



HOUSE OF REPRESENTATIVES FEDERAL REPUBLIC OF NIGERIA

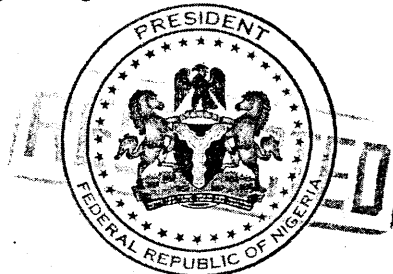
VOTES AND PROCEEDINGS

Tuesday, 3 March, 2009

1. The House met at 10.35 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, 26 February, 2009.

By unanimous consent, the Votes and Proceedings was adopted.

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



**PRESIDENT,
FEDERAL REPUBLIC OF NIGERIA**

February 18, 2009

*Rt Honourable Dimeji Bankole
Speaker of the House of Representatives,
National Assembly Complex,
Three-Arms Zone,
Abuja.*

Dear sir,

**BILL FOR THE AMENDMENT AND CONSOLIDATION
OF THE EDUCATION TAX ACT**

I forward herewith, for your kind consideration and passage into law, the attached draft Bill for the amendment and consolidation of the Education Tax Act, Cap. E4 LFN, 2004 and the Education Tax Fund (Amendment) Act, 2003.

Pursuant to the above therefore, and in line with the powers vested in the National Assembly, I hereby present the said Bill for the kind consideration of the Honourable House of Representatives of the Federal Republic of Nigeria .

Please accept, Mr Speaker, the assurance of my highest consideration.

Yours Sincerely,

(Signed)

UMARU MUSA YAR'ADUA

4. Announcements:

Visitors:

Mr Speaker recognized the presence in the Gallery, of:

- (a) Members of the Ankpa Local Government Legislative Council, Kogi State;
- (b) Students of Our Lady of Apostles, Akwanga, Nasarawa State;
- (c) The Nigerian Economics Association Students, University of Abuja Chapter;
- (d) Members of the Ijumu Local Government Legislative Council, Kogi State.

5. Presentation of Reports:

(i) Committee on Communications:

Report of the House Committee on Communications on a Bill for an Act to Provide for the Registration of Mobile Telephone Line for Security Reasons and for Matters related Thereto, 2008.

Order read; deferred.

(ii) Committee on Public Petitions:

Motion made and Question proposed, "That this House do receive the Report of the House Committee on Public Petitions on the Petition by Port Harcourt Mills against the Bureau of Public Enterprises (BPE)" (*Hon. C. I. D. Maduabum*).

Question put and agreed to.

Report laid.

(iii) Committee on Public Petitions:

Motion made and Question proposed, "That this House do receive the Report of the House Committee on Public Petitions on the Petition by Mr Silas Omubo against the Nigerian Postal Service (NIPOST)" (*Hon. C. I. D. Maduabum*).

Question put and agreed to.

Report laid.

(iv) Committee on Public Petitions:

Motion made and Question proposed, "That this House do receive the Report of the House Committee on Public Petitions on the Petition by Adokson Engineering Company Limited against the Bureau of Public Procurement (BPP)" (*Hon. C. I. D. Maduabum*).

Question put and agreed to.

Report laid.

(v) Committee on Public Petitions:

Motion made and Question proposed, "That this House do receive the Report of the House Committee on Public Petitions on the Petition by Mr Nathaniel Itelimo against the Nigerian Police" (*Hon. C. I. D. Maduabum*).

Question put and agreed to.

Report laid.

(vi) **Committee on Public Petitions:**

Motion made and Question proposed, "That this House do receive the Report of the House Committee on Public Petitions on the Petition by Wing Commander Yusuf Garba Mshelia against the Nigerian Air Force" (*Hon. C. I. D. Maduabum*).

Question put and agreed to.

Report laid.

(vii) **Joint Committee on Federal Capital Territory, Federal Capital Territory Area Councils and Finance:**

Report of the Joint Committee on Federal Capital Territory, Federal Capital Territory Area Councils and Finance on a Bill for an Act to Authorize the Issue from the Consolidated Revenue Fund of the Federation Account the total Sum of ₦135,117,502,826.00k (One Hundred and Thirty-Five Billion, One Hundred and Seventeen Million, Five Hundred and Two Thousand, Eight Hundred and Twenty-six Naira) only of Which the Sum of ₦24,206,078,357.00k (Twenty-four Billion, Two Hundred and Six Million, Seventy-eight Thousand, Three Hundred and Fifty-seven Naira) only, is for Personnel Cost and the Sum of ₦18,453,875,194.00k (Eighteen Billion, Four Hundred and Fifty-three Million, Eight Hundred and Seventy-five Thousand, One Hundred and Ninety-four Naira) only is for Overhead Costs Whilst the Balance of ₦92,457,549,275.00k (Ninety Two Billion, Four Hundred and Fifty-seven Million, Five Hundred and Forty-nine Thousand, Two Hundred and Seventy-five Naira) only is for Capital Projects for the Service of the Federal Capital Territory, Abuja, for the Financial Year Commencing on 1st January and Ending 31st December, 2009.

Order read; deferred.

6. **Rising Incidence of Threat to Life and other Vices Via the Global System of Mobile Telecommunication (GSM):**

Motion made and Question proposed,
The House:

Notes the impact and efficacy of the Global System of Mobile Telecommunication (GSM) since its introduction into the Nigerian Telecommunications Industry;

Further notes the rapid development of the Global System of Mobile Telecommunication (GSM) Network and its acceptability as the most reliable and fastest means of communication among Nigerians;

Disturbed by the growing rate of crimes, threat to life, fraud, armed robbery, etc. through the instrumentality of the Global System of Mobile Telecommunication (GSM);

Worried that so many lives have been lost, confusion and enmity created among friends, families, Leaders, etc. via the Global System of Mobile Telecommunication (GSM);

Concerned that the inadequate or non data base of subscribers makes it difficult to trace culprits;

Resolves to:

- (i) urge the Nigerian Communications Commission (NCC) to mandate all the Global System of Mobile Telecommunication (GSM) authorized operators to forthwith develop the process of re-registration/documentation of issued lines, establish and maintain a data base of all its subscribers which will include; Name, Address, International Passport Number, Driver's License, thumb-print etc.;
- (ii) also urge the Nigerian Communications Commission (NCC) to put a stop to the sale of GSM lines on the roadside except at authorized sales centre;
- (iii) further urge the Inspector-General of Police and other Law Enforcement Agencies to take measures to curtail the rising crime rate in the Telecommunication sector (*Hon. Peter Linus Umoh and 40 Others*).

Debate:

Amendment Proposed:

Leave out Prayers (i), (ii), (iii) and *insert* the following instead thereof:

"Direct the Committee on Communications to present its Report on a Bill for an Act to Provide for Registration of Mobile Telephone Lines for Security Reasons and for Matters Related Thereto, 2008 (HB.116) within two weeks" (*Hon. Igo Aguma*).

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

Main Question as amended, put and agreed to.

The House:

Noted the impact and efficacy of the Global System of Mobile Telecommunication (GSM) since its introduction into the Nigerian Telecommunications Industry;

Further noted the rapid development of the Global System of Mobile Telecommunication (GSM) Network and its acceptability as the most reliable and fastest means of communication among Nigerians;

Disturbed by the growing rate of crimes, threat to life, fraud, armed robbery, etc. through the instrumentality of the Global System of Mobile Telecommunication (GSM);

Worried that so many lives have been lost, confusion and enmity created among friends, families, Leaders, etc. via the Global System of Mobile Telecommunication (GSM);

Concerned that the inadequate or non data base of subscribers makes it difficult to trace culprits;

Resolved to:

Direct the Committee on Communications to present its Report on a Bill for an Act to Provide for Registration of Mobile Telephone Lines for Security Reasons and for Matters Related Thereto, 2008 (HB.116) within two weeks (**HR. 09/2009**).

7. Spreading Mayhem and Kidnapping in Edo State:

Motion made and Question proposed,

The House:

Notes with regret that Edo State reputed for enduring peace and tranquillity had in the last 14 days witnessed the brutal killings of several policemen, innocent citizens and the kidnapping of individuals for ransom in different parts of the State;

Disturbed that these killings, which had so far involved 11 serving policemen including the Divisional Police Officer (DPO), and the Divisional Crime Officer (DCO) attached to the Ikpoba Hill Police Station in Benin City while about 12 persons were reported to have been kidnaped for ransom by hoodlums in different parts of the State;

Further disturbed that many people in the State now live in perpetual fear of either being killed or kidnapped for ransom by these hoodlums;

Worried that the prevailing state of insecurity resulting from these killings, maiming and kidnapping of citizens if not checked could escalate to a frightening proportion in various parts of the State;

Resolves to:

- (i) condemn in the strongest terms the killings, maiming and kidnapping of innocent citizens of Edo State;
- (ii) urge the Inspector-General of Police (IGP) and other Security Agencies to immediately put necessary machinery in place to arrest this undesirable trend of events, capable of leading to a total breakdown of law and order;
- (iii) mandate the Joint Committee on Police affairs and National Security and Intelligence to investigate these incidents, cause those involved to be brought to book, ensure that the benefits and entitlements of the Police Officers killed are paid timeously and report findings to the House within two weeks (*Hon. Friday Itulah and 57 Others*).

Amendments Proposed:

- (i) In Prayer (i), immediately after the word "State", *insert* the words "and indeed any part of the country" (*Hon. Bala Adamu Kuta*).

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

- (ii) *Leave out* all the words in Prayer (ii) and *insert* the following instead thereof:
"Invite the Inspector-General of Police and the Director-General of the State Security Service to appear before the Committees of Police Affairs and National Intelligence immediately" (*Hon. Eziuche Uban*).

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

- (iii) *Leave out* all the words in Prayer (iii) (*Hon. Ike Chinwo*).

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

- (iv) *Insert* a new Prayer (iii) as follows:
"Commend the State Houses of Assembly that have enacted Laws against Kidnapping, such as Rivers and Enugu States and urge other States that have not enacted laws against kidnapping to urgently do so" (*Hon. George Ford Nwosu*).

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

- (v) *Insert* a new Prayer (iv) as follows:
"urge the Federal Government to institute comprehensive reforms in the Nigeria Police Force to reposition it to meet the current security challenges in Nigeria" (*Hon. Stanley Ohajuruka*).

Question that the amendment, be made, put and negatived.

- (vi) *Insert* a new Prayer (iv) as follows:
"that the motion be Nationalised and not limited to Edo State alone as kidnapping is a national menace that has in recent times occurred in various parts of the country including Abuja" (*Hon. Herman Hembe*).

Question that the amendment be made, put and negatived.

Main Question as amended, put and agreed to.

The House:

Noted with regret that Edo State reputed for enduring peace and tranquillity had in the last 14 days witnessed the brutal killings of several policemen, innocent citizens and the kidnapping of individuals for ransom in different parts of the State;

Disturbed that these killings, which had so far involved 11 serving policemen including the Divisional Police Officer (DPO), and the Divisional Crime Officer (DCO) attached to the Ikpoba Hill Police Station in Benin City while about 12 persons were reported to have been kidnaped for ransom by hoodlums in different parts of the State;

Further disturbed that many people in the State now live in perpetual fear of either being killed or kidnapped for ransom by these hoodlums;

Worried that the prevailing state of insecurity resulting from these killings, maiming and kidnapping of citizens if not checked could escalate to a frightening proportion in various parts of the State;

Resolved to:

- (i) Condemn in the strongest terms the killings, maiming and kidnapping of innocent citizens of Edo State and any part of the Country;
- (ii) Invite the Inspector-General of Police and the Director-General of the State Security Service to appear before the Committees of Police Affairs and National Intelligence immediately;

- (iii) Commend the State Houses of Assembly that have enacted Laws against Kidnapping, such as Rivers and Enugu States and urge other States that have not enacted laws against kidnapping to urgently do so (HR. 10/2009).

8. Closure of Soku Gas Plant:

Motion made and Question proposed,

The House:

Notes the strategic location of Soku Community in Akuku Toro Local Government of River State as a National Asset, where the Soku Gas Plant, a joint venture between the Nigerian National Petroleum Corporation (NNPC) and Shell Petroleum Development Company (SPDC) known as Soku Gas Plant;

Further notes that the Soku Gas Plant supplies close to 40% of the natural gas (the equivalent of 180,000 barrels of oil per day) received by the Nigerian Liquefied Natural Gas (NLNG) plant in Bonny, Rivers State;

Aware that while the price of crude oil has plummeted recently, substantially reducing revenue accruable to the Federal Government, there has in fact been an effective aggregate increase in the price of Liquefied Natural Gas (LNG) over the past 3 years;

Concerned that the Shell Petroleum Development Company (SPDC) declared force majeure and shut down the operations of the SOKU Gas Plant on the 27th of November, 2008;

Disturbed that the shutdown of the SOKU Gas Plant is a National Economic emergency resulting in the loss of substantial Foreign Exchange revenue for the Federal Government;

Resolves to:

- (i) mandate the House Committee on Gas Resources to investigate the immediate and remote cause(s) leading to the shut down of the Soku Gas Plant and report back to the House;
- (ii) direct the House Committee on Gas Resources to liaise with the Ministry of Energy (Gas), Nigerian National Petroleum Corporation (NNPC) and Shell Petroleum Development Company (SPDC) to expedite action on the urgent and prompt restoration of operations of the Soku Gas Plant (*Hon. Kunaiyi Akpanah and 55 Others*).

Debate:

Amendments Proposed:

- (i) In Prayer (i), immediately after the word "House", *insert* the words "in two weeks" instead thereof (*Hon. Mohammed Ali Ndume*).

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

- (ii) *Leave out* all the words in Prayer (ii) (*Hon. Mohammed Ali Ndume*).

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

- (iii) *Insert* a new Prayer (ii) as follows:
"mandate the Committee on Gas Resources to investigate the immediate and remote causes leading to the shut down of all the Gas Plants in the Niger Delta operated by Shell Petroleum Development Company (SPDC)" (*Hon. Berewari Chris*).

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

- (iv) *Insert* a new Prayer (iii) as follows:
"Set up an *Ad-hoc* Committee to investigate the immediate and remote causes of militant insurgency in the Niger Delta. This is necessary because militant activities is the immediate cause of the closure of the Gas Plant" (*Hon. Tayo Fawehinmi*).

Question that the amendment be made, put and negatived.

Main Question as amended, put and agreed to.

The House:

Noted the strategic location of Soku Community in Akuku Toro Local Government of River State as a National Asset, where the Soku Gas Plant, a joint venture between the Nigerian National Petroleum Corporation (NNPC) and Shell Petroleum Development Company (SPDC) is located;

Further noted that the Soku Gas Plant supplies close to 40% of the natural gas (the equivalent of 180,000 barrels of oil per day) received by the Nigerian Liquefied Natural Gas (NLNG) plant in Bonny, Rivers State;

Aware that while the price of crude oil has plummeted recently, substantially reducing revenue accruable to the Federal Government, there has in fact been an effective aggregate increase in the price of Liquefied Natural Gas (LNG) over the past 3 years;

Concerned that Shell Petroleum Development Company (SPDC) declared force majeure and shut down the operations of the SOKU Gas Plant on the 27th of November, 2008;

Disturbed that the shut down of the SOKU Gas Plant is a National Economic emergency resulting in the loss of substantial Foreign Exchange revenue for the Federal Government;

Resolved to:

- (i) mandate the House Committee on Gas Resources to investigate the immediate and remote cause(s) leading to the shut down of the Soku Gas Plant and report back to the House in two weeks;
- (ii) mandate the Committee on Gas Resources to investigate the immediate and remote causes leading to the shut down of all the Gas Plants in the Niger Delta operated by Shell Petroleum Development Company (SPDC) (HR.11/2009).

9. **A Bill for an Act to Prohibit and Punish Discrimination Against Persons Living with HIV/AIDS in Housing, Employment, Social, Educational and Health Service and in all Forms of Social-Economic Life and other Connected Matters, 2008 — *Second Reading.***

Motion made and Question proposed, "That a Bill for an Act to Prohibit and Punish Discrimination Against Persons Living with HIV/AIDS in Housing, Employment, Social, Educational and Health Service and in all Forms of Social-Economic Life and other Connected Matters, 2008 be now read a Second Time (Hon. Jumoke Okoya Thomas).

Debate:

Question that the Bill be now read a Second Time, put and agreed to.

Bill read a Second Time and referred to the Joint Committee on HIV/AIDS, Tuberculosis and Malaria Control and Human Rights.

10. **Consideration of Reports:**

- (i) ***Committee on Ethics and Privileges:***

Motion made and Question proposed, "That this House do consider the Report of the Committee on Ethics and Privileges on the investigation into statements made by Hon. Gbenga Oduwaiye to the Press in breach of the privilege of the House and approve the Recommendation(s) therein" (Hon. Sani Saleh Minjibir).

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)

Debate:

Recommendations (i):

"That Honourable Members of the House be advised to first seek redress for any infringement or likely infringement of their rights and/or perceived rights through the medium created by Parliament before resorting to the press" (Hon. Sani Saleh Minjibir) — *Agreed to.*

Question put and agreed to.

Recommendations (ii):

"That the House of Representatives of the Federal Republic of Nigeria urgently requires an effective code of conduct to regulate the conduct of its Members" (*Hon. Sani Saleh Minjibir*).

Amendment Proposed.

Leave out all the words in Recommendation (ii) (Hon. Saudatu Sani).

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 the Whole considered the Report of the Committee on Ethics and Privileges on the investigation into statements made by Hon. Gbenga Odunwaiye to the Press in breach of the privilege of the House and approved Recommendation (i) and deleted Recommendation (ii).

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

(ii) Committee on Ethics and Privileges:

Motion made and Question proposed, "That this House do consider the Report of the Committee on Ethics and Privileges on the investigation into the Alleged invoicing of the contract for the purchase of Official Vehicles for the House and approve the Recommendations therein" (Hon. Sani Saleh Minjibir).

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)

Debate:**Recommendation (i):**

"That Newswatch magazine be asked to retract the said publication and render an unconditional apology to the House of Representatives of the Federal Republic of Nigeria within two weeks" (*Hon. Sani Saleh Minjibir*) — *Agreed to.*

Question put and agreed to.

Recommendation (ii):

"That failing to take to Recommendation (i) above, the House seeks a legal remedy against Newswatch magazine" (*Hon. Sani Saleh Minjibir*) — *Agreed to.*

Question put and agreed to.

Recommendation (iii):

"That the Clerk to the National Assembly should immediately carry out an internal investigation to unravel why certain classified and important documents such as the Letter of Offer and acceptance of contract in the National Assembly were procured by unauthorized persons without the express leave, licence and permission of the National Assembly Management and take appropriate disciplinary action against any staff found culpable" (*Hon. Sani Saleh Minjibir*) — *Agreed to.*

Question put and agreed to.

Recommendation (iv):

"That the Committee having found that Mr Keyamo's letter is faulty and baseless in its allegations, urge the House to prevail on the Inspector-General of Police and/or other relevant security agencies to investigate how the annexures/documents attached to Mr Keyamo's letter were obtained" (*Hon. Sani Saleh Minjibir*) — *Agreed to.*

Question put and agreed to.

(HOUSE IN PLENARY)

Mr Deputy Speaker in the Chair, reported that the House in the Committee of the Whole considered the Report of the Committee on Ethics and Privileges on the investigation into the Alleged invoicing of the contract for the purchase of Official Vehicles for the House and approved Recommendations (i), (ii), (iii) and (iv).

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

(iii) Committee on Pensions:

Motion made and Question proposed, "That this House do consider the Report of the House Committee on Pensions on a Bill for an Act to Amend the Pension Reform Act, 2004 and approve the Recommendations therein (Hon. Adewusi Babatunde).

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 AMEND THE PENSION REFORM ACT, 2004**Amendment of the Act.**

The Pension Act 2004 hereinafter referred to as the Act is amended as set out in this Bill.

Committee Recommendation:

Leave out the amendment of the Principal Act (Hon. Adewusi Babatunde) — Agreed to.

Amendment of Section 3.

In section 3 of the Principal Act. Immediately after subsection (2) (c) insert new subsection (2) (d) as follows:

- (d) loses his employment under circumstance other than (a), (b), and (c) and above; he can make monthly withdrawals that will amount to 25% of his pension contributions over a period of six months and no more.

Committee Recommendation:

Leave out the amendment of section 3 (Hon. Adewusi Babatunde) — Agreed to.

Citation.

This Bill may be cited as the Pension Reform Act (Amendment) Bill, 2009.

Committee Recommendation:

Leave out the proposed amendment (Hon. Adewusi Babatunde) — Agreed to.

Chairman to report Bill.

(HOUSE IN PLENARY)

Mr Deputy Speaker in the Chair, reported that the House in the Committee of the Whole considered the Report of the Committee on Pension on a Bill for an Act to Amend the Pension Reform Act, 2004 and approved the Committee Recommendations.

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

11. Adjournment:

That this House do now adjourn till Wednesday, 4 March, 2009 at 2.00 p.m. (Hon. Tunde Akogun).

Adjourned accordingly at 1.23 p.m.