



# HOUSE OF REPRESENTATIVES FEDERAL REPUBLIC OF NIGERIA

## VOTES AND PROCEEDINGS

Tuesday, 18 October, 2005

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1. The House met at 10.55 a.m. Mr Speaker read Prayers.
2. Votes and Proceedings:  
Mr Speaker announced that he had examined and approved the Votes and Proceedings of Thursday, 13 October, 2005.

*By unanimous consent, the Votes and Proceedings were adopted.*

3. Announcements:
  - (i) *Communication from the Honourable Minister of Works:*  
Mr Speaker read the following letter in response to House Resolution 33/2005 of 21 September, 2005.



**OFFICE OF THE HONOURABLE MINISTER  
FEDERAL MINISTRY OF WORKS**  
**HEADQUARTERS, MABUSH1 — ABUJA**  
»: 095211624, 5211860, 6713453, 5212280

*Our Ref:* PRS/ABJ/00148/Vol. 1/69

*Your Ref:*

*Date: 11th October, 2005*

*The Secretary to the Government  
of the Federation, The  
Presidency, Federal  
Secretariat Phase I, Shehu  
Shagari Way, ABUJA.*

**RE: FLOOD DISASTER IN TARABA STATE HR. 25/2005**

*I wish to acknowledge the receipt of your letter Ref. No. SGF. 15/V/1047 of 31st August, 2005 on the above subject and to thank you and the National Assembly for the deep concern over the flood disaster in Taraba State. I have gone through the House Resolution 25/2005 particularly that which directed "the federal Ministry of Works to reconstruct the bridge along Wukari — Jalingo Road, immediately, to restore normal business and social activities", I wish to inform you that immediately following the disaster, which involved the collapse of the bridge over the Nukkai River, the Ministry*

*in collaboration with the Nigerian Army Corps of Engineers embarked on the construction of a Floating Fold Bridge (FFB) as an interim measure. The construction of the Floating Fold Bridge has now been completed and was commissioned on Friday, 7th October, 2005.*

2. *For your further information, the Floating Fold Bridge was constructed at the cost of \$29.4 million with H29.4 million coming from the Federal Roads Maintenance Agency (FERMA) while the balance of N 10 million was provided by the Ministry.*

3. *In an effort to put in place a permanent bridge, the President has graciously approved the construction of a new bridge over the Nukkai River. Necessary steps are being taken to complete the process of award of the contract.*

4. *Please accept the assurances of my highest regards.*

(Signed)  
Senator Adeseye Ogunlewe  
Honourable Minister

Copy to:

*The Clerk to the National Assembly ,  
National Assembly Complex, Three  
Arms Zone, ABUJA.*

(it) *Merit Awards:*

Mr Speaker announced the conferment of the following awards on Hon. Tukur Idris Nadabo:

- (a) Distinguished Leadership in Law, by the Institute of Certified Financial Accountants (ICFA) in Collaboration with Atlas University Philadelphia, USA.
- (b) Great African Merit Award (GAMA) 2005, by Complete Success Publication, Lagos.
- (c) 1st National Political Icons Award for Democratic Excellence, by the Institute for Democratic Studies (IDS) and Queret Ventures Limited (QVL) for Sustainable Democracy.

(Hi) *Bereavement:*

Mr Speaker announced with deep regret, the death of the mother of Hon. Moshood Tokunbo Amele, Madam Kaliat Ashake Amele, on Friday, 14th October, 2005.

*Hon. Bawa Bwari rendered prayers for the repose of the soul of the deceased.*

4. Special Ad-Hoc Committee on National Lottery:

Mr Speaker approved the membership of the above Committee:

|        |                               |   |                 |
|--------|-------------------------------|---|-----------------|
| (0)    | Hon. Chief Ike Chinwo         | — | Chairman        |
| (ii)   | Hon. Ayi Bassey Ekpenyong     | — | Deputy Chairman |
| (Hi)   | Hon. Igo Aguma                | — | Member          |
| (iv)   | Hon. Tunde Salau              | — |                 |
| (v)    | Hon. Altine Kajiji            | — |                 |
| (vi)   | Hon. Sani Toro                | — |                 |
| (vii)  | Hon. Musa Mahmood             | — |                 |
| (viii) | Hon. Gbenga Makunjuola        | — |                 |
| (ix)   | Hon. Mike Ohia                | — |                 |
| (x)    | Hon. Jonathan Eze             | — |                 |
| (xi)   | Hon. Emma Deeyah              | — |                 |
| (xii)  | Hon. Biodun Christine Olujimi | — |                 |
| (xiit) | Hon. Lawal Garba              | — | "               |

**5. Petition:**

A petition was received and referred to the Committee on Public Petitions:  
Hon. Abdullahi Farouk, from Mr Amimi Mustapha praying the House to intervene in the alleged wrongful termination of his appointment with the Code of Conduct Tribunal, and to reinstate him.

**6. Presentation of Bill:**

Nigerian Infants Health Welfare Scheme (Procedure, etc.) Bill, 2004 — *Read the First Time*.

**7. Presentation of Reports:****(i) Committee on Environment:**

*Motion made and Question proposed*, "That this House do receive the Report of the House Committee on Environment on the Investigation of Typhia Grass Invasion and Environmental Degradation in the Hadejia/Jama'are/Komadugu/Yobe Basin" (*Hon. Ahmed Lawan*).

*Question put and agreed to.*

*Report Laid.*

**(ii) Joint Committee on Petroleum Resources and Justice:**

*Motion made and Question proposed*, "That this House do receive the Report of the Joint Committee on Petroleum Resources and Justice on A Bill for an Act to Amend the Deep Offshore and Inland Basin Production Sharing Contracts Act of 1999, 2004" (*Hon. David Idoko*).

*Question put and agreed to.*

*Report Laid.*

**(iii) Joint Committee on Petroleum Resources and Justice:**

*Motion made and Question proposed*, "That this House do receive the Report of the Joint Committee on Petroleum Resources and Justice on A Bill for an Act to Amend the Petroleum Act, Cap. 350, Laws of the Federation of Nigeria, 1990 and for Related Purposes, 2004" (*Hon. David Idoko*).

*Question put and agreed to.*

*Report Laid.*

**8. A Bill for an Act to Amend the Criminal Procedure Code Law 1960; by Expressing the Jurisdiction, Powers and Limits of Respective Magistrates, Abolishing the Preliminary Inquiry Provisions; and for Related Matters in the Federal Capital Territory, Abuja 2005 (HB. 182) — Second Reading.**

*Order read; deferred.*

**9. Consideration of Report:**

*Joint Committee on Anti-Corruption and Justice:*

*Motion made and Question proposed*, "That this House do consider the Report of the Joint Committee on Anti-Corruption and Justice on A Bill for an Act to Amend the Corrupt Practices and other Related Offences Act, 2003 and approve the recommendations therein" (*Hon. Nduese Essien*).

*Question put and agreed to.*

*Question that the House do resolve into the Committee of Whole to consider the Report—agreed to.*

*Question*, "That Order VII, Rule 2(2) be suspended to enable Mr Speaker preside in the Committee of Whole — *Agreed to.*

## (HOUSE IN THE COMMITTEE)

*(Mr Speaker in the Chair)*

## A BILL FOR AN ACT TO AMEND THE CORRUPT PRACTICES AND OTHER RELATED OFFENCES ACT, 2003 AND APPROVE THE RECOMMENDATIONS THEREIN

*Committee Recommendation:*

Short Title:

Section 1 of the Act is amended as follows:

The Corrupt Practices and other Related Offences Act, (Amendment), 2005 *{Hon. Nduese Essien}*  
—Agreed to.

*Committee Recommendation:*

Section 2 of the Act (Interpretation) is amended as follows:

"Bank" means any bank, finance company or a discount house, licensed under the Banks and other Financial Institutions Act or any other financial institution established or licensed under any other written law; *{Hon. Nduese Essien}* —Agreed to.

"Gratification" means:

(b) any office, dignity, employment, contract of *employment* or services and any agreement to give employment or render services in any capacity; *(Hon. Nduese Essien)* —Agreed to.

"Public Officer" means a person employed or engaged in any capacity in the public service of the Federation, State or Local Government, public corporations or private company wholly or jointly owned by any government or its agency including the subsidiary of any company whether located within or outside Nigeria and includes judicial officers serving in Magistrate, Customary Courts, Area Courts or Tribunals; *(Hon. Nduese Essien)* —Agreed to.

*Committee Recommendation:*

Independent Corrupt Practices and Other Related Offences Commission:

Section 3 of the Act is amended as follows:

*Committee Recommendation:*

(3) The Commission shall consist of a Chairman and twelve (12) other members two from each of the six geo-political zones, six of which shall be assigned specific functions at the Head Quarters while the other six shall be posted to each of six geo-political zones: and the following other members, that, that is—

- (a) a retired Police Officer not below the rank of Commissioner of Police;
- (b) a Legal Practitioner with at least 10 years post-call experience *to be recommended by the Nigerian Bar Association*;
- (c) a retired Judge of a superior Court of record;
- {d} a retired Public Servant not below the rank of a Director;
- (e) \ a Chartered Accountant with not less than 10 years experience;
- (f) two other persons including a woman, and
- (g) a youth not less than 25 years or more than 30 years of age at the time of his appointment  
*(Hon. Nduese Essien)*.

## Amendments Proposed:

- (i) *Leave out* all the words in Section 3(3) and retain the following provision in the Bill.  
"(3) The Commission shall consist of a Chairman and six other members from each of the six geo-political zones and the following other members, that is —  
*(Hon. C. N. Ughanze)*.

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

- (ii) Leave out all the words in Section 3 (3) (b) and retain the following provision in the Bill.  
(b) a Legal Practitioner with at least 10 years post-call experience; (*Hon. Ita Enang*)

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

Section 3(4) of the Act is amended as follows:

*Committee Recommendation:*

- (4) The Chairman shall be a person who holds or held the office of a Judge of a superior Court of record in Nigeria (*Hon. Nduese Essien*).

*Amendment Proposed:*

Leave out the provision in the recommendation and insert the following provision in the Bill. -

- (4) The Chairman shall be a person who has held or is qualified to hold office as a Judge of a superior Court of record in Nigeria (*Hon. Obeten E. Obeten*).

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

Section 3(5) of the Act is amended as follows:

*Committee Recommendation:*

- (5) The remuneration for the Chairman and members of the Commission shall be determined by the National Revenue Mobilization Allocation and Fiscal Commission (*Hon. Nduese Essien*)  
—Agreed to.

Section 3(6) of the Act is amended as follows:

*Committee Recommendation:*

- (6) The Chairman and the Members of the Commission shall be persons of proven integrity to be appointed by the President upon confirmation by the National Assembly and shall not begin to discharge the duties of their offices until they have declared their assets and liabilities as prescribed in the Constitution of the Federal Republic of Nigeria (*Hon. Nduese Essien*).

*Amendment Proposed:*

Leave out the provision in the recommendation and insert the following provision in the Bill.

- (6) The Chairman and the Members of the Commission shall be persons of proven integrity to be appointed by the President upon confirmation by the Senate and shall not begin to Discharge the duties of their offices until they have declared their assets and liabilities as Prescribed in the Constitution of the Federal Republic of Nigeria (*Hon. Mao Ohuabunwa*).

*Question that amendment is made, put and agreed to.*

New Section 3(7):

The Principal Act is amended with the provision of anew Section 3(7) as follows:

*Committee Recommendation:*

- (7) (a) The names of the prospective Chairman and members of the Commission shall be published in four (4) daily Newspapers circulating nationwide and shall invite objections to their appointment if any.
- (b) The objection shall state the grounds thereof bordering on provable dishonesty, corruption, fraud or any criminal act and shall be forwarded to the National Assembly within 28 days from the date of publication;
- (c) Any objection forwarded shall be considered and the objectors and applicants may, if necessary, be required to provide further information, explanation, and clarification or evidence and such objection shall be upheld if substantiated or rejected if unfounded.
- (d) If after the publication no objection is received within the specified period or where any objection is received and rejected in accordance with paragraph (c) of this sub section the persons advertised as Chairman and members shall be appointed accordingly.

- (e) If any objection is duly substantiated as per its grounds and upheld the affected prospective appointees shall not be confirmed. New appointments shall be made and considered in accordance with paragraphs a - d of this sub section.
- (f) Any frivolous, mischievous and malicious objections shall be met with criminal prosecution (*Hon. Nduese Essien*).

**Amendment Proposed:**

Leave out all the words in Section 3 (7)(b), (c), (d), (e) and (f) and amend a new Section 7(a) to read as follows:

- (7) (a) *During the confirmation process by the Senate, the names of the Chairman and members of the Commission shall be published in at least four National Dailies and objections (if any) shall be invited within a period of 14 days. (Hon. C. 1. D. Maduabum).*

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

*Chairman to report progress.*

**(HOUSE IN PLENARY)**

Mr Speaker in the Chair, reported that the House in the Committee of Whole, considered the Report of the Joint Committee on Anti-Corruption and Justice on a Bill for an Act to Amend the Corrupt Practices and other Related Offences Act, 2003. It approved amendments to Sections 1, 2, 3(3), 3(4), 3(5), 3(6) and new Section 3(7).

*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 Wednesday, 19 October, 2005 at 2.00 p.m. (*Hon. Bawa Bwari*).

*Adjourned accordingly at 1.26p.m.*

**Aminu Bello Masari**  
*Speaker*