



HOUSE OF REPRESENTATIVES FEDERAL REPUBLIC OF NIGERIA

VOTES AND PROCEEDINGS

Wednesday, 10 September, 2008

1. The House met at 2.20 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, 9 September, 2008.

By unanimous consent, the Votes and Proceedings was adopted,

3. **Petitions:**
The following petitions were received and referred to the Committee on Public Petitions:
 - (i) Hon. Terngu Tsegba {*Gboko/Tarka Federal Constituency*}, from Ex-Inspector Tughgba Iorzua, praying the House to intervene in his alleged wrongful dismissal from service by the Nigeria Police Force with a view to reinstating him;
 - (ii) Hon. Ganiyu T. Olukolu {*Amuwo Odofin Federal Constituency*}, from Leaders of Thought in Amuwo Odofin and Lagos Federal Constituencies, praying the House to Prevail on the Independent National Electoral Commission (INEC) to reconsider the proposed merger of Ajeromi Ifelodun and Amuwo Odofin Local Government Areas with Lagos Central Senatorial District.

4. **Presentation of Report:**
Committee on Finance
Motion wade and Question proposed, "That this House do receive the 2007/2008 Sessional Report of the Committee on Finance" {Hon. John Owan Enoh}.

Question put and agreed to. Report

laid.

5. **A Bill for an Act to Amend the Public Procurement Act, 2007, and for Matters Connected Therewith, 2008 — Second Reading:**
Motion made and Question proposed, "That a Bill for an Act to Amend the Public Procurement Act, 2007, and for Matters Connected Therewith, 2008 be now read a Second Time (Hon. Tunde Akoguri).

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 Public Procurement (Due Process) when reconstituted.

6. 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 (*Adjourned Consideration: 8/7/2008*):

Motion made and Question proposed, "That this House do resume consideration on the Report of 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" (*Hon. Gbenga Onigbogi*).

Question put and agreed to.

Question that the House do resolve into the Committee of Whole to consider the Report - Agreed to.

(HOUSE IN COMMITTEE)

{*Mr Deputy Speaker on the Chair*}

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

PART IV— FINANCIAL PROVISIONS

Committee Recommendation:

Clause 33: Establishment of Fund of the Council.

The Council shall establish and maintain a fund into which shall be paid:

- (a) all incomes accruing from annual dues charged, for every -
 - (i) professional accountant, not less than N10,000.00 annually;
 - (ii) publicly quoted company, an amount based on its market capitalization, to be determined by the Council, but not less than N200,000.00 annually;
 - (iii) public interest entity other than those covered by (ii) above, an amount based on its turnover, to be determined by the Council but not less than N50,000.00 annually; and
 - (iv) registered company other than those covered by (ii) and (iii) above, not less than N5,000.00 annually
- (b) budgetary allocations and subventions from the Federal Government;
- (c) fines and penalties imposed by the Council;
- (d) fees charged for services rendered by the Council;
- (e) gifts, loans, grants-in-aid from national, bilateral and multilateral organizations and agencies;
- (f) rents, fees and other internally generated revenues from services provided by the Council; and
- (g) all other sums accruing to the Council, from time-to-time.

Failure to pay the annual dues as at when due, as determine by the Council, shall attract a penalty of N2,000 for each and every day during which the default continues plus triple the amount involved or to imprisonment of the chief principal officers for a term not exceeding six months or to both (*Hon. Gbenga Onigbogi*).

Consideration of Clause 33 deferred to enable Members have an informed opinion of the provisions.

Committee Recommendation:

Clause 34: Expenditure of the Council.

The Council may from time to time, apply the proceeds of the Fund established under section 33 of this Act:

- (a) to the cost of administration of the Council and its operating directorates;
- (b) to the payment of the emoluments, allowances and benefits of the Board or of any Committee set up by the Board and for such expenses as may be expressly authorized by the Board;
- (c) to the payment of the salaries, fees or other remuneration or allowances, gratuities and pensions and other benefits payable to the staff and other employees of the Council, so however that no payment of any kind under this subsection (except such as may be expressly authorized by the Board) shall be made to any person who is in receipt of emoluments from the Federal or State Governments;
- (d) for the development and maintenance of any property vested in or owned by the Council;
- (e) for maintaining general reserves subject to the general or special directive that may be given in that behalf by the Board in accordance with the provisions of this Act; and
- (f) for and in connection with all or any of its functions under this Act (*Hon. Gbenga Onigbogi*) — *Agreed to.*

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

Committee Recommendation:

Clause 35: Annual Estimates.

The Council shall, not later than 30th September of each year, submit its budget proposals for the next succeeding year to the Minister (*Hon. Gbenga Onigbogi*).

Amendment Proposed:

In line 2, immediately after the word "Minister", insert the words "of Commerce and Industry" (*Hon. Bala Ibn Na'Allah*).

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

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

Committee Recommendation:

Clause 36: Power to Accept Gifts.

- (1) The Council may accept any gift of land, money or other property on such terms and conditions, if any, as may be specified by the person or organization making the gift.
- (2) The Council shall not accept any gift if the conditions attached by the person or organization making the gift or the quantum of the gift could impair the independence of the Council and are inconsistent with the objectives of the Council under this Act (*Hon. Gbenga Onigbogi*).

Amendment Proposed:

Leave out all the words in Sub-Clause (1) and insert the following instead thereof:

"The Council may accept any gift of land, money or other property subject to the provision of Subclause (2)" (*Hon. tta Enang*).

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

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

*Committee Recommendation:***Clause 37: Borrowing powers, investments and records of accounts.**

- (1) The Board may with the consent of the Minister, or in accordance with any general authority given in that behalf by the Federal Government, borrow by way of loan or overdraft from any source any sum required by the Board for meeting its obligations and discharging its functions under this Act.
- (2) ■ The Board may invest its funds and maintain general reserves.
- (3) The Governing Board shall cause to be kept proper books of accounts and records in relation thereto and present such accounts for audit as provided in Section 38 (2) of this Act {Hon. Gbenga Onigbogi} — Agreed to.

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

*Committee Recommendation:***Clause 38: Audit and Annual Reports of the Council.**

- (1) The financial year-end of the Council shall be 31st December.
- (2) The accounts of the Council shall be audited not later than 60 days after the end of each financial year by external auditors appointed by the Board. The fees of the auditors shall be paid from the funds of the Council.
- (3) The Council shall publish an annual report on its affairs and functions during a financial year, no later than 30th April after the end of that financial year, and such report shall include -
 - (a) a copy of its audited annual financial statements;
 - (b) an overview of the activities of the Council; and
 - (c) an account of the extent to which the objects of the Council have been achieved in that financial year;
 - (d) such other relevant reports as required under this Act.
- (4) The report mentioned in subsection (3) above shall also be presented to the National Assembly {Hon. Gbenga Onigbogi} — Agreed to.

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

*Committee Recommendation:***Clause 39: Investment and Securities Act, 1999.**

The Council may, subject to the provisions of this Act and the conditions of any trust created in respect of any property, invest all or any of its funds in any securities prescribed by the Investment and Securities Act, 1999 or in such other securities as may, from time to time, be approved by the Board {Hon. Gbenga Onigbogi} — Agreed to.

Question that Clause 39 stand part of the Bill, put and agreed to.

Chairman to report progress.

(HOUSE IN PLENARY)

Mr Deputy Speaker in the Chair, reported that the House in the Committee of Whole resumed consideration of the Report on 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, and deferred consideration of Clause 33, approved Clause 34, amended Clauses 35 and 36, approved Clauses 37, 38, 39 and deferred further consideration.

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

7. Adjournment:

That this House do now adjourn till Thursday, 11 September, 2008 at 10.00 a.m. {Hon. Tunde Akogun}.

Adjourned accordingly at 3.47 p.m.

Dimeji Sabur Bankole
Speaker