



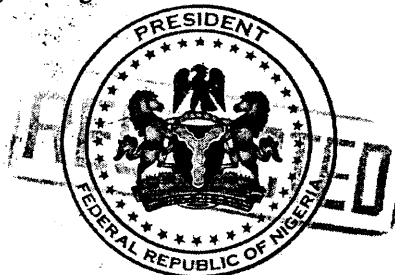
HOUSE OF REPRESENTATIVES FEDERAL REPUBLIC OF NIGERIA VOTES AND PROCEEDINGS

Wednesday, 4 March, 2009

1. The House met at 2.45 p.m. Mr Speaker read Prayers.
2. **Votes and Proceedings:**
Mr Speaker announced that he had examined and approved the Votes and Proceedings of Tuesday, 3 March, 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

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

Dear brother,

**BILL TO AMEND THE LAND USE ACT
CAP. I5 LFN 2004**

I forward herewith, for your kind consideration and passage into law, the attach draft Bill for an Act to amend the Land Use Act.

It is my hope that the Honourable House of Representatives of the Federal Republic of Nigeria will consider and pass the amendment Bill in your usual expeditious manner.

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

Yours Sincerely,

(Signed)

UMARU MUSA YAR'ADUA

4. Announcement:

Visitors:

Mr Speaker recognised the presence in the Gallery, of Students of the Department of Political Science, Kaduna State University, Kaduna.

5. Petitions:

The following petitions were received and referred to the Committee on Public Petitions:

(i) Hon. Ifaluyi Isibor (*Egor/Ikpoba/Okha Federal Constituency*):

- (a) from Mrs Florence Obanogie, praying the House to intervene in the alleged non-payment of her pension benefits by the Nigerian Postal Service with a view to paying her outstanding entitlements;
- (b) from Joseph E. Okunwague, praying the House to investigate the alleged non-payment of his pension arrears by the Office of the Head of Civil Service of the Federation with a view to paying the outstanding arrears;
- (c) from Vincent Oyomine, praying the House to intervene in the alleged non-payment of his pension benefits by the Office of the Head of Civil Service of the Federation with a view to paying his outstanding entitlements;

(ii) Hon. Abdulkadir M. Nasir (*Kafur/Malumfashi Federal Constituency*):

- (a) from Yusuf Arga, praying the House to investigate his alleged unlawful dismissal from the service of the Nigeria Police Force with a view to re-instating him;
- (b) from Mr Abdulmumini Barau, praying the House to investigate the alleged wrongful termination of his appointment by the National Teachers Institute, Kaduna with a view to re-instating him.

6. Matters of Urgent Public Importance:

Relying on Order VIII, Rule 4, Hon. Abubakar Yari drew the attention of the House to the depreciation of the Nigerian Currency, the Naira, on the Money Exchange Markets. He attributed the development to the sharp practices prevailing in the financial industry. He therefore urged the House to consider the matter as one of Urgent Public Importance.

Question that the matter be considered as one of Urgent Public Importance, put and agreed to.

Matter to stand over till the next Legislative Day.

7. Privilege:

Citing Order V, Rule 2, Hon. Joyce Overah referred to a publication in the Sun Newspaper of Wednesday, 4 March, 2009; captioned "*Ogunewe's suspension, in bad faith — Amusan*" and alleged that the comment attributed to Hon. Kayode Amusan in the said publication was a breach of his privilege and that of the House. He therefore urged the House to refer the matter to the Committee on Ethics and Privileges for investigation.

Matter referred to the Committee on Ethics and Privileges for investigation.

8. A Bill for an Act to Provide for the Repeal of the Nigerian Press Council Act, 1992 and Establish the Nigerian Press and Practice of Journalism Council, to Promote High Professional Standards for the Nigerian Press, and Deal with Complaints Emanating from Members of the Public about the Conduct of Journalism and Media Houses in Their Professional Capacity, or Complaints Emanating from Press about the Conduct of Persons, Organization or Institutions of Government Towards the Press and for Matter Connected Therein, 2009 — Second Reading.

Order read; deferred.

9. Consideration of Report:***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 Establish the Chartered Pension Institute of Nigeria, 2008 and approve the Recommendations therein (*Hon. Adewusi Babatunde*).

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 CHARTERED PENSION INSTITUTE OF NIGERIA
AND FOR MATTERS CONNECTED THEREWITH**

PART I — ESTABLISHMENT OF THE CHARTERED PENSION INSTITUTE OF NIGERIA

Committee Recommendation:**Clause 1: Establishment of the Institute.**

- (1) There is established a body to be known as the Chartered Pension Institute of Nigeria (in this Bill, referred to as "the Institute").
- (2) The Institute—
 - (a) shall be a body Corporate with perpetual succession and a common seal;
 - (b) may sue or be sued in its Corporate name;
 - (c) may acquire, hold and dispose of any property, movable and immovable;
 - (d) shall have a common seal which shall be kept in such custody as the Institute may direct (*Hon. Adewusi Babatunde*) — *Agreed to.*

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

Committee Recommendation:**Clause 2: Head Office.**

The Institute shall have its Head Office anywhere in Nigeria (*Hon. Adewusi Babatunde*).

Amendment Proposed:

Retain the provision of the proposed Bill (*Hon. Bala Ibn Na'Allah*).

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: Duties/Functions of the Institute.**

The Institute shall have responsibility for—

- (1) determining the standards of knowledge and skills to be attained by persons seeking to become Chartered Person Practitioners and review those standards from time to time as circumstances may require;
- (2) securing in accordance with the provisions of this Bill, the establishment and maintenance of a register of Registered members entitled to practice as Chartered Pension Practitioners, Fellows, Associates and the publication, from time to time, of lists of those Practitioners;
- (3) performing through the Council established under Section 6 of this Bill, the functions conferred on its by this Bill (*Hon. Adewusi Babatunde*) — *Agreed to.*

Question that Clause 3 stand part of the Bill, put and agreed to.

Committee Recommendation:**Clause 4: Membership of the Institute.**

- (1) Subject to the provisions of this Bill, persons admitted into the membership of the Institute shall—
 - (a) be enrolled as Chartered Pension Practitioners in the categories of—
 - (i) Fellows,
 - (ii) Associates, or
 - (iii) Graduates;
- (2) A person accorded the status of a Chartered Pension Practitioner by the Council under this Bill, shall be entitled to the use of that name and shall be enrolled as—
 - (a) Fellow if—
 - (i) he has attained the age of 30 years and has acquired not less than seven years relevant professional experience
 - (ii) he has at least three years relevant senior appointments in one or more organizations in the past ten years,
 - (iii) he is the holder of a Certificate of the final examination of the Institute and approved academic professional qualification, and
 - (iv) he is otherwise considered by the Council to be a fit and proper person to be enrolled;
 - (b) Associate if—
 - (i) he has attained the age of 21 years and has passed any examination prescribed or accepted by the Institute,
 - (ii) he has at least three years relevant professional working experience, so however that the period of three years may be reduced by up to two years in respect of time already spent in full time higher education approved by the Institute (*Hon. Adewusi Babatunde*).

Amendment Proposed:

Leave out all the words in subclause (2) (a) (i) and *insert* the following instead thereof:

"He is a qualified Pension Practitioner with relevant qualification and has acquired not less than 10 years relevant experience" (*Hon. Ike Chinwo*).

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: Designatory letters.**

Any practitioner so enrolled into the Institute shall be entitled to the use of the following designatory letter after their names—

- (a) Fellow of the Chartered Pension Institute of Nigeria "FCIP";
- (b) Associate of the Chartered Pension Institute of Nigeria "ACIP"; and
- (c) Graduate of the Chartered Pension Institute of Nigeria "GCIP" which shall be a temporary grade during which a member can either apply for upgrading as an Associate or fellow of the Institute (*Hon. Adewusi Babatunde*) — *Agreed to.*

Question that Clause 5 stand part of the Bill, put and agreed to.

PART II — ADMINISTRATION

Committee Recommendation:**Clause 6: Establishment of the Governing Council of the Institute.**

There shall be established for the Institute, a Governing Council which shall be charged with the administration and general management of the Institute of the Council of the Institute
(Hon. Adewusi Babatunde) — Agreed to.

Question that Clause 6 stand part of the Bill, put and agreed to.

Committee Recommendation:**Clause 7: Composition of the Governing Council of the Institute.**

- (1) The Council shall consist of—
 - (a) the President;
 - (b) the First Vice-President;
 - (c) the Second Vice-Presidents;
 - (d) six persons elected by the Institute;
 - (e) immediate past President of the Institute;
 - (f) a representative of the National Pension Commission (PENCOM);
 - (g) a representative of the Federal Ministry of Education;
 - (h) a representative of the Securities and Exchange Commission (SEC);
 - (f) one person who shall be a member of the Institute to represent Institutions of higher learning in Nigeria offering courses leading to an approved qualification by the Institute.
- (2) The President, First Vice President, Second Vice President and the Treasurer shall be elected from the Council.
- (3) The President, First Vice President, Second Vice President and the Treasurer shall each hold office for a term of two years from the date of their election.
- (4) The provisions of schedule 1 to this Bill shall have effect in respect to the qualification and tenure of office of members of the Council and other matters therein mentioned (Hon. Adewusi Babatunde).

Amendments Proposed:

- (i) In subclause (1) (d), *leave out* the word "six" and *insert* the word "nine" instead thereof (Hon. Ike Chinwo).

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

- (ii) *Leave out* all the words in subclause (1) (g) (Hon. Terngu Tsegba).

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

- (iii) *Leave out* all the words in subclause (1) (h) (Hon. Ita Enang).

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

- (iv) *Leave out* all the words in subclause (1) (f) (Hon. Friday Itulah).

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

(b) *Leave out* all the provisions of new subclauses (2) and (3) (*Hon. Terngu Tsegba*).

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

Question that Clause 7 as amended, stand part of the Bill, put and agreed to.

Office of President and Vice-Presidents and Others

Committee Recommendation:

Clause 8: Election of President and Vice Presidents.

- (1) The President and the Vice- Presidents who shall be Fellows of the Institute shall be elected by the Council of the Institute.
- (2) Other members of the Board of the Council of the Institute shall be appointed in accordance with Schedule 1 of this Bill (*Hon. Adewusi Babatunde*) — *Agreed to.*

Question that Clause 8 stand part of the Bill, put and agreed to.

Committee Recommendation:

Clause 9: Tenure of Council member.

- (1)
 - (a) The President and the Vice-Presidents shall each hold office for a term of two years from the date of their election;
 - (b) The President shall be the Chairman and the first Vice President shall be the Vice-Chairman respectively;
 - (c) The President shall Chair the meetings of the Institute.
 - (d) The President and the Vice-President may be re-elected for another term of two years and no more.
- (2) In the event of death, inability or incapacity of the President, the first Vice-President shall Bill as the President for the unexpired portion of the term of office of the President and references in this Bill to the President shall be construed accordingly (*Hon. Adewusi Babatunde*).

Amendment Proposed:

Leave out all the words in subclause (1) (c) and *insert* the following instead thereof:

"The President shall chair the meetings of the Institute and in his absence, the First Vice-President or Second Vice-President shall chair" (*Hon. Ita Enang*).

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

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

Committee Recommendation:

Clause 10: Cessation of Office.

If the President or first Vice-President ceases to be a member of the Institute he shall *ipso facto*, cease to hold any of the offices designated under this Bill (*Hon. Adewusi Babatunde*).

Amendment Proposed:

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

"Any officer who ceases to be a member of the Institute shall *ipso facto*, cease to hold any of the offices designated under this Bill" (*Hon Alex Ikor Ukam*)

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

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

Committee Recommendation:

Clause 11: Disqualification, etc. of members of the Board.

Notwithstanding the provision of this Bill, a person shall cease to hold office as a member of the Board if—

- (a) he becomes bankrupt;

- (b) he is convicted of a felony or any offence involving dishonesty or fraud; or
- (c) he becomes of unsound mind or incapable of carrying out his duty, or
- (d) he is guilty of a serious misconduct in relation to his duties; or
- (e) in the case of a person possessed of professional qualifications, he is disqualified or suspended other than at his own request from practicing his profession in any part of the world by an order of a competent authority made in respect of that person;
- (f) he resigns his appointment by a letter addressed to the Chairman of the Chartered Pension Institute of Nigeria (*Hon. Adewusi Babatunde*) — *Agreed to.*

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

Power of the Governing Council

Committee Recommendation:

Clause 12: Power/duties of the Governing Council.

- (1) The Board of the Governing Council of the Institute shall have power to formulate policies which in its opinion is calculated to facilitate the smooth running of the Institute.
- (2) It shall be the duty of the Council to keep itself informed of the nature of—
 - (a) the instructions given at approved institutions to persons attending approved course of training; and
 - (b) the examination as a result of which approved qualifications are granted; and for performance of that duty, the Council may appoint, either from among its own members or otherwise, persons to visit approved institutions or to observe such examinations (*Hon. Adewusi Babatunde*).

Amendment Proposed:

Leave out all the words in subclause (2) and *insert* the following instead thereof:

"The Council shall be duly informed of —" (*Hon. Emmanuel Jime*).

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

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

Committee Recommendation:

Clause 13: Rules of the Governing Council.

Subject to the foregoing provisions of this section, the Council shall make rules with respect to the form, the keeping of the register and the making of entries therein, and in particular shall—

- (a) regulate the making of application for enrolment or registration, as the case may be, and provide for evidence to be produced in support of such applications;
- (b) provide for the notification of the Registrar, by the person to whom any registered particulars relates, or of any change in those particulars;
- (c) authorize an enrolled or a registered person to have any qualification which is in relation to relevant category of the profession, whether an approved qualification or accepted qualification for the purposes of this Bill, registered in relation to his name in addition to or as he may elect, in substitution for any other qualifications so registered;
- (d) specify the fees, including any annual subscription, to be paid to the Institute in respect of the entry of names on the register, and authorize the Registrar to refuse to enter a name in the register until any fee specified for the entry has been paid;
- (e) specify anything failing to be specified under the foregoing provisions of his section:

- (f) notwithstanding the provisions of this Section, the rules made for the purposes of paragraph of this Subsection shall not come into force until they are confirmed at a meeting of the Institute or at the next General meeting as the case may be (*Hon. Adewusi Babatunde*) — *Agreed to.*

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

Committee Recommendation:

Clause 14: Duties of persons.

It shall be the duty of persons appointed under this section to report to the Council on—

- (a) the adequacy of the instruction given to persons attending approved courses of training at institutions visited by him;
- (b) the adequacy of the examinations attended by him; and
- (c) any other matters relating to the institutions or examinations on which the Council may, either generally or in a particular case, request him to report (*Hon. Adewusi Babatunde*) — *Agreed to.*

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

Committee Recommendation:

Clause 15: Interference of persons.

But no such persons shall interfere with the giving of any instruction or the holding of any examination (*Hon. Adewusi Babatunde*) — *Agreed to.*

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

Committee Recommendation:

Clause 16: Report of persons.

On receiving a report made in pursuance of this section, the Council may, if it deems fit, and shall, if so required by the institution send a copy of the Report to the person appearing to the Council to be in charge of the institution or responsible for the examination to which the report relates, requesting that person to make observation on the report to the Council within such period as may be specified in the request, not being less than one month beginning with the date of the request (*Hon. Adewusi Babatunde*) — *Agreed to.*

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

Chairman to report progress.

(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 Pensions on a Bill for an Act to Establish the Chartered Pension Institute of Nigeria, 2008 and approved Clause 1, amended Clause 2, approved Clause 3, amended Clause 4, approved Clauses 5 and 6, amended Clause 7, approved Clause 8, amended Clauses 9 and 10, approved Clause 11, amended Clause 12 and approved Clauses 13, 14, 15 and 16, and deferred further consideration of the Bill till the next Legislative Day.

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

10. Adjournment:

That this House do now adjourn till Thursday, 5 March, 2009 at 10.00 a.m. (*Hon. Baba Shehu Agaie*).

Adjourned accordingly at 5.15 p.m.