



HOUSE OF REPRESENTATIVES FEDERAL REPUBLIC OF NIGERIA

VOTES AND PROCEEDINGS

Tuesday, 2 May, 2006

1. The House met at 11.15 a.m. Mr Speaker read Prayers.
2. Votes and Proceedings:
Mr Speaker announced that he had examined and approved the Votes and Proceedings of Thursday, 27 April, 2006.

By unanimous consent, the Votes and Proceedings was adopted.

3. Announcements:
(i) *Bereavement:*
Mr Speaker read the following letter from Hon. Chief Babatunde Oduyoye:



OFFICE OF THE A.D. WHIP
HOUSE OF REPRESENTATIVES
NATIONAL ASSEMBLY

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25th April 2006

*Honourable Speaker,
House of Representatives*

NOTIFICATION OF THE DEATH OF MY FATHER: PA MAJEKODUNMI ODUYOYE

It is with a deep sense of loss but with total submission to the Almighty God that I intimate you, about the call to glory and higher service of my beloved father Pa Akanni Majek-Oduyoye, who died peacefully in his sleep at his Lister, Ring Road, Ibadan, residence on Easter Sunday, 16th April, 2006. He was aged 88 years.

*During his lifetime, Majek (as he was fondly called) bestrode the political landscape of **Ibadan** like a colossus, especially between 1952 and early 1990s. His legacies of service, loyalty, dedication, commitment and philanthropy are indelible virtues he left for posterity.*

The 25th and 26th of May 2006, has been chosen for his final burial rites at Ibadan, Oyo State. Please help block these dates in your tight schedule.

Yours truly,

(Signed)

Hon. (Chief) Babatunde Oduyoye

(ii) *Appreciation:*

Mr Speaker read the a letter of Appreciation from Hon. Nuhu Magaji:



Nuhu Magaji

Representing Baure / Zanga Federal Constituency

Office Address:
National Assembly Complex,
Three Arms Zone,
P.M.B 141 Abuja.
Tel:

Constituency Address:
Zango Town,
Baure Town,
Katsina State

May 2nd, 2006

Sirs,

LETTER OF APPRECIATION

It is my pleasure to announce the conferment on me of a traditional title of Baraden Daura. By his Royal Highness the Emir of Daura and his Royal Council.

I am seizing this opportunity to express my sincere gratitude to the distinguished Senators and my honourable colleagues that had time to attend the occasion that was held on April 26th 2006, despite the very short notice given.

May Almighty Allah (SWT) reward you abundantly.

I similarly wish to thank all those who sent in their best of wishes regards and prayer towards the successful conduct of the ceremony.

Thank you once again, may Almighty Allah (SWT) bless us all. Amen.

(Signed)

Hon. Nuhu Magaji

4. Presentation of a **Bill**:

5. Privileges:

Relying on Order V, Rules 1 (b) and 4, Hon. Aminu Waziri Tambuwal asserted that he was in possession of National Assembly Journal Numbers 8 and 9 of 12th April and 21st April 2006 respectively. He claimed that as a Member of the National Assembly Joint Committee on the Review of the Constitution of the Federal Republic of Nigeria, 1999, he participated actively in the deliberations of the Joint Committee in Port Harcourt. He referred to a copy of the Minutes of a meeting of the Joint Committee on March 9, 2006 and remarked that there was no record of the adoption of an amendment to Section 182 (1) (b) of the Constitution **under** "Disqualifications" to read that "*he has been elected into such office at any three previous elections* in accordance with this Constitution". He argued that this amendment was not contained in the National Assembly Journal, No. 8 of 12th April, 2006 or in the Report of the Joint Committee laid before the House on 12 April, 2006 but was mysteriously inserted in House Bill 248 published in the National Assembly Journal, No. 9 of 21st April, 2006. He sought to move a motion without notice that a breach of his Privilege had been committed.

In his reaction, Mr Speaker invited the Deputy Speaker, in his capacity as the co-chairman of the National Assembly Joint Committee on the Review of the 1999 Constitution, to respond to the issues raised by Hon. Tambuwal.

Hon. Austin Opara, asserted that the issues raised by Hon. Tambuwal were calculated to misinform the House. He explained that at the meeting of the Joint Committee in Port Harcourt, it was agreed that amendments proposed and adopted with regards to the "Federal Executive" in the Constitution should apply *mutatis mutandis* to the "State Executive". Furthermore, at the meeting in Port Harcourt, the Leader of the House had proposed an amendment barring Governors for election into office at any three previous elections but he later withdrew that amendment which meant that the principle of *mutatis mutandis* applied to the "State Executive" in Section 182 (3) (b) as amended. In his right of reply, Hon. Aminu Tambuwal reiterated his contention that whereas a Bill for an Act to Amend the Constitution of the Federal Republic of Nigeria, 1999 as published in the National Assembly Journal, No. 8 of 12th April, 2006 did not contain an amendment to Section 182 (1) (b) of the 1999 Constitution, the amendment was mysteriously inserted in the same Bill as published in the National Assembly Journal, No. 9 of 21st April, 2006.

Hon. Tambuwal granted leave to move a Motion without notice.

6. Complaint against Publication in the National Assembly Journal:
WHEREAS in the National Assembly Journal, No. 8 of 12th April 2006 containing publication of a Bill for an Act to Amend the Constitution of the Federal Republic of Nigeria, 1999, amendment to Section 182 (1) (b) of the 1999 Constitution was conspicuously absent;

WHEREAS in the same Journal, No. 9 of 21st April, 2006, an amendment to Section 182 (1) (b) of the 1999 Constitution, was mysteriously inserted in that publication,

Be it resolved:

- (1) That the House do set aside the National Assembly Journal, No. 9 of 21st April, 2006 and adopt the National Assembly Journal, No. 8 of 12th April, 2006 for the purpose of First Reading of the Bill;
- (if) Investigate the circumstances which led to the mysterious insertion of the amendment to Section 182 (1) (b) of the 1999 Constitution in the National Assembly Journal, No. 9 of 21st April, 2006 (*Hon. Aminu Waziri Tambuwal*).

Division.

Count taken

Ayes — 109

Nays — 171

Abstention — 0

Question put and negatived.

7. Constitution of the Federal Republic of Nigeria, 1999 (Amendment) Bill, 2006 (HB 248) — *Read the First Time.*
8. Presentation of Reports
(a) *Committee on Solid Minerals:*
Motion made and Question proposed, "That this House do receive the Report of the Committee on Solid Minerals on a Bill for an Act to Repeal the Minerals and Mining Act, No. 34 of 1999 and Re Enact the Minerals and Mining Act for the Purposes of Regulating all Aspects of the Exploration and Exploitation of Solid Minerals in Nigeria and for Connected Purposes, 2004". (*Hon. Ogbuefi Ozombagbachi*)

Order read; deferred.

(b) *Committee on Public Petitions:*

(i) *Report on the petition by Mrs A. A. Ojo:*

Motion made and Question proposed, "That this House do receive the Report of the House Committee on Public Petitions on [he petition by Mrs A. A. Ojo against the University of Maiduguri Teaching Hospital (UMTH)]" {Hon. Chidi Duru}.

Question put and agreed to.

Report Laid.

(it) *Report on the petition by Mrs Anu-Oluwa Gambari:*

Motion made and Question proposed, "That this House do receive the Report of the House Committee on Public Petitions on the petition by Mrs Anu-Oluwa Gambari against the Administrative Staff College of Nigeria (ASCON)" (Hon. Chidi Duru).

Question put and agreed to.

Report Laid.

(iii) *Report on the petition by Babangida Abdullahi Idris:*

Motion made and Question proposed, "That this House do receive the Report of the House Committee on Public Petitions on the petition by Babangida Abdullahi Idris against the Federal Ministry of Power and Steel" (Hon. Chidi Duru).

Question put and agreed to.

Report Laid.

(iv) *Report on the petition by Mr C. K. Maxwell:*

Motion made and Question proposed, "That this House do receive the Report of the House Committee on Public Petitions on the petition by Mr C. K. Maxwell against the Nigerian Postal Service (NIPOST)" (Hon. Chidi Duru).

Question put and agreed to.

Report Laid.

(v) *Report on the petition by Mr Dan Azumi Ijebor:*

Motion made and Question proposed, "That this House do receive the Report of the House Committee on Public Petitions on the petition by Mr Dan Azumi Ijebor against the Nigeria Police Force" (Hon. Chidi Duru).

Question put and agreed to.

Report Laid.

(vi) *Report on the petition by Ex-Sgt David Olaoye:*

Motion made and Question proposed, "That this House do receive the Report of the House Committee on Public Petitions on the petition by Ex-Sgt David Olaoye against the Nigeria Police Force" (Hon. Chidi Duru).

Question put and agreed to.

Report Laid.

(vii) *Report on the petition by ASP James Owolabi (rtd):*

Motion made and Question proposed, "That this House do receive the Report of the House Committee on Public Petitions on the petition by ASP James Owolabi (rtd) against the Nigeria Police Force" (Hon. Chidi Duru).

Question put and agreed to.

Report Laid:

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9. Adjournment:

That this House do adjourn till Wednesday, 3 May, 2006 at 10.00 a.m. (*Hon. Abdul Ningi*).

Adjourned accordingly at 12.48 p.m.

Aminu Bello Masari
Speaker