megacity, unfortunately, it is almost a failed city because of the same problem that Abuja is passing through today. I hope and pray that Abuja would not become another Lagos tomorrow.

On page 3, paragraph 2 of the lead Debate of the Senate Leader, he alluded to the fact that unlike other cities like Lagos, the FCT does not have adequate private hospitals to compliment the Public Hospitals and Clinics.

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He went further to say that it is therefore fast becoming a risky thing to fall ill in the FCT. This means that Abuja is very dangerous place to live in because you never can tell when you will fall sick. It can come anytime without any information or warning. Therefore, when this Bill is passed to the Committee or the Committees as the case may be, to look into, I want to believe that they would do a good job so that at the end of the day, there would be a positive impact on what we are doing for our people because Abuja belongs to us all. We all live in this place and almost all the ethnic nationalities are present here in Abuja being the capital of the country.

The next thing I want to mention is about the Loan components of this particular lead debate as emphasized by the Senate Leader. The Senate Leader on page 2, talked about Counterpart funding from China for the construction of light rail line, and that the loan attracts only 10 *per cent* interest. So many persons have touched on this particular aspect of this lead debate and I want to believe that what we have here is just too brief for one to understand, whether or not this is just by a way of having a robust debate on the lead paper by the Senate Leader about this particular Bill. Otherwise, because of the legal implications that go into all these things, it must be separated from the Appropriation Bill that we are talking about now; unless one would call for proper clarification.

The other thing I want to mention is about the rents that are going up everyday in this great city called Abuja. It is criminal to expect somebody whose take home pay is about ₦35,000 to ₦40,000 to pay about ₦500,000 for a two bedroom apartment per annum. It is criminal. In other words, what that one is doing is to encourage corruption because Abuja basically is a Civil Servant City. I do not see any other booming business in Abuja that would attract that kind of high rents that are being charged by landlords.

When meeting with the Ministry officials, I urge the Committee Chairman to look into this, and ensure that the rents are brought down because everybody is affected whether you are a Senator, hon. Member in the House of Representatives or a Minister; you have your people who are disturbing you everyday. Senator Mamowora is my neighbour and I have seen a lot of Lagosians come to disturb him about rent on daily basis.

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So, I urge the Chairman of FCT Committee to do something about this Bill that is before us so that at the end of the day there will be progress and positive impact that we have appropriated so much money for the FCT in the year 2010.

Having said that, I support this Bill and I urge my distinguished Colleagues to also support it.

**The President:** Thank you very much distinguished Colleagues for your contributions. The Bill will come back to you Senator Sodangi, so any comment you may want to make now you can do that practically on the Bill. I believe that you have noted all the points that have been raised.

In summary, it is true that the infrastructure in Abuja at the moment is totally inadequate, it cannot support the population that we have got because the population growth is much higher than the rate at which the infrastructures are being developed. That is typical of most cities in this country.

I believe that if this Budget is implemented hundred *per cent* it would ease this a bit. It may not solve the problem completely but certainly it will ease it. I think that one of the big problems is the rate and the way the Budget is usually implemented. We pass budgets in the National Assembly and at the end of the year we do not take a measure of how much of it is implemented. The Committee, if you can supervise this through your oversight functions that this budget if approved eventually is implemented to the letter; it will help.

Obviously, the cost of living in Abuja is unbelievably expensive. I do not know what can be done but it is clear that something needs to be done and needs to be done fast, otherwise we are going to end up breeding criminals in Abuja. This is because when people cannot get what they want then they will resort to criminality in getting them. I also believe that some of the structures that are coming up in Abuja now have become really sub-standard. There have to be standard structures in all the areas. If you go to the Central Area, I am told that the lands there have been sub-divided into smaller parcels.

We want to build a capital for the future not just for our generation but for generations yet unborn. When we travel to the advanced countries and see the solid buildings that are there, it is because *ab initio* they were done. Some of those buildings are between one hundred and two hundred years and they are still

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very solid; but if you go and put a round shackle building in the Central Area, it will not survive and it will deface the whole plan. Finally, we must return to the Master Plan of Abuja. Nobody should distort it. We discover that any time that people come into Government they distort the master plan and at the end of the day we have an Abuja that is not exactly what the founding fathers of Abuja envisaged.

For those who donated their lands to Abuja, they have to be adequately compensated, but it is a shame that we are still discussing that over thirty years after the acquisition of Abuja. I think you should look into that also.

With these few remarks, may I now put the Question that the Bill be read a Second Time.

*Question put and agreed to.*

*Bill read the Second Time and referred to the Committees on Appropriation, Finance and FCT as a sub-Committee).*

**The President:** Senator Sodangi, how soon can we get it back?

**Senator Danso Sodangi:** Mr. President, I have some observations. Every year that we talk about the Federal Capital Territory, it is either passed to the Committee on Appropriation in collaboration with Finance and FCT. May I say that time is of essence. It is either that the Committee on Appropriation should take it. If you look at Order 96(25) of our Rules, it says: *any matter concerning FCT including the Budget should be handled by FCT*. Niger Delta handles its own matter but when it comes to FCT it will be divided. I would not mind as the Chairman of Committee on FCT and maybe my Committee Members, the Appropriation Committee should handle it and report to the Senate because the House of Representatives have passed this Bill and we have done a lot of joint work.

**The President:** No, Niger Delta was done the same way, it was not separate and that does not in any case reduce the speed.

**Senator Teslim Kolawole Folarin:** I think the point Senator Sodangi is trying to make is that FCT has a dual status - that of a Ministry and that of a State. This Budget we are considering is that of a State. In my view this should be referred to the Committee on FCT.

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**The President:** Senator James Manager, what did we do with the Niger Delta Budget?

**Senator Iyiola Omisore (Osun East):** Mr. President, the Niger Delta is not the same status as the Federal Capital Territory.

**The President:** Senator Omisore, let us solve this, next time we can work on this in-house. The House has passed the Bill so what you need to do is to reconcile your own with the House.

**Senator Iyiola Omisore:** Mr. President, this is Constitutional matter. Section 299 of the 1999 Constitution spells this out.

**The President:** Yes, it says: *The provisions of this Constitution shall apply to the Federal Capital Territory as if it were one of the States of the Federation; and accordingly –*

*(a) all the legislatives powers, executive powers and judicial powers vested in the House of Assembly, the Governor of the States and in the courts of a state, shall respectfully, vest in the National Assembly.*

Ideally, it is the whole Senate that should take it, a Committee of the Senate by this Constitution, because we are acting like the State Assembly for Abuja.

Therefore, our Committee that is in charge of Appropriation is the one that should take it. That is the correct interpretation of Section 299.

**Senator Sodangi:** If it is so, it means that all other Standing Committees of this Senate should leave their budgetary exercise to the Appropriation Committee, with due respect.

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**The President:** No, the difference between what you are saying and what is in the Constitution is this; if you take the Committee on Works for instance, it is a Federal Ministry Department, it is not a State. The Constitution is saying that Abuja is treated like a State. That is the problem with Section 299 of the Constitution, but this can be sorted out easily. Two of you can work together and get this budget back within two or three days. There is no problem with that one. We can get it back early next week, please.

#### ADJOURNMENT

**Senator Teslim Kolawole Folarin:** Mr. President, we have sat beyond the time so you may wish to close the Session.

**The President:** Why I cannot close it leader is because we did not go for time extension, so you still have to move the Motion.

**Senator K. Folarin:** Mr. President, in accordance with the doctrine of necessity, I move that we adjourn this Senate till tomorrow, Wednesday, 21<sup>st</sup> April, 2010 at 10.00 a.m.

**Senator Adeleke Olorunnimbe Mamora (Lagos East):** Mr. President, while not admitting that there is any doctrine of necessity here, I second the motion that this Senate adjourns till tomorrow, Wednesday, 21<sup>st</sup> April, 2010 at 10.00 a.m.

*Question put and agreed to.*

*Resolved:* That the Senate do now adjourn till Wednesday, 21<sup>st</sup> April, 2010 at 10.00 a.m.

*The Senate adjourned accordingly at 2.05 p.m.*