



HOUSE OF REPRESENTATIVES FEDERAL REPUBLIC OF NIGERIA

VOTES AND PROCEEDINGS

Wednesday, 9 February, 2005

1. The House met at 2.43 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, 8 February, 2005.

By unanimous consent, the Votes and Proceedings was adopted.

3. **Announcements:**
 - (i) *Communication from the Office of the Special Adviser to the President on National Assembly:*
Mr Speaker read a letter from the Special Adviser to the President on National Assembly:



THE PRESIDENCY OFFICE OF THE SPECIAL ADVISER TO THE PRESIDENT ON NATIONAL ASSEMBLY

OFFICE:

Federal Secretariat Complex,
Phase II, Shehu Shagari Way,
Garki, Abuja.
Tel: 09-2345252
Fax: 09-2345355

OUT REACH:

Three Arms Zone,
National assembly Complex,
Maitama Abuja.
Tel/Fax: 09-2340475, 2345252

SAP/NASS/002

09-02-05

*His Excellency,
The Rt. Hon. Speaker of the
House of Representatives,
National Assembly Complex,
Abuja.*

RE: VALENTINE NITE

I write to most respectfully inform the Honourable Speaker of the House of Representatives that my office is organizing this year's Valentine Nite on Sunday 13th February, 2005 (8:00 p.m.) at the NICON Hilton Hotel.

2. *It is my candid opinion that this event should serve as a good opportunity for Senators and Members who have had a very busy legislative time table, to come out with their spouses and express love in the very spirit of the Valentine Season.*
3. *It is my sincere hope that both the Leadership and members of the National Assembly will do me the kind honour of attending this Nite which promises to be excitingly memorable. Dress Code is Causal but elegant and Music would be provided by Sonny Neji and Paul Play Dairo.*
4. *While this letter should serve as an official invitation to all Members, invitation cards will soon be sent to Members. I thank you and the entire Members in anticipation of your kind attendance.*
5. *Meanwhile accept the assurances of my highest regards and esteem please.*

(Signed)

(Princes) Florence Ita-Giwa
Special Adviser to the President
on National Assembly Matters

(ii) Conferment of Award:

Mr Speaker read another letter addressed to Hon. Idris Tukur Nadabo:



Suite C16, Bensima House,
Plot 2942, Aguiyi Ironsi Street,
Opp. Maitama General Hospital, Abuja.
Tel: 09-4130959, 0803 5962774, 0803 4717791
E-mail: mentorscom@yahoo.com

11th January, 2005

HON. (DR) IDRIS TUKUR NADABO
NATIONAL ASSEMBLY,
ABUJA.

Sir,

**RE: NOMINATION FOR NIGERIA DEMOCRATIC
PILLARS MERIT AWARD 2004.**

We write to inform you that the conferment ceremony of this prestigious award has been fixed for February 10, 2005 at International Conference Centre, Abuja by 4.00 p.m. prompt.

The award will be presented along with other categories of Awards being organized by our organisation.

Apart from the official conferment of the Award on the 2004 recipients of NIDEPMA, the occasion will also witness the decoration of 2004 winners of Nigerian Local Government Chairmen Merit Award and Investiture of the Patrons of our organisation.

*Be equally informed that opportunity for congratulatory message(s) and adverts in our commemorative magazine **LANDMARKS** is still open till Friday, January 28, 2005.*

While we look up to welcoming you and members of your entourage at this memorable occasion, we thank you for your maturity since the indefinite postponement of the earlier scheduled date.

Once again, congratulations for this well deserved honour.

Regards

(Signed)

Bayo Ojo

Editor-in-Chief/Secretary, Nomination Committee.

4. Petition

A petition was presented and referred to the Committee on Public Petitions.

Hon. Abubakar Bawa Bwari, from Ex Private Ezekiel Daniel of the Nigerian Army, praying the House to prevail on the Military Authorities to reinstate him and pay all his entitlements.

5. Presentation of Reports

(i) Committee on Appropriations:

Motion made and Question proposed, "That this House do receive the Report of the House Committee on Appropriations on a Bill for an Act to authorize the issue from the Consolidated Revenue Fund of the Federation, of the total sum of ₦1,617,731,737,472.00 (One Trillion, Six Hundred and Seventeen Billion, Seven Hundred and Thirty-One Million, Seven Hundred and Thirty-Seven Thousand, Four Hundred and Seventy-Two Naira) only of which the sum of ₦76,441,821,000.00 (Seventy-Six Billion, Four Hundred and Forty-One Million, Eight Hundred and Twenty-One Thousand Naira) only is for Statutory Transfers and the sum of ₦361,045,000,000.00 (Three Hundred and Sixty-One Billion, Forty-Five Million Naira) only is for Debt Service, while the sum ₦635,917,244,472.00 (Six Hundred and Thirty-Five Billion, Nine Hundred and Seventeen Million, Two Hundred and Forty-Four Thousand, Four Hundred and Seventy-Two Naira) only is for Recurrent (Non-Debt) Expenditure and the Balance of ₦544,318,672,000,000.00 (Five Hundred and Forty-Four Billion, Three Hundred and Eighteen Million, Six Hundred and Seventy Two Thousand, Naira) only is for Contribution to the Development Fund for Capital Expenditure of the Government of the Federation for the Year Ending 31st December, 2005" (*Hon. G. Suswan*).

Question put and agreed to.

Report Laid.

(ii) Committee on Finance:

Motion made and Question proposed, "That this House do receive the Report of the Committee on Finance on the 2005 Revenue Profile" (*Hon. Farouk Lawal*).

Question put and agreed to.

Report Laid.

(iii) Committee on Environment:

"That this House do receive the Report of the House Committee on Environment on a Bill for an Act to Provide for the Establishment of a Shelter Belt Project; and for Connected Purposes, 2003".

Order read—deferred.

(iv) Joint Committee on Housing and Urban Development and Internal Affairs:

Motion made and Question proposed, "That this House do receive the Report of the Joint Committee on Housing and Urban Development and Internal Affairs on a Bill for an Act to Make Provision for the Protection of Persons and Properties from Fire Disaster; and for Other Related Matters, 2003". (*Hon. Osita Izunaso*).

Question put and agreed to.

Report Laid.

(v) Joint Committee on Agriculture and Finance:

Motion made and Question proposed, "That this House do receive the Report of the Joint Committee on Agriculture and Finance on a Bill for an Act to Provide for the Allocation of 15 per cent of Nigeria's Annual Budget to be Invested into Agriculture and for Connected Purposes, 2003" (*Hon. Ahmed Lawan*).

Question put and agreed to.

Report Laid.

(vi) Joint Committee on Agriculture and Finance:

"That this House do receive the Report of the Joint Committee on Agriculture and Finance on a Bill for an Act to Provide for the Establishment of a Palm Oil Development Fund, which shall be

Order read—deferred.

6. Unconstitutional Transfer of Power in the Republic of Togo:

Motion made and Question proposed,

The House:

Notes the sudden death of the President of the Republic of Togo, General Gnassingbe Eyadema, who ruled his country for 38 years;

Observes that President Eyadema, during his Presidency, maintained very close and cordial relations with Nigeria;

Appreciates, that he was one of the founding Fathers of the West African Economic Community (ECOWAS);

Deplores the manner power was deceptively and unconstitutionally transferred to the son of the late President, in violation of the Constitution of the Republic of Togo;

Conscious of the position of the International Community on constitutional development and democracy in the World, and its abhorrence of military governments, under any guise;

Resolves to:

- (i) *Commend* the swift reaction of the International Community namely, the African Union, the Economic Community of West African States, the European Union, the United Nations and the French Government in condemning the subversion of the Constitution of the Republic of Togo by the unconstitutional transfer of power;
- (ii) *Urge* the President of the Federal Republic of Nigeria, Chief Olusegun Obasanjo, to vigorously champion the institutionalisation of Constitutional values in the Republic of Togo;
- (iii) *Formally* protest through the Togolese Embassy and the ECOWAS Parliament, its disappointment with the Togolese Parliament for collaborating with the Country's Military to subvert the Constitution of the Republic of Togo;
- (iv) *Advise* the Federal Government of Nigeria and the International Community not to recognise the new Government in Togo; and to impose immediately, unconditional economic and diplomatic sanctions against Togo;
- (v) *Call* on Mr Faure Gnassingbe Eyadema to step down, take the path of honour and abide by the provisions of his Country's constitution in matters of transfer of power (*Hon. Halims Agoda and 6 Others*).

Debate:

Amendments Proposed:

- (i) *Insert* a new prayer (i) as follows:
"Condemn what is going on in Togo" (*Hon. C. N. Ughanze*).

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

- (ii) *Insert* a new prayer (vii) as follows:
"Urge the African Union and the United Nations to give the son of Gnassingbe Eyadema time to leave office and allow constitutional process of transition to power in Togo to go on or use Military action to remove him from power should he refuse to do so" (*Hon. C. N. Ughanze*).

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

Main Question as amended, put and agreed to.

Resolved:

The House:

Noted the sudden death of the President of the Republic of Togo, General Gnassingbe Eyadema, who ruled his country for 38 years;

Observed that President Eyadema, during his Presidency, maintained very close and cordial relations with Nigeria;

Appreciated, that he was one of the founding Fathers of the West African Economic Community (ECOWAS);

Deplored the manner power was deceptively and unconstitutionally transferred to the son of the late President, in violation of the Constitution of the Republic of Togo;

Conscious of the position of the International Community on constitutional development and democracy in the World, and its abhorrence of military governments, under any guise;

Resolved to:

- (i) Condemn what is going on in Togo;
- (ii) *Commend* the swift reaction of the International Community namely, the African Union, the Economic Community of West African States, the European Union, the United Nations and the French Government in condemning the subversion of the Constitution of the Republic of Togo by the unconstitutional transfer of power;
- (iii) *Urge* the President of the Federal Republic of Nigeria, Chief Olusegun Obasanjo, to vigorously champion the institutionalisation of Constitutional values in the Republic of Togo;
- (iv) *Formally* protest through the Togolese Embassy and the ECOWAS Parliament, its disappointment with the Togolese Parliament for collaborating with the Country's Military to subvert the Constitution of the Republic of Togo;
- (v) *Advise* the Federal Government of Nigeria and the International Community not to recognise the new Government in Togo; and to impose immediately, unconditional economic and diplomatic sanctions against Togo;
- (vi) *Call* on Mr Faure Gnassingbe Eyadema to step down, take the path of honour and abide by the provisions of his Country's constitution in matters of transfer of power;
- (vii) *Urge* the African Union and the United Nations to give the son of Gnassingbe Eyadema time to leave office and allow constitutional process of transition to power in Togo to go on or use Military action to remove him from power should he refuse to do so (**HR. 06/2005**).

7. Presentation and Adoption of Conference Report on the Electricity Power Sector Reform Bill, 2005:
Motion made and Question proposed,

The House Notes that:

On Wednesday, 15th December, 2004, it passed the Electricity Power Sector Reform Bill, 2004;

the versions of the Bill as passed by the Senate and the House contained fundamental differences;

the two Chambers set up a Conference Committee which met and resolved these differences and accepted a harmonized version of the Bill;

a clean copy of the Conference Report is ready for presentation and adoption; and

Be it resolved that the House do receive and adopt the Conference Report on the Electricity Power Sector Reform Bill, 2004 (*Hon. Abdulahi Idris Umar*).

Question put and agreed to.

Report Laid.

8. Joint Committee on Justice and Judiciary on the confirmation of the Chairman and Members of the Governing Board of the Niger Delta Development Commission:

Motion made and Question proposed, “That this House do receive and consider the Report of the Joint Committee on Justice and Judiciary on the confirmation of the Chairman and Members of the Governing Board of the Niger-Delta Development Commission” (*Hon. Alex Nwofe*).

Question put and agreed to.

Report Laid.

Debate:

Recommendation (i):

Having regard to the position of the law on this matter, it is the recommendation of the Joint Committee that the leadership of both Houses should constitute a Committee to draw up a framework for exercising the powers vested on the two Houses by the provision of Section 2 (2) (a) of the NDDC Act (*Hon. Alex Nwofe*).

Question put and agreed to.

Recommendation (ii):

That the Honourable Speaker should reply the Senate President’s letter of 8 of February, 2005 outlining the position of the law and the constitution as observed by this Committee in order to put records straight and in the same letter to convey the recommendation of this Committee on the rules of engagement between the Senate and the House of Representatives (*Hon. Alex Nwofe*).

Question put and agreed to.

Question, that the Honourable Speaker do reply the letter by the Senate President Ref. NASS/S/PS/003/02 of 8 February, 2005 based on the above recommendations, put and agreed to.

9. Adjournment:

That this House do now adjourn till Thursday, 10 February, 2005 at 10.00 a.m. (*Hon. Abdul Ningi*)

Adjourned accordingly at 4.35 p.m

Aminu Bello Masari
Speaker