



HOUSE OF REPRESENTATIVES FEDERAL REPUBLIC OF NIGERIA

FIRST VOTES AND PROCEEDINGS

Wednesday, 7 June, 2006

1. The House met at 11.20 a.m. Mr Speaker read Prayers.
2. **Votes and Proceedings:**
Mr Speaker announced that he had examined and approved the Votes and Proceedings of Tuesday, 6 June, 2006.

By unanimous consent, the Votes and Proceedings was adopted.
3. **Announcement:**
Conference Committee;
Mr Speaker named Conferees on the Minerals and Mining Bill, 2006:
 - (a) Hon. Ogbuefi Ozomgbachi
 - (b) Hon. Olakunde Olawole
 - (c) Hon. Ade Adegbenjo
 - (d) Hon. Yusuf Dikko
 - (e) Hon. Azumi Bebeji.
4. **Presentation of Reports:**
 - (i) *Committee on Petroleum Resources:*
Motion made and Question proposed, "That this House do receive the Report of the House Committee on Petroleum Resources 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, 2005" (*Hon. Cairo Ojougboh*).

Question put and agreed to. Report

laid.
 - (ii) *Committee on Information:*
Motion made and Question proposed, "That this House do receive the Report of the House Committee on Information on a Bill for an Act to Establish the Chartered Institute of Professional Printers Board (Registration, etc.) to be Charged with the Duty of Regulating, Controlling and Managing the Administration of Chartered Institute of Professional Printers Law and for Related Purposes" (*Hon. Halims Agoda*).

Question put and agreed to. Report

Laid.

5. **A Bill for an Act to Establish the Nigerian Agency for Foreign Assistance (NAFFA); and for Matters Connected Therewith, 2006 — Third Reading:**
Motion made and Question proposed, "That a Bill for an Act to Establish the Nigerian Agency for Foreign Assistance (NAFFA); and for Matters Connected Therewith, 2006 be now read the Third Time" {Hon. Abdul Ningi).
- Question that the Bill be now read the Third Time, put and agreed to. Bill*
- read the Third Time and passed.*
6. **A Bill for Act to Provide for the Establishment of the National Agriculture Development Fund, 2006 — Third Reading:**
Motion made and Question proposed, "That a Bill for an Act to Provide for the Establishment of the National Agriculture Development Fund, 2006 be now read the Third Time" (Hon. Abdul Ningi).
- Question that the Bill be now read the Third Time, put and agreed to. Bill*
- read the Third Time and passed.*
7. **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, 2006 — Third Reading:**
Motion made and Question proposed, "That 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, 2006 be now read the Third Time" (Hon. Abdul Ningi).
- Question that the Bill be now read the Third Time, put and agreed to. Bill*
- read the Third Time and passed.*
8. **Admittance and Presentation of Joint Report on the Financial Releases to the Independence National Electoral Commission (INEC) to the Order Paper:**
Hon. Abdul Ningi sought the leave of the House for the amendment of the day's Order Paper to admit the Report of the Joint Committee on Finance and Electoral Matters on its investigation into the Federal Government financial releases to the Independent National Electoral Commission (INEC) and the Chairman of the Committee on Finance to present the Report, pursuant to House Referral Order, *vide* the Votes and Proceedings of Wednesday, 31 May, 2006.
- Leave granted.*
9. **Presentation of the Report of the Joint Committee on Finance and Electoral Matters:**
Pursuant to the Referral Order of Wednesday, 31 May, 2006 to the Joint Committee on Finance and Electoral Matters on the financial releases so far made to the Independent National Electoral Commission, Hon. Audu Idris Umar reported that official figures obtained from the Offices of the Director-General (Budget Office) and the Accountant-General of the Federation indicating capital releases to the Commission were at variance. Consequently, on behalf of the Joint Committee, he sought the leave of the House to invite the Director-General (Budget Office), the Accountant-General of the Federation and the Chairman of the Independent National Electoral Commission to a round-table to resolve and agree on the total amount so far released to the Commission.
- Leave granted.*
- Joint Committee ordered to thereafter, print details of actual releases to the Commission and circulate same to Hon. Members via their pigeon holes.*
10. **General Insecurity in Abia State Due to Incessant Incidence of Armed Robbery:**
The House:
- Notes the increased incidence of armed robbery attacks in the commercial city of Aba, and Umuahia the capital of Abia State;*
- Concerned that commercial and social activities have ground to a halt due to the closure of shops and financial institutions, as a result of the unprecedented robbery operations in both cities;*

Worried that some citizens have fled both cities while others live in morbid fear because of the general state of insecurity;

Aware that the Police apparatus, have been overwhelmed by the activities of these robbers;

Regrets the loss of lives of several innocent citizens, the maiming of others as a result of the upsurge in the spate of robbery incidence in Abia State;

Conscious of the need to maintain peace during the forthcoming elections,

Resolves to:

- (i) *Call* on the Federal Government to put in place a Joint Police/Military Patrol to protect lives and property of the citizens;
- (ii) *Urge* the Inspector General of Police to cause an in-depth investigation into the causes of the incessant armed robbery attacks with a view to bringing the culprits to book (*Hon. Mao Ohuabunwa and 5 Others*).

Debate:

Question put and agreed to.

Main Question, put and agreed to.

Resolved that:

The House:

Noted the increased incidence of armed robbery attacks in the commercial city of Aba, and Umuahia the capital of Abia State;

Concerned that commercial and social activities have ground to a halt due to the closure of shops and financial institutions, as a result of the unprecedented robbery operations in both cities;

Worried that some citizens have fled both cities while others lived in morbid fear because of the general state of insecurity;

Aware that the Police apparatus, have been overwhelmed by the activities of these robbers;

Regretted the loss of lives of several innocent citizens, the maiming of others as a result of the upsurge in the spate of robbery incidence in Abia State;

Conscious of the need to maintain peace during the forthcoming elections,

Resolved to:

- (i) *Call* on the Federal Government to put in place a Joint Police/Military Patrol to protect lives and property of the citizens;
- (ii) *Urge* the Inspector General of Police to cause an in-depth investigation into the causes of the incessant armed robbery attacks with a view to bringing the culprits to book (**HR. 54/2006**).

11. Consideration of Reports:

(i) Committee on Foreign Affairs:

Motion made and Question proposed, "That this do consider the Report on a Bill for an Act to Re-Organise the Role of the Federal Government in the Coordination of Christian Pilgrim Matters, the Consequential Repeal of the Nigerian Pilgrims Commission Act, 1990 and to Establish a National Pilgrim Commission that will License, Regulate, Perform Functions Over Other Bodies and Agencies; and Other Matters Connected Therewith, 2005" and approve the Recommendations therein {*Hon. Usman Bugaje*}.

Question put and agreed to.

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

(HOUSE IN COMMITTEE)

(*Mr Deputy Speaker in the Chair*)

A BILL FOR AN ACT TO RE-ORGANISE THE ROLE OF THE FEDERAL GOVERNMENT IN THE COORDINATION OF CHRISTIAN PILGRIM MATTERS, THE CONSEQUENTIAL REPEAL OF THE NIGERIAN PILGRIMS ACT, 1989 AND TO ESTABLISH A NATIONAL PILGRIM COMMISSION THAT WILL LICENSE, REGULATE, PERFORM OVERSIGHT AND SUPERVISORY FUNCTIONS OVER OTHER BODIES AND AGENCIES AND OTHER MATTERS CONNECTED THEREWITH

Committee Recommendation:

Clause 1: Establishment of the National Christian pilgrim Commission.

- (1) There is hereby established a body to be known as "the Nigeria Christian Pilgrim Commission" which shall be a body corporate with perpetual succession and a common seal.
- (2) The Commission may sue and be sued in its corporate name, hold, acquire and dispose of any property, movable or immovable (*Hon. Usman Bugaje*)—*Agreed to.*

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

Committee Recommendation:

Clause 2: Composition of the Commission.

- (1) The Commission shall consist of the following members-
 - fa) Chairman, who shall be the Chief Executive Officer
 - (b) nine other persons as members;
 - (c) a Secretary to the Commission;
 - (d) representatives of the following Federal Ministries and bodies (as *ex officio* members):
 - (i) 1 representative of the Ministry of Aviation,
 - (if) 1 representative of the Central Bank of Nigeria,
 - (iii) 1 representative of the Federal Ministry of Foreign Affairs,
 - (iv) 1 representative of the Federal Ministry of Health, and
 - (v) 1 representative of the Ministry of Internal Affairs.
 - (vi) 1 representative of the Christian Association of Nigeria (CAN).
- (2) The President shall, after due consultation, appoint persons of proven integrity as Chairman and members of the Commission.
- (3) Chairman and 5 members of the Commission to serve on full-time basis.
- (4) The Chairman and members of the Commission shall be paid such remuneration and allowances as the President may from time to time determine.
- (5) The supplementary provision contained in the Schedule to this Act may be applied to the proceedings of the Commission and its organs (*Hon. Usman Bugaje*).

Amendments Proposed:

- (0) Retain the provision in subclause (1) (a) of the Principal Bill instead thereof: "(a) a Chairman" (*Hon. Usman Bugaje*).

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

(it) In subclause (1) (b), *leave out* the word "nine" and *insert* the word "six" instead thereof {Hon. Mao Ohuabunwa}.

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

(iii) In subclause (3), immediately after the words "serve on", *leave out* the words "full-time" and *insert* the words "part time" instead thereof (Hon. Mao Ohuabunwa).

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

(iv) In subclause (4), line 2, immediately after the words "allowances as the", *leave out* the word "President" and *insert* the words "Revenue Mobilisation, Allocation and Fiscal Commission" instead thereof — *consequential amendment*.

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

Committee Recommendation:

Clause 3: Function of the Commission.

The Commission shall—

- (1) Licence, regulate, supervise and perform oversight functions over organizations, associations (corporate or non-corporate) or similar bodies engaged in—
 - (a) Organizing and coordinating the movement of persons from Nigeria to Jerusalem and other Holy Sites;
 - (b) the provision of accommodation, transportation and other services related to Pilgrimage in Israel; and other Holy Sites.
- (2) Liaise and coordinate with the appropriate government authorities or organs of the Federal Republic of Nigeria and Israel on the rules and regulations governing entry into and staying in Israel for the purposes of pilgrimage including all appropriate immigration, passport and related consular services.
- (3) Coordinate the provision of health, financial, security, customs, immigration and related services to persons proceeding to, or returning from Israel after pilgrimage.
- (4) Ensure the establishment and management of pilgrims camps and related facilities, equipments and such other necessary materials.
- (5) Establish or set up and maintain libraries of books and other relevant publications as well as cinematograph and other facilities of user to persons interested in or desirous of undertaking a pilgrimage, so however that the library shall open to the public upon and subject to any condition as to the user which the Commission may think fit to impose.
- (6) Conduct campaign on pilgrim, educative as well as religious, in all States of the Federation, and the Federal Capital Territory.
- (7) Appoint such number of medical practitioners and medical staff as it thinks fit.
- (8) Issue guidelines and rules that will ensure that States Pilgrims Welfare Agencies provide appropriate welfare services and guides for pilgrims.
- (9) Do such other things that are conducive or incidental to the discharge of the foregoing functions, provided that this subsection shall not be interpreted to be conferring any additional functions on the Commission (Hon. usman Bugaje) — *Agreed to.*

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

Committee Recommendation:

Clause 4: Tenure of office of Members of the Commission.

- (1) The chairman and members of the Commission shall hold office for a term of five years, renewable for a further and final term of five years.

- (2) The Chairman or any member of the Commission may resign his appointment by notice in writing under his hand, addressed to the President and the resignation shall take effect upon acknowledgment by the President.
- (3) The Chairman or any member of the Commission may be removed from office by the President, if the President is satisfied that it is not in the interest of the Commission or the public that the member should continue in office.
- (4) If the Chairman or any member of the Commission dies, resigns or otherwise vacates his office before the expiration of the term for which he was appointed, the President may appoint another fit and proper person to complete the term (*Hon. Usman Bugaje*) — *Agreed to*.

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

Committee Recommendation:

Clause 5: Cessation of Membership.

The Chairman or any Member of the Commission shall cease to hold office if—

- (a) he becomes of unsound mind; or
- (b) he becomes bankrupt or makes a compromise with his creditors; or
- (c) he is convicted of a felony or of any offence involving dishonesty; or
- (d) he is guilty of serious misconduct in relation to his duties (*Hon. Usman Bugaje*)—*Agreed to*.

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

Committee Recommendation:

Clause 6: Pilgrim Saving Scheme.

The Commission may regulate/supervise the establishment of Pilgrim Savings Scheme by those who want to adopt the approach, and the Commission may set up a board of trustees, for the savings schemes, comprising of men of high integrity who are not members of the Commission (*Hon. Usman Bugaje*).

Amendment Proposed:

In line 3, immediately after the words "comprising of" *leave out* the word "men" and *insert* the word "persons" instead thereof (*Hon Mercy Almona-Iseii*).

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

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

Committee Recommendation:

Clause 7: Secretary of the Commission.

- (1) There shall be an Administrative/Accounting Officer of the Commission to be known as the Secretary not below the rank of Director equivalent in the Federal Civil Service.
- (2) The person to be appointed Secretary of the Commission shall possess such requisite qualifications as may be determined by the President and shall also be knowledgeable in Religious Matters possess proficient knowledge in the use of English Language.
- (3) The Secretary shall be the Administrative/Accounting Officer of the Commission and responsible for the detailed administration and day-to-day management of the affairs of the Commission.
- (4) Subject to the provisions of this section the Secretary shall hold office on such term as to emoluments and otherwise the President may determine (*Hon. Usman Bugaje*).

Amendments Proposed:

- (i) Insubclause(2), line 3, immediately after the words "knowledgeable in" *insert the word "Christian"* (Hon. Almajir Geidam).

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

- (ii) In subclause (2), lines 3 and 4, immediately after the word "matters" *leave out the words "possess proficient knowledge in the use of English language"* (Hon. Almajir Geidam).

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

- (Hi) In subclause (4), line 2, *leave out the "President" and insert the words "National Income, Salaries and Wages Commission" instead thereof — consequential amendment.*

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

Committee Recommendation:

- Clause 8: Other Employees of the Commission.
The Commission may appoint such other persons to be employees of the Commission as the Commission may determine to assist the Secretary in the discharge of these functions under the Act (Hon. Usman Bugaje)—*Agreed to.*

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

Committee Recommendation:

- Clause 9: Remuneration and tenure of employees.
The Commission shall determine the remuneration and tenure of office of employees of the Commission other than the Secretary (Hon. Usman Bugaje).

Amendment Proposed:

In line 1, immediately after the word "and" *leave out the words "tenure of office of employees of the Commission other than the Secretary" and insert the words "allowances of employees in consultation with National Income, Salaries and Wages Commission" instead thereof* (Hon. Almajir Geidam).

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

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

Committee Recommendation:

- Clause 10: Pensions Cap. 346 LFN.
- (1) Service in the Commission shall be approved service for the purpose of the Pensions Act and, accordingly, officers and other persons employed in the Commission shall in respect of their service in the Commission be entitled to pensions, gratuities and other retirements benefits as are prescribed there under, so however that nothing in this Act shall prevent the appointment of a person to any office on terms which preclude the grant of pensions and gratuity in respect of that office.
- (2) For the purpose of the application of the provisions of the Pensions Act, any power exercisable there under by a Minister or other authority of the Federal Government (not being power to make regulations under Section 23 thereof) is hereby vested in and shall be exercised by the Commission and not by any other person or authority (Hon. Usman Bugaje)—*Agreed to.*

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

Committee Recommendation:

- Clause 11: Financial provisions.
- (1) The funds of the Commission shall consist of—
- (a) all such sums as may be charged by the Commission as fees, commission or dues for its services;
- (b) all revenue accruing to or vested in the Commission by way of grants-in-aid or otherwise howsoever;

- (c) any other moneys saved by the Commission such as proceeds from the operation of the Pilgrim Saving Scheme or borrowed pursuant to the provisions of this Act or any other enactment; and
 - (d) bequests, gifts and donations.
- (2) In respect of the revenue of each financial year, the Commission shall, except in the case of the first pilgrimage after commencement of this Act, prepare and submit to the President not later than three months before every pilgrimage an estimate of its expenditure and income during the next succeeding financial year, provided that the Commission shall submit an advance estimate whenever it is requested to do so by the President.
 - (3) Subject to the prescribed rules, the Commission shall keep proper account and records in relation to its fund in accordance with the Public Accounts Rules and Guidelines issued by the Accountant-General of the Federation.
 - (4) The Commission shall cause its accounts to be audited not later than six months after the end of each financial year to which the accounts relate. The auditors shall be appointed from a list of Auditors approved by the Auditor-General of the Federation.
 - (5) The Commission shall open and operate bank accounts, and may take advances, borrow money or in any manner undertake financial transaction in a prudent and sound manner (*Hon. Usman Bugaje*).

Amendment Proposed:

In subclause (5), line 2, immediately after the word "or", *leave out* the words "in any manner" and immediately after the words "transaction in", *leave out* the words "a prudent and sound manner" and *insert* the words "in accordance with extant financial regulation" instead thereof (**Hon. Mao Ohuabunwa**).

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

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

Committee Recommendation:

Clause 12: Register of Pilgrims Travel agencies.

- (1) Persons experienced in the handling of Pilgrimages within the meaning of this Act may apply to the Commission for license to establish pilgrims travel agencies or if established as such by any means before the commencement of this Act they may apply for registration hereunder; and subject thereto no Pilgrims Travel Agency shall be recognized by the Commission or be entitled to operate as an agency unless and until it is so registered under this Act.
- (2) Applications under Subsection (1) above for licenses may be made in writing to the Chairman or Secretary of the Commission for its approval and shall be in such form as the Secretary may direct or approve;
- (3) Every applicant shall deposit with the Commission, in addition to any payment as a registration fee, an amount to be fixed from time to time by the Commission:

PROVIDED that If the application is refused the amount deposited but not the registration fee) shall be returned to the applicant.
- (4) The Secretary shall prepare, keep and maintain a register of every agency licensed by the Commission under this Act, and the register shall be kept in such form as the Commission may approve; and when so prepared the Secretary shall thereafter amend it from time to time as Commission may require, and save in respect of the first pilgrimage after the commencement of this Act, not later than six months before the commencement of a pilgrimage the Secretary shall, as directed by the Commission, publish the names and addresses of all agencies licensed for the purposes of the pilgrimage (*Hon. Usman Bugaje*).

Amendment Proposed:

In subclause (2), line 2, *leave out* the words "or Secretary" and in line 3, *leave out* the word "Secretary" and *insert* the word "Commission" instead thereof (*Hon. Almajir Geidam*).

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

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

Committee Recommendation:**Clause 13: Delegation of function.**

- (1) The Commission may in respect of a pilgrimage delegate any of its functions in Section 3 of this Act to the Authority charge with the responsibility for the general care and welfare of pilgrims in any of the State of the Federation and the Federal Capital Territory if satisfied that it is in the interest of the pilgrims so to do.
- (2) Where the Commission delegates its functions under Subsection (1) of this section, it shall be subject to any conditions which the Commission may reasonably impose, and the agency shall be deemed to have applied for and been granted a license under this Act and the provisions as to registration shall have effect accordingly (*Hon. Usman Bugaje*)—*Agreed to.*

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

(*Hon. Abdul Ningi — Speaker Pro Tempore — 12.25 p.m.*)

Committee Recommendation:**Clause 14: Report of pilgrimage by the Commission.**

The Commission shall not later than three months after pilgrimage prepare and submit to the President a report on the pilgrimage for each year (*Hon. Usman Bugaje*)—*Agreed to.*

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

Committee Recommendation:**Clause 15: Power to defer Pilgrimage in certain cases.**

Where the Commission is satisfied that a person has committed an offence or misconduct specified by the Commission in the regulations made pursuant to Section 18 of this Act, the Commission may, disqualify that person from undertaking any pilgrimage organized or supervised by the Commission pursuant to this Act and the disqualification shall have effect for such period as the Commission may specify (*Hon. Usman Bugaje*)—*Agreed to.*

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

Committee Recommendation:**Clause 16: Set Off.**

If a State at any time defaults in the payment to the Commission of any amount due from the State to the Commission under this Act, the Commission shall notify the President of the default, and thereafter the Federal Government may set off the amount in respect of which default is made in or towards the payment of any sum due from the Federal Government to such State and the Federal Government shall Pay any Sum so set off to the Commission (*Hon. Usman Bugaje*)—*Agreed to.*

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

Committee Recommendation:**Clause 17: Transitional Provision.**

The Commission may, pending the licensing of private travel agencies or pilgrims agencies under Section 3 (1) of this Act, continue with the existing arrangements for the provision of accommodation and transportation service to pilgrims (*Hon. Usman Bugaje*)—*Agreed to.*

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

Committee Recommendation:

Clause 18: Regulations.

- (1) The Commission may make regulation generally for the purpose of carrying into effect the provisions of this Act including—
 - (a) provisions on matters relating to recruitment, deployment, posting, training secondment, discipline and the general welfare of staff.
 - (b) specifying offences and types of misconduct, whether committed in Nigeria or elsewhere, that would disqualify a person from undertaking any pilgrimage organized or supervised by the commission;
 - (c) providing for forms for use under this Act and for the particulars to be included in applications to the Commission for licenses (including notification of any change) by Agencies and evidence if required to be produced in support;
 - (d) providing for the fees to be paid to the Commission in respect of the issue or renewal of licenses;
 - (e) prescribing in respect of every pilgrims travel agency registered under this Act (1)
 - (1) the suitable standard of performance which the agency is obliged to maintain in connection with the provision of services to pilgrims,
 - (ii) the form and nature of compensation to which any person is entitled who is affected by the failure of agency in meeting the prescribed standard of performance, and
 - (iii) the procedure by which complaints against an Agency may be dealt with effectively, justly and expeditiously;
 - (f) providing for any other matter or thing failing to be prescribed by the Commission in respect of agencies.
- (2) Any regulation prescribing compensation under Subsection (1) (e) (ii) of this section shall apply without prejudice to any other remedy that may be available in respect of the act or omission which constitutes the failure described in that subsection.
- (3) Regulations may also provide for the exclusion or removal as the case may be from the register of names of agencies which fail to pay license fees, or renewal of license fees.
- (4) Regulations when made shall be published in the Federal Gazette and in such other manner as the Commission may direct (*Hon. Usman Bugaje*)~Agreed to.

Question that Clause 18 stand part of the Bill, put and agreed to.

Committee Recommendation:

Clause 19: Repeal.

Subject to section 6 of the Interpretation Act, the Nigerian Pilgrims Commission Act is hereby repealed and the assets and liabilities of the Commission established by the said Act are hereby transferred to the Commission established by this Act (*Hon. Usman Bugaje*)~Agreed to.

Question that Clause 19 stand part of the Bill, put and agreed to.

(Mr Deputy Speaker in the Chair — 12.30 p.m.)

Committee Recommendation:

Clause 20: Interpretation.

In this Act, unless the context otherwise require—

"Agency" means a Pilgrims welfare Board/Agency of any of the States in the federation including a Pilgrims Agency licensed under this Act (*Hon. Usman Bugaje*).

Question that the meaning of the word "Agency " be as defined in the interpretation to this Act, put and agreed to.

"Chairman" or "member" means the persons so appointed by the President pursuant to Section 2 (2) of this Act (*Hon. Usman Bugaje*).

Question that the meaning of the words "Chairman " or "member" be as defined in the interpretation to this Act, put and agreed to.

"Commission" means the body established under Section 1 of this Act (*Hon. Usman Bugaje*).

Question that the meaning of the word "Commission" be as defined in the interpretation to this Act, put and agreed to.

"Corporate" or "corporation" means any association of persons incorporated under the Companies and Allied Matters Act or a body established by an Act of the National Assembly or by law of a House of Assembly of a State (*Hon. Usman Bugaje*).

Question that the meaning of the words "Corporate" or corporation " be as defined in the interpretation to this Act, put and agreed to.

"Function" includes duties (*Hon. Usman Bugaje*).

Question that the meaning of the word "Function" be as defined in the interpretation to this Act, put and agreed to.

"Non-corporate" means any group or body of persons that is not incorporated (*Hon. Usman Bugaje*).

Question that the meaning of the words "Non-corporate" be as defined in the interpretation to this Act, put and agreed to.

"Person" means without derogating from the definition in the Interpretation Act, any natural person or group of persons (*Hon. Usman Bugaje*).

Question that the meaning of the word "person " be as defined in the interpretation to this Act, put and agreed to.

"President" means the President and Commander-in-Chief of the Nigerian Armed Forces of the Federal Republic of Nigeria (*Hon. Usman Bugaje*).

Question that the meaning of the word "President" be as defined in the interpretation to this Act, put and agreed to.

"Secretary" means the Chief Administrative/Accounting officer of the Commission (*Hon. Usman Bugaje*).

Amendment Proposed:

In the interpretation, *leave out* the word "Chief" — *consequential amendment*.

Question that the meaning of the word "Secretary" be as defined in the interpretation to this Act, put and agreed to.

"State" means any State Government, or organ of such a State Government, of the Federal Republic of Nigeria (*Hon. Usman Bugaje*).

Question that the meaning of the word "State" be as defined in the interpretation to this Act, put and agreed to.

IT IS HEREBY DECLARED in this Act-Any reference to the singular shall

include the plural and vice versa.

Any reference to a male person shall include reference to a female person and vice versa (*Hon. Usman Bugaje*)—*Agreed to.*

Question that Clause 20'Stand part of the Bill, put and agreed to.

Committee Recommendation:

Clause 21: Citation.

This Act may be cited as the Nigeria Christian Pilgrim Commission Bill, 2006 (*Hon. Usman Bugaje*)—*Agreed to.*

Question that Clause 21 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 the Report of the House Committee on Foreign Affairs on a Bill for an Act to Re-Organise the Role of the Federal Government in the Coordination of Christian Pilgrim Matters, the Consequential Repeal of the Nigerian Pilgrims Commission Act, 1990 and to Establish a National Pilgrim Commission that will License, Regulate, Perform Functions Over Other Bodies and Agencies; and Other Matters Connected Therewith, 2006. It approved Clause 1, amended Clause 2, approved Clauses 3, 4 and 5, amended Clause 6, approved Clauses 7 and 8, amended Clause 9, approved Clause 10, amended Clauses 11 and 12, approved Clauses 13, 14, 15, 16, 17, 18, 19, 20 and 21.

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

(ii) *Committee on Foreign Affairs:*

Motion made and Question proposed, "That this do consider the Report on a Bill for an Act to Re-Organise the Role of the Federal Government in the Coordination of Hajj Matters, the Consequential Repeal of the Nigerian Pilgrims Commission Act, 1990 and to Establish a Hajj Commission that will License, Regulate, Perform Oversight and Supervisory Functions over Other Bodies and Agencies and Other Matters Connected Therewith, 2005 and approved the Recommendation therein" (Hon. Usman Bugaje).

Question put and agreed to.

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

(HOUSE IN COMMITTEE)

(Mr Deputy Speaker in the Chair)

A BILL FOR AN ACT TO RE-ORGANISE THE ROLE OF THE FEDERAL GOVERNMENT IN THE COORDINATION OF HAJJ MATTERS, THE CONSEQUENTIAL REPEAL OF THE NIGERIAN PILGRIMS ACT 1989 AND TO ESTABLISH A HAJJ COMMISSION THAT WILL LICENCE, REGULATE, PERFORM OVERSIGHT AND SUPERVISORY FUNCTIONS OVER OTHER BODIES AND AGENCIES AND OTHER MATTERS CONNECTED THEREWITH

Committee Recommendation:

Clause 1: Establishment of the Nigeria Hajj Commission.

(1) There is hereby established a body to be known as the Nigeria Hajj Commission which shall be a body corporate with perpetual succession and a common seal.

- (2) The Commission may sue and be sued in its corporate name, hold, acquire and dispose of any property, movable or immovable (*Hon. Usman Bugaje*)—Agreed to.

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

Committee Recommendation:

Clause 2: Composition of the Commission.

- (1) **The** Commission shall consist of the following members-
- (a) a part-time Chairman;
 - (b) nine other persons, two of whom shall be women as part-time members
 - (c) Executive Secretary of the Commission;
 - (d) Representatives of the following Federal Ministries and bodies, who, in the opinion of the respective Permanent Secretary or Governor of the Central Bank of Nigeria, will contribute to the effective management of the Commission, (as *ex-officio* members)—
 - (i) 1 representative from the Ministry of Aviation,
 - (ii) 1 representative from the Central Bank of Nigeria,
 - (iii) 1 representative from the Federal Ministry of Finance
 - (iv) 1 representatives from the Ministry of Foreign Affairs,
 - (v) 1 representative from the federal Ministry of Health, and
 - (vi) 1 representative from the Ministry of Internal Affairs.
 - (vii) 1 representative from the National Intelligence Agency.
- (2) The President shall, after due consultation, appoint persons of proven integrity as Chairman and members of the Commission.
- (4) The Chairman and members of the Commission shall be paid such remuneration and allowances as the President may from time to time determine.
- (5) The supplementary provisions contained in the Schedule to this Act may, apply to the proceedings of the Commission and its organs (*Hon. Usman Bugaje*).

Amendments Proposed:

- (i) **In** subclause (1) (b), *leave out* the word "nine" and *insert* the word "six" instead thereof (*Hon. Mao Oluabunwa*).

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

- (ii) In subclause (1) (c), *leave out* the word "Executive" — *consequential amendment*.
- (iii) In subclause (1) (d), line 2, immediately after the word "the", *leave out* the words respective Permanent Secretary" and *insert* the word "Ministry" instead thereof (*Hon. Almajir Geidam*).

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

- (iv) *Leave out* the provision in subclause (1) (d) (vii) (*Hon. Almajir Geidam*).

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

- (v) In subclause (4), line 2, *leave out* the word "President" and *insert* the words "Revenue Mobilisation, Allocation and Fiscal Commission" instead thereof (*Hon. Mao Oluwabunwa*).

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

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

Committee Recommendation:

Clause 3: Functions of the Commission.

(1) The Commission shall perform the following functions:

- (a) licensing, regulating, supervision and performing oversight functions over organisations, associations (corporate or non-corporate) including State Government Agencies or similar bodies engaged in :
 - (i) Organising and coordinating movement of persons from Nigeria to Saudi Arabia and back to Nigeria for the purpose of the Hajj or Umra pilgrimage; and
 - (ii) the provision of accommodation, transportation and other services related to the performance of the Hajj to pilgrims in Saudi Arabia;
 - (b) Liaising and coordinating with the appropriate government authorities or organs of the Federal Republic of Nigeria and the Kingdom of Saudi Arabia on the rules and regulations governing entry into and staying in Saudi Arabia for the purposes of hajj and Umra pilgrimages including all appropriate immigration, passport and related consular services;
 - (c) Coordinating the supervision of health, financial, security, customs, immigration and related services to persons proceeding to or returning from, Saudi Arabia to perform the Hajj or Umra;
 - (d) Ensuring the establishment and management of pilgrims' camps and related facilities, equipment and such other necessary materials;
 - (e) establishing or setting up and maintaining libraries of books and other relevant publications as well as cinematograph, and other facilities of use to persons interested in or desirous of undertaking a pilgrimage, so however that the libraries shall be open to the public upon and subject to any condition as to the user which the Commission may think fit to impose;
 - if) Conducting campaign on Hajj, educative as well as religious, in all the States of the Federation, and the Federal Capital Territory;
 - (g) Appoint such number of medical practitioners and medical staff as it thinks fit on an ad-hoc basis to cater for the health needs of pilgrims in any particular pilgrimage year;
 - (h) Issuing guidelines and rules that will ensure that States Pilgrims Welfare Agencies provide appropriate welfare services and guides for pilgrims; and
 - (j) Doing such other things that are conducive or incidental to the discharge of the foregoing functions, provided that this subsection shall not be interpreted to be conferring any additional functions on the Commission.
- (2) (a) The Commission shall establish such number of departments not exceeding five for the day to day running and execution of the policies of the Commission in general and in particular take charge of the following functions:
- (i) Administration and Finance,

- (ii) Operations Inspectorate,,
- (Hi) Licensing of Pilgrim Agencies,
- (iv) Publicity, Research, Statistics and Library Services.

(b) Each Department shall be headed by a Director who shall possess qualifications and experience relevant to the function of the Department such cognate experience shall be on a position not below the equivalent rank of a Director in the Federal Public Service (*Hon. Usman Bugaje*)—*Agreed to*.

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

Committee Recommendation:

Clause 4: Tenure of office of members of the Commission.

- (1) Members of the Commission shall hold office for a term of four years, renewable for a further and final term of four years.
- (2) The chairman or any member of the commission may resign his appointment by notice in writing under his hand, addressed to the President and the resignation shall take effect upon acknowledgment by the President.
- (3) The chairman or any members of the Commission may be removed from office by the President, if the President is satisfied that it is not in the interest of the Commission or the public that the member should continue in office.
- (4) If the Chairman or any member of the Commission dies, resigns or otherwise vacates his office before the expiration of the term which he was appointed the President may appoint another person to complete the term (*Hon. Usman Bugaje*)—*Agreed to*.

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

Committee Recommendation:

Clause 5: Cessation of Membership.

The Chairman or any member of the Commission shall cease to hold office if:

- (a) he becomes of unsound mind; or
- (b) he becomes bankrupt or makes a compromise with his creditors; or
- (c) he is convicted of a felony or of any offence involving dishonesty; or
- (d) if he becomes absent from three consecutive meetings of the Commission without just cause (*Hon. Usman Bugaje*)—*Agreed to*.

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

Committee Recommendation:

Clause 6: Hajj Savings Scheme.

The Commission may encourage the establishment of Hajj Saving Schemes as well as facilitate and provide relevant advisory services (*Hon. Usman Bugaje*)—*Agreed to*.

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

Committee Recommendation:

Clause 7: Secretary of the Commission.

- (1) There shall be an Administrative/Accounting Officer of the Commission to be known as the Secretary not below the rank of Director equivalent in the Federal Civil Service.

- (2) The person to be appointed Secretary of the Commission shall possess such requisite qualifications as may be determined by the President and shall also be knowledgeable in Religious Matters possess proficient knowledge in the use of English Language.
- (3) The Secretary shall be the Administrative/Accounting Officer of the Commission and responsible for the detailed administration and day-to-day management of the affairs of the Commission.
- (4) Subject to the provisions of this section the Secretary shall hold office on such term as to emoluments and otherwise the President may determine (*Hon. Usman Bugaje*).

Amendments Proposed:

- (i) In subclause (2), line 3, immediately after the words "knowledgeable in" insert the word "Muslim" (*Hon. Almajir Geidam*).

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

- (ii) In subclause (2), lines 3 and 4, immediately after the word "matters" leave out the words "possess proficient knowledge in the use of English language" — *consequential amendment*.
- (iii) In subclause (4), line 2, leave out the word "President" and insert the words "National Income, Salaries and Wages Commission" instead thereof— *consequential amendment*.

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

Committee Recommendation:**Clause 8: Other employees of the Commission.**

- (1) The Commission may appoint such other members of staff on such terms and conditions as it may determine.
- (2) The members of staff of the Commission shall be paid remuneration, allowances and other fringe benefits on such scale as the Commission may determine.
- (3) The Commission may accept any member of staff by way of transfer, secondment or deployment from any public service of the Federal, State or Local Government approved establishments (*Hon. Usman Bugaje*).

Amendment Proposed:

In subclause (2), line 2, leave out the word "Commission" and insert the words "National Income, Salaries and Wages Commission" instead thereof — *consequential amendment*.

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

Committee Recommendation:**Clause 9: Pensions.**

- (1) It is hereby declared that service in the Commission shall be approved service for the purpose of the Pensions Act and, accordingly, officers and other persons employed in the Commission shall in respect of their service in the Commission be entitled to pensions, gratuities and other retirements benefits as are prescribed there under, so however that nothing in this Act shall prevent the appointment of a person to any office on terms which preclude the grant of pensions and gratuity in respect of that office.
- (2) For the purpose of the application of the provisions of the Pensions Act, any power exercisable there under by a Minister or other authority of the Federal Government (not being power to make regulations under section 23 thereof) is hereby vested in and shall be exercised by the Commission and not be any other person or authority (*Hon. Usman Bugaje*)—*Agreed to*.

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

Committee Recommendation:

Clause 10: Financial Provision.

- (1) The funds of the commission shall consist of:
 - (a) all such sums as may be charged by the Commission as fees, commission or dues for its services;
 - (b) all revenue accruing to, vested in the Commission by way of grants-in-aid or otherwise howsoever;
 - (c) any other moneys saved by the Commission or borrowed pursuant to the provisions of this Act or any other enactment; and
 - (d) Bequests, gifts and donations.
- (2) In respect of the revenue of each financial year, the Commission shall, except in the case of the first pilgrimage after Commencement of this Act, prepare and submit to the President not later than three months before every pilgrimage, an estimate of its expenditure and income during the next succeeding financial year, provided that the Commission shall submit an advance estimate whenever it is requested to do so by the President.
- (3) Subject to the prescribed rules, the Commission shall keep proper accounts and records in relation to its fund in accordance with the Public Accounts rules and Guidelines issued by the Accountant General of the Federation.
- (4) The Commission shall cause its' accounts to be audited not later than six months after the end of each financial year to which the accounts relate. The auditors shall be appointed by the Commission from a list of auditors approved by the Auditor General of the Federation.
- (5) The Commission may open and operate bank accounts, take advances, borrow money or in any manner undertake financial transactions in a prudent and sound manner (*Hon, Usman Bugaje*).

*Amendment Proposed:**Leave out* all the words in subclause (5) and *insert* the following instead thereof:

"The Commission shall open and operate bank accounts, take advances, borrow money or undertake financial transactions in accordance with extant financial regulation" — *consequential amendment*.

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

Committee Recommendation:

Clause 11: Register OF Pilgrims Travel Agencies.

- (1) Persons experienced in the handling of pilgrimages within the meaning of this Act may apply to the Commission for license to establish pilgrims travel agencies or if established as such by any means before the commencement of this Act they may apply for registration hereunder; and subject thereto no pilgrims travel agency shall be recognised by the Commission or be entitled to operate as an agency unless it is SO registered under this Act.
- (2) The application under subsection (1) above for license shall be made in writing to the Secretary of the Commission for approval and shall be in such form as the Commission may direct or approve
- (3) Every applicant shall deposit with the Commission, in addition to any payment as a registration fee, an amount to be fixed from time to time by the Commission.

PROVIDED that if the application is refused the amount deposited (but not the registration fee) shall be returned to the applicant.

- (4) The Secretary shall prepare, keep and maintain a register of every agency licensed by the Commission under this Act, and the register shall be kept in such form as the Commission may approve; and when so prepared the Secretary shall thereafter amend it from time to time as circumstances may require, and save in respect of the first pilgrimage after the commencement of this Act, not later than six months before the commencement of a pilgrimage the Secretary shall, as directed by the Commission, publish the names and addresses of all agencies licensed for the purposes of the pilgrimage (*Hon. Usman Bugaje*)—Agreed to.

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

Committee Recommendation:

Clause 12: Delegation of functions.

- (1) The Commission may in respect of a pilgrimage delegate any of its functions under Section 3 of this Act to the Authority charged with the responsibility for the general care and welfare of pilgrims in any of the States of the Federation and the Federal Capital Territory other than the function of licensing, regulating, supervising and performing of oversight function under section 3 (1) (a) of this Act.
- (2) Where the Commission delegates its functions under subsection (1) of this section, it shall be subject to any conditions which the Commission may reasonably impose (*Hon. Usman Bugaje*)—Agreed to.

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

Committee Recommendation:

Clause 13: Report of Pilgrimage by the Commission.

- (1) The Commission shall not later than three months after each Arafat day, prepare and submit to the President a report on the pilgrimage for that year.
- (2) The Commission shall at the end of each financial year prepare and submit to the President:
- (a) An Annual Report of all the activities of the Commission in the financial year; and
- (b) Audit Report on the financial activities of the Commission in the financial year prepared pursuant to the provision of section 10 (4) of this Act (*Hon. Usman Bugaje*).

Amendment Proposed:

In subclause (2), line 2, immediately after the word "President", *insert* the words "and National Assembly" (*Hon. Sani Toro*).

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

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

Committee Recommendation:

Clause 14: Set Off.

If a State at any time defaults in the payment to the Commission of any amount due from the State to the Commission under this Act, the Commission shall notify the President of the default, and thereafter the Federal Government may set off the amount in respect of which default is made in or towards the payment of any sum due from the Federal Government to such State, and the Federal Government shall pay any sum so set off to the Commission (*Hon. Usman Bugaje*)—Agreed to.

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

Committee Recommendation:

Clause 15: Regulations.

- (1) The Commission may make regulations generally for **the** purpose of carrying into effect the provisions of this Act including:

- (a) creating and assigning functions to the Departments of the Commission;
- (b) providing for matters relating to recruitment, deployment, posting, training, secondment, discipline and the general welfare of staff;
- (c) providing for forms for use under this Act and for the particulars to be included in applications to the Commission for licenses (including notification of any change) by agencies and evidence if required to be produced in support.
- (d) providing for the fees to be paid to the Commission in respect of the issue or renewal of licenses;
- (e) prescribing in respect of every pilgrims travel agency registered under this Act:
 - (i) the suitable standard of performance which the Agency is obliged to maintain in connection with the provision of services to pilgrims;
 - (ii) the form and nature of compensation to which any person is entitled who is affected by the failure of the Agency in meeting the prescribed standard of performance; and
 - (iii) the procedure by which complaints against any Agency may be dealt with effectively, justly and expeditiously.
- if) providing for any other matter or thing falling to be prescribed by the Commission in respect of Agencies.
- (2) Any regulation prescribing compensation under subsection (1) (d) (iii) of this section shall apply without prejudice to any other remedy that may be available in respect of the act commission or omission, which constitutes the failure described in that subsection.
- (3) Regulations may also provide for the exclusion or removal as the case may be from the register of names of agencies which fail to pay licence fees, ore renewal of licence fees,
- (4) Regulations when made shall be published in (he Federal Gazette and in such other manner as the Commission may direct (*Hon. Usman Bugaje*)—*Agreed to.*

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

Committee Recommendation:

Clause 16: Transitional Provisions.

- (1) The Commission may, pending the licensing of private agencies and States' Pilgrims Agencies, under section 3 of this Act, continue with the existing arrangements for the provision of accommodation, transport and other services to pilgrims.
- (2) The provision of subsection (1) of this Section shall cease to apply immediately after the second Hajj following the coming into force of this Act.
- (3) As soon as is practicable after the commencement of this Act, the Nigeria Hajj Commission shall prepare and submit to the President plan, estimates and other strategies that the Commission shall adopt to put in place operational system for the commencement of the licensing, regulatory, supervisory and oversight functions conferred by section 3 of this Act (*Hon. Usman Bugaje*)—*Agreed to.*

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

*Committee Recommendation:***Clause 17: Interpretation.**

In this Act, unless the context otherwise requires—

"Arafat day" means the 9th day of the lunar calendar month of Dhul Hijja or such day as may be designated as "Arafat day" by the Kingdom of Saudi Arabia (*Hon. Usman Bugaje*).

Question that the meaning of the words "Arafat day" be as defined in the interpretation to this Act, put and agreed to.

"Chairman" or "member" means the persons so appointed by the President pursuant to section 2 (2) of this Act (*Hon. Usman Bugaje*).

Question that the meaning of the words "Chairman" or "member" be as defined in the interpretation to this Act, put and agreed, to.

"Commission" means the body established under section 1 of this Act (*Hon. Usman Bugaje*).

Question that the meaning of the word "Commission" be as defined in the interpretation to this Act, put and agreed to.

"Corporate" or "Corporation" means any association of persons incorporated under the Companies and Allied Matters Act or a body established by an Act of the National Assembly or by Law of a House of Assembly of a State (*Hon. Usman Bugaje*).

Question that the meaning of the words "Corporate " or "Corporation " be as defined in the interpretation to this Act, put and agreed to.

"functions" includes duties and powers (*Hon. Usman Bugaje*).

Question that the meaning of the word "functions" be as defined in the interpretation to this Act, put and agreed to.

"person" means, **without** derogating from the definition in the Interpretation Act, any natural person or group of persons corporate or non-corporate (**Hon. Usman Bugaje**).

Question that the meaning of the word "person" be as defined in the interpretation to this Act, put and agreed to.

"President" means the President of the Federal Republic of Nigeria (*Hon. Usman Bugaje*).

Question that the meaning of the word "President" be as defined in the interpretation to this Act, put and agreed to.

"Secretary" means the Chief Administrative/Accounting officer of the Commission (*Hon. Usman Bugaje*).

Amendment Proposed:

In the interpretation, *leave out* the word "Chief" — *consequential amendment*.

Question that the meaning of the word "Secretary" be as defined in the interpretation to this Act, put and agreed to.

"State" means any State Government, or organ of such a State Government, of the Federal Republic of Nigeria (*Hon. Usman Bugaje*).

Question that the meaning of the word "State" be as defined in the interpretation to this Act, put and agreed to.

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

Committee Recommendation:

Clause 18: Repeal of Cap. 321 of 1990.

- (1) The Nigerian Pilgrims Commission Act is hereby repealed and the assets and liabilities of the Commission established by the repealed Act are hereby transferred to the Commission established by this Act.
- (2) The repeal of the Nigerian Pilgrims Commission Act shall not affect any rights or liabilities subsisting in any contract or agreement in so far as any such right or liability continued to subsist immediately before the commencement of this Act.
- (3) Where immediately before the coming into operation of this Act there are any legal proceedings or actions pending before any court of law brought pursuant to the provisions of the repealed Nigerian Pilgrims Act, such legal proceedings or actions shall continue to be dealt with and completed or otherwise determined in all respects as if this Act had not been enacted (*Hon. Usman Bugaje*)—*Agreed to*.

Question that Clause 18 stand part of the Bill, put and agreed to.

Committee Recommendation:

Clause 19: Citation.

This Act may be cited as the Nigeria Hajj Commission Bill, 2006 (*Hon. Usman Bugaje*)—*Agreed to*.

Question that Clause 19 stand part of the Bill, put and agreed to.

SCHEDULE

Section 2 (4)

SUPPLEMENTARY PROVISIONS RELATING TO THE COMMISSION

Proceedings of the Commission

1. Subject to the provisions of this Act, the Commission may make standing orders regulating the proceedings of the Commission or of any committee thereof.
2. The quorum at any meeting of the Commission shall be seven members.
3. The Chairman shall preside at all meetings at which he is present and in his absence the members present may elect one of their number in attendance to be chairman at the meeting.
4. Questions for determination shall be decided by the majority of the votes of members present and voting and every member other than a co-opted member shall have a deliberative vote for the purpose; so however that in the event that the votes are equal the Chairman shall have, in addition to his deliberative vote, a casting vote.
5. The Commission shall meet not less than twice in any year and subject to the provisions of any standing orders of the Commission, it shall meet at other times according as it is summoned by the Chairman, and if the Chairman is required to do so by notice in writing given to him by no less than five other members, he shall summon a meeting of the Commission to be held within fourteen days from the date on which the notice is given.
6. Where the Commission desires to obtain the advice of any person on a particular matter, the Commission may co-opt that person as a member for such period as it thinks fit; but a person who is a member by virtue of this subparagraph shall not be entitled to vote at any meeting of the Commission, and shall not count towards a quorum.
7. The first meeting of the Commission shall, notwithstanding the provisions of this paragraph, be summoned by the President who may give such directions as he thinks fit as to the procedure to be followed at the meeting.

Committees

8. (a) The Commission may appoint one or more committees either standing or ad hoc to carry out, on its behalf such functions as the Commission may determine.

- (b) A committee appointed under this paragraph shall consist of the number of persons to be determined by the Commission and any committee so appointed may co-opt any person whose advice is desired as a member but the co-opted member shall not be entitled to vote at any meeting of the committee and shall not count towards a quorum,
- (c) A decision of a committee of the Commission shall be subject to confirmation by the Commission.

Miscellaneous

9. The fixing of the seal of the Commission shall be authenticated by the signature of the Chairman' or of some other member authorized generally or specially by the Commission to act for that purpose.
10. Any document purported to be a document duly executed under the seal of the Commission shall be signed by the Chairman and the Secretary and shall be received in evidence and shall, unless the contrary is proved, be deemed to be so executed.
11. The validity of any proceeding of the Commission or a committee thereof shall not be adversely affected by any vacancy in the membership of the Commission or committee, or by any defect in the appointment of a member of the Commission or of a person to serve on the committee, or by reason that a person not entitled to do so took part in the proceedings.
12. A member of the Commission who has a personal interest in any contract or arrangement entered into or proposed to be considered by the Commission or a committee thereof shall forthwith disclose his interest to the Commission or committee as the case be and shall not vote on any question relating to the contract arrangement.
13. (1) A person shall not, by reason only of his membership of the Commission, be treated as holding an office in the public service of the Federation or of a State.
(2) No member of the Commission shall be personally liable for any act or default of the Commission done or omitted to be done in good faith in the course of the operations of the Commission.
14. No member of the Commission shall be personally liable for any act or default of the Commission done or omitted to be done in good faith in the course of the operations of the Commission (*Hon. Usman Bugaje*)—*Agreed to.*

Question that the provisions in the Schedule stand pan 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 the Report of the House Committee on Foreign Affairs on a Hill for an Act to Re-Organise the Role of the Federal Government in the Coordination of Hajj Matters, the Consequential Repeal of the Nigerian Pilgrims Commission Act, 1990 and to Establish a Hajj Commission that will License, Regulate, Perform Oversight and Supervisory Functions over Other Bodies and Agencies and Other Matters Connected Therewith, 2005. It approved Clause 1, amended Clause 2, approved Clause 3, 4, 5, 6, 7, amended Clause 8, approved Clauses 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21 and the Schedule to the Hill.

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

(Hi) *Joint Committee on Finance and Justice:*
Motion made and Question proposed, "That this House do consider the Report of the Joint Committee on Finance and Justice on a Bill for an Act to Amend the Value Added Tax Act, 2004 and for Matter Connected Therewith, 2005" and approve the Recommendations therein (Hon. Abdullahi Idris Umar).

Question put and agreed to.

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

(HOUSE IN COMMITTEE)

(Mr Deputy Speaker in the Chair)

A BILL FOR AN ACT TO AMEND THE VALUE ADDED TAX ACT, 2004
AND FOR MATTERS CONNECTED THEREWITH

Amendment of Cap. VI LFN.

Committee Recommendation:

The Value Added Tax Act (in this Act referred to as "the Principal Act") is hereby amended as set out in this Act (Hon. Abdullahi Idris Umar) — *Agreed to.*

Ordered to stand part of the Bill.

General amendment.

Committee Recommendation:

The principal Act is amended by substituting for the words "VAT Office" the words "Tax Office" wherever they occur in the Principal Act (Hon. Abdullahi Idris Umar) — *Agreed to.*

Ordered to stand part of the Act.

Amendment of Section 4.

Committee Recommendation:

Section 4 of the Principal Act is amended by substituting therefor the following new section, that is—

"4. Rate of tax.

The tax shall be computed at the rate of 5 per cent on the value of all goods and services as determined under sections 5 and 6 of this Act, except that goods and services listed under Part III of the First Schedule to this Act shall be taxed at zero rate." (Hon. Abdullahi Idris Umar) — *Agreed to.*

Ordered to stand part of the Sill.

Amendment of Section 12.

Committee Recommendation:

Section 12 of the Principal Act is amended in Subsection (1) thereof by substituting for the word "him" the words "the person" (Hon. Abdullahi Idris Umar) — *Agreed to.*

Ordered to stand part of the Hill.

Amendment of Section 13.

Committee Recommendation:

Section 13 of the Principal Act is amended—

(a) by inserting immediately after the existing Subsection (2) thereof, the following new Subsection (3), that is—

"(3) The Service may by notice determine and direct companies operating in the oil and gas sector which shall deduct VAT at source and remit same to the Service.

Insertion of new Section 13B.

(b) by inserting immediately after Section 13 of the Principal Act, a new Section 13B, that is—

"Deduction of VAT in the oil and gas sector.

Companies operating in the oil and gas sector shall deduct VAT at source and remit to the nearest tax office" (Hon. Abdullahi Idris Umar) — *Agreed to.*

Ordered to stand part of the Bill.

Insertion of new Section 14A.

Committee Recommendation:

The Principal Act is amended by inserting the following new Section 14A—

"Tax invoice.

14A. (1) A taxable person who makes a taxable supply shall, in respect of that supply, furnish the purchaser with a tax invoice containing, *inter alia*, the following, that is—

- (a) the tax payers identification number;
- (b) the name and address;
- (c) the VAT registration number;
- (d) the date of supply;
- (e) the name of purchaser or client;
- (f) the gross amount of transaction;
- (g) the tax charged and rate applied.

(2) Tax invoice shall be issued on supply whether or not payment is made at the time of supply." (*Hon. Abdullahi Idris Umar*) — *Agreed to*

Section 14A as amended, ordered to stand part of the Bill.

Amendment of Section 15.

Committee Recommendation:

Section 15 of the Principal Act is amended—

- (a) in subsection (1) thereof by substituting for the figure and word "30th day" for the figure and word "21st day";
- (b) by inserting immediately after subsection (2), the following new Subsection (3), that is—

"(3) In this regard any payments made to duly authorised government agents, shall be deemed to have been made to the Federal Inland Revenue Service." (*Hon. Abdullahi Idris Umar*) — *Agreed to*

Section 15 as amended, ordered to stand part of the Bill.

Amendment of Section 16.

Committee Recommendation:

Section 16 of the Principal Act is amended by deleting the Subsection (3) thereof (*Hon. Abdullahi Idris Umar*) — *Agreed to*

Section 16 as amended, ordered to stand part of the Bill.

Amendment of Section 19.

Committee Recommendation:

Section 19 of the Principal Act is amended in Subsection (1) thereof by substituting for the figure "16" the figure " 15" (*Hon. Abdullahi Idris Umar*) — *Agreed to*

Section 19 as amended, ordered to stand part of the Bill.

Amendment of Section 20,

Committee Recommendation:

Section 20 of the Principal Act is amended by substituting for Subsections (2) and (3), the following new subsections—

- "(2) A taxable person who is aggrieved by an assessment made on the person may file an objection to the Federal Inland Revenue Service.
- (3) Appeal from the decisions of the Federal Inland Revenue Service shall be made to the Tax Appeal Tribunal established in Section 60 of the FIRS Act 2006.

- (4) An appeal from the Tax Appeal Tribunal shall be made to the Federal High Court." (*Hon. Abdullahi Idris Umar*) — Agreed to

Section 20 as amended, ordered to stand part of the Bill.

Amendment of section 40.

Committee Recommendation:

Section 40 of the Principal Act is amended by substituting therefor the following new section, that is—

"Distribution of revenue.

Distribution of revenue notwithstanding any formula that may be prescribed by any other law, the revenue accruing by virtue of the operation of this Act shall be distributed as follows, that is—

- (a) 15% to the Federal Government;
- (b) 50% to the State Governments and the Federal Capital Territory, Abuja; and
- (c) 35% to the Local Government:

Provided that the principle of derivation of not less than 20% shall be reflected in the distribution of the allocation amongst States and Local Governments as specified in subsection (b) and (c) of this Section (*Hon. Abdullahi Idris Umar*) — Agreed to

Section 40 as amended, ordered to stand part of the Bill.

Amendment of Section 46.

Committee Recommendation:

Section 46 of the Principal Act is amended by inserting the interpretation of the following, that is—

"exported service" means service performed by a Nigerian resident or a Nigerian company to a person outside Nigeria;

"imported service" means service rendered by a non-resident person to a person inside Nigeria;

"taxable person" includes an individual or body of individuals, family, corporations sole, trustee or executor or a person who carries out in a place an economic activity, a person exploiting tangible or intangible property for the purpose of obtaining income therefrom by way of trade or business or a person or agency of government acting in that capacity" (*Hon. Abdullahi Idris Umar*) ~ Agreed to

Section 46 as amended, ordered to stand part of the Bill.

Amendment of the First Schedule.

Committee Recommendation:

The First Schedule to the Principal Act is amended—

- (a) by substituting for paragraph 7, the following new paragraphs, that is—

"7. Plant, machinery and goods imported for use in the export processing zone or free trade zone.

8. Goods and services purchased by diplomats:

Provided that 100 per cent production of such company is for export otherwise tax shall accrue proportionately on the profits of the company."; and

- (b) by inserting a new Part III as follows—

1. Goods purchased by diplomats.

2. Goods purchased for use in humanitarian donor funded projects. Humanitarian donor funded projects includes projects undertaken by Non-Governmental Organisations (NGOs) and Religious and Social Clubs or Societies recognised by law whose activity is not for profit and in the public interest.

"PART 111 — ZERO RATED GOODS AND SERVICES

Non-oil exports.

PART II — SERVICES EXEMPT

1. Medical services.
2. Services rendered by Community Banks, People's Bank and Mortgage Institutions.
3. Plays and performances conducted by educational institutions as part of learning.
4. All exported services.
5. Services purchased by Diplomats
6. Services purchased for use in humanitarian donor funded projects. Humanitarian donor funded project includes projects undertaken by Non-Governmental Organisations (NGOs) and Religious and Social Clubs or Societies recognised by law whose activity is not for profit and in the public interest.
7. Goods and services purchased for use in donor funded projects" (*Hon. Abdullahi Idris Umar*) — *Agreed to*

First Schedule as amended, ordered to stand part of the Bill.

Amendment of the Second Schedule.

Committee Recommendation:

Appeals shall be as in Federal Inland Revenue Service Act (*Hon. Abdullahi Idris Umar*) — *Agreed to*

Second Schedule as amended, ordered to stand part of the Bill.

Short Title.

Committee Recommendation:

This Act may be cited as the Value Added Tax (Amendment) Bill, 2006 (*Hon. Abdullahi Idris Umar*) —

Agreed to

Short Title as amended, ordered to stand part of the Bill.

Chairman to report Bill.

(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 Finance and Justice on a Bill for an Act to Amend the Value Added Tax Act, 2004 and for Matter Connected Therewith, 2006. It approved the amendments of Cap. VI LFN, Section 4, Section 12, Section 13, Insertion of Section 13B as amended, Insertion of Section 14A, Amendment of Sections 15, 16, 19, 20, 40, 46, the First and Second Schedules as amended and the Short Title as amended.

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

(iv) Joint Committee on Finance and Justice:

Motion made and Question proposed, "That this House do consider the Report of the Joint Committee on Finance and Justice on a Bill for an Act to Amend the National Automotive Council Act, 2004 and for Matters Connected Therewith, 2005" and approve the Recommendations therein (Hon. Abdullahi Idris Umar).

Question put and agreed to.

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

(HOUSE IN COMMITTEE)

*(Mr Deputy Speaker in the Chair)*A BILL FOR AN ACT TO AMEND THE NATIONAL AUTOMOTIVE COUNCIL ACT, 2004;
AND FOR MATTERS CONNECTED THEREWITH

Amendment of Cap. No. 8 LFN.

Committee Recommendation:The National Automotive Council Act (in this Act referred to as "the principal Act") is hereby amended as set out in this Act (*Hon. Abdullahi Idris Umar*) — *Agreed to.**Ordered to stand part of the Bill.*

Amendment of Section 9.

Committee Recommendation:Section 9 of the Principal Act is amended in Subsection (1) by deleting paragraph (a) thereof (*Hon. Abdullahi Idris Umar*) — *Agreed to.**Section 9 as amended, ordered to stand part of the Bill.*

Short Title.

Committee Recommendation:This Act may be cited as the National Automotive Council (Amendment) Bill, 2006 (*Hon. Abdullahi Idris Umar*) — *Agreed to.**Short Title as amended, ordered to stand part of the Bill.**Chairman to report **Bill.***

(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 Finance and Justice on a Bill for an Act to Amend the National Automotive Council Act, 2004 and for Matters Connected Therewith, 2006. It approved the amendment of Cap. No. 8 LFN, amended Section 9 and approved the Short Title as amended.

*Question that the House do adopt the Report of the Committee of Whole, put and agreed to.***(v) Joint Committee on Finance and Justice:**

Motion made and Question proposed, "That this House do consider the Report of the Joint Committee on Finance and Justice on a Bill for an Act to Amend the Customs and Excise Tariff, etc. (Consolidation) Act, 2004 and for Matters Connected Therewith, 2005" and approve the Recommendations therein (Hon. Abdullahi Idris Umar).

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

(HOUSE IN COMMITTEE)

*(Mr Deputy Speaker in the Chair)*A BILL FOR AN ACT TO AMEND THE CUSTOMS, EXCISE TARIFF, ETC. (CONSOLIDATION) ACT, 2004
AND FOR MATTERS CONNECTED THEREWITH

Amendment of Cap. C 49 LFN.

Committee Recommendation:The Customs, Excise Tariff, etc. (Consolidation) Act (in this Act referred to as "the Principal Act") is hereby amended as set out in this Act (*Hon. Abdullahi Idris Umar*) — *Agreed to.**Ordered to stand part of the Act.*

Amendment of Section 6.

Committee Recommendation:

Section 6 of the Principal Act is hereby deleted {*Hon. Abdullahi Idris Umar*} — *Agreed to.*

Short Title.

Committee Recommendation:

This Act may be cited as the Customs, Excise Tariff, etc. (Consolidation) (Amendment) Bill, 2006 (*Hon. Abdullahi Idris Umar*) — *Agreed to.*

Question that Clause 3 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 Bouse in the Committee of Whole, considered the Report of the Joint Committee on Finance and Justice on a Bill for an Act to Amend the Customs and Excise Tariff, etc. (Consolidation) Act, 2004 and for Matters Connected Therewith, 2006. It approved the amendment of Cap. C 49 LFN, deleted Section 6 and approved the Short Title as amended.

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

(vi) *Joint Committee on Finance and Justice:*

Motion made and Question proposed, "That this House do consider the Report of the Joint Committee on Finance and Justice on a Bill for an Act to Amend the National Sugar Development Council Act 2004 and for Matters Connected Therewith, 2005"and approve the Recommendations therein (*Hon. Abdullahi Idris Umar*).

Question put and agreed to.

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

(HOUSE IN COMMITTEE)

(*Mr Deputy Speaker in the Chair*)

A BILL FOR AN ACT TO AMEND THE NATIONAL SUGAR DEVELOPMENT COUNCIL ACT, 2004 AND
FOR MATTERS CONNECTED THEREWITH

Amendment of Cap V78 LFN.

Committee Recommendation:

The National Sugar Development Council Act (in this Act referred to as "the Principal Act") is amended as set out in this Act (*Hon. Abdullahi Idris Umar*) — *Agreed to.*

Ordered to stand part of the Act.

Amendment of Section 6.

Committee Recommendation:

Section 6 of the Principal Act is amended in Subsection (2) by substituting for the existing paragraph (a) the following new paragraph, that is—

"(a) such sums as may be appropriated, from year to year, by the National Assembly;" (*Hon. Abdullahi Idris Umar*) — *Agreed to.*

Section 6 as amended, ordered to stand part of the Act.

Short Title.

Committee Recommendation:

This Act may be cited a.s the National Sugar Development Council (Amendment) Bill, 2006 (*Hon. Abdullahi Idris Umar*) — *Agreed to.*

Short Title as amended, ordered to stand part of the Act.

Chairman to report Bill.

(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 Finance and Justice on a Bill for an Act to Amend the National Sugar Development Council Act, 2004 and for Matters Connected Therewith, 2006. It approved the amendment of Cap. V78 LFN, Section 6 as amended and the Short Title as amended.

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

12. **A Bill for an Act to Re-Organise the Role of the Federal Government in the Coordination of Hajj Matters, the Consequential Repeal of the Nigerian Pilgrims Commission Act, 1989 and to Establish a Hajj Commission that will License, Regulate, Perform Supervisory Functions over Other Bodies and Agencies and Other Matters Connected Therewith, 2006 — Third Reading:**

Motion made and Question proposed, "That a Bill for an Act to Re-Organise the Role of the Federal Government in the Coordination of Hajj Matters, the Consequential Repeal of the Nigerian Pilgrims Commission Act, 1989 and to Establish a Hajj Commission that will License, Regulate, Perform Supervisory Functions over Other Bodies and Agencies and Other Matters Connected Therewith, 2006 be now read the Third Time" (Hon. Abdul Ningi).

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

read the Third Time and passed.

13. **A Bill for an Act to Re-Organise the Role of the Federal Government in the Coordination of Christian Pilgrim Matters, the Consequential Repeal of the Nigerian Pilgrims Commission Act, 1989 and to Establish a National Pilgrim Commission that will License, Regulate, Perform Supervisory Functions over Other Bodies and Agencies and Other Matters Connected Therewith, 2006 — Third Reading:**

Motion made and Question proposed, "That a Bill for an Act to Re-Organise the Role of the Federal Government in the Coordination of Christian Pilgrim Matters, the Consequential Repeal of the Nigerian Pilgrims Commission Act, 1989 and to Establish a National Pilgrim Commission that will License, Regulate, Perform Supervisory Functions over Other Bodies and Agencies and Other Matters Connected Therewith 2006 be now read the Third Time" (Hon. Abdul Ningi).

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

read the Third Time and passed.

14. **A Bill for An Act to provide for the Establishment of the Federal Inland Revenue Service, Charged with Powers for Collection of Revenue Accruable to the Government of the Federation; and for Matters Connected Therewith, 2006 — Third Reading:**

Motion made and Question proposed, "That a Bill for An Act to provide for the Establishment of the Federal Inland Revenue Service, Charged with Powers for Collection of Revenue Accruable to the Government of the Federation; and for Matters Connected Therewith, 2006 be now read the Third Time" (Hon. Abdul Ningi).

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

read the Third Time and passed.

15. **A Bill for an Act to Amend the Value Added Tax Act, 2004 and for Matter Connected Therewith, 2006 — Third Reading:**

Motion made and Question proposed, "That a Bill for an Act to Amend the Value Added Tax Act, 2004 and for Matter Connected Therewith, 2006 be now read the Third Time" (Hon. Abdul Ningi).

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

read the Third Time and passed.

16. **A Bill for an Act to Amend the National Automotive Council Act, 2004 and for Matters Connected Therewith, 2006 — Third Reading:**

Motion made and Question proposed, "That a Bill for an Act to Amend the National Automotive Council Act, 2004 and for Matters Connected Therewith, 2006 be now read the Third Time" (Hon. Abdul Ningi).

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

read the Third Time and passed.

17. A Bill for an Act to Amend the Customs and Excise **Tariff**, etc. (Consolidation) Act, 2004 and for Matters Connected Therewith, 2006 — *Third Reading*:
Motion made and Question proposed, "That a Bill for an Act to Amend the Customs and Excise Tariff, etc. (Consolidation) Act, 2004 and for Matters Connected Therewith, 2006 be now read the Third Time" (*Hon. Abdul Ningi*).
- Question that the Bill be now read the Third Time, put and agreed to. Bill*
- read the Third Time and passed.*
18. A Bill for an Act to Amend the National Sugar Development **Council** Act, 2004 and for Matters Connected Therewith, 2006 — *Third Reading*:
Motion made and Question proposed, "That a Bill for an Act to Amend the National Sugar Development Council Act, 2004 and for Matters Connected Therewith, 2006 be now read the Third Time" (*Hon. Abdul Ningi*).
- Question that the Bill be now read the Third Time, put and agreed to. Bill*
- read the Third Time and passed.*
19. Adjournment:
That this House do now adjourn till 2.25 p.m., This Day (*Hon. Abdul Ningi*).
- Adjourned accordingly at 2.10 p.m.*

Aminu Hello Masari
Speaker