



HOUSE OF REPRESENTATIVES FEDERAL REPUBLIC OF NIGERIA

VOTES AND PROCEEDINGS

Wednesday, 29 March, 2006

1. The House met at 2.20 p.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 Tuesday, 28 March, 2006.

By unanimous consent, the Votes and Proceedings was adopted.

3. Message:



PRESIDENT,
FEDERAL REPUBLIC OF NIGERIA

Mr Deputy Speaker read a Message from the President of the Federal Republic of Nigeria.

23 March, 2006

PRES/134

*The Honourable Speaker,
House of Representatives,
National Assembly Complex,
Three-Arms Zone, Asokoro,
Abuja.*

Dear Hon. Speaker,

PRESENTATION OF SAME SEX MARRIAGE (PROHIBITION) ACT 2006

I forward herewith, for consideration and passage into law by the House of Representatives, the attached Bill for an Act which shall prohibit in the Federal Republic of Nigeria the relationship between persons of the same sex, celebration of marriage by them and other matters connected therewith.

While I hope that the Bill will receive prompt attention of Honourable Members of the House, please accept the assurances of my highest consideration.

Yours sincerely,

*(Signed) OLUSEGUN
OBASANJO*

4. Announcements:

Conference Committees;

Mr Deputy Speaker named the following Conferees on:

- (a) A Bill for an Act to Establish a New National Boundary Commission, 2005:
 - (i) Hon. George T. Sekibo
 - (ii) Hon. Tunde Salau
 - (iii) Hon. Frank Ineke
 - (iv) Hon. Atai Ali
 - (v) Hon. Independence Ogunewu
 - (vi) Hon. Bello Mohammed Suleiman
- (b) A Bill for an Act to amend the Border Community Development Agency Act, 2005:
 - (i) Hon. George T. Sekibo
 - (ii) Hon. Ishaku Sharah
 - (iii) Hon. Solomon Agidani
 - (iv) Hon. Francis Elem
 - (v) Hon. A. A. Algadash
 - (vi) Hon. Bako Sarai
- (c) A Bill for an Act to Establish the HIV/AIDS Agency, 2005:
 - (i) Hon. Aminu Safana
 - (ii) Hon. Dantung Gyang
 - (iii) Hon. Gabriel Oiboh
 - (iv) Hon. Esio Udoh
 - (v) Hon. Ishaku Sharah
 - (vi) Hon. Celestine Ughanze.

5. Petitions:

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

- (i) Hon. Ahmed Musa Ibeto, from Alh. Musa M. Makwando, praying the House to investigate the circumstances of his premature retirement from the Nigerian Export Promotion Council and grant the relief sought in his petition;
- (ii) Hon. Tunde Akogun, from Prince Segun Alile, praying the House to investigate the non-payment of N10.5m due to him for his Anti-Corruption campaigns executed on behalf of the Federal Government.

6. Adoption of the Conference Committee Report on a Bill for an Act to Provide for the Establishment of Nigerian Geological Survey Agency and for Matters Connected Therewith:
Motion made and Question proposed,

That the House, on 1 December, 2005 passed the Nigerian Geological Survey Agency Bill, 2006;

The Conference Committee met on Tuesday, 14 March, 2006, resolved the differences arising therefrom and accepted a harmonized version of the Bill; a clean copy of the Conference Report is ready for presentation and adoption;

Resolves, to adopt the Conference Report on the Nigerian Geological Survey Agency Bill, 2006. (*Hon. Ogbuefi Ozomgbachi*).

Question put and agreed to.

7. Consideration of Report:

Joint Committee on Electoral Matters and Justice:

Motion made and Question proposed, "That this House do consider the Report of the Joint Committee on Electoral Matters and Justice on a Bill for an Act to Regulate the Conduct of Federal, State and Local Government Elections and to Repeal the Electoral Act 2001; and for Connected Purposes" (*Hon. Hamisa Shira*).

Question put and agreed to.

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

(HOUSE IN COMMITTEE)

(Mr Deputy Speaker in the Chair)

A BILL FOR AN ACT TO REGULATE THE CONDUCT OF ELECTIONS IN THE
FEDERAL, STATE, AND LOCAL GOVERNMENTS, AND THE REGISTRATION OF VOTERS
AND MATTERS CONNECTED THEREWITH

Committee Recommendation:

Clause 1: Legal Status of the Independent National Electoral Commission.
The Independent National Electoral Commission as established by S.153 of the 1999 Constitution shall be a body corporate with perpetual succession and may sue and be sued in its corporate name (*Hon. Hamisu Shira*).

Amendment Proposed:

Leave out all the words in the Recommendation (Hon. Idris Abdullahi).

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

Another Amendment Proposed to Clause 1 as Amended:

Retain provision in the Committee's recommendation (Hon. Bala Ibn Na'Allah).

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.

Clause 2: Membership of the Commission.

- (1) The Commission shall consist of a Chairman who shall be the Chief National Electoral Commissioner and the Chief Executive of the Commission and twelve other members to be known as National Electoral Commissioners.
- (2) The Chairman and members of the Commission shall not be less than 50 and 40 years of age respectively.
- (3) The Chairman and members of the Commission shall be —
 - (a) persons of unquestionable integrity; and
 - (b) appointed by the President, Commander-in-Chief of the Armed Forces subject to confirmation of the Senate.
 - (c) in exercising his powers to appoint a person as Chairman or member of the Independent National Electoral Commission, the President shall consult the Council of State.

Committee Recommendation:

Leave out all the words in the Clause (Hon. Hamisu Shira) — Agreed to.

Clause 3: Tenure of office.

- (1) The Chairman and members of the Commission shall each hold office for a period of five years and on such terms and conditions as may be specified in their letters of appointment.
- (2) A member may resign his membership by notice in writing addressed to the President, Commander-in-Chief of the Armed Forces and that member shall,

- (3) There shall be paid to every member of the Commission such salaries and allowances as the Revenue Mobilisation Allocation and Fiscal Commission may from time to time provide.
- (4) A member shall not while holding office hold any other office of emolument whether in the Federal or State public service.

Committee Recommendation:

Leave out all the words in the Clause (Hon. Hamisu Shira) — Agreed to.

Clause 4: Functions of the Commission.

- (1) The functions of the Commission shall be to—
 - (a) organize, conduct and supervise all the elections and matters pertaining to elections into all the elective offices provided in paragraph 15 (a) of the Third Schedule to the Constitution of the Federal Republic of Nigeria 1999 and under this Act;
 - (b) register political parties in accordance with the provisions of the Constitution and other relevant enactment or law;
 - (c) monitor the organization and operation of the political parties including their finances;
 - (d) arrange for the annual examination and auditing of the funds and accounts of the political parties and publish a report on such examination and audit for public information;
 - (e) conduct the registration of persons qualified to vote and the preparation, maintenance and revision of the register of voters for the purpose of any election;
 - (f) conduct voter and civic education;
 - (g) monitor political campaigns and provide rules and regulations which shall govern the political parties;
 - (h) ensure that all Electoral Commissioners, Electoral and Returning Officers take and subscribe to the Oath of Office prescribed by law; and
 - (i) delegate any of its powers to any State Resident Electoral Commissioner;
 - (j) carry out such other functions as may be conferred upon it by an Act of the National Assembly.
- (2) Notwithstanding the functions of the Commission specified under subsection (1) of this Section, the Commission shall have power to divide the area of the Federation or as the case may be, the area of a State or an Area Council into such number of constituencies as may be prescribed by law for the purpose of elections to be conducted by the Commission.

Committee Recommendation:

Leave out all the words in the Clause (Hon. Hamisu Shira) — Agreed to.

Committee Recommendation:

Clause 5: Establishment of the Independent National Electoral Commission Fund.

- (1) There shall be established for the Commission a fund to be known as Independent National Electoral Commission fund.
- (2) There shall be paid into the fund established in pursuance to subsection (1) of this Section-
 - to) such sums and payments available to the Commission for carrying out its functions and purposes under the Constitution and this Act and all other assets from time to time accruing to the Commission;

(b) such sums as may, from time to time, be credited to the fund by way of payment of the principal and interest on and other charges in respect of any loan made out of the fund, and also interest from investments made from the fund.

(3) Disbursement from the fund shall be made in accordance with rules and regulations that may be established by the Commission and/or by the National Assembly (**Hon. Hamisu Shim**).

Amendments Proposed:

- (i) *Leave out* all the words in subclause (2) (b) and *insert* the following instead thereof:
"such sums as may from time to time be credited to the fund by way of interest from investments made from the Fund" (**Hon. Ike Chinwo**).

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

- (ii) *Insert* a new subclause (2) (c) as follows:
"aids, grants that may from time to time accrue to the Commission in order to carry out its functions" (**Hon. N. C. Ughanze**).

Question that the amendment be made, 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 the Report of the Joint Committee on Electoral Matters and Justice on a Bill for an Act to Regulate the Conduct of Federal, State and Local Government Elections and to Repeal the Electoral Act, 2001; and for Connected Purposes, 2005. It approved Clause 1 as amended, deleted Clauses 2, 3 and 4, amended Clause 5 by inserting a new subclause (2) (c). He asked leave to sit again.

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

8. Adjournment:

That this House do now adjourn till Thursday, 30 March, 2006 at 10.00 a.m. (**Hon. Abdul Ningi**).

Adjourned accordingly at 4.10 p.m.

Austin Opara
Deputy Speaker