



HOUSE OF REPRESENTATIVES FEDERAL REPUBLIC OF NIGERIA

VOTES AND PROCEEDINGS

Thursday, 13 October, 2005

1. The House met at 10.30 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, 12 October, 2005.

By unanimous consent, the Votes and Proceedings was adopted.

3. Announcements:
 - (i) Messages:
Mr Speaker read the following Messages from the President of the Federal Republic of Nigeria.



PRESIDENT,
FEDERAL REPUBLIC OF NIGERIA

PRES/134

10 October, 2005 .

*The Honourable Speaker,
House of Representatives,
National Assembly Complex,
Three-Arms Zone, Asokoro —
Abuja.*

Dear Hon. Speaker,

**PRESENTATION OF COMPUTER SECURITY AND CRITICAL
INFORMATION INFRASTRUCTURE PROTECTION BILL 2005**

I hereby present, for formal consideration and passage into law by the House, the attached Bill, which seeks to secure computer systems and networks in Nigeria as well as criminal liabilities and penalties for undesirable activities carried out using computers and other information and communication technology devices.

I hope the Bill will receive prompt attention of Honourable Members of the House.

Yours sincerely,

(Signed)
OLUSEGUN OBASANJO



PRESIDENT,
FEDERAL REPUBLIC OF NIGERIA

PRES/134

October 10, 2005

The Hon. Speaker, House of
Representatives, National
Assembly Complex, Three
Arms Zone, Abuja.

Dear Hon. Speaker,

**PRESENTATION OF A CONSOLIDATED BILL FOR AN ACT TO
CREATE OFFENCES PERTAINING TO ADVANCE FEE FRAUD
AND OTHER RELATED FRAUD OFFENCES, ETC.**

Honourable Members may wish to recall that I recently assented to be Advance Fee Fraud and Other Fraud Related Offences (Amendment) Bill, 2005 earlier passed into law by the National Assembly.

In the course of implementation of the Act, it was discovered that, while the Bill earlier forwarded to the National Assembly sought to, among other things, confer jurisdiction on both the Federal and State High Courts to try offences under the Act, however in passing the Bill, the National Assembly conferred jurisdiction only on the Federal High Court thereby excluding State High Courts and FCT Courts from exercising jurisdiction in respect of offences under the Act.

This development has turned out to have far-reaching negative implications on the operation of the Economic and Financial Crimes Commission (EFCC). This is because several cases of Advance Fee Fraud earlier filed before the various State High Courts nationwide and the FCT High Courts can no longer be prosecuted by the Commission in those Courts for lack of jurisdiction. It is, indeed, a serious set back for the Commission since the Federal High Court alone does not have the capacity to handle the Commission's cases nationwide, while all those cases before the State and FCT High Courts would have to start de novo in the Federal High Court.

In view of the above, it is considered necessary to forward herewith, a new Bill to the Senate which aims at correcting the anomaly and strengthening the operations of the Commission. In addition to some new provisions in the Bill which seek to enhance the performance of the Commission, the Bill also consolidates all existing legislations relating to Advance Fee Fraud and other fraud-related offences by bringing them under one legislation. By implication therefore, the Bill also seeks to repeal and replace the existing "Advance Fee Fraud and other Related Offences Act No. 13 of 1995" as well as "the Advance Fee Fraud and other Related Offences (Amendment) Act, 2005".

While urging for the cooperation of the House of Representatives by ensuring urgent consideration and passage of this Bill into law, accept the assurances of my highest esteem and best wishes, please.

Yours sincerely,

(Signed)
OLUSEGVN OBASANJO

Copy to:

Special Adviser to the President on National Assembly Matters.
Executive Chairman, Economic & Financial Crimes Commission.

(ii) Visitors:

Mr Deputy Speaker recognized the presence, in the Gallery, of students from the Federal Polytechnic Idah, Kogi State.

4. Petitions:

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

- (i) Hon. Moroof Akinwande, from Mr Konfaa Kaiser George, praying the House to investigate the circumstances of his disengagement from the Services of the Nigerian National Petroleum Corporation (NNPC) with a view to reinstating him.
- (ii) Hon. Bethel Amadi, from Mr Iwuajoku Christopher, praying the House to prevail on the Nigerian Telecommunications Limited (NITEL) to grant the relief sought in his petition,

5. Presentation of Reports:

Committee On Public Petitions:

- (i) *Petition by Mr. Samuel Owolabi Akerele:*

Motion made and Question Proposed, "That this House do receive the Report of the House Committee on Public Petitions on the Petition by Mr Samuel Owolabi Akerele against the Nigerian Airspace Management Agency (NAMA)" (Hon. Chudi Offodile).

Question put and agreed to.

Report Laid.

- (ii) *Petition by Eze Sir W. W. Onunwor Nyesiri Mbam Oropotoma:*

Motion made and Question proposed, "That this House do receive the Report of the House Committee on Public Petitions on the Petition by Eze Sir W. W. Onunwor Nyesiri Mbam Oropotoma and 4 others against the Nigeria Air Force" (Hon. Chudi Offodile).

Question put and agreed to.

Report Laid.

- (iii) *Petition by Jibrin Bakari Medugu:*

Motion made and Question proposed, "That this House do receive the Report of the House Committee on Public Petitions on the Petition by Jibrin Bakari Medugu against Nigerian Investment Promotion Commission" (Hon. Chudi Offodile).

Question put and agreed to.

Report Laid.

6. Flood Disaster in Kura Local Government Area of Kano State:

Motion made and Question proposed,

"The House,

Is informed that there was a torrential rainfall, which caused massive damage to farmlands, residential buildings and properties displacing almost the entire settlement in Kura Local Government Area of Kano State;

Is worried that the residents of the area have remained homeless and require urgent assistance.

Resolves to:

- i) *Mandate the House Committee on Emergency and Disaster Preparedness to visit the affected areas of the disaster to ascertain the extent of damage and report to the House; and*
- (ii) *Urge the National Emergency Management Agency (NEMA) to urgently provide relief materials to the people of affected areas (Hon. JJmaru Datti Kura and IS others).*

Debate:

Amendments Proposed:

- (i) *In Prayer (ii), line 2, immediately after the words "affected areas" insert the following:
" and to strive to always be the first agency to provide materials to the people in affected areas"
(Hon. Mohammed All Ndume).*

Question that the amendment be made put and agreed to.

(it) Insert a new Payer (iv) as follows:

"That the Ministry of Environment should conduct Scientific Study to ascertain the level of moisture in the soil with a view to preventing collapse of buildings not only in Kura, but in nearby towns and areas vulnerable to the same catastrophe" (*Hon. Auwalu Kilo*),

Question that the amendment be made, put and negatived.

Main Question, as amended, put and agreed to. The House:

Was informed that there was a torrential rainfall, which caused massive damage to farmlands, residential buildings and properties displacing almost the entire settlement in Kura Local Government Area of Kano State;

Was worried that the residents of the area had remained homeless and required urgent assistance.

Resolved to:

(ij) Mandate the House Committee on Emergency and Disaster Preparedness to visit the affected areas of the disaster to ascertain the extent of damage and report to the House;

(ii) Urge the National Emergency Management Agency (NEMA) to urgently provide Relief materials to the people of the affected areas; and to strive to always be the first Agency to provide materials to the people in affected areas (*HR 38/2005*).

A Bill for an Act to Dissolve the Institute of Cost Management and to Establish a Chartered Institute of Cost Management of Nigeria; and for other Related Matters), 2004 {HB. 116} — *Second Reading: Motion made and Question proposed*, "That A Bill for an Act to Dissolve the Institute of Cost Management and to Establish a Chartered Institute of Cost Management of Nigeria; and for other Related Matters), 2004 (*Hon. David Idoko*).

Debate:

Question that the Bill be now read the second time, put and negatived.

A Bill for an Act to Repeal Cap.29 Laws of the Federation of Nigeria,2004 and to make Comprehensive Provisions for the Administration of Prisons in Nigeria; and for Related Purposes, 2005 (HB. 186) — *Second Reading.*

Order read; deferred.

Consideration of Reports:

Committee on Public Petitions:

(i) *Petition by Mr Nwoko Obi:*

— *Motion made and Question Proposed*, "That this House do consider the Report of the House Committee on Public Petitions on the petition by Mr Nwoko Obi against the Nigeria Customs Service (NCS) and approve the Recommendation therein" (*Hon. Chudi Offodile*).

Question put and agreed to.

Question that the House do resolve into the Committee e to consider the Report, put and agreed to.

(HOUSE IN COMMITTEE)

(*Mr Deputy Speaker in the Chair*)

Recommendation:

Mr Nwoko Obi should be recalled by the Nigeria Customs Service and have his entitlements paid (*Hon. Chudi Offodile*).

Question put and agreed to.

Chairman to Report Proceedings.

(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 Public Petitions on the petition by Mr Nwoko Ohi and approved the Recommendation therein.

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

(ii) *Petition by Mr I. O. Ilesanmi:*

Motion made and Question Proposed, "That this House do consider the Report of the House Committee on Public Petitions on the petition by Mr I. O. Ilesanmi against the Pipelines and Products Marketing Company Limited (PPMC), and approve the Recommendation therein" (Hon. Chudi Offodile).

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)

Recommendation:

"Although we believe that Mr Ilesanmi was unjustly retired, having collected all his entitlements from the Pipelines and Products Marketing Company Limited (PPMC), we cannot recommend his reinstatement" (Hon. Chudi Offodile).

Question put and agreed to.

Chairman to Report Proceedings.

(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 Public Petitions on the petition by Mr I. O. Ilesanmi and approved the Recommendation therein.

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

(iii) *Petition by Mr D. A. Samari:*

Motion made and Question proposed, "That this House do consider the Report of the House Committee on Public Petitions on the petition by Mr D. A. Samari against the Pipelines and Products Marketing Company Limited (PPMC), and approve the Recommendation therein" (Hon. Chudi Offodile).

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)

Recommendation:

"By re-instating two (2) of those affected by the same Disciplinary Committee Report and converting one from dismissal to retirement, the Pipelines and Products Marketing Company Limited (PPMC) Management had in effect reviewed their position on the report of the Disciplinary Committee. Accordingly, we cannot recommend that the termination of appointment of Mr D. A. Samari be converted to retirement" (Hon. Chudi Offodile).

Question put and agreed to.

Chairman to Report Proceedings.

(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 Public Petitions on the petition by Mr D. A. Samari; and approved the recommendation therein.

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

(iv) *Petition by Mr Ray Chinda:*

Motion made and Question proposed, "That this House do consider the Report of the House Committee on Public Petitions on the petition by Mr Ray Chinda against the Port Harcourt Refining Company, Alesa Eleme and approve the recommendation therein" {Hon. Chudi Offodile}.

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)

Recommendation (i):

"That the Port Harcourt Refining company obey the subsisting court order and reinstate Mr Ray Chinda to his position in the Company" (Hon. Chudi Offodile),

Question put and agreed to.

Recommendation (ii):

"That the petitioner be paid his entitlements, as directed by the Court" (Hon. Chudi Offodile).

Question put and agreed to.

Chairman to Report Proceedings.

(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 Public Petitions on the petition by Mr Ray Chinda and approved the recommendations therein.

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

(v) *Petition by Al-Dawood Shipping Lines Limited:*

Motion made and Question proposed, "That this House do consider the Report of the House — Committee on Public Petitions on the petition by Al-Dawood Shipping Lines Limited against the Nigerian Navy and approve the Recommendation therein" (Hon. Chudi Offodile).

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)

Recommendation:

"That the Chief of Naval Staff comply with the order of the Federal High Court, Lagos and release MT MAHDI to Al-dawood Shipping Lines Limited (Hon. Chudi Offodile).

Question put and agreed Chairman to Report Proceedings.

(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 Public Petitions on the petition by AL-Dawood Shipping Lines Limited and approved the Committee's Recommendation.

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

(vi) *Petition by Mr. Amechi Chimezie:*

Motion made and Question proposed, "That this House do consider the Report of the House committee on Public Petitions on the petition by Mr Amechi Chimezie against Saipem Nigeria Limited and approve the Recommendation therein" (Hon. Chudi Offodile).

Question put and agreed to.

Question that the House do resolve into the Committee of Supply to consider the Report, put and agreed to.

(HOUSE IN COMMITTEE)

(Mr Deputy Speaker in the Chair)

Recommendation:

"That the Management of SAIPEM return all properties in their custody belonging to Mr Amechi Chimezie and pay all outstanding entitlements due to him *(Hon. Chudi Offodile).*

Recommendation set aside as subject matter of the petition had been settled by the Petitioner and the Management of SAIPEM.

Chairman to Report Proceedings.

(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 Public Petitions on the petition by Mr Amechi Chimezie and set aside the Committee's Recommendation as the two parties had resolved the subject matter of petition.

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

(vii) *Petition by Mr hiimfon Umanah:*

Motion made and Question proposed, "That this House do consider the Report of the House committee on Public Petitions on the petition by Mr Inimfon Umanah and one other against the Management of Aluminum Smelter Company of Nigeria (ALSCON) and approve the Recommendation therein" (Hon. Chudi Offodile).

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)

Recommendation:

"Urge the ALSCON Management to comply with the Industrial Arbitration Panel Award to the petitioners without further delay" *(Hon. Chudi Offodile).*

Question put and agreed to.

Chairman to Report Proceedings.

(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 **Public** Petitions on the petition by Mr Inimfon Umanah and one other and approved the recommendation therein.

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

10. Adjournment:

That this House do now adjourn till Tuesday, 18 October, 2005 at 10.00 a.m. (*Hon. Gilbert Nnaji*).

Adjourned accordingly at 12.55p.m..

Aminu Bello Masari
Speaker