



HOUSE OF REPRESENTATIVES FEDERAL REPUBLIC OF NIGERIA

ORDER PAPER

Thursday, 18 September, 2008

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

ORDERS OF THE DAY

MOTION

1. State of the Nigeria's Rail Transport System:

Hon. Ike Chinwo Hon.
Abdul Ningi Hon. Igo
Aguma Hon. Saduatu
Sani Hon. Emma Deeyah
Hon. Stanley Ohajuruka
Hon. Isa Idris Umaru
Hon. Ogbuefi Ozomgbachi
Hon. Chinyere Igwe Hon.
Betty Apiafi Hon.
Emmanuel Jime Hon.
Mefata Hon. Halims
Agoda Hon. Mustapha
Khabeeb The House:

Hon. Aminu Tambuwal
Hon. Bala Ibn Na'Allah
Hon. Leo Ogor Hon.
Andrew Uchendu Hon.
Deami Akpanah Hon.
Soli Sada Hon. Shehu
Abdullahi Hon. Tarn
Brisibe Hon. Sampson
Osagie Hon. Nnena
Ukaegbu Hon. Tsegba
Terngu Hon. Warman
Ogoribga Hon. Gbenga
Makanjuola Hon. Samuel
Egya

Hon. Ali Ndudi Hon.
Yakubu Barde Hon.
John Owan Enoch Hon.
George Ford Nwosu Hon.
Mayor Eze Hon. Aminu
S. Shagari Hon. Patrick
Ikhariale Hon. Solomon
Agidandi Hon. Asita
Asita Hon. Khadija
Ibrahim Hon. Ado Dogo
Hon. Ita Enang Hon.
Babangida Ngoroje Hon.
Olaka Nwogu:

Notes that railway network in Nigeria which presently stands at 3,557 kilometres with 3,505 kilometres on narrow gauge is antiquated, obsolete and in dire need of modernization;

Further notes that the Government of the Federation in a bid to transform and modernize the nation's rail system fashioned out a \$35 billion four-phased 25 year rail development project;

Concerned that the first phase of the project spanning 1,315 kilometres from Lagos to Kano, estimated to cost \$2.5 billion in line with international per kilometre rate for railway modernization projects was awarded for \$8.3 billion to China Civil Engineering Construction Company (CCECC) for take-off of the project;

Worried that in spite of the \$250 million released to China Civil Engineering Construction Company (CCECC) for the take-off of the project, Nigerian are¹ yet to witness any improvements in the rail transport system;

Aware that the Presidential Review Committee had identified very serious and worrisome lapses in the award of the contract and release to China Civil Engineering Construction Company (CCECC) for the first phase of the project;

Desirous of ensuring that Nigerian get value for their monies and have functional Modern rail system;

Resolves to:

Mandate the Committee on Land Transport to conduct an investigative public hearing on the railway modernization project and report back to the House within 6 weeks.

BILL

2. A Bill for an Act to Provide for the Establishment of the Nigeria Social Welfare Commission to Provide and Enhance the Welfare of Citizens and for Other Matters Connected Therewith, 2008 (HB. 52) — *Second Reading*.

CONSIDERATION OF REPORTS

3. Report on the Nigerian Communications Commission (NCC) Budget Proposal, 2008 — {Committee of Whole 17/9/2008}.

NIGERIAN COMMUNICATIONS COMMISSION (NCC) BUDGET PROPOSAL, 2008

1.	(1) The Nigerian Communications Commission's expected sources of revenue to finance its 2008 Budget are as follows:	Sources of revenue
(a)	Licensing Fees ..	N1,345,981,000
(b)	Annual Operating Levy ..	N13,425,997,000
(c)	Spectrum Fees ..	N4,280,715,000
(d)	Numbering Plan ..	N1,945,164,000
(e)	Administration Charges ..	N67,860,000
(f)	Type Approval Fees	N54,035,000
(g)	Investment Income	N1,850,000,000
(h)	Sundry Income	N30,000,000
(i)	Balance brought forward ..	N4,845,611,000
		N27,845,363,000

SCHEDULE

RECEIPTS AND PAYMENTS

<i>Description</i>	<i>Budget 2007</i>	<i>Actual 2007</i> N'000	<i>Budget 2008</i> N'000
Revenue			
Licensing Fees	506,981	640,969	1,345,981
Annual Operational Levy	9,250,000	12,373,870	13,425,997
Spectrum Fees	3,000,000	122,167,538	4,280,715
Numbering Plan	1,000,000	2,453,235	1,945,164
Admin Charges	139,242	73,580	67,860
Type Approval Fees	54,035	54,843	54,035
Investment Income	1,080,000	1,657,120	1,850,000
Sundry Income	30,000	43,500	30,000
Balance Brought Forward			4,845,611
Total	15,060,758	139,464,655	27,845,363
Less Payments:			
Recurrent Expenditure:			
Establishment Costs	53,645	48,883	56,209
Employee's Compensation	2,554,123	1,957,471	2,278,508
Travel Costs	408,781	325,326	210,909
Operational Costs	1,006,749	945,599	646,615
Administration Costs	953,289	852,220	484,448
Bank Charges	35,000	33,996	35,000
Total Recurrent Expenditure	5,011,587	4,163,495	3,711,689
Capital Expenditure	4,295,073	3,338,463	6,729,142
Special Projects:			
Wire Nigeria Project			3,400,000
Total Special Projects			3,400,000
Transfer to Federal Govt. Transfer	3,000,000	122,167,538	7,134,433
to Universal Service Fund	3,700,000	4,949,548	5,370,399
Investment Fund Total			1,500,000
Expenditure			27,845,363

4. Report on the Universal Service Provision Fund Budget Proposal, 2008 — (*Committee of Whole* 17/9/2008).

UNIVERSAL SERVICE PROVISION FUND BUDGET PROPOSAL, 2008 1.		(1) The sources of
revenue to finance the Universal Service Provision	Sources of revenue for	finance of the Fund's
Fund's Budget proposals for the year 2008, are as follows:		2008 Budget of
		N 1 2,474,294,374.
(a) NCC's contribution for 4th quarter (2007)		N800,000,000
(b) NCC's contribution for 1st - 3rd Quarters (2008)		N4,027,800,000
(c) Projected Interest Income for 2008		N600,000,000
Total Revenue ..		N5,427,800,000
Cash Reserve from Dec. 2007		N8,526,640,000
		N13,954,440,000
Budgeted Revenue		N12,474,294,374
Surplus		N1,480,145,626

SCHEDULE ,

UNIVERSAL SERVICE PROVISION FUNDS BUDGETED 2008
RECEIPTS AND PAYMENTS ACCOUNT

<i>Description</i>	<i>Actual 2007 N'000</i>	<i>Budget 2008 N'000</i>	<i>% of Budget</i>
Revenue	5,083,021	5,427,799	
Cash Reserves B/F Total	5,074,890	8,526,638	
	10,157,911	13,954,437	100.00
Payments:			
Establishment Cost	0.00	1,650	0.01
Employee's Compensation			
Travel Costs	94,592	116,387	0.83
Operational Costs	48,622	73,716	0.53
Administration Costs	35,802	136,038	0.97
Bank Charges	67,467	227,011	1.63
Total Recurrent Expenditure	0.00	240	0.00
	246,483	447,478	3.21
Capital Expenditure			
	2,226	27,770	0.20
Programmes and Projects	1,382,564	11,999,046	85.99
Total Payments	1,631,273	12,474,294	89.39
Excess of Revenue over Expenditure	8,526,638	1,480,143	10.61

5. A Bill for an Act to Amend the Public Procurement Act, 2007 and for Matters Connected Therewith, 2008 (HB. 87) - (*Committee of Whole* 17/9/2008).

A BILL FOR AN ACT TO AMEND THE PUBLIC PROCUREMENT ACT, 2007

Special Provision:**(0) Hon. Daemi Akunaiyi-Akpanah:**

Insert Immediately after clause 5, a new clause 6 as follows:

Advertising.

6. Notwithstanding any other provision of this Act the Accounting officer of every procurement entity shall cause to be published in the Federal Tenders Journal or any leading newspapers:

- (a) a list of all pre-qualified candidates for any public contract which has been advertised or which is over N20,000,000.00;
- (b) a list of the beneficiaries of any public contract which has been advertised or which is over N20,000,000.00.

(ii) Hon. Ita Enang:

Reinstate section 1 (2) (f) (iv), (v) and (vi) of the Principal Act as follows:

- (iv) Nigeria Society of Engineers,
- (v) Civil Society, (vi) the
Media.

6. A Bill for an Act to Repeal the Nigerian Accounting Standards Board Act No. 22 of 2003 and Enact the Financial Reporting Council of Nigeria Act and for Related Matters, 2008 (HB. 38) *Adjourned Consideration:* 10/9/2008).

7. **Committee on Public Petitions: Hon. C. I.**

D. Maduabum: *Report on the Petition by Festus Keyamo:*

"That this House do consider the Report of the Committee on Public Petitions on the petition by Festus Keyamo on behalf of Dr Godson Ewulum against the operations of the Presidential Committee on Police Equipment Fund and approve the Recommendations therein" (*Laid: 27/5/2008*).

Recommendations:

- (i) Whatever approval given to a private non-governmental organization to use the name "Police" to publicly solicit for funds should be withdrawn as this has clearly been shown to be open to abuse;
- (ii) Government should in the interim, freeze the accounts of the Presidential Committee on Police Equipment Fund/Police Equipment Foundation and order a thorough audit of these accounts;
- (iii) Government should recover all properties and monies raised in its name by the Presidential Committee on Police Equipment Fund and remit same to the Police;
- (iv) Consequently, we recommend that Chief Kenny Martins, Ibrahim Dumuje, Dr Yaro Gella return to the Nigerian Police Force the sum of N227,091,581 fraudulently taken in cash from the N7.74 Billion public funds lodged in the Account of the Presidential Committee on Police Equipment Fund;
- (v) That the N774 Million paid to NIGERLSTAG, from the N7.7 Billion funds of the Presidential Committee on Police Equipment Funds for the benefit of Chief Kenny Martins, Ibrahim Dumuje and Mrs. Dora Agharite be returned by them to the Nigeria Police Force;
- (vi) That the sum of N59 Million illegally withdrawn from the accounts of the Presidential Committee on Police Equipment Fund (PCPEF) for the benefit of Chief Kenny Martins, Ibrahim Dumuje and Mrs. Dora Agharite (NIGERLSTAG) be paid back to the Nigeria Police Force;
- (vii) That the sum of N450 Million illegally withdrawn for the benefit of the Police Equipment Foundation a private outfit under the control of Chief Kenny Martins, Ibrahim Dumuje and Dr Yaro Gella be returned to the Nigeria Police Force, by them;
- (viii) The National Coordinator of the Presidential Committee on Police Equipment Fund (PCPEF), Chief Kenny Martins and his team should render an account of the operations, funds and activities of the fund since inception till date;
- (a) As the Fund has not been liquidated or wind up or accounts given, any transaction in the name of the fund or foundation as they now wish to call it should be accounted for as the so called foundation inherited all the assets of the fund including monies donated to it and has been operating some of the Accounts as if there has been no change in status;
- (x) The foreign donations and transactions have not been accounted for and efforts to get information on them proved abortive; that the security agencies continue further investigations on this;
- (xi) The Security Agencies should further investigate the use of the waivers granted for importation of vehicles as the Committee could not reach conclusions on it;
- (xii) That Chief Kenny Martins, Ibrahim Dumuje and Mrs Dora Agharite be held responsible for unlawfully and fraudulently procuring CAC documents making themselves directors of NIGERSTALG when the resolution upon which they became directors was signed by Evangelist Joseph Agharite five months after his death. These three persons should not benefit from their own wrong. Consequently, we recommend that the Corporate Affairs Commission should invalidate the ownership and directorship of NIGERSTALG LTD which was procured in a fraudulent manner and all benefits taken as a result should be returned to the police;
- (xiii) That all other sums of money paid to various individuals, organizations and corporate bodies for services not rendered directly to the Nigeria Police Force be refunded by them to the Nigeria Police Force. Such persons, organizations and corporate bodies are as stated but not limited to paragraph xxiv (e) of the findings above;

(xiv) Condemn some of the Banks for allowing the promoters of Police Equipment Foundation to convert the accounts of the Presidential Committee on¹ Police Equipment Fund to their own use and benefit without any legal authorization. All the Banks so indicted in the findings should discontinue this practice;

(xv) A copy of this report should be sent to EFCC, Security Agencies and prosecuting authorities for their information and further action.

8. Committee on Public Petitions:

Hon. C. I. D. Maduabum:

Report on the Petition by Mr Mohammed Isa Dabai;

"That this House do consider the Report of the Committee on Public Petitions on the petition by Mr Mohammed Isa Dabai against the Independent National Electoral Commission (INEC) and approve the Recommendation therein" {Laid: 27/5/2008}.

Recommendation:

Since due process was followed by INEC in the procedure leading to the petitioner's dismissal from service, the Committee recommends that the petition by Mohammed Isa Dabai be dismissed for lack of merit.

9. Committee on Public Petitions:

Hon. C. I. D. Maduabum:

Report on the Petition by Nigerian Union of Traders Association Ghana:

"That this House do consider the Report of the Committee on Public Petitions on the petition by Nigerian Union of Traders Association Ghana against the Ghanaian Authorities and approve the Recommendations therein" (Laid: 27/5/2008).

Recommendations:

(f) The House of Representatives should condemn the Ghanaian Government for treating Nigerian Traders in Ghana in a discriminatory and unfair manner contrary to the existing cordial bilateral relations between Ghana and Nigeria, and the letter and spirit of ECOWAS treaty and protocols;

(ii) That the Presidency and the Ministry of Foreign Affairs should sustain the current diplomatic efforts to resolve the crisis;

(iii) That if the current diplomatic efforts to resolve the crisis fails, the Federal Government of Nigeria should consider applying the principle of Reciprocity in dealing with Ghanaians in Nigeria in order to send a strong message that Nigerians abroad cannot be so badly treated and discriminated against without consequences;

(iv) The Ministry of Foreign Affairs should be pro-active in giving diplomatic assistance to Nigerian Citizens abroad.

10. Committee on Public Petitions:

Hon. C. I. D. Maduabum:

Report on the Petition by Mr C. O. Agbikimi:

"That this House do consider the Report of the Committee on Public Petitions on the petition by Mr C. O. Agbikimi against the Power Holding Company of Nigeria (PHCN) and approve the Recommendations therein" (Lead: 27/5/2008).

Recommendations:

(i) That the petitioner should be reinstated and all his entitlements paid to him;

(ii) The Committee gave him the benefit of doubt, as the petitioner's guilt was not conclusively proven since other operational staff of PHCN at Aba Computer Centre had access to the computer programme.

COMMITTEE MEETING

Committee	Date	Time	Venue
1. Rules and Business	Thursday, 18 September, 2008	2.00 p.m.	Committee Room 06 Assembly Complex