



HOUSE OF REPRESENTATIVES FEDERAL REPUBLIC OF NIGERIA VOTES AND PROCEEDINGS

Tuesday, 17 February, 2009

1. The House met at 10.48 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 Thursday, 12 February, 2009.

By unanimous consent, the Votes and Proceedings was adopted.
3. **Announcements**
Visitors:
Mr Deputy Speaker recognized the presence in the Gallery, of:
 - (i) Members of the Esan South East Legislative Council, Ubiaja, Edo State;
 - (ii) Members of Igubeben local Government, Igubeben, Edo State; and
 - (iii) Students and staff of Gudmerc Kiddies Institute, Kurudu - Abuja.
4. **Petitions:**
Two Petitions were received and referred to the Committee on Public Petitions:
 - (i) Hon. K. G. B. Oguakwa (*Aninri/Awgu/Oji-River Federal Constituency*), from Mr Onyebuchi and 17 others praying the House to investigate the alleged unlawful dismissal from the service of the Nigeria Export-Import Bank (NEXIM Bank) with a view to re-instating them;
 - (ii) Hon. Godfrey A. Gariya (*Jaba/Zango Kataf Federal Constituency*), from Timothy Sule Yandang, praying the House to investigate the alleged wrongful termination of his appointment from the service of the Kaduna Polytechnic with a view to re-instating him and pay his entitlement.
5. **Personal Explanation:**
Citing Order VIII, Rule (5), Hon. Christopher Berewari drew the attention of the House to the kidnap of his daughter, a student at the University of Abuja. He expressed appreciation to the leadership and Members of the House for their support towards her release.
6. **Privilege:**
Citing Order V, Rule 1 (a) and (b), Hon. Folake Oshinowo drew the attention of the House to the installation of monitoring cameras in her office. She expressed concern that such installation might be used to monitor her movements and activities. She considered it as a breach of her privilege. She therefore, requested that the matter be investigated.

Matter referred to the Committee on House Services.

7. **Presentation of Report:**

"That this House do receive the Conference Report of the Committee on Appropriation Bill, 2009 (*Hon. Ayoade Ademola Adeseun*).

Order read, deferred.

8. **Distress Status of the Designer of the National Flag:**

The House:

Notes the distress status of Pa Taiwo Akinkunmi, the designer of the National Flag 47 years ago;

Further notes that Pa Akinkunmi as a young patriot burning with desire and enthusiasm ably participated in the competition for the design of the Nigerian Flag and won with his Green White Green proposal;

Aware that Pa Akinkunmi has never been rewarded materially or otherwise by any Government till now;

Further aware that Oyo State Lottery Organisation recently invited Pa Akinkunmi to one of its Mega Prize winning pick up events in order to expose his level of deprivation, poverty and neglect;

Disturbed that Pa Akinkunmi is still languishing in poverty and deprivation and unable to pay the school fees of his children;

Resolves to:

Urge the Federal Government to urgently rehabilitate and resettle Pa Akinkunmi for his patriotism and offer scholarship to his children as an investment to his family (*Hon. Oyetunde Paul Omotayo*).

Debate:

Amendment Proposed:

Insert a new Prayer (ii) as follows:

"That Papa Akinkunmi be given National Award" (*Hon. Chilo Igbawua*).

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

Main Question as amended, put and agreed to.

The House:

Noted the distress status of Pa Taiwo Akinkunmi, the designer of the National Flag 47 years ago;

Further noted that Pa Akinkunmi as a young patriot burning with desire and enthusiasm ably participated in the competition for the design of the Nigerian Flag and won with his Green White Green proposal;

Aware that Pa Akinkunmi has never been rewarded materially or otherwise by any Government till now;

Further aware that Oyo state Lottery Organisation recently invited Pa Akinkunmi to one of its Mega Prize winning pick up events in order to expose his level of deprivation, poverty and neglect;

Disturbed that Pa Akinkunmi is still languishing in poverty and deprivation and unable to pay the school fees of his children;

Resolved to:

(i) Urge the Federal Government to urgently rehabilitate and resettle Pa Akinkunmi for his patriotism and offer scholarship to his children as an investment to his family;

(ii) Further urged the Federal Government to give Pa Akinkunmi National Award (HR. 06/2009).

9. **A Bill for an Act to repeal the Nigeria Football Association Act, Cap. N110 Laws of the Federation of Nigeria, 2004:**

Motion made and Question proposed, "That this House do consider the Report on a Bill for an Act to repeal the Nigeria Football Association Act, Cap. N110 Laws of the Federation of Nigeria, 2004" (*Hon. Tunde Akogun*).

Question put and agreed to.

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

(HOUSE IN COMMITTEE)

(Mr Deputy Speaker in the Chair)

Debate:

Bill referred to Joint Committee on Justice, Judiciary, and Rules and Business to study and advise the House accordingly.

Chairman to report progress.

(HOUSE IN PLENARY)

Mr Deputy Speaker in the Chair, reported that the House in the Committee of Whole considered the Bill for an Act to Repeal the Nigeria Football Association Act, Cap. N110 Laws of the Federation of Nigeria, 2004 and referred the Bill to the Joint Committee on Justice, Judiciary and Rules and Business to advise the House appropriately and report back on the next Legislative Day.

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

10. A Bill for an Act to Establish the National Projects Monitoring Agency and for Connected Purposes, 2009 — Committee of Whole:

Motion made and Question proposed, "That this House do consider the Report of the Committee of Whole on a Bill for an Act to Establish the National Projects Monitoring Agency and for Connected Purposes, 2009" (Hon. Tunde Akogun).

Question put and agreed to.

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

(HOUSE IN COMMITTEE)

(Mr Deputy Speaker in the Chair)

A BILL FOR AN ACT TO ESTABLISH THE NATIONAL PROJECTS MONITORING AGENCY; AND FOR CONNECTED PURPOSES

PART I — ESTABLISHMENT OF THE NATIONAL PROJECTS MONITORING AGENCY

Clause 1: Establishment of the Agency and location of its headquarters and operational offices.

- (1) There is established an Agency to be known as the National Projects Monitoring Agency (in this Bill referred to as "the Agency").
- (2) The Agency —
 - (a) shall be a body corporate with perpetual succession and a common seal; and
 - (b) may sue and be sued in its corporate name.
- (3) The headquarters of the Agency shall be located in the Federal Capital Territory, Abuja.
- (4) The Agency shall maintain operational offices in each State of the Federation through which it shall carry out its functions under this Bill (*Hon. Tunde Akogun*) — *Agreed to.*

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

Clause 2: Establishment of Governing Board.

- (1) There shall be established a Governing Board (hereinafter referred to as "the Board") for the Agency which shall be responsible for running the affairs of the Agency.

- (2) The Board shall consist of —
- (a) a Chairman, who shall be —
 - (i) the Chief Executive and Accounting Officer of the Agency; and
 - (ii) a retired Justice of either the Supreme Court or the Court of Appeal or a retired Judge of the Federal High Court or a High Court of a State.
 - (b) a representative of each of the following Federal Ministries —
 - (i) Transportation;
 - (ii) Environment;
 - (iii) Energy;
 - (iv) Agriculture;
 - (v) Water Resources;
 - (vi) Finance; and
 - (vii) Justice.
 - (c) a Civil Engineer of at least 10 years cognate experience and who is registered with COREN;
 - (d) an Architect of at least 10 years cognate experience and who is registered with NIA;
 - (e) a Quantity Surveyor of at least 10 years cognate experience and who is registered with NIQS;
 - (f) a Legal Practitioner of at least 10 years cognate experience and who is registered with NBA;
 - (g) a Town Planner of at least 10 years cognate experience and who is registered with NITP;
 - (h) 2 Persons to represent the Civil Society Organizations.
- (3) Members of the Board, who shall be persons of integrity and ability, shall be appointed by the President on the recommendation of the Minister, subject to the confirmation of the Senate.
- (4) A minimum of 4 women shall be appointed into the Board.
- (5) A minimum of 2 members shall be appointed from each of the 6 geopolitical zones of the country (*Hon. Tunde Akogun*).

Amendments Proposed:

- (i) *Leave out* all the words in subclause (2) (a) (ii) and *insert* the words “a serving Director at the Federal Service” instead thereof (*Hon. Friday Itulah*).

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

- (ii) In subclause (2) (b), *insert* a new subparagraph (viii) as follows:
“Works” (*Hon. Aminu Shehu Shagari*).

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

- (iii) In subclause (2) (b), *insert* a new subparagraph (ix) as follows:
“Health” (*Hon. Sa’adatu Sani*).

PART III — STAFF OF THE AGENCY

Clause 9: Appointment and duties of the Secretary

The Board shall appoint for the Agency a Secretary who shall —

- (a) be a legal practitioner and is so qualified to practice for a period of not less than 10 years;
- (b) keep the records and conduct the correspondences of the Agency; and
- (c) perform such other functions as the Board or the Chairman may direct (*Hon. Tunde Akogun*).

Amendment Proposed:

In subparagraph (a), *leave out* the words “legal practitioner” and *insert* the words “an engineer” instead thereof (*Hon. Chile Igbagwua*).

Question that the amendment be made, put and negatived.

Question that Clause 9 stand part of the Bill, put and agreed to.

Clause 10: Other employees.

The Board shall appoint for the Agency, such officers and other employees as it may, from time to time, deem necessary (*Hon. Tunde Akogun*) — *Agreed to.*

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

Clause 11: Notwithstanding the provisions of sections 9 and 10, the Board shall have power to appoint for the Agency, such number of employees as may, in the opinion of the Board, be required to assist the Agency in the discharge of its functions under this Bill (*Hon. Tunde Akogun*) — *Agreed to.*

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

Clause 12: (1) The Agency may, subject to the provisions of this Bill, make staff regulations relating generally to the conditions of service of the employees of the Agency and without prejudice to the generality of the foregoing, the regulations may provide for —

- (a) the appointment, promotion and disciplinary control (including dismissal) of employees of the Agency; and
- (b) appeals by such employees against dismissal or other disciplinary measures, and until the regulations are made, any instrument relating to the conditions service of officers in the Civil Service of the Federation shall be applicable

(2) Staff regulations made under subsection (1) of this section shall not have effect until approved by the Agency, and when so approved, the regulations may not be published in the Gazette, but the Agency shall cause them to be brought to the notice of all persons to be affected in such manner as it may, from time to time, determine (*Hon. Tunde Akogun*) — *Agreed to.*

Question that Clause 12 stand part of the Bill, put and agreed to.

Clause 13: Pensions Act, 2004.

- (1) It is declared that service in the Agency shall be approved service for the purpose of the Pension Act and accordingly, employees of the Agency shall be entitled to pension, gratuities and other retirement benefits as are prescribed in the Pensions Act.
- (2) Notwithstanding the provisions of subsection (1) of this section, nothing in this Bill shall prevent the appointment of a person to any office on terms which preclude the grant of a pension, gratuity or any other retirement benefit in respect of that office (*Hon. Tunde Akogun*) — *Agreed to.*

Question that Clause 13 stand part of the Bill, put and agreed to.

Clause 14: Funds of the Agency.

The funds of the Agency shall consist of —

- (a) the take-off grant from the Federal Government;
- (b) annual subvention from the Federal Government as shall be provided for in the Appropriation Act;
- (c) loans and grant-in-aid from Federal Government and other bilateral and multilateral agencies; and
- (d) any other sum that may accrue to the Agency from time to time (*Hon. Tunde Akogun*) — *Agreed to.*

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

Clause 15: Application of funds.

The Agency may, from time to time, apply its funds -

- (a) to defray the cost of its administration;
- (b) to pay the emoluments, allowances and benefits of members of the Board;
- (c) to re-imburse members of the Board or of any committee set up by the Board for such expenses as may be expressly authorized by the Board;
- (d) to pay the salaries, fees or other remunerations or allowances, gratuities, pensions and other benefits payable to the officers and other employees of the Agency, so however that no payment of any kind under this paragraph (except such as may be expressly authorized by the Board) shall be made to any person who is in receipt of emoluments from the Federal or a State Government.
- (e) for the development or maintenance of any property vested in or owned by the Agency; and
- (f) for and in connection with all or any of its functions under this Bill (*Hon. Tunde Akogun*) — *Agreed to.*

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

- Clause 16:**
- (1) The Agency shall, not later than 30th August in each year, submit to the Minister an estimate of its expenditure and income (including payments to the Agency) for the next succeeding year.
 - (2) The Agency shall keep proper accounts in respect of each year and proper records in relation to those accounts and shall cause the accounts to be audited within three months after the end of each year by auditors appointed from the list and in accordance with the guidelines issued by the Auditor-General for the Federation (*Hon. Tunde Akogun*) — *Agreed to.*

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

Clause 17: Audit.

- (1) The Auditor-General for the Federation shall —
 - (a) Audit the accounts and records of the financial transactions of the Agency;
 - (b) inspect records relating to assets of the Agency; and
 - (c) draw the attention of the Minister to any irregularity which may be disclosed.
- (2) The Auditor-General for the Federation or an officer authorized by him is entitled, at all reasonable times, to a full and free access to all accounts, records documents and papers of the Agency relating directly or indirectly to the receipt or payment of money by the Agency or to the acquisition, receipt, custody or disposal of assets by the Agency (*Hon. Tunde Akogun*).

Amendment Proposed:

Leave out all the words in Clause 17 and *insert* the following instead thereof:

"The auditing of the accounts and records of the financial transactions of the Agency shall be in accordance with the provisions of the 1999 Constitution of the Federal Republic of Nigeria" (*Hon. Halims Agoda*).

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

Question that Clause 17 as amended, stand part of the Bill, put and agreed to.

Clause 18: Annual Reports.

The Agency shall prepare and submit to the President, through the Minister, not later than six (6) months after the end of each financial year, a report of the activities of the Agency during the immediately preceding year. A copy of the audited accounts of the Agency and the auditor's report on it shall be included in the said report (*Hon. Tunde Akogun*) — *Agreed to.*

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

Clause 19: Power to accept gifts

The Agency may accept any gift of land, money or other property on such terms and conditions, if any, as may be specified by the person or organization making the gift; provided that the Agency shall not accept any gift if the conditions attached to it are inconsistent with the functions of the Agency and the terms of existing laws (*Hon. Tunde Akogun*) — *Agreed to.*

Question that Clause 19 stand part of the Bill, put and agreed to.

Extension of Sitting:

Motion made and Question proposed, "That this House do extend the Day's Sitting to enable it deliberate on the other items on the Order Paper" (*Hon. Ita Enang*).

Question put and agreed to.

Clause 20: Borrowing Power.

- (1) The Agency may, from time to time, borrow such sums as it may require for the performance of its functions under this Bill.
- (2) The Agency shall not, without the approval of the Minister, borrow money which exceeds, at any time, the amount set by the Minister.
- (3) Notwithstanding subsection (1) of this section, where the sum to be borrowed is in foreign currency, the Agency shall not borrow it without the prior approval of the Minister (*Hon. Tunde Akogun*) — *Agreed to.*

Question that Clause 20 stand part of the Bill, put and agreed to.

Clause 21: Investment. Cap. 449 LFN, 1990.

The Agency may, subject to the provisions of this any trust created in respect of any property, invest all or any of its funds in any Government security or in such other security as may, from time to time, be approved by the Board (*Hon. Tunde Akogun*) — *Agreed to.*

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

Clause 22: No exemption from payment of income tax.

The Agency shall not be exempted from the payment of income tax on any income accruing from investments made by the Board or otherwise howsoever (*Hon. Tunde Akogun*) — *Agreed to.*

Question that Clause 22 stand part of the Bill, put and agreed to.

Clause 23: Power to acquire land. Cap. 449 LFN, 1990.

The Agency may, subject to the Land Use Act, acquire any land for the efficient discharge of its functions (*Hon. Tunde Akogun*) — *Agreed to.*

Question that Clause 23 stand part of the Bill, put and agreed to.

PART V — MISCELLANEOUS PROVISIONS

*Legal Proceedings***Clause 24: Limitation of suits against the Agency, etc. Cap. 379 LFN 190.**

Subject to the provisions of this Bill, the provisions of the Public Officers Protection Act shall apply in relation to any suit instituted against an officer or employee of the Agency (*Hon. Tunde Akogun*) — *Agreed to.*

Question that Clause 24 stand part of the Bill, put and agreed to.

Clause 25: Service of documents.

A notice, summons or other documents required or authorized to be served on the Agency under the provisions of this Bill or any other enactment or law may be served by delivering it to the Secretary or by sending it by registered post addressed to the Secretary at any of the principal offices of the Agency (*Hon. Tunde Akogun*) — *Agreed to.*

Question that Clause 25 stand part of the Bill, put and agreed to.

Clause 26: Indemnity of officers.

A member of the Board, the Secretary, any officer or employee of the Agency shall be indemnified out of the assets of the Agency against any liability incurred by him in defending any proceeding, whether civil or criminal, in which judgment is given in his favour or in which he is acquitted, if any such proceeding is brought against him in his capacity as a member of the Board, the Secretary, officer or other employee of the Agency (*Hon. Tunde Akogun*) — *Agreed to.*

Question that Clause 26 stand part of the Bill, put and agreed to.

Clause 27: Secrecy.

- (1) A member of the Board, the Secretary, any other officer or employee of the Agency shall —
 - (a) not for his personal gain, make use of any information which has come to his knowledge in the exercise of his powers or is obtained by him in the ordinary course of his business as a member of the Board, the Secretary, officer or employee of the Agency;
 - (b) treat as confidential any information which has come to his knowledge in the exercise of his powers or is obtained by him in the performance of his duties under this Bill;
 - (c) not disclose any information referred to under paragraph (b) of this subsection, except where required to do so by a court or in such other circumstances as may be prescribed by the Board, from time to time.
- (2) Any person who contravenes the provisions of subsection (1) of this section commits an offence and is liable, on conviction, to a fine of not less than ₦20,000 or imprisonment for a term not exceeding two years or to both such fine and imprisonment (*Hon. Tunde Akogun*) — *Agreed to.*

Question that Clause 27 stand part of the Bill, put and agreed to.

Clause 28: Offences.

Any person who —

- (a) fails to provide the information referred to in section 8 (a); or
- (b) obstructs an officer of the Agency while attempting to enter the site referred to in section 8 (b),

commits an offence and is liable, on conviction, to a fine of ₦20,000. The same sum shall become due for each day he remains in contravention of the said section (*Hon. Tunde Akogun*) — *Agreed to.*

Question that Clause 28 stand part of the Bill, put and agreed to.

Clause 29: Regulations.

The Board may, with the approval of the Minister, make such regulations as, in its opinion, are necessary or expedient for giving full effect to the provisions of this Bill and for the due administration of its provisions. (Hon. Tunde Akogun) — Agreed to.

Question that Clause 29 stand part of the Bill, put and agreed to.

Clause 30: Interpretation.

In this Bill, unless the context otherwise requires —

"Agency" means the National Projects Monitoring Agency (Hon. Tunde Akogun) — Agreed to.

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

"Board" means the Governing Board of the Agency (Hon. Tunde Akogun) — Agreed to.

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

"COREN" means the Council for the Regulation of Engineering in Nigeria (Hon. Tunde Akogun) — Agreed to.

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

"Major Contracts" shall be construed to mean contracts, works or projects which value exceeds ₦50,000,000 and which have been approved by the Federal Executive Council (Hon. Tunde Akogun) — Agreed to.

Question that the meaning of the words "Major Contracts" be as defined in the interpretation to this Bill, put and agreed to.

"Minister" means the Minister of Transportation (Hon. Tunde Akogun).

Amendment Proposed:

Leave out the words "of Transportation" and insert the words "responsible for Works" instead thereof (Hon. Aminu Tambawala).

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

"Ministry" shall be construed accordingly (Hon. Tunde Akogun) — Agreed to.

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

"NBA" means the Nigerian Bar Association (Hon. Tunde Akogun) — Agreed to.

Question that the meaning of the initials "NBA" be as defined in the interpretation to this Bill, put and agreed to.

"NIA" means the Nigerian Institute of Architects (Hon. Tunde Akogun) — Agreed to.

Question that the meaning of the initials "NIA" be as defined in the interpretation to this Bill, put and agreed to.

"NITP" means the Nigerian Institute of Town Planners (Hon. Tunde Akogun) — Agreed to.

Question that the meaning of the initials "NITP" be as defined in the interpretation to this Bill, put and agreed to.

"NIQS" means the Nigerian Institution of Quantity Surveyors (Hon. Tunde Akogun) — Agreed to.

Question that the meaning of the initials "NIQS" be as defined in the interpretation to this Bill, put and agreed to.

"President" means the President of the Federal Republic of Nigeria (*Hon. Tunde Akogun*) — *Agreed to.*

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

Question that Clause 30 as amended, stand part of the Bill, put and agreed to.

Clause 31: Citation.

This Bill may be cited as the National Projects Monitoring Agency (Establishment) Bill, 2009 (*Hon. Tunde Akogun*) — *Agreed to.*

Question that Clause 31 stand part of the Bill, put and agreed to.

SCHEDULE

SUPPLEMENTARY PROVISIONS RELATING TO THE BOARD

Proceedings of the Board

1. Subject to this Bill and section 27 of the Interpretation Act (which provides for decisions of a statutory bodies to be taken by a majority of its members and for the person presiding at any meeting, when a vote is ordered to have a second or casting vote), the Board may make standing orders regulating its proceedings or that of any of its committees.
2. At every meeting of the Board, the Chairman shall preside and in his absence, the members present at the meeting shall appoint one of their members to preside.
3. The quorum at a meeting of the Board shall consist of the Chairman or, in an appropriate case, the person presiding at the meeting pursuant to paragraph 2 of this schedule, and five other members.
4. The Board shall, for the purposes of this Bill, meet not less than three times in each year and subject thereto, the Board shall meet whenever it is summoned by the Chairman, and if required to do so by notice given to the Chairman by not less than five members, the Chairman shall summon a meeting of the Board to be held within 14 days from the date on which the notice is given.
5. Where the Board desires to obtain the advice of any person on a particular matter, the Board may co-opt him to the Board for such period as it thinks fit, but a person who is a member by virtue of this subparagraph shall not be entitled to vote at any meeting of the Board and shall not count towards a quorum.

Committees

6. (1) Subject to its standing orders, the 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 Agency is concerned.
- (2) A committee appointed under this paragraph shall —
 - (a) consist of such number of persons (not necessarily members of the Board as may be determined by the Board), and a person other than a member of the Board shall hold office on the Committee in accordance with the terms of his appointment; and
 - (b) be presided over by a member of the Board.
- (3) The quorum of any Committee set up by the Board shall be as determined by the Board.
- (4) A decision of a Committee of the Board shall be of no effect until it is confirmed by the Board.

Miscellaneous

7. The fixing of the seal of the Agency shall be authenticated by the signature of Chairman, the Managing Director or any other person generally or specifically authorized by the Board to act for that purpose.

8. Any contract or instrument which, if made 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 Agency by the Managing Director or by any other person generally or specifically authorized by the Board to act for that purpose.
9. Any document purporting to be a contract, instrument or other document duly signed or sealed on behalf of the Agency shall be received in evidence and shall, unless the contrary is proved, be presumed without further proof, to have been so signed or sealed.
10. The validity of any proceedings of the Board or any of its Committees shall not be affected by —
 - (a) Any vacancy in the membership of the Board or Committee; or
 - (b) Any defect in the appointment of a member of the Board or Committee; or
 - (c) Reason that any person not entitled to do so took part in the proceedings of the Board or Committee.
11. (1) A member of the Board who is directly or indirectly interested in any matter being deliberated on by the Board or is interested in any contract made or proposed to be made by the Agency shall, as soon as possible after the relevant facts have come to his knowledge, disclose the nature of his interest at a meeting of the Board.
- (2) A disclosure under subparagraph (1) of this section shall be recorded in the minutes of the meeting of the Board and the member concerned shall —
 - (a) not, after the disclosure, take part in any deliberation or decision of the Board on the issue; and
 - (b) be excluded for the purpose of constituting a quorum of any meeting of the Board for any deliberation or decision, with regard to the subject matter in respect of which his interest is so disclosed.
12. No member of the Board shall be personally liable for any act or omission done or made in good faith while engaged in the business of the Agency (*Hon. Tunde Akogun*) — *Agreed to.*

Question that the provisions of the Schedule stand part of the Bill, put and agreed to.

Long Title:

A Bill for an Act to Establish the National Projects Monitoring Agency and for Connected Purposes, 2009 (*Hon. Tunde Akogun*):

Question that Bill for an Act to Establish the National Projects Monitoring Agency and for Connected Purposes, 2009 be the Long Title of the Bill, put and agreed.

Chairman to report Bill.

(HOUSE IN PLENARY)

Mr Deputy Speaker in the Chair, reported that the House in the Committee of Whole considered the Bill for an Act to Establish the National Projects Monitoring Agency and for Connected Purposes, 2009 and approved Clause 1, amended Clause 2, approved Clauses 3 - 16, amended Clause 17, approved Clauses 18 - 29, amended Clause 30, approved Clause 31, the Schedule and the Long Title of the Bill.

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

11. Adjournment:

That this House do now adjourn till Wednesday, 18 February, 2009 at 2.00 p.m. (*Hon. Baba Shehu Agaie*).

Adjourned accordingly at 2.23 p.m.