



HOUSE OF REPRESENTATIVES FEDERAL REPUBLIC OF NIGERIA

VOTES AND PROCEEDINGS

Thursday, 18 August, 2005

1. The House met at 11.03 a.m. Mr Speaker read Prayers.
2. **Votes and Proceedings:**
Mr Speaker announced that he had examined and approved the Votes and Proceedings of Wednesday, 17 August, 2005.

By unanimous consent, the Votes and Proceedings was adopted.

3. **Message:**
Mr Speaker read a Message from the President, Federal Republic of Nigeria:



**PRESIDENT,
FEDERAL REPUBLIC OF NIGERIA**

PRES/134

17 August, 2005

*The Honourable Speaker,
House of Representatives,
National Assembly Complex,
Abuja.*

Dear Hon. Speaker,

PRESENTATION OF YEAR 2005 BUDGET OF THE NIGER DELTA DEVELOPMENT COMMISSION

I am forwarding herewith the 2005 Budget of the Niger Delta Development Commission (NDDC) for consideration and approval of the House of Representatives of the Federal Republic of Nigeria.

The late submission is due to the need for NDDC Board to conclude the stakeholders consultation on the Master Plan in the Niger Delta Region Master Plan (NDRMP) into the 2005 budget.

While it will be most appreciated if the budget is given urgent consideration and approval, please accept, Mr. Honourable Speaker, the assurances of my highest consideration.

Yours sincerely,

(Signed)
OLUSEGUN OBASANJO

4. Petitions:

Two Petitions were received and referred to the Committee on Public Petitions:

- (i) Hon. Musa Mahmood, from Cpl Nadako Mohammed, praying the House to intervene in his wrongful dismissal from Service by the Nigeria Police Force and to reinstate him.
- (ii) Hon. Musa I. Ahmadu, from Mallam Adamu S. Musa, praying the House to intervene in his wrongful dismissal from Service by the Ministry of Federal Capital Territory and to grant the reliefs sought in his Petition.

5. Presentation of Bill:

National Fire Administration (Establishment) Bill, 2005 (HB. 198)—*Read the First Time.*

6. Electoral Bill, 2005:

Motion made and Question proposed, "That a Bill for an Act to Regulate the Conduct of Federal, State and Local Government Elections and to Repeal the Electoral Act, 2001; and for Connected Purposes, 2005 be now read a Second Time" (*Hon. Abdul Ningi*).

Debate:

Debated adjourned.

7. Consideration of Report:

Joint Committee on Finance, Appropriation and justice

Motion made and Question proposed, "That this House do consider the Report of the Joint Committee on Finance, Appropriations and Justice on A Bill for an Act to Establish the National Assembly Statutory Expenditure Account to Vest Certain Measure of Self-Accounting Responsibilities on the National Assembly in the Control and Management of its Financial Affairs; and to Provide for Other Matters Relating Thereto, 2004 and approve the recommendations therein" (*Hon. Shuaibu Hashimu Abdullahi*).

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 ASSEMBLY STATUTORY EXPENDITURE
ACCOUNT TO VEST CERTAIN MEASURE OF SELF-ACCOUNTING RESPONSIBILITIES ON THE
NATIONAL ASSEMBLY IN THE CONTROL AND MANAGEMENT OF ITS FINANCIAL AFFAIRS;
AND TO PROVIDE FOR OTHER MATTERS RELATING THERETO, 2004

Committee Recommendation:

Clause 1: **Establishment, special provisions, etc. of the National Assembly Statutory Expenditure Account.**

There is hereby established for the National Assembly a Special Account to be known as the National Assembly Statutory Expenditure Account (hereinafter in this Act referred to as "The Account") into which shall be transferred directly each quarter all amounts standing to the credit of the National Assembly in the Consolidated Revenue Fund of the Federal Government for disbursement to the Senate, the House of Representatives and their various organs (*Hon. Shuaibu Hashimu Abdullahi*).

Amendment Proposed:

In line 3, immediately after the word "directly" *insert* the words "in the first month of" (*Hon. N. C. Ughanze*).

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

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

Committee Recommendation:

Clause 2: (2) Every sum transferred from the Consolidated Revenue Fund pursuant to section

- (3) Where the Appropriation Bill in respect of any financial year has not been passed into law by the beginning of the financial year, the President shall authorize not later than (10) ten days from the beginning of the financial year, the issue from the Consolidated Revenue Fund moneys necessary to meet the Statutory Expenditure or the cost of charges and obligations of the National Assembly and its various organs in accordance with the conditions specified by Section 82 of the Constitution (*Hon. Shuaibu Hashimu Abdullahi*).

Amendment Proposed:

Leave out all the words in Clause 2 (3) (Hon. Alex Nwofe).

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.

Committee Recommendation:

Clause 3: For the avoidance of any doubt, the statutory expenditure and amounts to be paid into the Account shall, as the case may be, include—

- (a) the salaries, allowances, overhead costs and other fees for—
 - (i) members of the Senate and House of Representatives and their personal staff and aides,
 - (ii) the standing Committees of the Senate and House and House of Representatives and another offices of the members of each House of the National Assembly, including constituency or district offices,
 - (iii) members of the Commission, the officers and staff of the commission;
 - (iv) officers and staff of the legislative chambers of the National Assembly and the various departments of the administrative organ of the National Assembly;
- (b) the capital expenditure for all projects approved for the National Assembly in an Appropriation Act;
- (c) all other moneys accruing to, collected or received on behalf of the national Assembly or any of its organs, for any specified purpose (*Hon. Shuaibu Hashimu Abdullahi*).

Question that the provisions in Clause 3 of the Bill be deleted, put and agreed to.

Committee Recommendation:

Clause 4: Subject to the provisions of this Act, the statutory expenditures and amounts accruing to the Account established under this Act shall be lodged in a commercial bank in Nigeria, selected for that purpose by the National Assembly Board established under this Act, and the bank shall have an internationally recognized prime bank as its correspondence bank outside Nigeria (*Hon. Shuaibu Hashimu Abdullahi*).

Amendment Proposed:

In line 3, immediately after the word “Act” *leave out all the words (Hon. Abubakar Momoh).*

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

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

Committee Recommendation:

Clause 5: Where the commercial bank which has selected by the National Assembly Board is unable to establish a foreign currency dominated guarantee but can only issue the required guarantee with the Naira equivalent, it may enter into an arrangement with any other

commercial bank in Nigeria which can issue the required foreign currency guarantee., to receive the Nigeria dominated bank guarantee, in a back-to-back scenario (*Hon. Shuaibu Hashimu Abdullahi*).

Question that the provision in Clause 5 of the Bill be deleted, put and agreed to.

Committee Recommendation:

- Clause 6:**
- (1) Without prejudice to the provisions of Section 4 and 5 of this Act, and as an alternative procedure, the National Assembly Board may, upon the receipt of an advice payment of its statutory expenditure and amounts for a financial year to its Account in the selected commercial bank. Required the President to direct the Central Bank of Nigeria to cause is own correspondence bank outside Nigeria to establish the necessary stand-by letter of credit or bank guarantee on behalf of the National Assembly Board.
 - (2) In addition the option provided under Subsection (1) of this section the National Assembly Board may in order to show the selected commercial Bank from any credit risk work out an arrangement with any government owned insurance organizations to issue an indemnity to the selected commercial bank to enable the establishment of the required stand-by letter of credit or guarantee on behalf of the National Assembly.
 - (3) In applying the alternative procedure contemplated in Subsection (2) of this section, the selected commercial Bank may establish the required instrument of guarantee in batches, as may be considered the expended with respect to his position or standing with its prime international correspondence bank (*Hon. Shuaibu Hashimu Abdullahi*).

Question that the provisions in Clause 6 of the Bill be deleted, put and agreed to.

Committee Recommendation:

- Clause 7:**
- (1) As soon as the required stand-by letter of credit or guarantee contemplated in Sections 5 and 6 of this Act is obtained the commitment holder shall secure a credit line in respect of the guarantee thereof, and deposit the funds contained therein into a link account or a non-depletion account, where the buy and sell authenticated senior un-subordinated bank debentures will operate to create a specified rate of income stream per debenture week.
 - (2) Accordingly, the selected commercial bank shall cause to be established in favour of the National Assembly Board, irrevocable pay orders to facilitate the receipt of the yields (income stream accruing every month to the account at a rate relative to the face of the total amount guaranteed.
 - (3) In order to ensure that the placement programme contemplated in the foregoing provisions of this Act does not interrupt, delay or dislodge the monthly payment schedules of salaries, allowances and other recurrent payments for the various organs of the National Assembly, the first installment of payments due from the yields accruing therefrom the foregoing arrangement may only be delayed by not less than 10 banking days from the date of the receipt and verifications of the financial instruments necessary to establish the said placement programme.
 - (4) For the avoidance of any doubt, any and all proceeds, yields or profits, obtained or obtainable from the placement programme carried on under this Act shall be paid and or received into an Account which shall reflect its ownership as the National Assembly of the Federal Republic of Nigeria.
 - (5) The National Assembly Board shall cause to be paid into the Consolidated Revenue Fund one half of the total proceeds, yields or profits obtained from the placement programme carried on under this act, and cause the payment of the balance of the said total yields or profits to the general reserve fund established under section 9 of this Act (*Hon. Shuaibu Hashimu Abdullahi*).

Question that the provisions in Clause 7 of the Bill be deleted, put and agreed to.

PART II — GENERAL FINANCIAL PROVISIONS

Committee Recommendation:

Clause 8: (1) The National Assembly Board is hereby empowered to make specified monthly withdrawals from the Account established under this Account, for the payment of the following charges—

- (a) The salaries, allowances and other fees for—
 - (i) Members of the Senate and their aids and staff
 - (ii) Members of the Commissions and their staff
 - (iii) Members of the House of Representatives and their aides and staff
 - (iv) The officers and staff of the legislative chambers of the Senate and House;
 - (v) Other officers and staff of the administrative department of the National Assembly;
- (b) The recurrent overhead costs of conduct of the affairs of—

The Standing and Ad-hoc Committees of the Senate and the House of Representatives;

 - (i) The legislative chambers of the Senate and the House of Representatives
 - (ii) the officers of the leaders of the National Assembly and members of the Commission;
 - (iii) The officers of the leaders of the National Assembly and members of the Commission,
 - (iv) Legislative Chambers of the Senate and House of Representatives;
 - (v) the offices of the administrative departments of the National Assembly;
- (c) Such sums as are due for contacts issues for Capital projects, and expenditure on the maintenance of the premises of the National Assembly and properties vested in the National Assembly Board;
- (d) Provisions for the traveling allowances within Nigeria constituency allowances for members of the Senate and House of Representatives;
- (e) Provision for the depreciation or the renewal of any assets vested in the National Assembly;
- (f) Interest due on any debenture stock or any other stock issued or on any temporary overdraft by the National Assembly Board;
- (g) the sums required to be transferred to a sinking fund or otherwise set aside for the purpose of making provisions for the repayment of debenture stock or the repayment of other borrowed moneys;
- (h) Such allocation to any general reserve established in Section 9 of this Act and to contingencies or any other reserve as may in the opinion of the National Assembly Board be appropriate;
- (i) Grand for purposes conducive to the welfare of members and staff of the

- (j) Such contributions to such charitable objects as the National Assembly Board, with approval by a simple majority of the Senate and the House, may determine; and
 - (k) Such other charges as may be reasonably incurred in the exercise of the functions of the National Assembly Board under this Act; and the balance, if any, shall be applied by the National Assembly Board to such charitable purpose and in such manner as each chamber of the National Assembly may Direct.
- (2) The expenditures contemplated under Subsection (1) of this section shall be in conformity with the approved statutory allocations and accounts for each of the organs of the National Assembly as categorized in Section 3 of this Act (*Hon. Shuaibu Hashimu Abdullahi*).

Question that the provisions in Clause 8 of the Bill be deleted, put and agreed to.

Committee Recommendation:

- Clause 9:**
- (1) Without prejudice to the power of the National Assembly Board to set aside from the Account, appropriate amounts for replacements, contingencies or other purposes, the National Assembly Board may established and maintain a general reserve
 - (2) The management of the general reserve, the sums to be carried from time to time the credit of the general reserve, the charges to be made against the general reserve and any other application of the moneys comprised therein shall be as the National Assembly problem may, with the joint approval of both House of the National Assembly, determine-.

Provided that no part of the moneys comprised in the general reserve shall be applied otherwise than for the purposes of the organs of the National Assembly as categorized under Section 8 of this Act (*Hon. Shuaibu Hashimu Abdullahi*).

Question that the provisions in Clause 9 of the Bill be deleted, put and agreed to.

Committee Recommendation:

- Clause 10:** The National Assembly Board may, with the consent of its members or approval by a simple majority of members of both Houses of the National Assembly in their respective Chambers, or in accordance with the general Guidelines of authority given by the Government of the Federation, borrow by way of overdraft from any source, money required by any of the organs of the National Assembly to meet their obligations and functions as specified under the Constitution, this Act, or any other law in force. So however, that such approval, consent, or authority shall be required where the sum or aggregate of the sums involved at any time does not exceed such an amount as is for the time being statutorily specified as annual allocation for the respective organs of the National Assembly in a financial year (*Hon. Shuaibu Hashimu Abdullahi*) — *Agreed to.*

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

Committee Recommendation:

- Clause 11:**
- (1) The Chairman and Vice-Chairman of the National Assembly Board shall cause to be prepared, not later than six months before the end of the year, estimates of recurrent and capital expenditure and income of the various organs of the National Assembly during the next financial year, which estimates shall be acceded to by the various organs of the National Assembly, packaged as a whole and presented to the President for his information and inclusion in the estimates of the revenues and the expenditure of the Federal Government, for the following financial year.
 - (2) The clerk to the National Assembly shall keep proper accounts and records of all expenditure and charges incurred by the various organs of the National Assembly on the Account and shall prepare in respect of each financial year a statement of

account in such form as the National Assembly Board may direct, and in accordance with Federal Government accounting standard.

- (3) The National Assembly Board shall as soon as possible after the end of a financial year to which the statement of accounts in Subsection (2) of this section relate cause the accounts to be audited by the Auditor-General of the Federation in accordance with the relevant provisions of the Constitution (*Hon. Shuaibu Hashimu Abdullahi*) — *Agreed to.*

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

Committee Recommendation:

Clause 12: The National Assembly Board shall cause to be published in the Federal Government Gazette, not later than 31st day of March in each financial year, a report of the activities of the various organs of the National Assembly during the immediately preceding financial year, and shall include in such report a copy of the audited accounts of the various organs of the National Assembly for that year, and the auditors report thereon (*Hon. Shuaibu Hashimu Abdullahi*).

Amendment Proposed:

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

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

PART III — ESTABLISHMENT, MEMBERSHIP, ETC. OF THE NATIONAL ASSEMBLY
STATUTORY EXPENDITURE ACCOUNT BOARD

Committee Recommendation:

Clause 13: (1) There is hereby established for the management of the Account, the National Assembly Accounting Board (in this Act, referred to as "National Assembly Board") which membership shall comprise of—

- (a) The President of the Senate, who shall be the Chairman of the National Assembly Board;
- (b) The Speaker of the House Representatives, who shall be the Vice Chairman of the National Assembly Board;
- (c) The Deputy President of the Senate;
- (d) The Deputy Speaker of the House of Representatives;
- (e) The Leader and Chief Whip of the Senate and the Leader and Chief Whip of the House of Representatives (*Hon. Shuaibu Hashimu Abdullahi*).
- (f) The Chairman and Secretary of the National Assembly, Service Commission.
- (g) The Clerk to the National Assembly, who shall be the Chief Accounting and Administration Officer of the Board; and
- (h) The Deputy Clerk to the National Assembly shall be the Secretary to the Board, while the Director of Finance and Supplies of the National Assembly shall be an ex-officio member of the Board.

- (2) A member of the National Assembly Board shall cease to be a member of the Board where he voluntarily resigns his appointment or is removed from office, which confers him with membership of the Board (*Hon. Shuaibu Hashimu Abdullahi*).

Amendment Proposed:

Leave out all the words in Subclauses (1) (a) - (e) and *insert* the following instead thereof: "All Principal Officers of the Senate and House of Representatives" (*Hon. Mohammed Abubakar*).

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

Renumber Clause 13 as new Clause 5—Consequential amendment.

Committee Recommendation:

Clause 14: The supplementary provision contained in the schedule to this act shall have effect with respect to the proceedings of the National Assembly Board and other matters relating thereto (*Hon. Shuaibu Hashimu Abdullahi*) — *Agreed to.*

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

PART IV — FUNCTIONS AND POWERS OF THE NATIONAL ASSEMBLY BOARD

Committee Recommendation:

Clause 15: The functions of the National Assembly Board shall be—

- (a) To provide for the autonomy and management of its statutory allocations and amounts for its expenditure in a financial year;
- (b) To Establish a procedure that would ensure the prompt receipt of all statutory allocations and amounts approved in a financial year for the National Assembly and its various organs, and to provide for the subsequent prompt payment of all charges and fulfillment of all obligations to the members, officers and staff of the National Assembly and its various organs;
- (c) To establish a modern comprehensive financial procedure that would ensure a prudent, transparent and organized system of management of the statutory allocations and amounts approved for the expenditure of the National Assembly and its various organs in a financial year;
- (d) To provide for a procedure for the selection and approval of the commercial bank that would receive, keep and maintain the annual statutory allocations and amounts due to the National Assembly and its various organs, and to make same available for disbursement in the manner prescribed by the National Assembly Board;
- (e) To provide for a mutual cooperation between the Executive branch of Government and its Agencies, and the National Assembly in matters relating to the prompt payment of all statutory allocations and amounts due to the National Assembly.
- (f) To make specific provisions and delegate functions for the keeping and maintenance of proper accounts and records of the financial transactions and activities of the National Assembly, and for preparation of its estimates of revenue and expenditure for the next financial year.
- (g) To facilitate the award of contracts for the execution of capital projects and other arrangements approved for the National Assembly, and to make provision for the prompt payment of moneys for any such contracts and
- (h) To facilitate the borrowing by way of overdraft facilities from any selected commercial bank for the purposes of any of the organs of the National Assembly, and to ensure prompt repayment of any such overdraft (*Hon. Shuaibu Hashimu Abdullahi*) — *Agreed to.*

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

Committee Recommendation:

Clause 16: (1) The National Assembly Board shall have powers—

- (a) to receive all, statutory allocations and amounts to the National Assembly and its various organs in a financial year, and credit same in the Account established under this Act;
- (b) to make withdrawals from time to time from the Account for the purposes of making payments for recurrent and mandatory charges and other expenditure of the National Assembly and its various organs, in accordance with rules and guidelines made by the National Assembly Board for that purpose;

- (c) to determine the economic policies to be adopted, prescribe conditions, guidelines and rules to be followed, as the case may be, for preparing the estimates of the receipts and expenditure of the National Assembly and its organs for the next financial year or for the purposes of a supplementary appropriation and for certifying the payment of all monetary charges and fulfilling the obligations of the National Assembly and its organs in a financial year, and delegating such powers as it deems appropriate to any committee of the Houses or office of the National Assembly with respect to the management of the Account;
 - (d) to raise money by way of overdraft from any commercial bank for the purposes of the National Assembly or any of its organs, and to ensure the repayment of any of such facilities in such a manner as the National Assembly may deem fit.
 - (e) to issue guidelines and procedure for requiring and receiving tenders for capital projects and other arrangements approved for the National Assembly, and establishing the procedure for approvals, execution and payment on completion of any contract awarded; and
 - (f) to acquire any property authorized by the National Assembly.
- (2) The National Assembly Board may delegate any of its powers or activities under this Act to the Clerk to the National Assembly, as it may deem appropriate, including approvals for the payment of charges and fees authorized under this Act, and the entry into obligations on behalf of the National Assembly Board, on the bases of guidelines and rules supplied by the National assembly Board.
 - (3) The National Assembly Board shall use the resources owned or accruing to the National Assembly and its various organs under the provisions of this Act, and any other enactment, for the purposes connected with the objects and functions and the exercise of the powers of the National Assembly.
 - (4) In order to achieve the objects of this Act, and to perform the functions specified and directed hereunder, the National Assembly Board shall have powers to do anything which in, its opinion is calculated to facilitate the discharge, implementation or performance of its duties under this Act.
 - (5) For the avoidance of any doubt, the power conferred on the National Assembly Board under this section shall be exercised in consultation with both Houses of the National Assembly (*Hon. Shuaibu Hashimu Abdullahi*) — *Agreed to.*

Question that Clause 16 stand part of the Bill, put and agreed to.

Committee Recommendation:

- Clause 17:**
- (1) The Clerk of the National Assembly shall in addition to the duties conferred on him by any other enactment, have powers under this Act to—
 - (a) organize and manage the affairs of the National Assembly Board with respect to the Account established under this Act;
 - (b) receive all money necessary to meet the statutory expenditure or cost of all the charges and obligations of the National Assembly and its various organs for a financial year, and make payment of same to the Account established under this Act;
 - (c) enforce the provision of this Act, and in particular, directing the activities of the officers and staff of the accounting department of the National Assembly with respect to the operations of the Account;
 - (d) exercise disciplinary control over the officers and staff of the accounting department, subjected to consultation with the commission
 - (e) manage the funds comprised in and allocated to the Account, from time to time, in accordance with the provisions of this Act; and

- (2) Without prejudice to Subsection (1) of this section, the clerk to the National Assembly shall be free to manage the affairs and operations of the National Assembly Board in respect of the Account established under this Act, as directed by the National Assembly Board. And in this regard other members of the National Assembly Board shall not interfere with his methods or with the manner in which he deploys the material and human resources of the National Assembly and its various organs in order to obtain results in accordance with this Act (*Hon. Shuaibu Hashimu Abdullahi*).

Question that the provisions in Clause 17 of the Bill be deleted, put and agreed to.

PART V — GENERAL PROVISIONS

Committee Recommendation:

Clause 18: The National Assembly Board may, by regulations of a general nature, approve concurrently by a simple majority of both Houses of the National Assembly, prescribe anything failing to be prescribed for the purpose of implementing the provisions of this Act (*Hon. Shuaibu Hashimu Abdullahi*) — Agreed to.

Question that Clause 18 stand part of the Bill, put and agreed to.

Committee Recommendation:

Clause 19: The public Funds of the Federation (Disbursement) Rules shall be of no effect to the provisions of this Act, in particular, with regard to the placement programme authorized thereunder (*Hon. Shuaibu Hashimu Abdullahi*).

Question that the provision in Clause 19 of the Bill be deleted, put and agreed to.

Committee Recommendation:

Clause 20: In this Act, unless the context otherwise requires—
"Commission" means the National Assembly Service Commission established by law; (*Hon. Shuaibu Hashimu Abdullahi*) — Agreed to.

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

"constitution" means the constitution of the Federal Republic of Nigeria, 1999; (*Hon. Shuaibu Hashimu Abdullahi*) — Agreed to.

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

"National Assembly" means the Senate and the House of Representatives established by the Constitution; (*Hon. Shuaibu Hashimu Abdullahi*) — Agreed to.

Question that the meaning of the word "National Assembly" be as defined in the interpretation to this Act, put and agreed to.

"National Assembly Board" means the National Assembly Statutory Expenditure Accounting Board established pursuant to Section 13 of this Act: (*Hon. Shuaibu Hashimu Abdullahi*) — Agreed to.

Question that the meaning of the word "National Assembly Board" be as defined in the interpretation to this Act, put and agreed to.

"Power" includes Function and duty; (*Hon. Shuaibu Hashimu Abdullahi*) — Agreed to.

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

"President" means the president of the federal Republic of Nigeria; (*Hon. Shuaibu Hashimu Abdullahi*) — Agreed to.

Question that the meaning of the word "President" be as defined in the interpretation to this Act, put and

agreed to.

"The Account" means the National Assembly statutory expenditure account; (*Hon. Shuaibu Hashimu Abdullahi*) — Agreed to.

Question that the meaning of the word "The Account" be as defined in the interpretation to this Act, put and agreed to.

"statutory expenditure" means the expenditure charged on the Consolidated Revenue Fund by any provision of the Constitution, and such other expenditure as have been charged by an Appropriation Act on the Consolidated Revenue Fund or the general revenue and assets of the Federation or on the other public funds of the Federation: (*Hon. Shuaibu Hashimu Abdullahi*) — Agreed to.

Question that the meaning of the word "statutory expenditure" be as defined in the interpretation to this Act, put and agreed to.

Committee Recommendation:

- Clause 21:**
- (1) This Act may be cited as the National Assembly Financial Autonomy Act, 2005.
 - (2) The provisions of this Act are in addition to and not in derogation of the Provisions of any other law or regulations relating to the receipt and maintenance of statutory allocation and other funds authorized for a statutory body in a financial year (*Hon. Shuaibu Hashimu Abdullahi*) — Agreed to.

Question that Clause 21 stand part of the Bill, put and agreed to.

SCHEDULE

Section 14

SUPPLEMENTARY PROVISIONS RELATING TO THE NATIONAL ASSEMBLY BOARD

Proceedings of the National Assembly Board

Cap. 192.

1. Subject to this Act, and Section 27 of the Interpretation Act (which provides for the decision of a Statutory body to be taken by a majority of its members and for the person presiding to have a second or casting vote) the members of the National Assembly Board may make standing orders regulating the meetings of any committee thereof.
2.
 - (1) The members of the National Assembly Board shall meet not less than five times in a year and subject thereto, the members of the National Assembly Board shall meet whenever it is summoned by the Chairman and the Vice-Chairman, and if the Chairman and the Vice-Chairman are required to do so by notice given to them by not less than five other members, they shall summon a meeting of the members of the National Assembly Board to be held within fourteen days from the date on which the notice is given.
 - (2) Every meeting of members of the National Assembly Board shall be presided over by the Chairman or the Vice-Chairman or in their absence; the members present at the meeting shall elect one of their members to preside at the meeting.
3. The quorum at a meeting of the National Assembly Board shall consist of the Chairman or the Vice-Chairman (or in an appropriate case, the person presiding at the meeting pursuant to paragraph 2 (2) of this Schedule) and five other members, provided there are at least two members from each Chamber present (*Hon. Shuaibu Hashimu Abdullahi*).

Amendment Proposed:

In line 3, immediately after the word "and" *leave out* the words "five other members" and *insert* the words "one-third of members of the board" instead thereof (*Hon. N. C. Ughanze*).

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

4. Where upon any special occasion the National Assembly Board desires to obtain the advice of any person on any particular matter, the National Assembly Board may invite that person to the meeting as may be necessary.

Committee

5. (1) Subject to its standing orders, the National Assembly Board may appoint such number of standing and Ad-hoc committees as it thinks fit to consider and report on any matter, with which the National Assembly Board is concerned.
- (2) Every committee appointed under the foregoing provisions of this paragraph shall be presided over by a member of the National Assembly Board and shall be made up of such number of other persons, not necessarily members of the National Assembly Board but persons who may be officers of any of the organs of the National Assembly as the National Assembly Board may determine in each case.
- (3) The quorum of any committee set up by National Assembly Board shall be as may be determined by the Chairman and Vice-Chairman of the National Assembly Board (*Hon. Shuaibu Hashimu Abdullahi*).

Amendment Proposed:

In line 1, immediately after the word “be” *leave out* all the words “as may be determined by the Chairman and Vice-Chairman of the National Assembly Board” and *insert* the words “one-third of members of the board” instead thereof (*Hon. N. C. Ughanze*).

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

6. (1) Where standing orders made pursuant to paragraph 1 of this Schedule provide for a committee of the National Assembly Board to consist of co-opted persons who are not members of the National Assembly Board, the committee may advise the National Assembly Board and the members thereof may attend a meeting of the National Assembly Board for that purpose.
- (2) A decision of Committees of the National Assembly Board shall be of no effect until it is confirmed by the National Assembly Board.

Miscellaneous

7. The fixing of the seal of the National Assembly Board shall be authenticated by the signature of the Chairman, the Vice-Chairman and Clerk to the National Assembly or any other person authorized generally or specifically to act for that purpose by the National Assembly Board
8. Any contract or instrument which, if made or executed by a person not being a body corporate, would not be required to be under seal may be made or executed on behalf of the National Assembly Board by the Chairman or Vice- Chairman or by any other person generally or specifically authorized to act for that purpose by the National Assembly Board.
9. Any document purporting to be a contract, instrument or document duly signed on behalf of the National Assembly Board shall be admitted in evidence and shall, unless the contrary is provided, be presumed without further proof to have been so signed or sealed.
10. The validity of any proceedings of the National Assembly Board or of a committee thereof shall not be adversely affected—
 - (a) by any vacancy in the membership of the National Assembly Board or any committee thereof ; or
 - (b) by any defect in the appointment of a member of the National Assembly Board or any committee thereof, or
 - (c) by reason that a person not entitled to do so took part in the proceedings of the National Assembly Board.
11. Any member of the National Assembly Board or a committee thereof, who has personal interest in any contract or arrangement entered into, or proposed to be considered by the National Assembly Board or committee thereof shall forthwith disclose his interest to the National Assembly Board or the committee, and shall not vote on any question relating to the contract or arrangement.
12. No member of the National Assembly Board shall be personally liable for any act done or omission made in good faith while engaged in the business of the National Assembly Board (*Hon. Shuaibu*

Question that this Schedule as amended, be the Schedule to the Bill, put and 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 Joint Committee on Finance, Appropriations and Justice on A Bill for an Act to Establish the National Assembly Statutory Expenditure Account to Vest Certain Measure of Self-Accounting Responsibilities on the National Assembly in the Control and Management of its Financial Affairs; and to Provide for Other Matters Relating Thereto, 2005 and approved Clauses 1 - 2, deleted Clause 3, approved Clause 4, deleted Clauses 5 - 9, approved Clauses 10 - 11, deleted Clause 12, approved Clauses 13, as amended, approved Clauses 14 - 21 and the Schedule to the Bill, as amended.

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

8. Adjournment:

That this House do now adjourn till Tuesday, 23 August, 2005 at 10.00 a.m. (*Hon. Abdul Ningi*).

Adjourned accordingly at 1.57 p.m.

Aminu Bello Masari
Speaker