



HOUSE OF REPRESENTATIVES FEDERAL REPUBLIC OF NIGERIA

VOTES AND PROCEEDINGS

Thursday, 17 July, 2008

1. The House met at 10.43 a.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 Wednesday, 16 July, 2008.

By unanimous consent, the Votes and Proceedings was adopted.
3. **Announcement:**
Visitors:
Mr Deputy Speaker recognized the presence in the Gallery of:
 - (a) **Students of the University of Nigeria**, Department of Psychology, Nsukka — led by Professor Emeka Okpara;
 - (b) Students of the Department of Mass Communication, Federal Polytechnic, Auchi, Edo State;
 - (c) Students of the Federal Polytechnic Idah, Kogi State.
4. **Petitions:**
The following petitions were received and referred to the Committee on Public Petitions:
 - (i) Hon. Ndudi Elumelu (*Aniocha North/South/Oshimili North/South Federal Constituency*), from Odum Fidelis, praying the House to investigate his alleged **unlawful** dismissal from the Nigeria Postal Service and grant the relief sought;
 - (ii) Hon. Ndudi Elumelu (*Aniocha North/South/Oshimili North/South Federal Constituency*), from Engr. Samson Aderemi Dare, praying the House to intervene in the alleged termination of his appointment by the Power Holding Company of Nigeria with a view to reinstating him;
 - (iii) Hon. Ndudi Elumelu (*Aniocha North/South/Oshimili North/South Federal Constituency*), from Mr Shettima Ibrahim, praying the House to investigate his alleged wrongful dismissal from the Power Holding Company of Nigeria and grant the reliefs sought;
 - (iv) Hon. Terngu Tsegba *Gboko/Tarka Federal Constituency*), from Victims of the Abacha 1995 Phantom Coup and the 1997 set-up coup, praying the House to intervene with a view to implementing the recommendations of the Human Rights Violations and Reconciliation Panel (Oputa Panel);

- (v) Hon. Dino Melaye (*Kabba/Bunu/Ijumu Federal Constituency*), from Survivors of the 29th September attack on Delia Company African Union Haskanita Camp in Dafur Region, praying the House to investigate the aftermath of the attack with a view to prevailing upon the Military authorities, to revisit the matter and ensure that justice is done to the Survivors;
- (vi) Hon. Gabriel Edi (*Ogoja/Yala Federal Constituency*), from Eba Emmanuel Eba, protesting his alleged malicious and compulsory retirement from the Federal College of Education, Obudu, Cross River State, and praying the House to investigate the matter with a view to reinstating him.

5. Presentation of Reports:

- (i) **Joint Committee on Privatization and Commercialization and Power and Steel:**
Motion made and Question proposed, "That this House do receive the Report of the Joint Committee on Privatization and Commercialization and Power and Steel on the Sale of Ajaokuta Steel Company in Kogi State to Global Infrastructure (Nig) Ltd" (*Hon. Abbas Braimah*).

Question put and agreed to.

Report Laid.

- (ii) **Committee on States and Local Government Affairs:**
"That this House do receive the Sessional Report of the Committee on States and Local Government Affairs between June 2007 - June 2008" (*Hon. K. G. B. Oguakwa*).

Order read; deferred.

- (iii) **Committee on Housing and Habitat:**
"That this House do receive the Sessional Report of the Committee on Housing and Habitat between June 2007 — June 2008" (*Hon. Garba Shehu Matazu*).

Order read; deferred.

- (iv) **Committee on Rules and Business:**
Motion wade and Question proposed, "That this House do receive the Sessional Report of the Committee on Rules and Business between June 2007 - June 2008" (*Hon. Ita Enang*).

Question put and agreed to.

Report Laid.

- (v) **Pan-African Parliament Elections Observer Mission:**
Motion made and Question proposed, "That this House do receive the Report of the Pan-African Parliament Elections Observer Mission to the Presidential Run-off and Parliamentary Bye-Elections in the Republic of Zimbabwe between 14th — 26th June, 2008" (*Hon. Betty Apiafi*).

Question put and agreed to.

Report Laid.

6. **On-Line Recruitment by Federal Government Ministries, Departments and Agencies:**

The House:

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Notes that most Ministries, Departments and Agencies (MDA's) now embark on recruitment using their various website also known as Online application;

Concerned that many Local Governments in the country do not have access to communication facilities (Internet, Telephone and or Newspapers) and that such areas with such connectivity have difficulties in accessing them:

Worried that many unemployed youths and graduates live in areas where these Internet and Telephone services have not been installed as well as not having access to daily newspapers;

Disturbed that this method of recruitment does not provide equal opportunities to all citizens to participate;

Resolves to;

Urge the Federal Government to direct all Ministries, Departments and Agencies (MDA's) to provide States and Local Government with hard copies of the recruitment Forms available on their website (*Hon. Mohammed Ali Ndume and 99 Others*).

Debate:

Amendments Proposed:

(i) *Inserts new Prayer (ii) as follows:*

"Mandate the Committee on Federal Character and Public Service Matters to request the Police, Customs, Immigration, Prisons, Federal Road Safety Commission, Nigerian Civil Defence Corps, etc. to submit to the House the list of all staff, and their spread around states and zones" (*Hon. Eziuche Ubani*).
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Question that the amendment be made, put and agreed to.

(ii) *Insert new Prayer (iii) as follows:*

"Mandate the Committee on Establishment to authenticate the veracity or otherwise of claims made by poor applicants all over Nigeria to the effect that large sums of money is demanded by Agencies of Government before securing appointment including Anti-Corruption Departments of Government" (*Hon. Barnabas Y. Bala*).

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

(iii) *Inserts new Prayer (iv) as follows:*

"Urge the Joint Committee on Public Service/Federal Character, Labour and Productivity, Justice, Due Process and Legislative Compliance to ensure that only Ministries, Departments and Agencies that procure a Federal Character Compliance Certificate be allowed to engage in further recruitments; except for the purpose of balancing observed lopsidedness in the employment status of the said Ministries, Departments and Agencies" (*Hon. Pat Asadu*).

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

(iv) *Inserts new Prayer (v) as follows:*

"Impress it upon the employers of labour that all applications for employment whether online or not should be free and that mass recruitment of any nature should start from Local Government Headquarters" (*Hon. Paul Adah*).

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

(v) *Insert a new Prayer (vi) as follows:*

"Mandate the House Committee on Communication to liaise with the Ministry of Communication and National Orientation to find ways to improve on internet services so that every community will have access to" (*Hon. Rufus Omeire*).

Question that the amendment be made, put and negated.

Main Question as amended put and agreed to.

The House:

Noted that most Ministries, Departments and Agencies (MDA's) now embark on recruitment using their various website also known as Online application;

Concerned that many Local Governments in the country do not have access to communication facilities (Internet, Telephone and or Newspapers) and that such areas with such connectivity have difficulties in accessing them;

Worried that many unemployed youths and graduates live in areas where these Internet and Telephone services have not been installed as well as not having access to daily newspapers;

Disturbed that this method of recruitment does not provide equal opportunities to all citizens to participate:

- (d) oversight the National Population Commission and Agencies set-up by the Federal Government for the purpose of population activities;
- (e) to monitor and periodically report on judgments of Tribunal on the 2006 National Population Census to guide the House on Review of Legislation for future population activities;
- (f) Study and periodically advise the House on the year 2006 Population Census with a view to planning in advance for future population activities
- (g) to study on a continuing basis world trends in annual and periodical population projection and advise the House and institutions on population activities on such trends to be adopted by Nigeria;
- (h) annual budget estimates (*Hon. Ita Enang*).

Question put and agreed to.

4. Committee on Steel:

- (1) There shall be a Committee to be known as Committee on STEEL consisting of not less than 25 and not more than 30 members constituted during the life of the House.
- (2) The Committee's jurisdiction shall cover:
 - (a) Iron and Steel development and foundries;
 - (b) Iron and Steel Companies generally;
 - (c) Aluminum companies;
 - (d) investment in Steel and aluminum exploration;
 - (e) oversight the National Iron Ore Mining Company, Itakpe;
 - (f) oversight the Aluminum Smelting Company Ltd;
 - (g) annual budget estimates (*Hon. Ita Enang*).

Question put and agreed to.

5. Committee on Constituency Outreach:

- (1) There shall be a Committee to be known as Committee on Constituency Outreach consisting of not less than 37 and not more than 40 members constituted during the life of the House.
- (2) The Committee's jurisdiction shall cover:
 - (a) to ensure the maintenance of constituency office by Members;
 - (b) to liaise with appropriate agencies and organizations responsible for the co-ordination of constituency development projects;
 - (c) to monitor and supervise members constituency offices and projects and report to the House quarterly;
 - (d) annual budget estimates (*Hon. Ita Enang*).

Question put and agreed to.

6. Committee on the Diaspora:

- (1) There shall be a Committee to be known as Committee on Diaspora consisting of not less than 25 and not more than 30 members constituted during the life of the House.

- (2) The Committee's jurisdiction shall cover:
- (a) to promote the exchange of ideas between home country and Nigerians in the Diaspora.
 - (b) to collect and maintain data on Nigerians in diaspora from Consulates, Ministries of Foreign Affairs, Education, Justice, the population registers, censuses, employment agencies and statistics divisions of International Organizations and International Census Bureau for domestic planning and uses;
 - (c) to initiate policies needed to recognize and harness the potentials of Nigerians in the Diaspora in support of development and growth in both their home and host countries;
 - (d) to encourage and monitor Diaspora networks and organizations and assist in the realization of their agenda and promote Institutional change to help public servants collaborate effectively with Diaspora representatives;
 - (e) to participate in dialogues within Governments, regional and local authorities on Diaspora matters in their home and host countries (*Hon. Ita Enang*).

Question put and agreed to.

7. Committee on Civil Society and Donor Agencies:

- (1) There shall be a Committee to be known as Committee on Civil Society and Donor Agencies consisting of not less than 25 and not more than 30 members constituted during the life of the House.
- (2) The Committee's jurisdiction shall cover
 - (a) voluntary Organizations generally;
 - (b) Civil Societies;
 - (c) Donor Agencies;
 - (d) formulating policies and guidelines for the co-ordination and regulation of the activities of external donor agencies in the country;
 - (e) annual budget estimates (*Hon. Ita Enang*).

Question put and agreed to.

Question that Order XVII (B) as amended, stand part of the Standing Orders, put and agreed to.

4.0 ORDER 1

Committee Recommendation:

Order 1, Rule 2 the term "legislative day" means any day on which the House or any of its Committees meets (*Hon. Ita Enang*).

Question put and agreed to.

Question that Order 1(2), stand part of the Standing Orders, put and agreed to.

5.0 ORDER II

Committee Recommendation:

5.1 Order II, Rule 1

Leave out all the words and insert the following instead thereof:

"(1) On the first day of the meeting of a new House of Representatives pursuant to the Proclamation of the President of the Federal Republic of Nigeria, Members-elect shall assemble at the chamber of the House of Representatives at the time so appointed" (*Hon. Ita Enang*).

Question put and agreed to.

5.2 Order II, Rule 1 (2) (b):

Committee Recommendation:

In line 3, immediately after the words "copies of" *leave out the* words "writ of election" and *insert the* words "Certificate of Return" instead thereof (*Hon. Ita Enang*).

Question put and agreed to.

5.3 Order II, Rule 1 (3):

Committee Recommendation:

In line 2, immediately after the words "present the writ", *leave out the* words "of election" and *insert the* words "or Certificate of Return" instead thereof (*Hon. Ita Enang*).

Question put and agreed to.

5.4 Order II, Rule 3 (L):

Committee Recommendation:

Leave out all the words in the paragraph (*Hon. Ita Enang*).

Question put and agreed to.

5.5 Order II, Rule 7:

Committee Recommendation:

Leave out the word "election" appearing immediately after the clause "certificate of" in line 2 and *insert the* word "return" instead thereof (*Hon. Ita Enang*).

Question put and agreed to.

Question that Order II as amended, stand part of the Standing Orders, put and agreed to.

6.0 ORDER IV

Committee Recommendation:

6.1 Order IV, Rule 1 (1):

In line 2, immediate after the words "each Member", *insert the* following proviso "provided that the Speaker may change the allocation from time to time" (*Hon. Ita Enang*).

Question put and agreed to.

6.2 Order IV, Rule 1 (2):

Committee Recommendation:

In line 2, **immediate** after the words "allocated to him", *leave out the* following proviso "provided that the Speaker may change the allocation from time to time" (*Hon. Ita Enang*).

Question put and agreed to.

6.3 Order IV, Rule 1:

Committee Recommendation:

Insert a new Sub-Rule (3) as follows "A Member shall address the House Standing" (Hon. Ita Enang).

Question put and agreed to.

6.4 Order IV, Rule 2 (4)

Committee Recommendation:

Leave out the entire provision and insert the following instead thereof:

"On Mondays, Tuesdays, Wednesdays and Thursdays, the House shall meet at 10.00 a.m. and unless previously adjourned shall sit until 6.00 p.m. provided that at 1.30 p.m. the Speaker shall suspend the sitting until 2.00 p.m." (*Hon. Ita Enang*),

Question put and agreed to.

6.5 Order IV, Rule 2 (6):

Committee Recommendation:

Leave out the provision of Rule 2 (6) and renumber the Sub-Rules accordingly (*Hon. Ita Enang*).

Question put and agreed to.

6.6 Order IV, Rule 2 (7):

Committee Recommendation:

In line 13, *leave out the word "being"*¹⁷ *appearing immediately after the words "without question"* (*Hon. Ita Enang*).

Question put and agreed to.

6.7 Order IV, Rule 2 (9):

Committee Recommendation:

In line 3, *leave out the word "being"* appearing immediately after the words "without question" (*Hon. Ita Enang*).

Question put and agreed to.

6.8 Order IV, Rule 2 (10):

Committee Recommendation:

Inline 8, *have out the figure "(9)"* immediately after the words "under paragraph" and *insert the figure "(8)"* instead thereof (*Hon. Ita Enang*).

Question put and agreed to.

6.9 Order IV, Rule 2 (11):

Committee Recommendation:

In line 2, *leave out the figure "(9)"* immediately after the words "under paragraph" and *insert the figure "(8)"* instead thereof (*Hon. Ita Enang*).

Question put and agreed to.

Question that Order IV as amended, stand part of the Standing Orders, put and agreed to.

7.0 ORDER V:

Committee Recommendation:

Inserts new Sub-Rule (1) (c) as follows:

"A member raising a matter of privilege shall draw the attention of the House to the provision(s) of the Legislative Houses (Powers and Privileges) Act and other statutes breached in relation to him" and renumber accordingly (*Hon. Ita Enang*).

Question put and agreed to.

Question that Order V as amended, stand part of the Standing Orders, put and agreed to.

8.0 ORDER VII. RULE 3

Committee Recommendation:

(i) In line 2, immediately after the word "Speaker" *insert the following:*

"or where both have either been incapacitated or lost the confidence of the House" and renumber as 3 (a) (*Hon. Ita Enang*).

Question put and agreed to.

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- (ii) Insert a new Sub-Rule (3) (b) to (1) as follows:

Nomination of Speaker *Pro-Tempore*.

- (b) a Member addressing the Clerk shall propose another Member with legislative experience as Member of the National Assembly to the House to be Speaker *Pro-Tempore* and shall move that such Member do take the Chair of the House as Speaker *Pro-Tempore* of the House of Representatives.

Member nominated informs the House if nomination is accepted.

- (c) a Member nominated and seconded shall inform the House if he or she accepts the nomination;

Procedure if only one member is nominated.

- (d) the Member so nominated may address the House for a maximum period of 5 minutes;
- (e) the Clerk shall then ask "are there any further nominations?", if there are no further nominations, the Clerk shall say "I declare the nomination closed". The Clerk shall then declare the member so proposed and seconded elected as Speaker *Pro-Tempore*. Such member shall be conducted to the Chair by the proposer and seconder of the motion, and shall take the Chair of the House as Speaker *Pro-Tempore*:

Procedure if two members are elected.

- (f) if more than one member is proposed as Speaker *Pro-Tempore*, the Clerk shall after the second nomination and after each subsequent nomination, if any is made and seconded, ask: "Are there any further nominations?" And if there are no further nominations the Clerk shall say "I declare the nomination closed";

Method of Voting.

- (g) when only two members are nominated and seconded as Speaker *Pro-Tempore*, the election shall be conducted as follows:

Division/Tellers.

- (i) by electronic voting or;
- (ii) Voting shall be conducted by the Clerk-at-the-Table using the list of members of the House with the proposers and seconders as tellers;

Speaker *Pro-Tempore* elect.

- (iii) The clerk of the House shall submit the result of the voting to the Clerk of the National Assembly who shall then declare the member who has received the highest number of votes as Speaker *Pro-Tempore* elect;

Procedure if more than two members are nominated.

- (h) when more than two members are nominated and seconded to be Speaker *Pro-Tempore*, the division shall be conducted in the manner prescribed in Rule 3 (g) herein and the member-elect who has received more than one-half of the votes shall be the Speaker *Pro-Tempore* elect. In the event of no member having received more than one half of votes in the division, the name of the candidate having the smallest number of votes shall be excluded from subsequent divisions, a further division shall take place. The voting shall continue until one candidate is declared as Speaker *Pro-Tempore* elect by such majority;

Equality of votes.

- (i) in the event of an equality of votes, the Clerk shall cause further voting to be held;

Candidates withdraws name.

- (j) At any time after the result of the first voting is declared, but before the commencement of a second or subsequent voting, a candidate may withdraw his or her name from the election, which shall then proceed as if such member had not been nominated. Whenever at any stage a withdrawal leaves only one candidate, such candidate shall, without voting, be declared the Speaker *Pro-Tempore* elect;

- (k) During the election of Speaker *Pro-Tempore*, there shall be no question of privilege raised:

Voting.

- (1) All Members present, shall participate in the voting for Speaker *Pro-Tempore* (Hon. Ita Enang).

Question put and agreed to.

8.1 Order VII, Rule 10:

Committee Recommendation:

In line 2, insert the words "as Members of the National Assembly" immediately after the word "experience" (Hon. Ita Enang).

Question put and agreed to.

Question that Order VII as amended, stand part of the Standing Orders, put and agreed to.

8.2 (i) Order VIII, Rule 9 (5):

Committee Recommendation:

Leave out the following words:

"all notices of amendment to Motions must be given to the Speaker not later than 5 days after the publication of the schedules. The Speaker shall cause each amendment to be forwarded to the relevant Committees along with the Motions" (Hon. Ita Enang).

Question put and agreed to.

(ii) Order VIII, Rule 10 (2):

Committee Recommendation:

In line 2, leave out the words "proposed from the Chair", appearing immediately before the word "shall" (Hon. Ita Enang).

Question put and agreed to.

Question that Order VIII as amended, stand part of the Standing Orders, put and agreed to.

8.3 ORDER IX

(i) Order IX, Rule 1 (9)

Committee Recommendation:

Insert the word "Stand and" immediately after the word "shall" in Sine 2 (Hon. Ita Enang).

Question put and agreed to.

(ii) Order IX, Rule 1 (11)

Committee Recommendation:

Leave out the word "introducer" appearing immediately after the word "or" in line 2 and insert the word "sponsor" instead thereof (Hon. Ita Enang).

Question put and agreed to.

(iii) Order IX, Rule 2 (1)

Committee Recommendation:

In line 2, insert the words "or the Constitution" immediately after the word "rule" (Hon. Ita Enang),

Question put and agreed to.

(iv) Order IX, Rule 3 (1)

Committee Recommendation:

In line 2, leave out the words "Motions or Bills" and insert the words "Bills, Motions, Reports and measures" instead thereof (Hon. Ita Enang).

Question put and agreed to.

(v) **Order IX, Rule 3 (2) (a)**

Committee Recommendation:

Leave out all the words and insert the following instead thereof:

"during debates on Motions, the Speaker shall allow speeches for the merits and demerits of the motion" (*Hon. Ita Enang*).

Question put and agreed to.

(a) **Order IX, Rule 3 (2) (b)**

Committee Recommendation:

Leave out all the words and insert the following instead thereof:

"During debate on Bills, the Speaker shall allow speeches on the general principles, merits and demerits of the Bills" (*Hon. Ita Enang*).

Question put and agreed to.

(vi) **Order IX, Rule 4 (2)**

Committee Recommendation:

Leave out the words and insert the following instead thereof:

"every Member of the House when he comes into the chamber, shall take his seat and shall not at any time stand in any of the passages or gangways" (*Hon. Ita Enang*).

Question put and agreed to.

(vii) **Order IX, Rule 7 (4), Sub-Rule "26 (1)"**

Committee Recommendation:

Leave out the figure "26" and insert (the figure "2" instead thereof (Hon. Ita Enang).

Question put and agreed to.

Question that Order IX as amended, stand part of the Standing Orders, put and agreed to.

9.0 **ORDER XI**

(i) **Order XI, Rule 2 (1)**

Committee Recommendation:

Insert the alphabet 's' after the word "door" in line 5 and in line 6, leave out the following words: "at the south and of each lobby" and insert the words "to the chamber" instead thereof (Hon. Ita Enang).

Question put and agreed to.

(ii) *In line 7, leave out the word "bell" (Hon. Ita Enang).*

Question put and agreed to.

(iii) *In line 7, leave out the word "rung" and insert the word "taken" and the sub-rule now reads thus "if in the opinion of the Speaker, or in Committee of the whole House the Chairman, as to the decision of a question is challenged, the Speaker or the Chairman shall direct that the lobbies be cleared and on such directive being given, the door to the chamber shall be locked and the division shall be taken" (Hon. Ita Enang).*

Question put and agreed to.

Question that Order XI as amended, stand part of the Standing Orders, 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 of the Committee on Rules and Business on the Review of the Standing Orders of the House and approved the jurisdiction of the Standing Committee on Population, Committee on Steel, Committee on Constituency Outreach, Committee on Diaspora and Committee on Civil Society and Donor Agencies, Order XVII (B). It also approved Order I. Rule 3, Orders II, IV, V, VII, VIII, IX and XI.

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

9. Adjournment:

That this House do now adjourn till Tuesday, 22 July, 2008 at 10.00 a.m. (*Hon. Tunde Akogun*).

Adjourned accordingly at 4.15 p.m.

Usman Bayero Nafada
Deputy Speaker