



HOUSE OF REPRESENTATIVES FEDERAL REPUBLIC OF NIGERIA

VOTES AND PROCEEDINGS

Tuesday, 25 January, 2005

1. The House met at 10.30 a.m. Mr Speaker read Prayers.
2. **Votes and Proceedings:**
Mr Speaker announced that he had examined and approved the Votes and Proceedings of Thursday, 13 January, 2005.

By unanimous consent, the Votes and Proceedings was adopted.

3. **Message:**
Mr Speaker read a Message from the President of the Federal Republic of Nigeria:



PRESIDENT
FEDERAL REPUBLIC OF NIGERIA

PRES/134

18 January, 2005

*Alhaji Aminu Bello Masari,
Honourable Speaker,
House of Representatives,
National Assembly Complex,
Three-Arms Zone,
Asokoro - Abuja.*

Dear Hon. Speaker,

PROPOSED BUDGET FOR THE NATIONAL POLITICAL REFORM CONFERENCE

On 7th December, 2004, I inaugurated the Presidential Committee on the Background Paper for Political Reforms, which was mandated to identify the requisite steps for enriching Nigeria's political process so as to widen, deepen and entrench democratic principles and practice, with the overall objective of facilitating good governance, meaningful development and ensuring social justice for the people of Nigeria. The eight (8) member Committee had Alhaji Ahmed Mohammed Makarfi, the Governor of Kaduna State, as the Chairman.

The Committee had since completed its assignment and following the meeting of the Council of State on Wednesday, 12th January 2005, which considered its Report, the Federal Government has constituted a National Political Reform Conference to address the following central elements of the Reform agenda:

- (i) *Constitutional Reforms;*
- (ii) *Political Party Reforms;*
- (iii) *Electoral Reforms;*
- (iv) *Judicial/Legal Reforms;*
- (v) *Civil Society Reforms;*
- (vi) *Consultation and Consensus Building;*
- (vii) *Police/Prison System Reforms; and*
- (viii) *Reforms of the Structure of Government/Governance.*

The Conference is scheduled to commence in mid-February 2005 for a period of three (3) months and the proposed Budget (copy attached) is ₦931,721,615.28. As there was no provision for it in the Budget already forwarded to the National Assembly, I am forwarding the Budget for inclusion under the Office of the Secretary to the Government of the Federation in the 2005 Appropriation Bill.

I thank you very much for your usual understanding and support.

Yours sincerely,

(Signed)

OLUSEGUN OBASANJO

Office of the Clerk ordered to circulate copies of the Message to Hon. Members for their perusal.

4. Announcements:

(i) Bereavements/Obituary:

Mr Speaker announced with deep regret:

- (a) the death in a motor accident of one of the wives of Hon. Kawu Labaran;
- (b) receipt of a letter by Senator Tunde Ogbeha informing the House of the death of his mother;
- (c) the death in Badagry, Lagos state of Hon. James Bolarinwa Seyon, a former Member of the House of Representatives, 1999-2003.

(One minute in silence observed in honour of the deceased; Hon. Musa Wuyep rendered prayers for the repose of their souls).

(ii) Conference Committees:

Mr Speaker named the following Conferees on:

- (a) ***Nigeria-Sao Tome and Principe Joint Development Zone Treaty:***
 Hon. Irem Oka Ibom
 Hon. Usman Mohammed Adamu
 Hon. Chuma Nzeribe
 Hon. Bala Ibn Na'Allah
 Hon. Nsini Umosoh
 Hon. Wale Okediran
- (b) ***Allocation of Revenue (Federation Account) Amendment Bill, 2005:***
 Hon. Alex Nwofe
 Hon. Bala Ibn Na'Allah
 Hon. Terngu Tsegba
 Hon. Frank Ineke
 Hon. Ita Enang

5. Matter of Urgent Public Importance:

Hon. Halims Agoda referred to an official announcement the previous week of the sudden retirement of the former Inspector-General of Police, Mr Tafa Balogun from the Nigeria Police Force. He alluded to Media Reports that trailed the sudden exit of Mr Tafa Balogun from the Nigeria Police Force and urged the House to debate the issue as a matter of urgent public importance.

Question that the Matter be debated, put and agreed to.

Question that Order VIII, Rule 4 (3) be suspended to enable the House consider the Matter forthwith, put and agreed to.

6. Sudden Retirement of the Inspector-General of Police: Mr Tafa Balogun:

The House,

notes the retirement of Mr Tafa Adebayo Balogun as the nation's Inspector-General of Police under suspicious circumstances;

observes that Newspaper Publications following his sudden exit from office question his integrity as the topmost public officer of the Nigeria Police Force;

concerned that if the nation's parliament failed to ascertain the veracity of the very serious financial allegations made against him in the Press, Parliament would unknowingly fail in its duty to hold public officials, serving and retired, accountable to the Nigerian people;

conscious of these developments, and considering under the hazy circumstances of the exit of Mr Balogun as Inspector-General of Police, its probable adverse effect on the image of Nigeria and the nation's Police System, it is imperative that the House of Representatives must not gloss over the seeming sudden exit of this topmost Police Officer;

Resolves to:

- (i) commend the President of the Federal Republic of Nigeria for acting swiftly and decisively on receipt of very incriminating dossiers on the Inspector-General of Police, thus affirming his often repeated assurance that there shall be no sacred cow in the crusade against corruption;
- (ii) cause this House to conduct a thorough examination from the Police Service Commission, the circumstances under which Mr Tafa Balogun retired at the age of 58 and when he had not made 35 years in service.
- (iii) mandate the Joint Committee on Police Affairs and Anti-Corruption to investigate, validate or jettison the allegations of the massive amounts of billions of Naira alleged to have been traced to accounts credited to him at the Fountain Trust Bank, Adeola Hopewell Branch, Victoria Island, Lagos and other banks overseas and in Nigeria;
- (iv) further cause the Joint Committee to collaborate with the Economic and Financial Crimes Commission and/or any other relevant agencies of government with a view to ascertaining if other staggering sums of money exist in the name of the former Inspector-General of Police, and if such sums including the ones allegedly found in Fountain Trust Bank are legitimate earnings;
- (v) call on the Government to commence without any prevarication, the prosecution of the former Inspector-General of Police if investigations lead to very conclusive evidence that he indeed abused his high office during his three years tenure. In the event of proof of culpability, the former Inspector-General should be appropriately dismissed rather than retired, and all illegal funds and property confiscated by the State;
- (vi) commend the Economic and Financial Crimes Commission and its leadership for the very remarkable strides it has recorded in helping the nation to fight corruption;
- (vii) urge the Federal Government that in view of the above, the Economic and Financial Crimes

Commission must be adequately funded in order for it to function without operational hindrances
(*Hon. John Halims Agoda, Hon Chidi Duru, Hon. Jumoke Okoya Thomas and Hon. Ibn Na'Allah*).

Debate:

Matter referred to the Joint Committee on Police Affairs, Narcotic Drugs and Financial Crimes, Anti-Corruption, National Ethics and Values. Joint Committee ordered to liaise with the Economic and Financial Crimes Commission with a view to obtaining additional information to enable the House determine its next line of action.

7. Suspension of Order VIII, Rule 4 (4):

Hon. Haruna Yerima sought the leave of the House for suspension of Order VIII, Rule 4 (4) to enable him introduce another Matter of Urgent Public Importance.

Leave granted.

8. Matter of Urgent Public Importance:

Hon. Haruna Yerima lamented the human sufferings and difficulties associated with the 2005 Hajj Operations and prayed the House to debate the sad development as a matter of grave national concern.

Question that the Matter be debated put and agreed to.

Question that Order VII, Rule 4 (3) be suspended to enable the House consider the Matter forthwith, put and agreed to.

9. 2005 Hajj Operations:

The House:

Notes that Pilgrimage (Hajj) to Mecca is a fundamental religious obligation on every able Muslim and is an annual event;

Disturbed that in spite of all Government inputs in the operations of Hajj in this country, Hajj operations have never been smooth and that the 2005 Hajj operation was bedeviled with unprecedented problems;

Resolves to:

- (i) urge the Federal Government to immediately establish a Pilgrims Commission;
- (ii) urge the Directorate of Pilgrims Affairs to make adequate arrangement with a view to ensuring that Nigerian Pilgrims return home safely with minimum discomfort;
- (iii) mandate the House Committee on Foreign Affairs to investigate the 2005 Hajj operations.

Debate:

Main Question put and agreed to.

The House:

Noted that Pilgrimage (Hajj) to Mecca is a fundamental religious obligation on every able Muslim and is an annual event;

Disturbed that in spite of all Government inputs in the operations of Hajj in this country, Hajj operations have never been smooth and that the 2005 Hajj operation was bedeviled with unprecedented problems;

Resolves to:

- (i) urge the Federal Government to immediately establish a Pilgrims Commission;
- (ii) urge the Directorate of Pilgrims Affairs to make adequate arrangement with a view to ensuring that Nigerian Pilgrims return home safely with minimum discomfort;
- (iii) mandate the House Committee on Foreign Affairs to investigate the 2005 Hajj Operations (**HR. 03/2005**).

10 Petition:

The following petition was presented and referred to the House Committee on Public Petitions:

Hon. Dotun Animashaun, from Mr G. O. Taiwo, a former staff of NEPA protesting the wrongful termination of his appointment.

11. Presentation of Bill:

Deep Offshore and Inland Basin Production Sharing Contracts of 1999 (Amendment) Bill, 2004 (HB. 129)
—*Read the First Time.*

12. Presentation of Report:

Joint Committee on Sports and Social Development and Justice:

Motion made and Question proposed, “That this House do receive the Report of the Joint Committee on Sports and Social Development and Justice on the Bill for an Act to Provide for the National Lottery, Establishment of the National Lottery Regulatory Commission and the National Lottery Trust Fund and for Matters Connected Therewith, 2004” (*Hon. Danbatta Sirajo*).

Question put and agreed to.

Report Laid.

13. Non-Remittance of Revenues Earned as Income by Parastatals, Commissions and Statutory Corporations Owned by the Federal Government of Nigeria:

Motion made and Question proposed,

This House:

- (i) *Notes* that Section 80 (1) of the Constitution of the Federal Republic of Nigeria, 1999 provides “That all revenues or other moneys raised or received by the Federation (not being revenues or other moneys payable under this Constitution or any Act of the National Assembly into any other public fund of the Federation established for a specific purposes shall be paid into and for Consolidated Revenue of the Federation”;
- (ii) *Further notes* that revenue payable into the Federation Account includes all receipts however described, arising from the operation of any law as stipulated in Section 162 (10) of 1999 Constitution;
- (iii) *Concerned* that revenue generated as income by Statutory Corporations, Parastatals, Commissions and some Federal Government Establishments are not remitted as stipulated by Section 80 (1) of the 1999 Constitution;
- (iv) *Aware* that Section 1 (3) of the 1999 Constitution stipulates that “if any other law is inconsistent with the provisions of the Constitution, the Constitution shall prevail, and that other law shall to the extent of the inconsistency be void” as it relates to the Act setting up that Commission, Parastatal and Statutory Corporation;
- (v) *Worried* that the non-remittance of the revenue generated by such Statutory Corporations, Parastatals, Commissions, constitute a violation of the 1999 Constitution and inhibit the powers of the National Assembly in appropriating such income as required by Sections 80 and 81 of 1999 Constitution in accordance with Appropriation Acts;
- (vi) *Considering* the grave implication of this development in entrenching transparency and accountability in public service,

Resolves to:

Set up an *Ad-hoc* Committee to investigate the financial activities of erring Parastatals, Commissions and Statutory Corporations with a view to ensuring their strict compliance with Constitutional provisions” (*Hon. Leonard Okuweh Ogor and 24 others*).

Debate:

Ordered: Joint Committee on Finance and Public Accounts to identify and submit to the House by Thursday,

Debate adjourned till Thursday, 27 January, 2005.

14. **A Bill for an Act to Prescribe the Basis for Allocation of Revenue Standing to the Credit of Local Government Councils and Area Councils in the Federation Account and for other Matters Connected Therewith, 2005—Third Reading:**

Motion made and Question proposed; “That the Bill for an Act to Prescribe the Basis for Allocation of Revenue Standing to the Credit of Local Government Councils and Area Councils in the Federation Account and for Other Matters Connected Therewith, 2005 be now read a Third Time” (*Hon. Ita Enang*).

Question put and agreed to.

Bill read the Third Time and passed.

15. **A Bill for an Act to Amend the Federal Road Maintenance Agency Act, 2002 by Providing among Other Things, an Additional Source of Funds for the Agency; and for Connected Purposes, 2004 (HB. 101)—Second Reading:**

Motion made and Question proposed, “That the Bill for an Act to Amend the Federal Road Maintenance Agency Act, 2002 by providing among other things, an Additional Source of Funds for the Agency; and for Connected Purposes, 2004 (HB.101) be now read a Second Time” (*Hon. M. Njidda*).

Debate:

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

Bill read the Second Time and referred to the Committee on Works.

16. **A Bill for an Act to Establish a Nigerian National Coast Guard Armed Force and for Connected Purposes, 2004 (HB. 121)—Second Reading:**

Motion made and Question proposed, “That the Bill for an Act to Establish a Nigerian National Coast Guard Armed Force and for Connected Purposes, 2004 (HB.121) be now read a Second Time” (*Hon. Jerry Ugokwe*).

Debate:

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

Bill read the Second Time and referred to the Committee on Navy.

17. **Adjournment:**

That this House do now adjourn till Wednesday, 26 January, 2005 at 2.00 p.m. (*Hon. Bawa Bwari*).

Adjourned accordingly at 1.05 p.m.

Aminu Bello Masari
Speaker