



HOUSE OF REPRESENTATIVES FEDERAL REPUBLIC OF NIGERIA

ORDER PAPER

Wednesday, 14 March, 2007

1. Prayers
2. Approval of the Votes and Proceedings
3. Announcements (*if any*)
4. Petitions (*if any*)

PRESENTATION OF BILL

Nigerian Security and Civil Defence Corps (Amendment) Bill, 2007 (HB. 305) (*Hon. Ehiogie West Idahosa and 35 others*) — *First Reading*.

PRESENTATION OF REPORT

Committee on Marine Transport:

Hon. Emeka Ihedioha:

"That this House do receive the Report of the Conference Committee on a Bill for an Act to Establish a Council for the Regulation of Freight Forwarding in Nigeria and Charged with the Responsibility amongst others, of Determining the Standards of Knowledge and Skill to be Attained by Persons seeking to be Registered Members of Freight Forwarders of Nigerian accordance with the Provisions of the Act, and for Related Purposes 2007 (HB. 128).

ORDERS OF THE DAY

MOTIONS

1. Committee on Agriculture and Rural Development:

Hon. Mani Nasarawa:

The Report of the Conference Committee on a Bill for an Act to Provide for the Establishment of the National Agricultural Development Fund, 2007 was laid on 13 March, 2007;

A clean copy of the Conference Report is ready for adoption;

Resolves, to adopt the Report of the Conference Committee on the National Agricultural Development Fund (Establishment) Bill, 2007.

2. Spate of Killings and Wanton Violence in Lagos Island Federal Constituency I:

Hon. Jumoke Okoya-Thomas

Hon. Alex Nwofe

Hon. Kabiru Marafa Achida

Hon. Nasiru Garba Dantiye

Hon. Halims Agoda

Hon. Bala Ibn Na'Allah

Hon. Cairo Ojougboh

Hon. Abike Dabiri

Hon. Hamisu M. Shira

Hon. M. K. Umar

Hon. Farouk Adamu Aliyu

Hon. Femi Gbajabiamila

Hon. Sola Adeyeye
Hon. Arole Fancy
Hon. Musa Wuyep:
The House:

Hon. Ganiyu Solomon
Hoi.. Chidi Duru

Hon. Simon Adeyanju
Hon. Y. D. Baba Ahmed

Notes, with concern that Lagos island Federal Constituency I has become a hot bed of violence and that many people had either been killed, maimed or were receiving medical attention in various Hospitals in Lagos;

Concerned, that this surge of violence is a chilling indicator of plans by certain individuals to perpetrate mayhem or confusion during the forth-coming general elections:

Aware, that certain highly placed politicians are the arrow-heads of this plethora of avoidable violence and confusion inflicted on innocent law-abiding citizens of Lagos;

Embarrassed, by the epic failure of our law enforcement agents which has emboldened the perpetrators of this dastardly act.

Further notes, the economic importance of Lagos Island as the commercial nerve centre of Nigeria and the grave consequences, of the ongoing lawlessness on the Island to the economy of the nation.

Resolves to:

- (i) condemn the violence, wanton killings and destruction of property unleashed on law abiding citizens of Lagos Island Federal Constituency I;

00 mandate the Joint Committee on Peace and Reconciliation and Police Affairs to investigate the orgy of violence on Lagos Island Federal Constituency I and in the process, obtain a written report from the Inspector General of Police on the steps he had taken to curtail acts of violence during the forthcoming general elections;

3. NNPC/Daewoo Crude Lifting Joint Venture Agreement (Nigeria-Daewoo Shipping JV):

Hon. Ahmed D. Aliyu W'adada
Hon. Shehu Sale Hassan
Hon. Usman Adamu
The House:

Hon. Pascal Adigwe
Hon. Femi Gbajabiamila
Hon. Mohammed Almakura

Hon. Edward Ogon
Hon. John Enobi
Hon. Musa Wuyep:

Notes the nature of the Joint Venture Agreement between the Nigerian National Petroleum Corporation and Daewoo Corporation for the purpose of lifting crude oil;

Appreciates that such a business venture would attract more foreign investments to Nigeria;

Concerned that Daewoo Corporation is a Ship Building Firm and not a Shipping Company suitable for the type of Joint" Venture with the Nigerian National Petroleum Corporation;

Worried, that indigenous companies like the NUL, have been given the privilege to venture into crude lifting at the expense of our growing economy;

Disturbed, by the strategy used in discouraging and eventually disqualifying indigenous companies in favour of their foreign counterparts by raising the international standard beyond the capacity of indigenous companies as in the case of the NIDAS JV Agreement;

Resolves to:

set up an *Ad-hoc* Committee to investigate the said NIDAS JV Agreement and report to the House.

BILLS

- 4. A Bill for an Act to Amend the Certain Political, Public and Judicial Office Holders (Salaries and Allowances, etc.) Act, 2002 and Other Matters Connected Therein, 2007 (HB. 304) — *Second Reading*.
- 5. A Bill for an Act to Establish the Institute of Safety Professionals of Nigeria (ISPON), 2007 (SB. 39) — *Second Reading*.

CONSIDERATION OF REPORTS

- 6. A Bill for an Act for the Establishment of the Institute for Democratic and Legislative Studies and for Matters Connected Therewith, 2006 (SB. 76) (*Committee of Whole: 7/3/2007*).

A BILL FOR AN ACT FOR THE ESTABLISHMENT OF THE INSTITUTE FOR DEMOCRATIC AND
LEGISLATIVE STUDIES AND FOR MATTERS CONNECTED THEREWITH

Provisions of the Proposed Bill

*Committee of
Whole*

PART I — ESTABLISHMENT OF THE INSTITUTE FOR DEMOCRATIC
AND LEGISLATIVE STUDIES

Establishment of the Institute for Democratic and Legislative Studies,

1.(1) The Institute for Democratic and Legislative Studies is hereby established.

(2) The Institute for Democratic and Legislative Studies (hereinafter called "the Institute") shall be a body corporate with perpetual succession and a common seal.

(-3) The Institute shall be located in Abuja.

Functions and Objectives of the Institute

2. (1) Subject to the provisions of the Act, the Institute shall be charged with the responsibility of conducting quality academic and professional research, training and advocacy on democratic governance and legislative practice and procedures. In furtherance of this vision the Institute shall do the following:

(a) act as a centre of excellence for research and publication on democratic governance and legislative practice and procedures;

(b) act as a centre for continuing education on democracy and legislation;

(c) promote and disseminate among Legislative Assemblies in Nigeria the practice of science based methodologies of law-making;

(d) promote and protect constitutional due process in legislative practices;

(e) provide critical research material and policy insights as background materials for committees of the National Assembly;

(f) improve the capacity of legislators to sustain and consolidate democratic governance through deliberation and policy formulation;

(g) improve the technical capacity of legislative staff, committee secretaries and political aides to process appropriation bills and policy oversight of the executive;

(h) document and publish for public use the history and politics of the legislature in governance in Nigeria from colonial period to the present;

(i) periodic training on democratic principles for members of the Armed Forces;

(j) monitoring of elections;

(k) provide interface between democratic institutions and the civil societies;

(l) sensitize the Nigerian public to imbibe, support and defend democratic and legislative ethics; and

(m) undertake such other and incidental responsibilities relating to the development, consolidation and advancement of legislative independence and oversight of democratic governance in Nigeria.

(2) In order to realize its objectives, the Institute shall have power to:

(a) conduct periodic short and refresher courses for National and State legislators, legislative staff, committee secretaries and political aides on democracy and good governance;

(b) provide research reports for legislations for either chamber of the National Assembly, their Committees or the drafting units of the National Assembly;

(c) produce independent policy responses to legislations or policies pending before either chamber of the National Assembly;

- (d) initiate and encourage legislative drafting courses in tertiary institutions in Nigeria and abroad;
 - (e) encourage private sector participation and collaborate with national and international organizations on research and training on issues relevant to its mandate;
 - (f) run and maintain quality and world class libraries and database on the legislative system and democratic governance;
 - (g) be involved in teaching, training and research on political culture and political development among others;
 - (h) develop training curricula for schools and tertiary institutions on democracy, legislative practice and procedures, political culture, civics, ethics and political development;
 - (i) provide training courses on democracy, legislative practice and procedures, political culture and political development;
 - (j) provide internship for scholars;
 - (k) engage visiting scholars/fellows to participate in its academic research programmes;
 - (l) provide endowments to enhance the training and teaching offered to its clients;
 - (m) initiate and execute any project that would help to generate ideas and policies for good governance; and
 - (n) award appropriate professional certificates and testimonials according to the training and teaching offered to its clients.
- (3) The Institute shall not through its program, or policies endorse any candidate or any political party for elective office or campaign on behalf of any religious, ethnic or cultural organization.

Governing Council of the Institute/Governing Council of the Institute.

- (1) There is hereby established for the Institute a Governing Council (hereinafter called "Council").
- (2) The Council is vested with the powers to make decisions and formulate general policies for the guidance of **the** Institute.
- (3) The Council shall consist of the following members:
- (a) a part-time Chairman who shall be an experienced legal officer or any eminent Nigerian considered suitable for the office of Chairman;
 - (b) the Rector, who shall be a professional in the field of Political Science or Law and shall have at least 12 years cognate experience in tertiary institutions;
 - (c) the President of Nigerian Political Science Association (NPSA);
 - (d) the President Nigerian Society of International Affairs (NSIA);
 - (e) the President of National Council of Women Societies, Nigeria (NCWS);
 - (f) a representative from each of the six (6) geo-political zones of the country — **each** representative shall have at least 5yrs cognate experience in legislation and governance;
 - (g) a representative of the Clerk of the National Assembly;
 - (h) a representative of the National Assembly Service Commission; and

- (/) a representative of the Parliamentary Senior Staff Association of Nigeria.
- (2) (a) The Chairman shall hold office for a period of 4 years and may be re-appointed for another term of 4 years;
- (b) The Rector shall serve as the Secretary to the Council.

Appointment of Council Members

4. (1) The members of the Council shall be appointed by the President of the Federal Republic of Nigeria, subject to the confirmation of the Senate.
- (2) The members of the Council shall hold office for one term of 4 years; and may be appointed for one more term only.
- (3) The office of Chairman, Rector or any member of the Council under this Bill shall become vacant if:
- (a) he resigns his office by notice in writing under his hand addressed to the President. Commander-in-Chief of the Armed Forces;
 - (b) the President, Commander-in-Chief of the Armed Forces is satisfied that it is not in the interest of the Institute for the person appointed to continue in office and notifies the member in writing to that effect subject to Senate approval;
 - (c) he is a victim of protracted ill-health or he is severely incapacitated by accident and confirmed by constituted medical board;
 - (d) he suffers death;
 - (e) found guilty of financial impropriety; or
 - (/) he is declared bankrupt.

Director General of the Institute.

5. (1) There shall be for the Institute, a Rector who shall possess appropriate qualifications and cognate experience;
- (2) The Rector shall be appointed by the President, Commander-in-Chief of the Armed Forces from a list of three persons recommended by the Council.
- (3) The Rector shall hold office for a period of five years and may be re-appointed for another term of five years, as generally applies in similar institutions.
- (4) The Rector shall be the Chief Executive and Academic Officer of the Institute and shall be charged with general responsibility for matters relating to the day-to-day management and operations of the Institute; and
- (5) The Rector shall be responsible to the Council.

The Structure of the Institute.

6. (1) There shall be established for the Institute two (2) Schools of three (3) Departments each namely:

School of Democratic Studies:

- (a) Department of Governance, Democracy and Development (GDD);
- (b) Department of Public Policy Analysis and Programme (PPAP); and
- (c) Department of Social Sciences and General Services (SSGS).



(2) School of Legislative Studies:

(a) Department of Legislative Practices and Procedures (LLP);

(b) Department of Sergeant-at-Arms and Security Services (SASS); and

(c) Department of Information, Publicity and Official Reporters (IPOR)

(3) Each School shall be headed by a Deputy Rector who shall be a professionally qualified person appointed through a competitive process after an open advertisement.

(4) The Rector and the Management Board may approve the creation of more Departments as it may deem necessary to achieve the objectives of the Institute.

Establishment of the Management Board

7. (1) There shall be established for the Institute a Management Board comprising the Rector who shall act as the Chairman, two (2) Deputy Rectors, Registrar, Bursar, Librarian and six (6) Heads of Department.

(2) The Management Board shall be responsible for general administration of the Institute, particularly recruitment, discipline and promotion of staff.

(3) The Rector and Deputy Rectors shall perform such functions as their counterparts in tertiary institutions.

(4) There shall be positions of Registrar, Bursar, Librarian as contained in Clause 7(2) whose schedule of duties shall be specified by the Council.

Academic Research Board.

8. (1) There shall be established for the Institute an Academic Board.

(2) The Academic Board shall have the Rector of the Institute as Chairman, Deputy Rectors, Heads of Department and other Senior Academic staff as members.

(3) Subject to the provisions of this Act, the Academic Board shall advise the Rector on research and training programs as they relate to the objectives of the Institute and the management of Academic staff.

Staff regulation

10. (1) The Council may, subject to the provision of this Bill, make staff regulations relating generally to the conditions of service of the employees of the Institute and without prejudice to the generality of the foregoing such regulations may provide for —

(a) the appointment, promotion and disciplinary control (including dismissal) of employees of the Institute; and

(b) appeals by such employees against dismissal or other disciplinary measures, and until such regulations are made, any instrument relating to the conditions of service of public officers shall be applicable, with such modification as may be necessary, to the employees of the Institute.

(2) Staff regulation made under subsection (1) of this section, shall not have effect until approved by the Governing Council of the Institute and; when so approved shall be officially Gazetted but the Council shall cause them to be brought to the notice of all affected persons in such manner as it may, from time to time, determine.

Financial Provisions.

11r (1) The Institute shall establish and maintain a fund which shall be applied towards the promotion of the objectives specified in this Act.

(2) At the beginning of every budget year, Government shall approve a budget for **the** Institute.

(3) There shall be paid and credited to the fund established for the Institute:

(a) sums appropriated from the Federal budget for the fiscal year;

(b) gifts and donations and contributions from national and international institutions and philanthropic persons and organizations;

(c) fees charged for services rendered by the Institute.

Powers to accept gifts

12. (1) The Institute may accept gifts and bequests upon such terms that do not compromise its capability to fulfil its objectives and sustain its non-partisan policy.

(2) The Institute may with approval in writing of the Council, and subject to other guidelines and policies of the Federal Government, borrow such money needed for the exercise of its functions as the Management Board may determine under the Act, provided that such borrowing shall be made on terms that do not compromise the independence and competence of the Institute.

Establishment of funds for the Institute

13. The Institute shall manage its fund in accordance with rules made by the Management Board with the general direction of the Council, and without prejudice to the power to make rules under this section, the rules shall contain provisions specifying:

(a) the manner in which the assets or funds of the Institute are to be held;

(b) the keeping of proper accounts and records for the purpose of the fund in such manner as may be safe and effective.

Application of the funds of the Institute

14. The Institute shall apply its fund to the cost of administration of the Institute, including but not limited to, payment of salaries, gratuities, allowances and fees and the payment of other contracts, consultancies and purchases made for the benefit of the Institute

Estimates of Incomes and expenditure of the Institute

15. The Rector shall, not later than 30th of September each year, present to the Council for approval an estimate of the expenditures and incomes of the Institute for the next fiscal year.

Annual Budgets of the Institute

16. The Chairman of Council shall not later than 30th September each year or other date stipulated by law or administrative policy, submit to the National Assembly an estimate of the expenditure and incomes of the Institute approved by the Council for the next fiscal year for incorporation in the Budget of the Federation.

Financial Reports of the Institute

17. (1) The Rector shall submit to the National Assembly quarterly reports of the Finances of the Institute.

(2) The Chairman of Council shall present yearly report of the activities of the Institute to the National Assembly. *

Miscellaneous.

18. (1) The Institute may, subject to the provisions of the Land Use Act and any other applicable law, lease, rent or howsoever acquire an interest in land and other properties and build and maintain offices and premises for its activities.

(2) For the purpose of its administrative and business activities, the provisions of the Public Officers Protection Act shall apply with such modification as necessary to promote the effective realization of the objectives of the Institute.

(3) Subject to provisions of this Act the Council shall have powers to issue subsidiary rules relating to legal liabilities and indemnities of officials and staff of the Institute.

(4) Members of the Council may receive allowances as applies in government agencies and Institutes or as may be stipulated by the Council in accordance with applicable Federal Government regulations.

Interpretation

19. In this Act, except the context otherwise permits —

"Chairman" means the Chairman of the Governing Council. "Institute"

means the Institute for Democratic and Legislative Studies. "Rector"

means the Chief Executive of the Institute.

"Party" means a political party registered under the electoral law in Nigeria and has participated in national elections.

Citation

20. The Act may be cited as the Institute for Democratic and Legislative Studies Bill 2006.

SCHEDULE

SUPPLEMENTARY PROVISIONS RELATING TO THE INSTITUTE

Proceedings of the Council

1. Subject to this Act and other applicable laws, the Council may make standing orders regulating its proceedings.

2. The Council shall meet whenever summoned by the Chairman, or if required to do so by at least 4 members of the Council and shall meet 4 times a year on consultation with the Secretary of the Council who shall issue 14 days notice of meeting in writing.

3. The Chairman shall preside at the meeting of the Council but if the Chairman is absent, the members present at the meeting may appoint one of them to preside.

4. The quorum for the Council shall be formed whenever the Chairman and four (4) other members are present at a scheduled meeting. In the absence of the Chairman, six (6) members including the Secretary shall form a quorum. Decisions shall be by simple majority.

7. Joint Committee on Housing and Urban Development and Justice:

Hon. Osita Izunaso:

"That this House do consider the Report on a Bill for an Act to Establish the National Fire Administration and Fire Authority and for Related Matters, 2005 (HB. 198) and approve the Recommendations therein" {Laid: 27/2/2007}.

8. Special Ad-Hoc Committee:

Hon. Alex Nowfe:

"That this House do consider the Report of the Special Ad-Hoc. Committee on the Crisis in the Oyo State House of Assembly and approve the Recommendations therein" (Laid: 8/3/2007).

Recommendations :

- (/) That the two factions of the Members of the Oyo State House of Assembly should hold a joint sitting in the Chambers of Oyo State House of Assembly with Honourable Adeolu Adeleke presiding as the Speaker;
- (it) That the Official Mace in the possession of the group of 18(19) Honourable Members should be used for the joint sitting;
- {iii} That the Honourable Members of the Oyo State House of Assembly reserve the right to effect any change of leadership of the House but that this must be done strictly following due process of law;
- (iv) That upon failure of Members of the Oyo State House of Assembly to resume in a joint sitting to transact legislative business within a reasonable time after this resolution have been communicated to them, the Committee recommends, as a last measure, the invocation of section 11, subsection 4 of the Constitution of the Federal Republic of Nigeria, 1999 which empowers the National Assembly to take over the functions of any State House of Assembly when it is unable to perform its functions by reason of the situation prevailing in that State;
- (v) The Police should give Members of the Oyo State Legislature, adequate and non discriminatory protection to perform their legislative functions.

COMMITTEE MEETING

	<i>Committee</i>	<i>Dale</i>	<i>Time</i>	<i>Venue</i>
L.	Rules and Business	Wednesday, 14 March, 2007	10.00 a.m.	Committee Room 06 Assembly Complex