



HOUSE OF REPRESENTATIVES FEDERAL REPUBLIC OF NIGERIA

VOTES AND PROCEEDINGS

Thursday, 22 March, 2007

1. The House met at 11.10 a.m. Mr Deputy Speaker read Prayers.

2. **Votes and Proceedings:**

Mr Deputy Speaker announced that he had examined and approved the Votes and Proceedings of Wednesday, 21 March, 2007.

By unanimous consent, the Votes and Proceedings was adopted.

3. **Announcements:**

(i) **Change of Party Leadership:**

Mr Deputy Speaker, in the following letter, announced a change in the leadership of the All Nigeria Peoples Party (ANPP) in the House:

ALL NIGERIA PEOPLES PARTY (ANPP)

House of Representatives Caucus
National Assembly Abuja.

21st March 2007.

*The Speaker,
House of Representatives,
National Assembly,
Abuja.*

Sir,

CHANGE OF LEADERSHIP IN THE ANPP CAUCUS OF THE HOUSE

Sequel to the cross- carpeting of our Leader, Hon. Aminu Tambuwal to the Peoples Democratic Party (PDP) and the Whip, Hon. Almajiri Geidam, to the Action Congress (AC), the caucus, in a meeting held on 20th March, 2007 elected the following Honorable Members of the Party, to replace them.

- | | | |
|----------------------------|---|--------|
| 1. Hon. Farook Adamu Aliyu | — | Leader |
| 2. Hon. Haruna Yerima | — | Whip |

Your Excellency, we shall appreciate it, if these two are given due recognition and acceptance by the Leadership of the House so that the ANPP caucus can have Leadership.

In attendance of the meeting were:

1. Hon. Sani Buhari
2. Hon. Lawan Garba
3. Hon. Tukur Idris Nadabo

4. Hon. Mohammed Abubakar Maifata
5. Hon. Ahmed Salik
6. Hon. Nasiru Garba Dantiye
7. Hon. Nasiru Abdua Gabasawa
8. Hon. Usman Adamu
9. Hon. Suleiman Abdulrahman
10. Hon. Haruna Yerima
11. Hon. Farouk Adamu Aliyu

Endorsed by:

1. Hon. Bala Ya'u
2. Hon. Mohammed Ali Ndume
3. Hon. Garba Umar Uba
4. Hon. Mustapha Gajibo
5. Hon. Bakura Lawan
6. Hon. Babagana Tijani
7. Hon. Sani Bawa

Thanks,

(Signed)

Hon. Dr Haruna Yerima.

(ii) *Defection:*

Mr Deputy Speaker also announced the defection of Honourable Al-mashy Al-hassan Al-Gaddas (Jalingo/Yorro/Zing Federal Constituency), Taraba State, from the Peoples Democratic Party to the All Nigeria Peoples Party.

(iii) *Bereavement-*Mr Deputy Speaker further announced with deep regret, the death of the Mother of Hon. Ita Enang, Chairman, House Committee on Rules and Business, on Wednesday, 21 March, 2007.

A minute in silence observed in her honour; Hon. Ike Chinwo rendered prayers for the peaceful repose of her soul.

Presentation of Reports:

(i) *Committee on Internal Affairs:*

Motion made and Question proposed, "That this House do receive the Report of the Committee on Internal Affairs on a Bill for an Act to Repeal Cap. 366 P29 Laws of the Federation of Nigeria 2004 and to Make Comprehensive Provisions for the Administration of Prisons in Nigeria and for Related Purpose 2005" {Hon. Mohammed Almakura}.

Question put and agreed to.

Report Laid.

(ii) *Committee on Petroleum Resources:*

Motion made and Question proposed, "That this House do receive the Report of the Conference Committee on a Bill for an Act to Make Provisions for Regulations and Fiscal Incentives in Connection with Petroleum Operations carried out by Indigenous Oil Companies, 2007" (Hon. Cairo Ojoughboh).

Question put and agreed to.

Report Laid.

5. Adoption of Conference Committee Report on a Bill for an Act to Transfer the Responsibility and Administration of Pension of Federal Judicial Officers from the Department of Establishments in the Office of Head of Civil Service of the Federation to the National Judicial Council and for Related Purposes 2007:

The House notes, that "the Conference Report on a Bill for an Act to Transfer the Responsibility and Administration of Pension of Federal Judicial Officers from the Department of Establishments in the Office of Head of Civil Service of the Federation to the National Judicial Council and for Related Purposes 2007, was laid March 21, 2007.

The Report is ready for adoption;

Do resolve to adopt the Report of the Conference Committee on the Federal Judicial Officers (Administration of Pensions) Bill, 2007 (*Hon. Abdul Ningi*).

Question put and agreed to.

6. Adoption of Conference Committee Report on a Bill for an Act to Establish the Institute for Peace and Conflict Resolution and for Matters Connected Therewith, 2007:

The House notes, that "the Conference Report on a Bill for an Act to Establish the Institute for Peace and Conflict Resolution and for Matters Connected Therewith, 2007, was laid March 21, 2007.

The Report is ready for adoption;

Do resolve to adopt the Report of the Conference Committee on the Institute for Peace and Conflict Resolution (Establishment, etc.) Bill, 2007 (*Hon. Irem Okalbom*).

Question put and agreed to.

7. A Bill for an Act to Provide for Merchant Shipping and for Matters Connected Therewith, 2006 (HB. 271) — Second Reading:

Motion made and Question proposed, "That a Bill for an Act to Provide for Merchant Shipping and for Matters Connected Therewith, 2006 be now read a Second Time" (*Hon. Abdul Ningi*).

Debate:

Question that the Bill be now read a Second Time, put and agreed to.

Bill read a Second Time and referred to the Committee on Marine Transport. ■, ∴.

8. A Bill for an Act for the Establishment of the Institute for Democratic and Legislative Studies and for Matters Connected Therewith, 2006 (SB. 118) (Committee of Whole):

Motion made and Question proposed, "That this House do consider a Bill for an Act for the Establishment of the Institute for Democratic and Legislative Studies and for Matters Connected Therewith, 2006 (*Hon. Abdul Ningi*).

Question put and agreed to.

Question that the House do resolve into the Committee of Whole to consider the Bill, put and agreed to.

(HOUSE IN COMMITTEE)

(Mr Deputy Speaker in the Chair)

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

Provisions of the Bill

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

Clause 1: Establishment of the Institute for Democratic and Legislative Studies.

- (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 (*Hon. Bawa Bwari*) — *Agreed to.*

Question that Clause 1 stand part of the Bill, put and agreed to.

Clause 2: Functions and Objectives of the Institute.

(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:

- i (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;
 - if) 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;
 - (0) provide training courses on democracy, legislative practice and procedures, political culture and political development;
 - if) 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 {Hon. Bawa Bwari} — Agreed to.

Question that Clause 2 stand part of the Bill, put and agreed to.

Chairman to report progress.

(HOUSE IN PLENARY)

Mr Deputy Speaker in the Chair, reported that the House in the Committee of Whole considered a Bill for an Act for the Establishment of the Institute for Democratic and Legislative Studies and for Matters Connected Therewith, 2006. It approved Clauses 1 and 2 and deferred further consideration.

Question that the House do adopt the Report of the Committee of Whole, put and agreed to.

9. A Bill for an Act to Establish the Institute of Safety Professionals of Nigeria (ISPON), 2007 (SB. 39)

(Committee of Whole):

; 'Motion made and Question proposed, "That this House do consider a Bill for an Act to Establish the Institute of Safety Professionals of Nigeria (ISPON), 2007 {Hon. Abdul Ningi}.

Question put and agreed to.

Question that the House do resolve into the Committee of Whole to consider the Bill, put and agreed to.

(HOUSE IN COMMITTEE)

(Mr Deputy Speaker in the Chair)

A BILL FOR AN ACT TO ESTABLISH THE INSTITUTE OF SAFETY PROFESSIONALS OF NIGERIA

Provisions in the Bill

Clause 1: Establishment of the Institute of Safety Professionals of Nigeria, etc.

There is hereby established a body to be known as the Institute of Safety Professionals of Nigeria (in this Act referred to as the "Institute") which shall be a body corporate with perpetual succession and a common seal and may sue and be sued (*Hon. Halims Agoda*) — *Agreed to.*

Question that Clause 1 stand part of the Bill, put and agreed to.

Clause 2: Objectives of the Institute.

The objective of the Institution shall be to —

- (a) organize and provide professional training in the area of Safety Management;
- (b) set standards of practice and determine the knowledge and skills to be acquired by persons seeking to register and practice as Safety Professionals and improving upon such standards from time to time.
- (c) do all such things as may be necessary to promote the interest of its members and the advancement of the safety management profession (*Hon. Halims Agoda*) — *Agreed to.*

Question that Clause 2 stand part of the Bill, put and agreed to.

Clause 3: Functions and Powers of the Institute.

The Institute shall —

- (a) conduct examinations and award certificates and diplomas as well as advise on matters relating to qualifications for the practice of Safety management in Nigeria;
- (b) conduct research into all aspects of Safety management;
- (c) organise lectures, seminars, workshops and otherwise provide training for persons aspiring to qualify and practice as Safety Management Professionals;
- (d) establish and maintain a register of persons entitled to practice as Safety Professionals and publish from time to time the list of those so registered;
- (e) perform such other functions, as may be necessary for the advancement of the institute and the safety management profession;
- (f) acquire and hold such movable and immovable property as may be necessary or expedient for putting into effect the provisions of this act;
- (g) demand and receive from any course participant, student member of the institute such fees as the board may from time to time prescribe;
- (h) have power to affiliate with any University or other Tertiary Institutions for the purpose, of offering degree programmes; and

- (0) have powers to regulate the practice of safety management in Nigeria {*Hon. Halims Agoda*} — *Agreed to.*

Question that Clause 3 stand part of the Bill, put and agreed to.

Clause 4: Membership of the Institute.

- (1) Subject to the provisions of this Act, a person admitted to the Membership of the Institute shall be registered as such and be entitled to the Institute use the appropriate title letters after his name, as may be prescribed by the Institute.
- (2) Members of the Institute may make recommendations with regard to safety designs in buildings and other structures and may conduct safety audits, training and consultancy work.
- (3) No firm or person may practice as a safety professional in Nigeria unless they have been registered by the Institute (*Hon. Halims Agoda*) — *Agreed to.*

Question that Clause 4 stand part of the Bill, put and agreed to.

Clause 5: Establishment and Composition of the Governing Board.

- (1) There is hereby established for the institute a Governing Board Establishment (hereinafter referred to as "the Board") which shall provide a general policy guidelines for the effective administration of the Institute.
- (2) The board shall consist of —
- (a) a Chairman who shall be a person of proven ability and integrity and a registered members of the institute with not less than ten years post registration experience to be elected from amongst the registered members of the Institute;
- (b) one representative each from —
- (i) Federal Ministry of Labour and Productivity
- (ii) Federal Ministry of Environment;
- (iii) Federal Ministry of Education;
- (iv) Society of Occupational Physicians of Nigeria;
- (v) Federal Fire Service;
- (vi) National Emergency Management Agency;
- (vii) Federal Road Safety Commission; and
- (viii) Nigerian Society of Engineers.
- (c) three other members of the Institute with not less than 5 years practical experience who shall be elected into the board from amongst the registered members of the institute; and
- (d) the registrar of the Institute (*Hon. Halims Agoda*) — *Agreed to.*

Question that Clause 5 stand part of the Bill, put and agreed to.

Clause 6: Membership of the Board.

- (1) Subject to the provisions of this Act, a person appointed or elected as a member of the board shall hold office for a period of four years from the date of his appointment or election and may be reappointed or re-elected for a further term of four years and no more.
- (2) The Chairman shall hold office for a period of 2 years from the date of his election

- (3) Membership of the board shall be on part time basis (*Hon. Halims Agoda*) — Agreed to.

Question that Clause 6 stand part of the Bill, put and agreed to.

Clause 7: Funds of the Institute.

There is hereby established for the institute a fund into which shall be paid and credited—

- (a) all Fees, subscriptions and other monies due to the institute;
- (b) gifts, loans, grants-in-aid, testamentary dispositions, endowments, contribution from philanthropic organizations, etc.;
- (c) returns on investments made by the institute; and
- (d) all other assets or monies that may from time to time accrue to the institute (*Hon. Halims Agoda*) — Agreed to.

Question that Clause 7 stand part of the Bill, put and agreed to.

Clause 8: Investment of the Funds of the Institute.

The Board may invest the funds of the Institute in accordance with the Security and Investment Act (*Hon. Halims Agoda*) — Agreed to.

Question that Clause 8 stand part of the Bill, put and agreed to.

Clause 9: Expenditure of the Institute.

The institute may from time to time apply the proceeds of the funds of the institute to —

- (a) administration of the institute;
- (b) the payment of the emoluments, fees and other entitlements of members of the board;
- (c) the payment of salaries, allowances of other entitlements and benefits payable to the officers and other employees of the Institute;
- (d) development and maintenance of any property vested in or owned by the Institute; and
- (e) such other activities that will promote the growth of the institute or are connected with its functions (*Hon. Halims Agoda*) — Agreed to.

Question that Clause 9 stand part of the Bill, put and agreed to.

Clause 10: Audited Accounts of the Institute.

The Board shall keep proper accounts for the institute in respect of each financial year and proper records in relation to such accounts, and shall cause (he accounts to be audited by a firm of auditors approved by the board and the result of the audit published within six months from the end of the financial year to which the accounts relate (*Hon. Halims Agoda*) — Agreed to.

Question that Clause 10 stand part of the Bill, put and agreed to.

Clause 11: Appointment.

- (1) The Board shall appoint a fit and proper person to be the Registrar of the Institute.

Functions of the Registrar.

- (2) The Registrar shall —
- (a) be the Secretary to the Board;
 - (b) prepare and maintain in accordance with rules approved by the Board" a register of the names, addresses, qualifications, and such other particulars as may be required of all persons who are entitled in accordance with the provisions of this Act to be registered as Safety Management Professionals and who apply in the specified manner and have been so registered;

- (c) commit in accordance with the Board's directive any entry in the register which the Board directs him to correct as being in the Board's opinion an entry which was incorrectly made;
- (d) cause the register to be published and put on sales to members of public not later than two years from the date on which this Act comes into effect and thereafter to be published and put on sale either a corrected or an updated edition of the register at no more than two year intervals;
- (e) subject to the provisions of this section, the Institute may make such other rules as may be expedient for the proper keeping of the register and the making of entries therein ; and _____ . _____ " "
- (f) subject to the provision of this Act a person who holds a qualification obtained outside Nigeria and for the time being acceptable to the institute shall be eligible to be registered as a Safety Management Professional
(Hon. Halims Agoda) — Agreed to.

Question that Clause 11 stand part of the Bill, put and agreed to.

Clause 12: Approval of Courses and Qualification.

The Institute may —

- (a) approve courses of training which are intended for persons seeking to become or are already registered members of the Institute;
- (b) accredit any institution whether in Nigeria or abroad which the Institute considers is properly organized and equipped for conducting the whole or any part of a programme of training approved by the Institute; and
- (c) approve, any qualification which as a result of an examination taken in conjunction with the course of training approved by the Institute under this section is granted to candidates reaching a standard at the examination indicating in the opinion of the Institute that such candidates have sufficient knowledge and skill to practice safety management as a profession (Hon. Halims Agoda) — Agreed to.

Question that Clause 12 stand part of the Bill, put and agreed to.

Clause 13: Establishment of Disciplinary Committee for professional misconduct.

- (1) There shall be a committee to be known as the Institute of Safety Processionals Disciplinary Committee (hereinafter in this Act refereed to as ("the Disciplinary Committee") which shall be charged with the duty of considering and determining any cases of professional misconduct referred to it.
- (2) The disciplinary committee shall consist of a Chairman and four other members of the Board of the Institute.
- (3) The disciplinary committee shall conduct investigation ,into any allegations against any registered member of the institute for professional misconduct or such other conduct that warrants proceedings against him before the Disciplinary committee and shall make determination as to his guilt or innocence.
- (4) Where the disciplinary committee determines that a member is guilty of misconduct, it shall refer the matter including all its proceedings to the Board of the institute and the Board shall make determination as to whether the member should be —
 - (i) reprimanded, or
 - (ii) suspended for a period not exceeding 12 months; or
 - (Hi) be de-registered, that is to say, have his name removed from register.
- (5) The Board of the Institute may make rules not inconsistent with this Act as to acts, which constitute professional misconduct.
- (6) If a member is convicted of a criminal offence by a court or tribunal of competent jurisdiction, he shall have his name removed from or struck off the register.

- (7) A person suspended by the Board shall cease to practice as a Safety Professional during the period of his suspension.
- (8) A person whose name is removed from the register in pursuance of a directive of the Board under this section shall not be entitled to be registered again except in pursuance of a new directive in that behalf given by the Board upon the application of that person; not less than two years from the date on which his name was removed from the register (*Hon. Halims Agoda*) — *Agreed to*.

Question that Clause 13 stand part of the Bill, put and agreed to.

Clause 14: Offences and penalties under **the** Act.

- (1) If any person who is not registered by the Institute practices or holds himself out to practice as a registered Safety Management Professional he shall be guilty of an offence.
- (2) Any person who for the purpose of procuring registration as a Safety Management Professional makes a false claim, makes a false entry; or wilfully falsifies the register, shall be guilty of an offence.
- (3) A person found guilty of an offence under this section shall be liable on conviction to —
 - (i) for an individual a fine not exceeding N50,000 or imprisonment for a term not exceeding one year or to both such fine and imprisonment; and -..
 - (ii) for a corporate body to a fine of not less than N250,000 (*Hon. Halims Agoda*) — *Agreed to*.

Question that Clause 14 stand part of the Bill, put and agreed to.

Clause 15: Miscellaneous.

The Board shall have powers to make regulations and rules for such Miscellaneous incidental and supplementary matters as it may from time to time consider to be in the interest of the Institute and its members (*Hon. Halims Agoda*) — *Agreed to*.

Question that Clause 15 stand part of the Bill, put and agreed to.

Clause 16: Interpretation.

"A Safety Professional" means any person qualified in an engineering discipline, occupational health sciences, environmental sciences or other scientist or specialist in a related discipline with an acceptable qualification who has acquired knowledge in the practice of safety management and whose name is in the Register of the Institute (*Hon. Halims Agoda*).

Question that the meaning of the words "a Safety Professional" be as defined in the Interpretation to this Act, put and agreed to.

Question that Clause 16 stand part of the Bill, put and agreed to.

Clause 17: Short Title.

This Act may be cited as the Institute of Safety Professionals of Nigeria Bill, 2007 (*Hon. Halims Agoda*) — *Agreed to*.

Question that Clause 17 stand part of the Bill, put and agreed to.

Chairman to report Bill.

(HOUSE IN PLENARY)

Mr Deputy Speaker in the Chair, reported that the House in the Committee of Whole, considered a Bill for an Act to Establish the Institute of Safety Professionals of Nigeria, 2007, and approved Clauses 1 - 17.

Question that the House do adopt the Report of the Committee of Whole, put and agreed to.

10. Suspension of Plenary Sessions:

Mr Deputy Speaker declared that Plenary Sessions of the House would be suspended and the House adjourned to Tuesday, 24 April, 2007 in view of the significance of impending religious events and the General Elections scheduled for the same month. Committees of the House would continue with their statutory functions. He wished Hon. Members success at the Polls,

11.. Adjournment:

That this House do now adjourn till Tuesday, 24 April, 2007 at 10.00 a.m. (*Hon. Abdul Ningi*).

' Adjourned accordingly at 12.06 p.m.

Austin Opara
Deputy Speaker