



HOUSE OF REPRESENTATIVES FEDERAL REPUBLIC OF NIGERIA

1. VOTES AND PROCEEDINGS

2. Tuesday, 14 February, 2006

The House met at 11.20 a.m., Mr Speaker read Prayers.

Votes and Proceedings:

Mr Speaker announced that he had examined and approved the Votes and Proceedings of Wednesday, 8 February, 2006 and Thursday, 9 February, 2006 respectively.

By unanimous consent, the Votes and Proceedings were adopted.

3. **Announcement:**

Defection:

Mr Speaker read the following communication from Hon. Mohammed **Bello** Suleiman (*Akko **Federal** Constituency*):



Hon. Moh'd Bello Suleiman

Akko Federal Constituency Member

HOUSE OF REPRESENTATIVES

NATIONAL ASSEMBLY COMPLEX.

THREE ARMS ZONE. P.M.B. 141, GARKI ABUJA - NIGERIA

Tel: 08055178306

19th January, 2006.

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

Sir,

**NOTICE OF RESIGNATION FROM THE ALL NIGERIA PEOPLES PARTY
(ANPP) AND JOINING THE PEOPLES
DEMOCRATIC PARTY (PDP)**

When I decided to join party politics about sixteen years ago, my sole aim and primary intention was to work towards the ways in which dividends of democracy can be delivered to my constituents in particular and the entire nation in general.

These are the motives that made me to join the All Nigeria Peoples Party (ANPP) since the formative years in 1998/1999 and I must confess that recent developments in the ANPP do not augur well for my desired goals, aim and objectives. It has got to a state of factionatisation not only at the national level but also at the State levels.

And after due, extensive and elaborate consultations with my constituents, teeming supporters that I decided to resign my membership of All Nigeria Peoples Party (ANPP) and join the People Democratic Party (PDP) pursuant to Section 68 of the 1999 Constitution.

And to my new Party, I believe in its Implicitly, explicitly and cohesiveness and will work for Us continuous success and growth.

I must seize this opportunity to thank the leadership of the house and my colleagues for their support and understanding.

Accept the assurances of my highest regards and esteem.

(Signed)

Hon. Moh'dBello Sulaiman

4. Petitions:

The following petitions were received and referred to the Committee on Public Petitions.

(i) Hon. Setonji Koshodo, from Chief E. I. Kuwakanu, praying the House to investigate the incident of indiscriminate shooting and killing by the men of the Nigeria Customs Service (Western Marine Command) Gbaji Base, Badagry.

(ii) Hon. Edward Ita Ogon, from Bar. Odu Emmanuel, Solicitors to Miss. Ekaette I. Assanenye, praying the House to intervene in her alleged wrongful retirement from the Service of the University of Calabar Teaching Hospital.

5. Presentation of Reports:

(i) *Committee on Cooperation and Integration in Africa*
Motion made and Question proposed, "That this House do receive the Report of the Committee on Cooperation and Integration in Africa on a Bill for an Act to Establish the Nigerian Agency for Foreign Assistance (NAFFA); and for Matters Connected Therewith, 2005" (Hon. Ita Enang).

Question put and agreed to.

Report laid.

6. A Bill for an Act to Establish a Customary Court for the Federal Capital Territory, Abuja and to Prescribe the Mode of its Operation and Supervision, 2005 (HB, 172) — *Second Reading:*
Motion made and Question proposed, "That a Bill for an Act to Establish a Customary Court for the Federal Capital Territory, Abuja and to Prescribe the Mode of its Operation and Supervision, 2005 be now read a Second Time" (Hon. Bala Ibn Na'Allah).

Debate:

Question put and agreed to.

Bill read a Second time and referred to the Joint Committee on Judiciary and Justice.

7. Consideration of Reports:

(i) *Committee on Health:*
Motion made and Question proposed, "That this House do consider the Report of the House Committee on Health on a Bill for an Act to Provide for the Establishment of the National Agency for the Prevention and Control of HIV/AIDS (NAPCA) and for Matters Connected Therewith, 2004 and approve the Recommendations therein" (Hon. Aminu Safana).

Question put and agreed to.

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

(HOUSE IN COMMITTEE) (*Mr Deputy Speaker in the Chair*)

Provisions in the Bill:

A BILL FOR AN ACT TO PROVIDE FOR THE ESTABLISHMENT OF THE
NATIONAL AGENCY FOR THE PREVENTION AND CONTROL OF HIV/AIDS (NAPCA)
AND FOR MATTERS CONNECTED THEREWITH

PART I—ESTABLISHMENT OF THE PRESIDENTIAL AIDS COUNCIL

Clause 1: Establishment of the Presidential AIDS Council.

(1) There is hereby established the Presidential AIDS Council (hereinafter referred to as "the Council").

Membership of the Council.

- (2) The Council shall consist of -
- (i) The President as Chairman (and in his absence the Vice-President shall preside);
 - (ii) Vice-President; (iii) Minister of Health; (iv) Minister of Women Affairs;
 - (v) Minister of Inter-governmental Affairs and Youth Development; (vi) Minister of Education;
 - (vii) Minister of Information and National Orientation; (viii) Minister of Finance; (a) Minister of Defence; (x) Minister of Internal Affairs; (xi) Minister of Labour and Productivity; (xii) Minister of Culture and Tourism; (xiii) Minister of Sports and Social Development; (xiv) National Planning Commission; (xv) Federal Ministry of Agriculture; and (xvi) Federal Ministry of Justice.
- (3) The Secretary to the Government of the Federation shall act as the Secretary of the Council.
- (4) The Council shall have the following functions —
- (a) to provide political leadership and advocacy for the prevention and control of HIV/AIDS at the highest level;
 - (b) to facilitate national and international partnership for the country's HIV/AIDS control initiative;
 - (c) to ensure sustenance of funding and advocacy against HIV/AIDS on all levels of government and society;
 - (d) from time to time, to review the performance of the activities of the Board and to ensure that the Agency complies with the HIV/AIDS National Strategic Framework; and
 - (e) to report regularly to the nation on the progress of the national response.
- (5) The Council shall hold its meeting at least two times in each calendar year.

Committee Recommendation:

Retain the provisions in Clause 1 of the Bill (*Hon. Aminu Safana*).

Amendment Proposed:

Leave out all the provisions in the clause and *insert* the following provisions in Clause 8 (1) (2), as new Part I, Clause 1 instead thereof:

PART I — ESTABLISHMENT OF THE NATIONAL AGENCY FOR THE CONTROL OF

HIV/AIDS ; Establishment of the National Agency for the Control of AIDS.

(1) There is hereby established an agency to be known as the National Agency for the Control of HIV/AIDS (in this Act referred to as the "Agency").

(2) The Agency:

shall be a body corporate with perpetual succession and a common seal;

(b) may sue and be sued in its corporate name. (*Hon. C. I. D. Maduabum*).

Question that the amendment be made put and agreed to. Question that new Part I, Clause 1 as amended, stand part of the Bill put and agreed to.

Bill recommitted to the Joint Committee on Health and Rules and Business for restructuring; consideration to be resumed next Legislative Week.

Chairman to report progress.

(HOUSE IN PLENARY)

Mr Deputy Speaker in the Chair reported that the House in the Committee of the Whole considered the Report of the House Committee on Health on a Bill for an Act to Provide for the Establishment of the National Agency for the Prevention and control of HIV/AIDS (NAPCA) and for Related Matters Connected Therewith, 2004. It approved Clause 8 as new Part I, Clause 1, and recommitted the Bill to the Joint Committee on Health and Rules and Business for restructuring.

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

(ii) *Joint Committee on Health and Commerce:*

Motion made and Question proposed, "That this House do consider the Report of the Joint Committee on Health and Commerce on a Bill for an Act to Provide for the Amendment of the Tobacco Smoking (Control) Act, 1990 so as to Protect the Public Especially the Children from Watching Tobacco Advertisement by Providing Time within which an Advertisement for Tobacco can be Made; and for Other Connected Purposes and approve the Recommendations therein" (Hon. Aminu Safana).

Question put and agreed to.

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

(HOUSE IN COMMITTEE) (*Mr Deputy Speaker in the Chair*)

Provisions in the Bill:

A BILL FOR AN ACT TO PROVIDE FOR THE AMENDMENT OF THE TOBACCO
SMOKING (CONTROL) ACT, 1990 so AS TO PROTECT THE PUBLIC ESPECIALLY THE
CHILDREN FROM WATCHING TOBACCO ADVERTISEMENT BY PROVIDING
TIME WITHIN WHICH AN ADVERTISEMENT FOR TOBACCO CAN BE MADE;
AND FOR OTHER CONNECTED PURPOSES

Clause 1: Control of Tobacco.

Notwithstanding anything contained in the Constitution of the Federal Republic of Nigeria 1999 or in any other enactment or law, no person shall, as from the commencement of this Act, engage in or continue to engage in Tobacco Smoking in the place specified in Schedule 1 to this Act.

Committee Recommendation:

Retain the provision in Clause 1 of the Bill (*Hon. Aminu Safana*).

Amendment Proposed:

In lines 1 and 2, *leave out* the words "Notwithstanding anything contained in the Constitution of the Federal Republic of Nigeria 1999 or in any other enactment or law" (*Hon. Ita Enang*).

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

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

Consideration of Report deferred to enable Members scrutinize the Report to ascertain the intendment of the Bill and for copies of the Principal Act to be made available to Members.

Chairman to report progress.

(HOUSE IN PLENARY)

Mr Deputy Speaker in the Chair reported that the House in the Committee of the Whole considered the Report of the Joint Committee on Health and Commerce on a Bill for an Act to Provide for Amendment of the Tobacco Smoking (Control) Act, 1990 so as to Protect the Public, especially the Children from watching Tobacco Advertisement by Providing time within which Advertisement for Tobacco can be made; and for Matters Connected Therewith, 2004 and approved Clause 1 as amended, and deferred further consideration to enable Members ascertain the intendment of the Bill and for copies of the Principal Act to be made available to Member.

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

8. Adjournment:

That this House do now adjourn till Wednesday, 15 February, 2006 at 2.00 p.m. (*Hon. Bawa Bwari*).

Adjourned accordingly at 1.30p.m.

Aminu Bello **Masari**
Speaker