



HOUSE OF REPRESENTATIVES FEDERAL REPUBLIC OF NIGERIA

VOTES AND PROCEEDINGS

Wednesday, 4 October, 2006

1. The House met at 2.00 p.m. Mr Speaker read Prayers.
2. **Votes and Proceedings:**
Mr Speaker announced that he had examined and approved the Votes and Proceedings of Tuesday, 3 October, 2006.

By unanimous consent, the Votes and Proceedings was adopted.
3. **Announcement:**
Bereavement:
Mr Speaker acquainted the House with the death of Mrs. Justina O. Nwankwo, mother of Hon. Ben Nwankwo (Orumba North and South Federal Constituency) Anambra State, on Wednesday 13 September, 2006. She would be buried on Wednesday 15 November, 2006.
4. **Petition:**
A petition was received and referred to the Committee on Public Petitions:

Hon. Nkechi Nwaogu, from Harriet A. Nwanganga, praying the House to intervene in the alleged wrongful termination of her appointment by the Nigerian Customs Service with a view to reinstating her.
5. **Presentation of Bills:**
 - (i) Desecration of Sanctity of Human Life and Dead Body (Prohibition) Bill, 2006, (HB. 263) — *Read the First Time.*
 - (ii) Validation of Memorandum of Understanding Bill, 2006, (HB. 267) — *Read the First Time.*
 - (iii) Customs, Excise Tariff, etc. (Consolidation) Amendment Bill, 2006, (HB. 268) — *Read the First Time.*
 - (iv) Customs and Excise Management (Amendment) Bill, 2006, (HB. 269) — *Read the First Time.*
6. **Collapsed Dam in Birnin-Ruwa in Gusau, Zamfara State:**
Motion made and Question Proposed:

The House:

Notes that on September 29, 2006 Birnin-Ruwa Dam over flooded its banks destroying several houses, vast hectares of farmlands, livestock and other farm produce and submerged properties worth millions of Naira;

Concerned that about 50 villages were cut-off from the state capital as a result of the collapsed dam; Worried that many inhabitants have been rendered homeless;

Resolves to:

- (i) Call on the National Emergency Management Agency (NEM A) to send relief materials to the affected victims;
- (ii) Mandate the House Committee on Disaster Management to visit the affected areas, assess the extent of damage and report to the House;
- (iii) Urge the Federal Ministries of Works and Water Resources to immediately initiate repairs of the damaged dam, which is the only source of drinking water, as well as restore link between the state capital and the affected villages;
- (iv) Urge the State Government and the affected Local Government Areas to provide essential materials to assist the victims living in the refugee camps;
- (v) Mandate the House Leadership to send a delegation to commiserate with the Government and people of Zamfara State. (*Hon. Sani M. Gusau and 9 others*).

Debate:

Amendment Proposed:

Leave out prayers (Hi), (iv) and (v) (Hon. Abdul Ningi).

Question that the amendment be made put and agreed to.

Main Question as amended put and agreed to. The House:

Noted that on September 29, 2006 Birnin-Ruwa Dam over flooded its banks destroying several houses, vast hectares of farmlands, livestock and other farm produce and submerged properties worth millions of Naira;

Concerned that about 50 villages were cut-off from the state capital as a result of the collapsed dam;

Worried that many inhabitants have been rendered homeless; **Resolved to:**

- (i) Call on the National Emergency Management Agency (NEM A) to send relief materials to the affected victims; (ii) Mandate the House Committee on Disaster Management to visit the affected areas, assess the extent of damage and report to the House (**HR. 56/2006**).

7. A Bill for an Act to Repeal the Chartered Institute of Bankers of Nigeria Act 1990 and Re-Enact the Chartered Institute of Bankers of Nigeria Act 2005 and Matters Connected Therewith, 2006 (HB. 161) — Third Reading.

Motion made and Question Proposed: "That A Bill for an Act to Repeal the Chartered Institute of Bankers of Nigeria Act 1990 and Re-Enact the Chartered Institute of Bankers of Nigeria Act 2005 and 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.

8. A Bill for an Act to Repeal the Nigeria Police Service Act, Cap. P 19 Laws of the Federation of Nigeria, 2004 and to Re-Enact the Nigeria Police Service Act and for Matters Connected Therewith, 2006 (HB. 265) — Second Reading.

Motion made and Question proposed: "That A Bill for an Act to Repeal the Nigeria Police Service Act, Cap. P 19 Laws of the Federation of Nigeria, 2004 and to Re-Enact the Nigeria Police Service Act and for Matters Connected Therewith, 2006 **be** now read a Second Time" (*Hon. Emmanuel Bwacha*).

Debate:

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

Bill read a Second Time and referred to the Joint Committee on Police Affairs and Justice.

9. Consideration of Reports:

- (I) *Motion made and Question Proposed:* "That this House do consider the Report of the Committee on Legislative Budget on a Bill for an Act to Establish an Independent National Assembly Budget and Research Office, which will provide the National Assembly with Objective, Timely and Non Partisan Analysis needed for Economic and Budget Decisions and with the Information and Estimates required for use in the Budget Process and Other Related Matters, 2006 (HB. 254)" (*Hon. Abdul Ningi*).

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 ESTABLISH AN INDEPENDENT NATIONAL ASSEMBLY BUDGET AND RESEARCH OFFICE, WHICH WILL PROVIDE THE NATIONAL ASSEMBLY WITH OBJECTIVE, TIMELY AND NON PARTISAN ANALYSIS NEEDED FOR ECONOMIC AND BUDGET DECISIONS AND WITH THE INFORMATION AND ESTIMATES REQUIRED FOR USE IN THE BUDGET PROCESS AND OTHER RELATED MATTERS, 2006

Committee Recommendation:

Clause 1: Establishment the of Office.

- (1) There is established by this section, an office known as the National Assembly Budget and Research Office (hereafter referred to as "the Office").
- (2) The Office shall be a body corporate with perpetual succession, an official seal, and shall have power to sue and be sued in its corporate name (*Hon. Emmanuel Ojomo*)
— *Agreed to.*

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

Committee Recommendation:

Clause 2: Functions of the Office.

- (1) The functions of the Office shall be to—
 - (a) give independent, unbiased and non-partisan analysis of the executives annual budget estimates;
 - (b) develop annual budget plans for the National Assembly;
 - (c) provide independent but continuous review and monitoring of existing and proposed programmes and budgets in all the three branches of government;
 - (d) provide assistance to all committees in both House of the National Assembly, particularly with information, which will assist committees in the discharge of their jurisdiction including—
 - (i) information with respect to budget, all bills providing new budget authority;
 - (ii) information with respect to estimated future revenue and changing revenue conditions;
 - (iii) aggregate of all current liabilities and existing financial commitments; and
 - (iv) any related information as the committees may request;
 - (e) analyses the economic implication on the private sector or the budgetary implication on states and local governments of any proposed legislation when so required by any committee of the National Assembly;

- (f) provide to any member of the National Assembly any information compiled and such additional available information at the request of such a member;
- (g) provide personnel of the office on a temporary basis and at the request of the Senate President or the Speaker of ~~the~~ House of representatives, to assist any committee of the National Assembly in carrying out its duties.
- (h) prepare and present to the National Assembly periodic forecasts of economic trends and alternative fiscal policies with regards to the President's money **bills**, brought before the National Assembly in a financial year;
- (i) provide the National Assembly with an analysis of the inflationary impact of any proposed legislation, which requires extensive monetary outlays or expenditure;
- (j) keep track with National Assembly budgetary actions against expenditure levels;
- (k) keep proper record of the bills passed by the National Assembly to determine whether the tax and expenditure goals set by the Houses are met in relations thereto; and
- (l) provide assistance and information, but the Office shall not make recommendations on any matter to the National Assembly, any of the legislative Committees, or members of the National Assembly (*Hon. Emmanuel Ojomo*) — *Agreed to.*

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

Committee Recommendation:

Clause 3: Responding to Requests.

- (1) **In** responding to requests, the Office shall provide its services in the following order of priority—
 - {a) it shall be the primary duty of the Office to assist the Finance, Appropriation, Budget, and National Planning Committees of the both Houses on all matters within their jurisdiction;
 - (b) other committees of both Houses or any joint committee of the National Assembly are entitled to assistance only to the extent practicable;
 - (c) members of the National Assembly shall be entitled to available information;
 - (d) personnel of the office shall be assigned on a temporary basis to committees, at the request of either the Senate President or the Speaker of the House of Representatives (*Hon. Emmanuel Ojomo*).

Amendments Proposed:

- (i) **In** paragraph (a) *leave out* the words "it shall be the primary duty of the Office to" (*Hon. Almajir Geidam*).

Question that the amendment be made put and agreed to.

- (ii) In paragraph {a) line 2, immediately after the word "Budget" *insert* the words "Public Accounts" (*Hon. Adeyemi Oluwole*).

Question that the amendment be made put and agreed to.

- (iii) In paragraph (d) line 1, *leave out* the words "personnel of the office shall be assigned" and *insert* the words "provision of personnel" instead thereof (*Hon. Almajir Geidam*).

Question that the amendment be made put and agreed to.

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

*Committee Recommendation:***Clause 4: Powers of the Office.**

- (1) The Office has the power to do all things necessary to or in connection with the performance of its functions, including, but not limited to power to—
 - (a) enter into acquire, hold and dispose of property;
 - (b) procure the temporary or intermittent services of experts or consultants or organisations;
 - (c) enter into partnership with any company, firm or person, which in its opinion will facilitate the discharge of its functions;
 - (d) request for and obtain from any public enterprise statistical and other information including reports, memoranda and audited accounts and other information relevant to its functions;
 - (e) liaise with relevant bodies or institutions locally or overseas for effective performance of its functions;
 - (f) conduct any study it chooses, within legal bounds, without interference from any of the branches of government; and
 - (g) solely determine the methodologies used in the studies (*Hon. Emmanuel Ojomo*) — *Agreed to.*

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

*Committee Recommendation:***Clause 5: Office Structure.**

- (1) There shall be for the Office, a management committee comprising the Executive Director-General, Deputy Executive Director and seven (7) Directors who shall be responsible for the implementation of the requests from the Notional Assembly and the day-to-day administration of the Office.
- (2) The Executive Director-General shall be the Chief Executive of the office.
- (3) A Director shall be the Deputy Executive Director General and the supervisor of the Directors.
- (4)
 - (a) The Office shall be structured into ten (10) functional units composed of professional analysts and one (1) administration unit, each unit headed by a Director.
 - (b) the ten (10) functional units are—
 - (i) Office of the executive Director/Deputy Director,
 - (ii) Legal Services Department,
 - (iii) Administration and Information Department,
 - (iv) Budget Analysis Department,
 - (v) Macro-Economic Analysis Department,
 - (vi) Tax Analysis Department,
 - (vii) National Resources and Commerce Department,
 - (viii) Health and Human Resources Department,
 - (ix) Notional Security Department,
 - (x) Special Duties Department;

(c) Functions of the Departments —

(i) *Office of the Executive Director:*

The Executive Director-General of the NABRO is responsible for ensuring that all duties of the organisation as specified by law are performed effectively and appropriately for the benefit of the National Assembly. The Deputy Director shall assist the Executive Director in the day-to-day management of the LBRO and shall act in his/her absence.

(ii) *Legal Services Department:*

The Department executes LBRO's legal matters, analysis and interpret relevant and applicable status, examine proposed legislation and review procurement activities among others.

(iii) *Administration/Information Department:*

It shall provide **internal** management and general administrative support services to other units including budget, finance human resources, information resources management, facilities management and library services. The unit also provide editorial and publicity services.

(vi) *Budget Analysis Department:*

The Budget Analysis Department Unit is responsible for preparing the bill cost estimates and spending projection called for in the budget Act. This shall include projection for the total federal budget.

(v) *Macroeconomic Analysis Department:*

The Department shall prepare NABRO's economic projection, analyses the impact of fiscal policy on the economy and advising the congress on the general macroeconomic issues. The Department shall assist the Finance/Appropriation Committees to develop concurrent federal budget.

(vi) *Tax Analysis Department:*

The Department is to estimate and project future tax revenues and analyse Nigerian tax structure. It shall also offer response to request for the provision of analysis on tax related policies.

(vii) *National Resources and Commerce Department:*

This Department shall serve the National Assembly Committees on Agricultural, Petroleum, Gas Energy, Science, Technology, Industry, to provide policy analyses that would be used for preparing and evaluating legislation.

(viii) *Health and Human Resources Department:*

It shall analyse policies, and programs in the areas of Health and Medicare, primary Wealth, public health preventive medicine, sanitation, health insurances programmes and all other social services.

(ix) *National Security Department:*

The Department analyse budgetary issues relating to Notional defence, defence budgets, military force and weapons system. It shall also provide budget analyse for international defence/security. The demand for and supply of military

personnel, the military industry. It shall also examine and analyse the cost and other effects of prevailing defence programmes that may be of interest to the National Assembly Defence Committee.

(x) *Special Duties Department:*

It shall be the duty of the department to analyse Budget Concept and accounting procedures as well as budget process issues. It shall conduct studies on proposals for budget reforms.

Its shall prepare annual reports on unauthorized appropriation and expiring authorization. It shall address balanced budget amendment, line-item veto, privatization and federal pay system.

The Department shall provide private sector cost estimates for bills reported or submitted to National Assembly Committees dealing with judiciary, governmental affairs and oversight functions.

- (5) Each functional unit shall be equipped to conduct program/policy analysis, budget analysis, cost estimates, and post appropriation performance evaluation and monitoring activities.
- (6) The ten (10) functional units shall be composed of economists, fiscal analysts, accountants, bankers, budget analysts, information system analysts, research analysts, political scientists, public administrators, lawyers, statisticians, computer specialists, data analysts data processors, and social scientists.
- (7) Each unit shall be responsible for a number of related legislative concerns as represented by the respective legislative committees.
- (8) The cadres of professionals and experts to be employed shall —
 - (a) posses not less than ten (10) post bachelor's degree experience in the relevant position of employment;
 - (b) occupy managerial or supervisory or coordinating positions in the Office; and
 - (c) constitute the bulk of the personnel of the Office (*Hon. Emmanuel Ojomo*).

Amendments Proposed:

- (i) Marginal Title:
Leave out the words "office structure" and *insert* the word "Management" instead thereof (*Hon. Almajir Geidam*).

Question that the amendment be made put and agreed to.

- (ii) In sub-clause 1, line 1 *leave out* the word "Executive" and in line 2, *leave out* the words "Executive Director-General"(*Hon. Almajir Geidam*).

Question that the amendment be made put and agreed to.

- (iii) in sub-clause (iv) line 1 *leave out* the word "Executive".

Consequential amendment.

Question that the amendment be made put and agreed to.(v) *Leave out* all the words in sub-clause (3).

Consequential amendment.

Question that the amendment be made put and agreed to.

Consideration of Clause 5 deferred and a Four-Member Committee comprising of Hon. Almajir Geidam, Hon. Usman Bugaje, Hon. Adeyemi Oluwale and Hon. Emmanuel Ojomo mandated to advise the House on the structure of the Departments the next legislative day.

Committee Recommendation:

Clause 6: Executive Director General, Appointment, Duties, Tenure and Removal.

- (1) The Office shall be headed by the Executive Director General responsible for the overall operations of the Office including but not limit to —
 - (a) steering or overseeing the implementation of the requests or directive of legislative committees and members of the National Assembly;
 - (b) general management and administration of the Office;
 - (c) discipline of the members of staff of the Office;
 - (d) perform such other duties as may be specified, directed and determined by the National Assembly; and
 - (e) being the accounting officer for the purposes of controlling and disbursing amounts from funds established in accordance with this Bill.
- (2) The position of the executive Director General shall be equivalent in rank to a Permanent Secretary in the Public Service of the Federation.
- (3) The Executive Director-General shall be an accomplished person who has had at least twenty (20) years post bachelor's degree career in the field of either economics, finance, accountancy, banking, public administration, business management, business administration, investment, trust administration: or a combination of any of the foregoing fields of endeavor contained herein.
- (4) The Executive Director-General shall not be a member of a political party, or be involved, in any way connected to partisan politics.
- (5) The Executive Director General shall be appointed jointly by the Senate President and the Speaker of the House of Representatives, after considering recommendation from the Committee of Finance, Appropriation, Budget, and National Planning of both Houses of National Assembly, and screened and confirmed by the Senate. The appointment shall be based solely on professional competence and qualification without regard to political affiliation.
- (6) The Executive Director-General shall hold office for a period of five (5) years, and shall be eligible for reappointment for one more term of five (5) years.
- (7) The Executive Director-General may be removed from Office by National Assembly upon a resolution by 2/3 majority of both Houses of the National Assembly, for inability to discharge the function of the office or for misconduct (*Hon. Emmanuel Ojomo*).

Amendment Proposed:

In sub-clause 1, line 1, *leave out the word "Executive" and wherever it may occur in the Bill.*

Consequential amendment.

Consideration of Clause 6 deferred and the same Four-Member Committee mandated to advise the House on the Clause the next legislative day.

Chairman to report progress.

(HOUSE IN PLENARY)

Mr Deputy Speaker in the Chair, reported that the House in the Committee of Whole considered the Report of the Committee on Legislative Budget on A Bill for an Act to Establish an Independent National Assembly Budget and Research Office, which will provide the National Assembly with Objective, Timely and Non Partisan Analysis needed for Economic and Budget Decisions and with the Information and Estimates required for use in the Budget Process and Other Related Matters, 2006 and approved Clauses 1 and 2, amended Clause