



HOUSE OF REPRESENTATIVES FEDERAL REPUBLIC OF NIGERIA

VOTES AND PROCEEDINGS

Tuesday, 16 December, 2008

1. The House met at 10.58 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, 4 December, 2008.
By unanimous consent, the Votes and Proceedings was adopted.
3. **Petition:**
The following petitions were received and referred to the Committee on Public Petitions:
 - (i) Hon. Patrick Obahiagbon (*Oredo Federal Constituency*), from Mercy Omodawen, praying the House to investigate her alleged wrongful dismissal from the Nigerian Police Force and to reinstate her;
 - (ii) Hon. Peter Linus Umoh (*Oron/Mbo/Okobo/Udung Uko/Urue Offong/Oruku*), from Atim Effiong, praying the House to intervene in her alleged wrongful retirement from the Ministry of Justice Akwa Ibom State and to grant the prayers in his Petitions.
4. **Matter of Urgent Public Importance:**
Rising on Order VIII, Rule 4, Hon. Ali Ndumeh drew the attention of the House to the persistent industrial action by the Association of Junior Staff Workers of Magistrate Courts across the States in Nigeria. He noted that the said strike had stalled judicial processes in all Magistrate Courts and prayed the House to debate the matter as one of urgent public importance.
Mr Speaker ruled that the House would await the report of the Committee on Judiciary on the matter.
5. **Presentation of Bills:**
 - (i) Petroleum Industry Bill, 2008 — *Read the First Time.*
 - (ii) Hydroelectric Power Producing Areas Development Commission (Establishment, etc.) Bill, 2008 — *Read the First Time.*
6. **Presentation of Report:**
Committee on Interior Affairs:
Motion made and Question Proposed, "That this House do receive the Report of the House Committee on Interior Affairs on a Bill for an Act to amend the Passport (Miscellaneous Provisions) Act, Cap. PL. Laws of the Federation of Nigeria, 2004 so as to clearly define persons eligible for issuance of Diplomatic and Official passports, 2008" (Hon. Jerry Manwe).
Question put and agreed to.
Report laid.

7. **A Bill for an Act to Enable Effect to be given in the Federal Republic of Nigeria to the agreement between the Federal Republic of Nigeria and Republic of South Korea for the Avoidance of Double Taxation and Prevention of Fiscal Evasion with respect to Taxes on Income and Capital Gains, 2008 — Third Reading:**
Motion made and Question proposed, "That a Bill for an Act to Enable Effect to be given in the Federal Republic of Nigeria to the agreement between the Federal Republic of Nigeria and Republic of South Korea for the Avoidance of Double Taxation and Prevention of Fiscal Evasion with respect to Taxes on Income and Capital Gains, 2008 be now read the Third Time" (Hon. Tunde Akogun).

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 Nigerian Accounting Standards Board Act, No. 22 of 2003 and Enact the Financial Reporting Council of Nigeria Act and For Related Matters, 2008 — Third Reading:**
Motion made and Question proposed, "That a Bill for an Act to Repeal the Nigerian Accounting Standards Board Act, No. 22 of 2003 and Enact the Financial Reporting Council of Nigeria Act and for Related Matters, 2008 be now read the Third Time" (Hon. Tunde Akogun).

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

Bill read the Third Time and passed.

9. **A Bill for an Act to Provide for the System, Structure, Composition, Functions and Finance of Area Councils; and for Related Purposes, 2008 — Second Reading:**
Motion made and Question proposed, "That a Bill for an Act to Provide for the System, Structure, Composition, Functions and Finance of Area Councils; and for Related Purposes, 2008 be now read a Second Time" (Hon. David Idoko).

Debate:

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

Bill read a Second Time and referred to the Committee on Federal Capital Territory Area Councils.

10. **A Bill for an Act to Establish the National Products Development Commission for Identification, Promotion and Funding for the Development of Dominant Products in each State of the Federation in order to achieve an accelerated economic development of the Federation and for Other Matters Connected Therewith, 2008 — Second Reading:**

Order read; deferred.

11. **A Bill for an Act to Establish the National Space Research and Development Agency and for Matters Connected Therewith, 2008 - (Committee of Whole: 27/11/2008):**

Motion made and Question proposed, "That this House do consider a Bill for an Act to Establish the National Space Research and Development Agency and for Matters Connected Therewith, 2008" (Hon. Tunde Akogun).

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 THE NATIONAL SPACE RESEARCH AND DEVELOPMENT AGENCY AND FOR MATTERS CONNECTED THEREWITH

PART 1 — ESTABLISHMENT OF THE AGENCY, ETC.

Clause 1: Establishment of the National Space Research and Development Agency.

- (1) There is hereby established an Agency to be known as the National Space Research and Development Agency (in this Act referred to as "the Agency").
- (2) The Agency shall be a body corporate with perpetual succession and a common seal and may sue or be sued in its corporate name (Hon. Tunde Akogun) - Agreed

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

Clause 2: Establishment and Composition of the Council of the Agency.

- (1) There is established for the Agency a Council to be known as the National Space Council (in this Act referred to as "the Council").
- (2) The Council shall consist of —
 - (a) the President of Federal Republic of Nigeria as Chairman;
 - (b) the Vice President as Vice Chairman;
 - (c) the Minister of Science and Technology;
 - (d) the Minister of Defence;
 - (e) the Minister of Interior;
 - (f) the Chairman of the National Planning Commission;
 - (g) the Minister of Information and Communication;
 - (h) the Minister of Education;
 - (i) the Attorney-General of the Federation and Minister of Justice;
 - (j) the Director-General of the Agency; and
 - (k) three distinguished scientists, two of whom must have relevant knowledge and experience in space science and technology drawn from the National Academy of Science and Council of Registered Engineers of Nigeria.

Schedule.

- (3) The supplementary provisions set out in the Schedule to this Act shall have effect with respect to the proceedings of the Council and the other matters contained therein (*Hon. Tunde Akogun*).

Amendments Proposed:

- (i) *Leave* out all the provisions in subclause (2) (a) and (b) and *insert* the following:
"The President of the Federal Republic of Nigeria shall appoint the Chairman of the Council" (*Hon. Ita Enang*).

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

- (ii) In subclause (2) (c) - (e) and (g) - (h) *leave out* the word "Minister" and *insert* the words "Representative of the Ministry" instead thereof (*Hon. ha Enang*).

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.

Clause 3: Tenure of office.

A member of the Council, other than an *ex-officio* member or the Director-General, shall hold office for a term of four years, and shall be eligible for another term of four years and no more (*Hon. Tunde Akogun*) — *Agreed to.*

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

Clause 4: Cessation of membership.

Notwithstanding the provisions of section 3 of this Act, a member of the Council —

- (i) shall cease to hold office if he —
 - (a) resigns his appointment by notice under his hand addressed to the
 - (b) becomes of unsound mind; or

- (c) is convicted of a felony or any other offence involving dishonesty or corruption; or
- (d) becomes bankrupt or makes a compromise with his creditors; or
- (e) becomes incapable of carrying out the functions of his office either arising from an infirmity of mind or body;
- (ii) may at any time be removed from office by the President —
 - (a) for inability to discharge the functions of his office (whether arising from infirmity of mind or body or any other cause) or for misbehaviour; or
 - (b) if he is satisfied that it is not in the interest of the Agency or of the public for the member to continue in office (*Hon. Tunde Akogun*) — *Agreed to.*

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

Clause 5: Remuneration of non *ex-officio* members of the Council.

The allowances payable to non *ex-officio* members of the Council shall be in accordance with such rates as may be determined by the Revenue Mobilisation Allocation and Fiscal Commission or as may be approved by the Federal Government (*Hon. Tunde Akogun*).

Amendment Proposed:

In line 3, immediately after the word "Commission" *leave out* the words "as may be approved by the Federal Government" (*Hon. Ita Enang*).

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

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

PART II — FUNCTIONS AND POWERS OF THE AGENCY AND THE COUNCIL

Clause 6: Functions of the Agency.

The Agency shall —

- (a) encourage capacity building in space science and technology development management, thereby strengthening human resources development required for the implementation of the national space programmes;
- (b) develop satellite technology for various applications and operationalize indigenous space systems for providing space services and shall be the government Agency charged with the responsibility for building and launching satellites;
- (c) enhance the development and entrenchment of research, development and production tradition in the Agency, so as to achieve a high output and make the desired impact on national economic and social development;
- (d) promote the co-ordination of space application programmes, for the purpose of optimizing resources and develop space technologies of direct relevance to national objectives;
- (e) develop national strategies for the exploitation of the outer space and make these part of the overall national development strategies, and implement strategies for promoting private sector participation in the space industry;
- (f) establish and supervise, relevant centres and units, for the purpose of executing the national space programme;
- (g) establish information network, to promote exchange of information, in order to facilitate communication and transmission of data concerning the activities of the Agency;
- (h) collaborate with international research centres, non-governmental organisations, universities, industries and other national and international space agencies and

- (i) promote active participation of Nigeria in the activities of the United Nations Committee on the Peaceful Uses of Outer Space and other United Nations Specialized Agencies, involved in Space Science and Technology applications;
- (j) provide support for universities and other academic institutions in the country for research and development projects relevant to the national space programme;
- (k) be the repository of all satellite data over Nigeria's territory and, accordingly, all collaborations and consultation in space data related matters in Nigeria shall be carried out or undertaken by or with the Agency;
- (l) review the national policy on space including long range goals and develop a strategy for national space issues; and
- (m) undertake such other activities as are necessary or expedient for carrying out of the functions of the Agency and promotion of space science and technology in Nigeria (*Hon. Tunde Akogun*) — *Agreed to*.

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

Clause 7: Functions of the Council.

The Council shall —

- (a) provide policy guidelines for the day-to-day administration of the Agency;
- (b) consider matters of the Agency which require council decisions;
- (c) approve programmes and projects of the Agency;
- (d) consider and approve the capital development, plan of the Agency; and
- (e) approve the establishment positions of the Agency, and discipline the Director-General of the Agency on the recommendations of the Minister (*Hon. Tunde Akogun*) — *Agreed to*.

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

Clause 8: Powers of the Council.

The Council shall have power to —

- (a) approve the opening of ordinary and domiciliary accounts for the Agency in recognized banking institutions in Nigeria, subject at any time, to the prevailing Government regulation;
- (b) grant approval for the Agency to enter into research and production partnerships with any company, Non-Governmental Organisation, firm or individual;
- (c) appoint technical consultants to advise it from time to time as the need and situation may arise; and
- (d) do such other things as are necessary for the successful performance of the functions of the Agency (*Hon. Tunde Akogun*) — *Agreed to*.

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

PART 111 — STRUCTURE OF THE AGENCY, ETC.

Clause 9: Headquarters, offices and departments of the Agency.

- (1) The headquarters of the Agency shall be situated in the Federal Capital Territory, Abuja.
- (2) There shall be at the headquarters the following offices and departments —
 - (a) Office of the Director-General and Chief Executive;

- (c) Department of Administration and Finance;
 - (d) Department of Strategic Space Applications
 - (e) Department of International Cooperation;
 - (f) Department of Policy, Planning and Research;
 - (g) Department of Mission Planning and Satellite Data Management; and (h) Department of Procurement.
- (3) The Agency shall have the power to establish other departments and divisions as the need arises.
 - (4) Each Department shall be under the headship of a Director, while each Division shall be under the headship of a Deputy Director.
 - (5) The Units shall be under the headship of officers not above the rank of an Assistant Director (*Hon. Tunde Akoguri*) — *Agreed to.*

Amendment Proposed:

Leave our subclause (2) (b) - (h) (Hon. Ita Enang).

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.

Clause 10: Licensing of activities.

- (1) The Council on the recommendation of the Agency shall have power to grant licence to any person or body corporate for activities stated in section 6 (A) of this Act.
- (2) No licence shall be granted unless the Council is satisfied that the activities authorized by the licence —
 - (a) will not jeopardize public health or the safety of persons or property;
 - (b) shall be consistent with the international obligations of the Federal Republic of Nigeria ; and
 - (c) shall not impair the national security of the Federal Republic of Nigeria.
- (3) A license shall describe the activities authorized by it and shall be granted for such period and subject to such conditions as the Council thinks fit.
- (4) A licence may in particular contain conditions —
 - (a) permitting inspection and testing of the licensee's facilities and equipment by the Council;
 - (b) requiring the licensee to provide the Council as soon as possible with information as to —
 - (i) the space object;
 - (ii) the date and territory or location of launch, and
 - (iii) the basic orbital parameters, including modal period, inclination, apogee and Perigee and such other information as the Council may require concerning the nature, conduct, location and result of the licensee's activities;
 - (c) permitting the Council to inspect and take copies of documents relating to the information required to be given to it;

- (d) requiring the licensee to obtain advance approval from the Council for any intended deviation from the orbital parameters and to inform the Council immediately of any unintended deviation;
- (e) requiring the licensee to conduct operations in such a way as to —
 - (i) prevent the contamination of outer space or cause adverse changes in the environment of the earth,
 - (ii) avoid interference with the activities of others involved in the peaceful exploration and use of outer space;
 - (iii) avoid breach of any international obligations of the Federal Republic of Nigeria, and
 - (iv) preserve the national security of the Federal Republic of Nigeria;
- (f) requiring the licensee to insure himself against liability incurred in respect of damage or loss suffered by third parties in the Federal Republic of Nigeria or elsewhere as a result of the activities authorized by the licence;
- (g) governing the disposal of the payload in outer space on the termination of operations under the licence and requiring the licensee to inform the Council as soon as practicable of its final disposal; and
- (h) providing for the termination of the licence on a specified time and event (*Hon. Tunde Akogun*).

Amendment Proposed:

Leave out all the words in subclause (1) and insert the following instead thereof:

"To achieve the objective of the Space Policy the Agency shall operate such centres as may be established by the Agency" (*Hon. Ita Enang*).

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

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

Clause 11: Maintenance of register of space objects.

- (1) The Agency shall maintain a register of space objects.
- (2) There shall be entered in the register particulars of such space objects as the Agency considers appropriate to comply with the international obligations of the Federal Republic of Nigeria.
- (3) Any person may inspect a copy of the register on payment of such fees as the Agency may prescribe (*Hon. Tunde Akogun*) — *Agreed to.*

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

Clause 12: Developmental Centres of the Agency.

- (1) To achieve the objectives of the space policy, the Agency shall operate through the following Developmental Centres —
 - (a) National Centre for Remote Sensing, Jos;
 - (b) Centre for Space Science and Technology Education, Ile Ife;
 - (c) Centre for Satellite Technology Development, Abuja;
 - (d) Centre for Space Transportation and Propulsion, Epe;
 - (e) Centre for Geodesy and Geodynamics, Toro; and
 - (f) Centre for Basic Space Science and Astronomy, Nsukka.
- (2) The National Centre for Remote Sensing, Jos Plateau State, shall-

- (a) be responsible for harmonising research and development in space science and technology, application for sustainable socio-economic development of Nigeria;
 - (b) go into satellite data acquisition, archiving and distribution;
 - (c) develop application solutions; and establish a multi-source satellite receiving station.
- (3) The Centre for Space Science and Technology Education, Ile-Ife, Osun State, shall
 - (a) develop curriculum, skills and knowledge of university educators, research scientists and other professionals in the application of remote sensing; and
 - (b) train professionals and personnel in the application of remote sensing, meteorology, communications and geographical information systems for sustainable development of Nigeria.
- (4) The Centre for Satellite Technology Development, Abuja shall develop trained engineers and scientists in the rudiments of satellite technology building, launching, telemetry, tracking and control of all kinds of satellite through earth observation, communications, meteorology and scientific research;
- (5) The Centre for Space Transportation and Propulsion, Epe; Lagos State, shall ensure and sustain rapid advances in the propulsion systems science and technology and rocketry.
- (6) The Centre for Geodesy and Geodynamics, Toro, Bauchi State, shall —
 - (a) facilitate and sustain the growth in capacity for geodesy surveying and mapping;
 - (b) monitor crustal deformation and subsidence, due to excessive oil and gas exploitation, global mean sea level rise and other related seismic and geodynamic phenomena;
 - (c) implement international agreements with regard to —
 - (i) Satellite Laser Ranging (SLR),
 - (ii) Very Long Baseline Interferometry (VLBI), and
 - (iii) Co-operative International Geo-Physical Survey network.
- (7) The Centre for Basic Space Science and Astronomy, Nsukka, Enugu State, shall —
 - (a) provide sound education, research and knowledge in —
 - (i) basic space science;
 - (ii) astronomy and astrophysics;
 - (iii) solar territorial physics;
 - (iv) cosmology and origin of life;
 - (v) ionosphere physics;
 - (vi) rocketry and balloons;
 - (vii) geomagnetism; and
 - (b) design and fabricate appropriate systems, instrumentations, telescopes and other observatory equipment.

- (8) The Centres shall carry out other activities that are necessary for the successful implementation of their mandates.
- (9) Each Centre of the Agency shall have the following —
 - (a) Administration and Finance; and
 - (b) Technical Divisions which shall not be more than four and if more divisions are to be established, it shall be with the approval of the Council or the Minister.
- (10) The Agency may, with the approval of the Council, establish other centres which shall be located in such places in Nigeria as may be selected by the Agency (*Hon. Tunde Akogun*).

Amendment Proposed:

Leave out all the provisions in Clause 12 and *insert* the following instead thereof:

"To achieve the objectives of the Space Policy, the Agency shall establish such centres as it may deem fit" (*Hon. Ita Enang*).

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.

PART IV — STAFF OF THE AGENCY

Clause 13: Secretary to the Council.

- (1) The Director-General shall be the Secretary to the Council and shall be in charge of the Secretariat of the Council.
- (2) The Secretary of the Council shall carry out such function and duties as the council shall assign including functions specified in subsection (3) (a) to (d) of this section.
- (3) The Secretary of the Council shall in addition to such other functions and duties as the Council may assign to him —
 - (a) prepare the minutes of meetings of the Council and its Committees;
 - (b) keep and secure the records of the Council;
 - (c) issue notices of meetings of the Council and other correspondences as may be directed by the Minister; and
 - (d) ensure proper dissemination of the decisions of the Council to the appropriate persons, institutions or authorities (*Hon. Tunde Akogun*) —
Agreed to.

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

Clause 14: Appointment of principal officers of the Agency.

The Agency shall have the following principal officers —

- (a) Director-General and Chief Executive;
- (b) Director of Finance and Administration;
- (c) Directors of Technical Divisions; and
- (d) such other Directors as the Council may decide, all of whom shall be appointed by the Minister on the recommendation of the Director-General (*Hon. Tunde Akogun*).

Amendment Proposed:

Leave curtail the words in Clause 14 and *insert* the following instead thereof:

"The Agency shall establish the Office of the Director-General and such other Directorates as may be

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

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

Clause 15: Appointment and functions of the Director-General.

- (1) There shall be a Director-General for the Agency appointed by the President on the recommendation of the Council subject to confirmation by the Senate.
- (2) The Director-General shall be a person with a minimum of 15 years demonstrable research experience in science and technology and knowledgeable in space science.
- (3) The Director-General shall —
 - (a) be the Chief Executive of the Agency;
 - (b) implement the policy and programmes of the Agency;
 - (c) carry out the day-to-day administration of the Agency;
 - (d) co-ordinate the activities of the Centres;
 - (e) supervise the activities of the Directors in the Agency; and
 - (f) report to the Council through the Minister of Science and Technology.
- (4) The Director-General shall hold office for a term of five years in the first instance and shall be eligible for appointment for another term of five years and no more (*Hon. Tunde Akogun*) — *Agreed to.*

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

Clause 16: Appointment of Directors and other members of staff of the Agency.

- (1) There shall be appointed for the Agency by the Minister on the recommendation of the Director-General well qualified and experienced persons to hold the office of and be in charge of —
 - (a) Finance and Administration as Director; and
 - (b) Technical Departments and Centres as Directors.
- (2) The Minister on the recommendation of the Director-General shall appoint for the Agency other such staff as he or she may consider necessary for the performance of the functions set out in this Act (*Hon. Tunde Akogun*).

Amendment Proposed:

Leave out all the words in Clause 16 (Hon. Ita Enang).

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

Clause 17: Appointment of Director of Finance and Administration.

- (1) The Director of Finance and Administration shall hold a university degree or its equivalent with an adequate experience in Administration.
- (2) The Director of Finance and Administration shall —
 - (a) be the head of the Finance and Administration Department of the Agency;
 - (b) prepare draft expenditure estimates and development plan of his Department; and
 - (c) perform such other functions as may be determined by the Director-General or the Council (*Hon. Tunde Akogun*).

Amendment Proposed:

Leave out all the words in Clause 17 (Hon. Ita Enang).

Clause 18: Directors in the Technical Departments.

- (1) The directors in the Technical Departments shall, assist the Director-General in the management of the Agency.
- (2) A director in a technical department shall be a professional with adequate practical experience in the subject area which he is in charge of.
- (3) A director of a technical department shall —
 - (a) be head of the professional department of the Agency which he co-ordinates;
 - (b) supervise work of the technical officers and assistant directors in his Department and render;
 - (c) supervise the work of the research scientists and assistant research fellows in the Department;
 - (d) prepare draft expenditure estimates and development plans of his Department; and
 - (e) perform such other functions as may be determined by the Director-General or the Council (*Hon. Tunde Akogun*).

Amendment Proposed:

Leave out all the words in Clause 18 (Hon. Ita Enang).

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

Clause 19: Appointment of the Director of a Centre.

- (1) The Director of a Centre shall be appointed by the Council on the recommendation of the Director-General.
- (2) The Director of a Centre shall be a professional with a minimum of 12 years practical experience in the activity area of the Centre which he is in charge.
- (3) The Director shall co-ordinate. the activities of the Centre and has the same responsibility as a Director of a technical department in the Agency (*Hon. Tunde Akogun*) — *Agreed to.*

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

Clause 20: Remuneration of employee of the Agency.

The salaries and benefits of all members of staff of the Agency shall be in accordance with the conditions of service of the Agency as may be approved by the Council on the recommendation of the National Salaries, Incomes and Wages Commission (*Hon. Tunde Akogun*) — *Agreed to.*

Question Uiat Clause 20 stand part of the Bill, put and agreed to.

Clause 21: Staff regulations.

The Council may make Stall Regulations and adopt staff conditions of service which are independent of the Civil Service of the Federation and which may provide for —

- (a) the remuneration of members of staff of the Agency; and
- (b) appointments, promotions, fringe benefits and productivity incentive of members of staff or the Agency (*Hon. Tunde Akogun*) — *Agreed to.*

Question that Clause21 stand part of the Bill, put and agreed to.

Clause 22: Removal and discipline of senior and junior staff.

- (1) The Directors of the Agency may be removed from office by the Council on the recommendation of the Minister after due process has been followed.

- (2) Any other senior member of staff of the Agency may be removed from office by the Minister on the recommendation of the Director-General after due process has been followed.
- (3) The removal from office of junior staff shall be by the Director-General on the recommendation of the Director of Finance and Administration after due process has been followed (*Hon. Tunde Akogun*) — *Agreed to*.

Question that Clause 22 stand part of the Bill, put and agreed to.

Clause 23: Application of the Pension Reform Act, 2004 No. 2.

Service in the Agency shall be approved service under the Pension Reform Act, accordingly, officers and employees of the Agency shall, in respect of their services, be entitled to pension and other retirement benefits as are prescribed thereunder (*Hon. Tunde Akogun*) — *Agreed to*.

Question that Clause 23 stand part of the Bill, put and agreed to.

PART V — FINANCIAL PROVISIONS

Clause 24: Fund of the Agency.

- (1) The Agency shall establish a fund from which shall be defrayed all expenditure , incurred by the Agency for the purpose of this Act.
- (2) There shall be paid and credited to the fund —
 - (a) allocations from the Federal Government budget;
 - (b) foreign aid and assistance from bilateral and multilateral agencies;
 - (c) fees charged for services rendered by the Agency; and
 - (d) all sums accruing to the Agency by way of gifts, endowments, bequest or other voluntary contributions by persons and organizations (*Hon. Tunde Akogun*).

Amendments Proposed:

- (i) **In** subclause (1), immediately after the word "incurred" *leave out* all the words and *insert* the following instead thereof: "in accordance with allocation by the Federal Government" (*Hon. Lanre Agoro*).

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

- (ii) *Leave out* all the words in subclause (2) (c) (*Hon. Lanre Agoro*).

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

- (iii) *Insert* a new subclause (2) (e) as follows:
"Provided that all the funds generated by the Agency shall be paid into the Consolidation Revenue Fund" (*Hon. Lanre Agoro*).

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

Question that Clause 24 as amended, stand part of the Bill, put and agreed to.

Clause 25: Expenditure of the Agency.

The Agency shall apply the funds at its disposal to —

- (a) the cost of establishing and maintaining the headquarters of the Agency;
- (b) pay the emoluments and entitlements of the Director-General and non *ex-officio* members of the Council and the committees of the Agency;
- (c) pay the personnel, overhead allowances, benefits and other administrative costs of the Agency;

- (e) other research, development and production activities necessary for the achievement of the objectives of the Agency;
- (f) the training of members of staff of the Agency and provision of scholarships and awards for specialized training of personnel;
- (g) publicise and promote research and development results for adoption by industrial establishments;
- (h) support the National Council for Science and Technology and the annual Science and Technology week celebrations;
- (i) support scientific bodies whose activities are related to the functions of the Agency; and
- (j) undertake any other activity in connection with all or any of the functions of the Agency (*Hon. Tunde Akogun*) — *Agreed to*.

Question that Clause 25 stand part of the Bill, put and agreed to.

Clause 26: Exception from payment of income tax.

All income derived by the Agency from the sources specified in section 24 (2) of this Act shall be exempt from income tax and all contributions to the fund of the Agency shall be tax deductible (*Hon. Tunde Akogun*).

Amendment Proposed:

Leave out the provisions in Clause 26 (Hon. Ita Enang).

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

Clause 27: Investment of Income.

Subject to the approval of the Council, the Agency may invest its income in profitable production of goods by joint-venture, partnerships or shareholding, as the case may be, and the net incomes so generated shall be paid into the fund of the Agency (*Hon. Tunde Akogun*).

Amendment Proposed:

Leave out the provision in Clause 27 (Hon. Leo Ogor).

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

Clause 28: Submission of programme income and expenditure estimate to the Council.

The Agency shall submit to the Council, not later than 31st July each year, its programme of work and estimates of its income and expenditure for the following year (*Hon. Tunde Akogun*) — *Agreed to*.

Question that Clause 28 stand part of the Bill, put and agreed to.

Clause 29: Audit of Accounts.

The Accounts of the Agency shall be Audited not later than six months after the end of the year to which they relate by auditors appointed by the Agency from the list of auditors supplied and in accordance with the guidelines issued by the Auditor-General for the Federation (*Hon. Tunde Akogun*) — *Agreed to*.

Question that Clause 29 stand part of the Bill, put and agreed to.

Clause 30: Annual report.

- (1) The Agency shall prepare and submit to the Council not later than 30th June each year a report on the activities of the Agency, the audited accounts of the Agency and the auditors report thereon for each year preceding the report.
- (2) The Agency shall, not later than 30th September in each year, submit to the Council the annual report of each of its Centres for the preceding year (*Hon. Tunde Akogun*) — *Agreed to*.

PART VI — MISCELLANEOUS

Clause 31: Power to purchase, build or lease property.
For the purpose of providing offices and premises necessary for the performance of its functions, the Agency may, subject to the Land Use Act —

- (a) purchase or take on lease any interest in land, building or property; and
- (b) build, equip and maintain offices and premises (*Hon. Tunde Akogun*) — *Agreed to.*

Question that Clause 31 stand part of the Bill, put and agreed to.

Clause 32: Power to sell or lease out property.
The Agency may, subject to the Land Use Act, sell or lease" out any land, office or premises held by it which is no longer required for the performance of its functions under this Act (*Hon. Tunde Akogun*).

Amendment Proposed:

In line 1, after the word "or" *leave out* the words "lease out" (*Hon. Aminu Tambuwal*).

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

Question that Clause 32 as amended, stand part of the Bill, put and agreed to.

Clause 33: Power to borrow.
The Council may with the consent of or in accordance with the general authority given to it by Government borrow by way of loan or overdraft from any source, money required by the Agency for meeting its obligations in the discharge of its functions under this Act (*Hon. Tunde Akogun*) — *Agreed to.*

Question that Clause 33 stand part of the Bill, put and agreed to.

Clause 34: Power to accept gifts.
(1) The Agency may accept gift: of land, money or other property, upon such terms and conditions, if any, as may be specified by the person or organization making the gift.
(2) The Agency shall not accept any gift if the conditions attached by the person or organization making the gift are inconsistent with the objectives and functions of the Agency (*Hon. Tunde Akogun*).

Amendment Proposed:

Leave out all the provision in Clause 34 and *insert* the following:

"The Agency may accept gift, of land, money or other property, loan, upon such terms and conditions, if any as may be specified by the person or organization making the gift, provided that the conditions attached by the person making the gift are not inconsistent with the objectives of the Agency and Federal Government policy" (*Hon. Ita Enang*).

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

Question that Clause 34 as amended, stand part of the Bill, put and agreed to.

Clause 35: Commencement of suit or action and service of notice.
(1) No suit shall be commenced against Agency, before the expiration of a period of one month after written notice of intention to commence the suit shall have been served upon the Agency by the intending plaintiff or his agent and notice shall clearly and explicitly state the —
(a) cause of action;
(b) particulars of the claim;
(c) name and place of abode of the intending plaintiff; and
(d) the relief which he claims.

- (2) The notice referred to in subsection (1) of this section and any summons, notice or other documents required or authorized to be served upon the Agency under the provisions of this Act or any other enactment or law, may be served by —
- (a) delivering the same to the Director-General; or
 - (b) sending it by registered post to the registered address of the Agency.
- (3) In any action or suit against the Agency, no execution or process in the nature thereof shall be issued against the Agency, but if the judgment of the court be awarded against the Agency, it shall be paid from the general reserve of the Agency (*Hon. Tunde Akogun*) — *Agreed to.*

Question that Clause 35 stand part of the Bill, put and agreed to.

Clause 36: Power to make regulations.
The Council may make regulations generally for the purpose of giving effect to the provisions of this Act, facilitating the discharge of the Agency's functions or pursuing the Agency's objectives (*Hon. Tunde Akogun*) — *Agreed to.*

Question that Clause 36 stand part of the Bill, put and agreed to.

Clause 37: Interpretation.
In this Act, unless the context otherwise requires —

"Agency" means the National Space Research and Development Agency established by section 1 of this Act (*Hon. Tunde Akogun*).

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

"Centre" means Development Centres of the Agency established under section 9 of this Act (*Hon. Tunde Akogun*).

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

"Chairman" means the Chairman of the Council or the Agency (*Hon. Tunde Akogun*).

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

"Council" means the National Space Council or the Agency established by section 2 of this Act (*Hon. Tunde Akogun*).

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

"Fund" means the fund of the Agency (*Hon. Tunde Akogun*).

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

"Member" means a member of the Council and includes the Chairman (*Hon. Tunde Akogun*).

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

"Minister" means the Minister responsible for Science and Technology (*Hon. Tunde Akogun*).

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

"principal officer" means the Director-General and any of the Directors (*Hon. Tunde Akoguri*).

Question that the meaning of the words "principal officer" be as defined in the interpretation to this Bill, put and agreed to.

"Public Service" has the meaning assigned to it in the Constitution of the Federal Republic of Nigeria (*Hon. Tunde Akogun*).

Question that the weaning of the words "Public Service" be as defined in the interpretation to this Bill, put and agreed to.

"Secretary" means the Secretary of the Council; and (*Hon. Tunde Akogun*).

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

"technical officer" includes scientists, engineers and lawyers working in the Agency (*Hon. Tunde Akogun*).

Question that the weaning of the words "technical officer " be as defined in the interpretation to this Bill, put and agreed to.

Question that Clause 37 stand part of the Bill, put and agreed to.

Clause 38: Short Title.

This Act may be cited as the National Space Research and Development Agency Bill, 2008 (*Hon. Tunde Akogun*) — *Agreed to.*

Question that Clause 38 stand part of the Bill, put and agreed to.

SCHEDULE

SUPPLEMENTARY PROVISIONS RELATING TO THE COUNCIL, ETC.

Proceedings of the Council

1. Subject to this Act and section 27 of the Interpretation Act, the Council may make standing orders regulating the proceedings of the Council and of any its committees.
2. At any meeting of the Council, the Chairman shall preside and in his absence, the Vice-Chairman shall preside at the meeting and in his absence members present at the meeting shall appoint one of their number to preside at the meeting.
3. The Council shall meet, not less than four times in each year, and subject thereto, the Council shall meet whenever it is summoned by the Chairman.
4. The quorum for the meetings of the Council shall be five.
5. The Council shall meet for the conduct of business at such places and on such days as the Chairman may appoint.
6. The question put before the Council at a meeting shall be decided by consensus, and where this is not possible, by a majority of the votes of the members present and voting.
7. The Chairman shall, in the case of an equality of votes, have a casting vote in addition to his deliberative vote.
8. Where the Council desires to seek the advice of any person on a particular matter, the council may co-opt the person as a member for such period as it thinks fit, but a person who is a member by virtue of this paragraph shall not be entitled to vote at any meting of the Council and shall not count towards the quorum.
9. Subject to the provisions of the Act, the Council shall have power to regulate its proceedings and may, make standing orders with respect to the holding of its meeting, and those of its committees, the notice to be given, the proceedings thereat, the keeping of minutes of such proceedings and the custody and production for inspection of such minutes.