



HOUSE OF REPRESENTATIVES FEDERAL REPUBLIC OF NIGERIA

VOTES AND PROCEEDINGS

Wednesday, 12 November, 2008

1. The House met at 2.40 p.m. Mr Deputy Speaker read Prayers.
2. **Votes and Proceedings:**
Mr Deputy Speaker announced that he had examined and approved the Votes and Proceedings of Tuesday, 11 November, 2008.

By unanimous consent, the Votes and Proceedings was adopted.

3. **Announcement:**
Visitors:
Mr Deputy Speaker announced the presence in the Gallery of Staff and Students of:

- (i) Ar-Rahman International School, Asokoro, Abuja;
- (ii) Capital Science Academy, Abuja.

4. **Petitions:**
The following petitions were received and referred to the Committee on Public Petitions:

- (i) Hon. Chinedu Eluemunoh (*Oyi/Ayamelum Federal Constituency of Anambra State*), from Mr A.C. Osadebe, praying the House to intervene in his alleged unlawful termination of appointment by the Director General (PRODA), Federal Ministry of Science and Technology, with a view to re-instating him and granting other reliefs sought therein;
- (ii) Hon. Leo Ogor (*Isoko North/Isoko South Federal Constituency of Delta State*), from Mr Victor E. Uyo, praying the House to investigate his alleged prolonged prosecution by the National Universities Commission with a view of taking necessary action for justice to prevail.

5. **Matter of Urgent Public Importance:**
Rising on Order VIII, Rule 4, Hon. Mohammed Ali Ndume (*Dambua/Gwoza/Chibok Federal Constituency of Borno State*), referred to the 2009 Budget proposal yet to be presented by the Executive, and expressed his anxiety over the probable negative consequences of the delay. He therefore urged the House to consider the matter as one of urgent public importance.

Question that the matter be considered as one of urgent public importance, put and agreed to.

Matter to stand over till the next Legislative Day.

6. Privilege:

Citing Order V, Rule 1, Hon. Austine Nwachukwu (*Ehime Mbano/Ihitte Uboma/Obowo Federal Constituency of Imo State*), drew the attention of the House to its Resolution (HR. 57/2008) on "*the Brutal Killing of a Nigerian Citizen by Chinese Private Security Agents*" (*vide* Votes and Proceedings of 16 October, 2008), which referred the matter to the Joint Committees on Foreign Affairs and Diaspora for investigation and report to the House within one week. He pointed out that the House was yet to receive the report.

Ordered, that Chairman, Committee on Rules and Business should liaise with the two Committee Chairmen and report back to the House.

7. Presentation of Bill:

Same Gender Marriage (Prohibition) Bill, 2008 — *Read the First Time.*

8. Presentation of Reports:**(i) House Delegation to the ACP Parliamentary Assembly:**

Motion made and Question proposed, "That this House do receive the Report on the 10th Session of the ACP Parliamentary Assembly and the 14th Session of the ACP-EU Joint Parliamentary Assembly held at Serena Hotel, Kigali, Rwanda, 14 - 22 November, 2007" (*Hon. Shuaibu Abdullahi*).

Question put and agreed to.

Report laid.

(ii) House Delegation to the ACP Parliamentary Assembly:

Motion made and Question proposed, "That this House do receive the Report on the 12th Session of the ACP Parliamentary Assembly and the 15th Session of the ACP-EU Joint Parliamentary Assembly held at Ljubljana Exhibition and Convention Centre, Ljubljana, Slovenia, 14-22 March, 2008" (*Hon. Shuaibu Abdullahi*).

Question put and agreed to.

Report laid.

(iii) Joint Committee on Commerce, Housing and Habitat:

Report of the Joint Committee on Commerce, Housing and Habitat on a Bill for an Act to Enforce the Provision of the National Building Code by Providing for the Punishment of Non-Compliance with the Code and for Related Matters, 2008.

Order read, deferred.

(iv) Committee on Women Affairs:

Report of the House Committee on Women Affairs on a Bill for an Act to Establish the National Council for Public Assistance to Widows, Dependent Children and Orphans, and to Provide for Other Matters Relating Thereto, 2008.

Order read, deferred.

(v) Committee on Education:

Report of the House Committee on Education on a Bill for an Act to Amend the Students Union Activities (Control and Regulation) Act, Cap. S14 Laws of Federation 2004 to Empower Institutions Highest Governing Body to Sanction Students and Bodies and Remove Clauses which Infringe on the Fundamental Human Rights of Students, 2008.

Order read, deferred.

9. Consideration of Reports:**(i) Committee on Governmental Affairs:**

Motion made and Question proposed, "That this House do consider the Report of the House Committee on Governmental Affairs on a Bill for an Act to make it Mandatory for Drivers and Passengers to Wear Seat Belt for their Protection and for Matters Connected Therewith, 2008" and approve the Recommendations therein" (*Hon. Leo Ogor*).

(HOUSE IN COMMITTEE)

(Mr Deputy Speaker in the Chair)

**A BILL FOR AN ACT TO MAKE IT MANDATORY FOR DRIVERS AND PASSENGERS TO WEAR
SEAT BELT FOR THEIR PROTECTION AND FOR MATTERS CONNECTED THEREWITH**

Committee Recommendation:

Clause 1: Application.

From the commencement of this Act, no person shall use a vehicle on any Nigerian Roads unless it is equipped with seat belts for the driver and every passenger.

Already covered by the Federal Road Safety Commission (FRSC) Act, 2007 Section 10 subsection (3) (s) (Hon Leo Ogor) — Agreed to.

Committee Recommendation:

Clause 2: It shall be mandatory for driver and passengers to wear seat belts at all times when the vehicle is in motion on any Nigerian road.

Already covered by the Federal Road Safety Commission (FRSC) Act, 2007 Section 10 subsection (4) (ee) (Hon Leo Ogor) — Agreed to.

Committee Recommendation:

Clause 3: Penalty.

Any person that contravenes the provision of section 2, commits an offence and is liable on conviction to a fine not exceeding five thousand Naira only (N5,000.00) or to imprisonment for a term not exceeding three months or both.

Already covered by the Federal Road Safety Commission (FRSC) Act, 2007 Second Schedule item 32 and Section 10 subsection (9) (Hon Leo Ogor) — Agreed to.

Committee Recommendation:

Clause 4: Power to apprehend.

An officer of the Federal Road Safety Commission or any law enforcement agent duly authorized shall apprehend any person or group of persons that drives on any Nigerian road without using seat belts.

Already covered by the Federal Road Safety Commission (FRSC) Act, 2007 Section 10 subsection (4) (ee) (Hon Leo Ogor) — Agreed to.

Committee Recommendation:

Clause 5: Power to prosecute.

An officer of the Federal Road Safety Commission may initiate proceedings for any violation under this Bill.

A Iready covered by the Federal Road Safety Commission (FRSC) A ct, 2007 Section 10 subsection (5) (a) (Hon Leo Ogor) — Agreed to.

Committee Recommendation:

Clause 6: Court with jurisdiction.

Prosecution for the offence under this Bill shall be instituted before a magistrate court with jurisdiction where the offence is committed.

A Iready covered by the Federal Road Safety Commission (FRSC) A ct, 2007, Section 10 subsection (7) (Hon Leo Ogor) — Agreed to.

Committee Recommendation:

Clause 7: Regulation.

The Federal Road Safety Commission shall subject to the provisions of the Federal Road Safety Commission Act, make regulations relating to seat belt—

(a) prescribing the design of the seat belts; and

(b) exempting any vehicle or class of vehicles or circumstances of operation from and Bill, if the safety of any driver and passenger(s) of the vehicle or class of vehicles and the safety of the general public will not thereby be impaired.

A Iready covered by the Federal Road Safety Commission (FRSC) A ct, 2007 Section 10 subsection (3) (s) (Hon Leo Ogor) — A greed to.

Committee Recommendation:

Clause 8: Interpretation.

In this Bill, unless the context otherwise requires:

- (a) "Roads" means any Road as defined under the Federal Highway Act, Cap. 135 Laws of the Federation, 2004';
- (b) "Vehicle" here to include cars, lorries and tricycles;
- (c) "Seat belts" means a device to restrain the body of a driver or passenger from dangerous movement in the event of an emergency or accident in a vehicle.

Already covered by the Federal Highway A ct, 2004 (Hon Leo Ogor) — Agreed to.

Committee Recommendation:

Clause 9: Citation.

This Bill may be cited as Use of Seat Belts (Mandatory) Bill, 2008.

A Iready covered by the Federal Road Safety Commission (FRSC) A ct, 2007 Section 10 subsection (3) (s) (Hon Leo Ogor) —Agreed to.

Chairman to report Bill.

(HOUSE IN PLENARY)

Mr Deputy Speaker in the Chair, reported that the House in the Committee of Whole, considered the Report of the House Committee on Governmental Affairs on a Bill for an Act to make it Mandatory for Drivers and Passengers to Wear Seat Belt for their Protection and for Matters Connected Therewith, 2008 and approved all the Recommendations therein.

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

(ii) *Committee on Water Resources:*

"Report of the House Committee on Water Resources on a Bill for an Act to Establish the National Water Resources Development Commission and for Connected Purposes, 2007"/

Order read, deferred.

(iii) *Committee on Finance:*

"Report on a Bill for an Act to Amend the Chartered Institute of Accountants of Nigeria Act, 1965 and for Other Matters Connected Therewith, 2008".

Order read, deferred.

10. Adjournment:

That this House do now adjourn till Thursday, 13 November, 2008 at 10.00 a.m. (*Hon. Emeka Ihedioha*).

Adjourned accordingly at 3.28p.m.

Usman Bayero Nafada
Deputy Speaker