



HOUSE OF REPRESENTATIVES FEDERAL REPUBLIC OF NIGERIA

VOTES AND PROCEEDINGS

Thursday, 30 April, 2009

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 Wednesday, 29 April, 2009.

By unanimous consent, the Votes and Proceedings was adopted.

3. **Petitions:**

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

- (i) Hon. Ita Enang (*Itu/Ibiono Federal Constituency*), from Mr J. E. Inua, praying the House to investigate the non-payment of his retirement benefits by the First Bank of Nigeria Plc and grant other reliefs sought therein;
- (ii) Hon. Samson Positive (*Dekina/Bassa Federal Constituency*), from Mr Gabriel Haruna, praying the House to investigate the alleged wrongful termination of his appointment by the Nigerian Security Printing and Minting Company with a view to re-instating him and paying his entitlement;
- (iii) Hon. Shehu Matazu (*Matazu Federal Constituency*), from Allottees of Houses at Team 7, Gwarimpa Estate, praying the House to intervene in the planned revocation of their allocations by the Federal Housing Authority and grant other reliefs sought therein;
- (iv) Hon. Godfrey Gaiya (*Zango Kataf/Jaba Federal Constituency*), from Capt. Laah Waje (*rtđ*), praying the House to intervene in the neglect of the welfare of some ex-servicemen by the Federal Government;
- (v) Hon. Chukwuma Umeoji (*Aguata Federal Constituency*), from J. I. Ogamba (Esq.), praying the House to prevail on the Federal Housing Authority to obey the Court's injunction and restore his House allocation;
- (vi) Hon. Abiodun Adesida (*Akure North/South Federal Constituency*), from Mr Kayode Thomas Adeyeye, praying the House to investigate his alleged unlawful removal from the Immigration Service with a view to re-instating him.

4. **Presentation of Reports:**

(i) **Committee on Housing and Habitat:**

Motion made and Question proposed, "That this House do receive the Report of the House Committee on Housing and Habitat on a Bill for an Act to enforce the provisions of the National Building Code and provide for the punishment for non-compliance with the Code and for Related Matters, 2008 (Hon. Abubakar Garba Shehu Matazu)

Question put and agreed to.

Report laid.

(ii) Committee on Housing and Habitat:

Motion made and Question proposed, "That this House do receive the Report of the House Committee on Housing and Habitat on a Bill for an Act to provide for the Assessment, Supervision, and approval of all Building Construction by Qualified Architects or Building Engineers, and for Related Matters, 2008 (*Hon. Abubakar Garba Shehu Matazu*).

Question put and agreed to.

Report laid.

(iii) Committee on Agriculture:

Motion made and Question proposed, "That this House do receive the Report of the House Committee on Agriculture on a Bill for an Act to Establish the National Industrial Crops Development Agency 2008" (*Hon. Gbenga Makanjuola*).

Question put and agreed to.

Report laid.

(iv) Committee on Agriculture:

Motion made and Question proposed, "That this House do receive the Report of the House Committee on Agriculture on a Bill for an Act to Regulate the Transportation of Animals, prevent undue pain, and suffering in animals used in Food production and For matters Connected Therewith, 2009" (*Hon. Gbenga Makanjuola*).

Question put and agreed to.

Report laid.

(v) Joint Committee on Agriculture and Justice:

Motion made and Question proposed, "That this House do receive the Report of the Joint Committee on Agriculture and Justice on a Bill for an Act to Repeal and Re-enact the National Agricultural Seeds Council Act, 1992 and for Other Related Matters, 2008" (*Hon. Gbenga Makanjuola*).

Question put and agreed to.

Report laid.

(vi) Committee on Inter Parliamentary Relations:

"That this House do receive the Report of the House Committee on Inter Parliamentary Relations on the Preliminary Report of the 120th Assembly of the Inter-Parliamentary Union (IPU) held in Addis Ababa, Ethiopia between 5th -10th April, 2009".

Order read, deferred.

(vii) Committee on Finance:

Motion made and Question proposed, "That this House do receive the Mid-Sessional Report of the House Committee on Finance" (*Hon. John Owan Enoh*).

Question put and agreed to.

Report laid.

(viii) Committee on Federal Character :

Motion made and Question proposed, "That this House do receive the Mid-Sessional Report of the House Committee on Federal Character" (*Hon. Abdulwahab Isa*).

Question put and agreed to.

Report laid.

(ix) **Committee on Media and Public Affairs:**

Motion made and Question proposed, "That this House do receive the Mid-Sessional Report of the House Committee on Media and Public Affairs" (Hon. Labaran Yunusa Dambatta).

Question put and agreed to.

Report laid.

5. **A Bill for an Act to Alter the Provisions of the Constitution of the Federal Republic of Nigeria, 1999 by Amending the Land Use Act Cap. 15 LFN 2004 and for Related Matters — *Second Reading.***

Order read, deferred.

6. **Matters of Urgent Public Importance:**

- (a) Citing Order VIII, Rule 4, Hon. Uche Ekwunife drew the attention of the House to the spate of armed robbery in Anambra State which had claimed many lives. She expressed concern about the grave state of insecurity prevailing in the State as a result of the robbery. She, therefore urged the House to consider the matter as one of urgent public importance.

Question that the House do consider the matter as one of urgent public importance, put and agreed to.

Question that the House do suspend Order VIII, Rule (3) to enable it debate the matter forthwith, put and agreed to.

Question put and agreed to.

Anambra State — Under the siege of Armed Robbery:

The House:

Alarmed by the upsurge of armed robbery by the men of the underworld in Anambra State;

Dismayed that within the period of two weeks, the people of Anambra State have witnessed at least two ugly incidents which claimed more than 30 lives;

Regrets the inability of the Police in the State and the State government to combat the menace of the men of the underworld;

Realizing that for peace and order to return to the State, there should be reassurance of security of lives and properties of the people of Anambra State.

Resolves to:

- (i) Condemn the upsurge of armed robbery as recently experienced in Anambra State;
- (ii) Commiserate with the bereaved families and good people of Anambra State in this period of uncertainty and terror within the State;
- (iii) Urge the government of Anambra State, Security Agencies and the Federal Government to be alive to their responsibilities of protecting lives and properties of the good people of Anambra State;
- (iv) Direct the Inspector-General of Police to immediately deploy enough Police Officers to Anambra State to fish out the perpetrators and also ensure that the people of Anambra State are well protected (*Hon. Uche Ekwunife*).

Debate:

Amendments Proposed:

- (i) Urge the three tiers of Government, Local, State and Federal to rise to their constitutional responsibilities of protecting lives and properties (*Hon. Shehu Matazu*).

Question put and negatived.

- (ii) That the Nigerian Police Force should take all necessary steps to introduce an enlightened Community Policing Project nationwide (*Hon. A. U Faruk*).

Question put and negatived.

Main Question put and agreed to.

The House:

Alarmed by the upsurge of armed robbery by the men of the underworld in Anambra State;

Dismayed that within the period of two weeks, the people of Anambra State had witnessed at least two ugly incidents which claimed more than 30 lives;

Regretted the inability of the Police in the State and the State government in combating the menace of the men of the underworld;

Realized that for peace and order to return to the State, there should be reassurance of security of lives and properties of the people of Anambra State.

Resolved to:

- (i) Condemn the upsurge of armed robbery as recently experienced in Anambra State;
- (ii) Commiserate with the bereaved families and good people of Anambra State in that period of uncertainty and terror within the State;
- (iii) Urge the government of Anambra State, Security Agencies and the Federal Government to be alive to their responsibilities of protecting lives and properties of the good people of Anambra State;
- (iv) Direct the Inspector-General of Police to immediately deploy enough Police Officers to Anambra State to fish out the perpetrators and also ensure that the people of Anambra State were well protected (**HR. 23/2009**).
- (b) Hon. Jacob Alebiosu drew the attention of the House to the outbreak of Swine Flu epidemic in some countries. He stressed the need for urgent measures to be taken in order to prevent its spread to Nigeria. He therefore urged the House to consider the matter as one of urgent public importance.

Question that the House do consider the matter as one of urgent public importance, put and agreed to.

Matter to stand over till the next Legislative Day.

7. Election Re-run in Ekiti State:

The House:

Notes that in spite of all the pre-election preparations made by the Independent National Electoral Commission, (INEC) the political parties, the security agencies, the election monitors, and other stakeholders including the media, the election is inconclusive;

Worried that the election re-run has once again, demonstrated in very sad graphic details how the actions of a few individuals during election can bring the goodness of our people, and the greatness of our nation into disrepute in the continent and on the global scene;

Convinced that even through the Nigeria Police deployed an unusual large number of about ten thousand of them, the deployment has not impacted positively on the outcome of the electoral process in Ekiti State.

Resolves to:

- (i) Condemn the violence that marred the governorship re-run election in Ekiti State in which election monitors were allegedly attacked and brutalized;
- (ii) Request that all politicians irrespective of the political parties they belong to, who were seen, suspected and/or participated in election manipulations and who employed, armed and deployed thugs and miscreants to disrupt the orderly conduct of the Ekiti election, should be prosecuted immediately to redeem the image of Nigeria and set good standards for the future conduct of elections;

- (iii) Call upon the Independent Electoral Commission (INEC) to expeditiously conclude the Election in Ekiti State (*Hon. Femi Gbajabiamila*).

Debate:

Question put and negatived.

8. Consideration of Report:

Committee on Water Resources:

Motion made and Question proposed, "That this House do consider the Report of the Committee on Water Resources on a Bill for an Act to Establish the Nigeria Integrated Water Resources Management Commission Charged with the Responsibility for the Regulation and Management of Water in Nigeria and for Other Matters Connected Therewith, 2008 (HB.120) and approve the Recommendations therein" (Hon. Tsegba Terngu).

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 NIGERIA INTEGRATED WATER
RESOURCES MANAGEMENT COMMISSION CHARGED WITH THE RESPONSIBILITY
FOR THE REGULATION AND MANAGEMENT OF WATER IN NIGERIA
AND FOR OTHER MATTERS CONNECTED THEREWITH**

**PART I — ESTABLISHMENT, ETC. OF THE NIGERIA
INTEGRATED WATER RESOURCES MANAGEMENT COMMISSION
AND THE GOVERNING BOARD**

Committee Recommendation:

- Clause 1: Establishment of the Integrated Water Resources Management Commission, etc.**
- (1) There is established a body to be known as the Nigeria Integrated Water Resources Management Commission (in this Act referred to as "the Commission").
 - (2) The Commission shall be a body corporate with perpetual succession and a common seal, and can sue and be sued in its corporate name.
 - (3) The objectives of the Commission shall be—
 - (a) creation of a regulatory environment for the allocation, supply and distribution of water resources for all uses, and to promote equitable, sustainable and efficient best practices and conduct;
 - (b) facilitation of coordinated development of public and private water resources services and facilities by all persons wishing to supply such services and facilities;
 - (c) ensuring that licensees or authorized developers and water services providers and users as well as the infrastructure meet the technical, social and commercial obligations and such other obligations specified under this Act in a manner which promotes well being of all citizens and fairness;
 - (d) protection of licensees and the public from unfair conduct of other providers of water resources services, with regard to the quality of service and to the payment of tariffs;
 - (e) ensuring that licensees achieve the highest possible level of accountability and responsiveness to customer and community needs;
 - (f) ensuring that public water services are supplied as efficiently and economically as possible and at such performance standards which reasonably meet the social, industrial, and commercial needs of the community; and

- (g) promotion of the development of other sectors of the Nigerian economy through the efficient and sustainable supply of water services within the framework of this Act.
- (4) The Commission shall be structured into various activity departments as deem appropriate for the effective discharge of its functions.
- (5) The head office of the Commission shall be in the Federal Capital Territory, Abuja or at such other places within Nigeria as may be designated by the President from time to time (*Hon. Tsegba Terngu*) — *Agreed to*.

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

Committee Recommendation:

Clause 2: Establishment and membership of the Governing Board.

- (1) There is established for the Management of the Commission a Governing Board (in this Act referred to as "the Board").
- (2) The Board shall consist of the following members to be appointed by the President on the recommendation of the Minister—
 - (a) a part time Chairman;
 - (b) A member representing the Federal Ministry responsible for Water Resources—
 - (i) agriculture and water resources,
 - (ii) environment, housing and urban development,
 - (iii) energy (power sector),
 - (iv) health,
 - (v) transportation;
 - (c) Six persons, one each representing a geo-political zone with experience in either of the following:

Water Supply, Environment, Agriculture, Energy, Navigation, Management and Industry.
 - (d) The Director General
 - (e) A representative of National Environmental Standard and Regulations Enforcement Agency (NESREA).

First Schedule.

- (3) The Supplementary provisions set out in the First Schedule to this Bill shall have effect with respect to the proceedings of the Board and the other matters contained therein (*Hon. Tsegba Terngu*) — *Agreed to*.

Question that Clause 2 stand part of the Bill, put and agreed to.

Committee Recommendation:

Clause 3: Powers of the Board.

The Board shall have power to—

- (a) manage and superintend the affairs of the Commission;
- (b) subject to the provisions of this Bill, make, alter and revoke rules and regulations for carrying on the functions of the Commission;
- (c) fix the terms and conditions of service including remuneration of employees of the Commission;
- (d) do such other things which in the opinion of the Commission are necessary to ensure the efficient performance of the functions of the Commission;

- (e) in the absence of a duly constituted Board for the Commission, the Director General of the Commission shall with the approval of the Minister carry out such functions of the Board as may be required (*Hon. Tsegba Terngu*) — *Agreed to*.

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

Committee Recommendation:

Clause 4: Tenure of office.

Subject to the provisions of section 2 (2) of this Bill, a member other than ex-officio shall hold office—

- (a) for a term of 4 years and no more; and
- (b) on any other terms and conditions as may be specified in the letter of appointment. (*Hon. Tsegba Terngu*) — *Agreed to*.

Question that Clause 4 stand part of the Bill, put and agreed to.

Committee Recommendation:

Clause 5: Cessation of membership.

- (1) Notwithstanding the provisions of section 4 of this Bill, a person shall cease to hold office as a member if—
- (a) he becomes bankrupt, suspends payments or compounds with his creditors; or
- (b) he is guilty of a serious misconduct in relation to his duties; or
- (c) he is convicted of a felony or any offence involving dishonesty or fraud; or
- (d) he becomes of unsound mind, or incapable of carrying out his duties; or
- (e) in the case of a qualified professional, 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; or
- (f) he resigns his appointment by a letter addressed to the President where such a member was appointed by the President.
- (2) If a member ceases to hold office for any reason whatsoever, before the expiration of the term for which he was appointed, another person representing the same interest as that member shall be appointed to the Board for his unexpired term.
- (3) A member may be removed by the President if he is satisfied that it is not in the interest of the Commission or the interest of the public that the member continues in office (*Hon. Tsegba Terngu*) — *Agreed to*.

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

Committee Recommendation:

Clause 6: Dissolution.

Notwithstanding anything to the contrary in this Bill, the Minister shall exercise all the powers of the Board where—

- (a) the Board has not been constituted;
- (b) the Board has been dissolved; and
- (c) any action taken or decision reached in compliance with the provisions of this subsection shall be valid for all intent and purpose (*Hon. Tsegba Terngu*).

Amendment Proposed:

Leave out all the provisions in Clause 6 (Hon. Ita Enang).

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

Committee Recommendation:**Clause 7: Allowances of members.**

A member shall be paid such allowances as the Federal Government may, from time to time, direct (*Hon. Tsegba Terngu*) — *Agreed to.*

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

PART II — FUNCTIONS OF THE COMMISSION

Committee Recommendation:**Clause 8: Functions of the Commission.****(1) The Commission shall—**

- (a)** implement regulatory policies on activities relating to the management of water resources in Nigeria;
- (b)** be responsible for economic and technical regulation of all aspect of water resources exploitation and provision (construction, operation, maintenance and tariffs) of public and private water resources infrastructure;
- (c)** ensure the safety and quality of Water Resources development and water services by regulating standards for execution and performance;
- (d)** liaise with relevant agencies to conduct studies and surveys for the purpose of establishing water resources balance and catchments management plan and water efficiency strategies;
- (e)** interact and consult with approved local and international organizations engaged in Integrated Water Resources Management such as Global Water Partnership (GWP), World Water Council (WWC), International Basin Organisation (IBO), International Commission on Large Dams (ICOLD), International Commission on Irrigation and Drainage (ICID), International Hydrological Programme (IHP), International Association of Hydrogeologists (IAH), etc. in liaison with other relevant Agencies to manage Nigeria's input into the setting of international technical standards for Water Resources development within the provisions of this Act;
- (f)** effectively monitor and evaluate water sector programmes and advice the Minister on the entire Nigerian Water Resources sector including lending, foreign technical assistance and portfolios;
- (h)** protect suppliers of public water resources services or facilities under this Bill from unfair practices of other Water Resources developers or services providers which are damaging to competition;
- (i)** facilitate the entry into the market for such water services and facilities by persons wishing to supply such water services and facilities;
- (j)** protect licensees from misuse of market power by other developers and service providers;
- (k)** maintain arbitration of disputes between all stakeholders but more especially the licensees and other participants in the Water Resources sector;
- (l)** receive and investigate complaints from licensees, developers, consumers and other persons in the Water Resources sector;
- (m)** liaise with relevant national and international agencies and advise the Minister on ways of promoting cooperation for effective and equitable management of trans-boundary waters (Niger Basin Development Authority, Lake Chad Basin Commission, Niger-Nigeria Joint Commission, Cameroon-Nigeria Joint Commission and such other agencies within the Water Resources sector);

- (n) in collaboration with other relevant agencies monitor and advise the Minister on International Treaties, Obligations, Conventions on water resources development and management and take necessary measures to facilitate their domestication into national Statutes by the relevant authorities;
 - (o) in collaboration with other relevant agencies advise the Minister on bilateral and multilateral memorandum of understanding (MOU) and agreements with other countries and external agencies on water resources exploitation and management;
 - (p) be responsible for the protection of public interest by ensuring that the provisions of this Act are carried out with due regard to public interest;
 - (q) protect consumers from unfair practices of licensees and other persons in the supply of Water Resources services and facilities;
 - (r) develop performance indices in relation to the quality of Water Resources services and facilities supplied to consumers having regard to the best international performance indicators and Nigerian conditions;
 - (s) monitor and report to the Minister on charges paid by consumers, the performance of licensees and other persons in meeting the standards developed under paragraph (n) of this section;
 - (t) issue water resources licences in accordance with the provisions of this Bill;
 - (u) monitor the conduct of holders of the licences and to enforce the conditions included in the licences;
 - (v) receive financial and technical aid from international organizations and non-governmental agencies for the purpose of proper regulation of water resources in Nigeria;
 - (w) facilitate technical assistance in all aspects of Integrated Water Resources Management; and
 - (x) perform such other functions which in the opinion of the Commission are required for the purpose of achieving its objectives under this Bill including any of the functions of the Minister as contained in the Water Act, which the Minister may delegate to it from time to time.
- (2) For the purpose of subsection (1) of this section, water resources management includes securing water for the people, food production, job creating activities, protection of vital ecosystem, containment of its variability in time and space and management of risks (*Hon. Tsegba Terngu*).

Amendment Proposed:

In subparagraph (b), line 3, immediately after the word "infrastructure" insert the words "within the competence of the Federal Government" (*Hon C. I. D. Maduabum*).

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

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

Committee Recommendation:

Clause 9: Powers of the Commission.

The Commission shall have power to—

- (a) give written directions to a licensee or authorized developers and service providers in connection with the functions of the Commission;
- (b) have regard to the right of the licensee referred to in paragraph (a) of this section;

- (c) consult, where appropriate, with the President, commercial and industrial organizations, consumers and standards organization as well as other relevant bodies;
- (d) delegate any of its powers to a committee properly constituted in accordance with the provisions of this Bill;
- (e) require any person to appear before the Commission or any committee of the Commission to—
 - (i) discuss any matter which the Commission deems necessary for the purpose of effective discharge of the Commission's duties under this Bill, and
 - (ii) give evidence or produce any document which is likely to assist the Commission or any of its committees in the discharge of the duties of the Commission under this Bill;
- (f) enter into contracts or partnership with any company, firm or person which in the opinion of the Commission is intended to facilitate the duties specified in this Bill;
- (g) establish and maintain such number of Catchments' Management Offices for the discharge of such functions the Commission may determine; and
- (h) do anything which, in the opinion of the Commission, is considered necessary to ensure the efficient performance of the functions of the Commission under this Act
(Hon. Tsegba Terngu) — Agreed to.

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

Committee Recommendation:

Clause 10: Qualification to operate as an authorized developer or operator of water resources infrastructure.

- (1) As from the commencement of this Act and subject to subsection (4) of this section, no person shall operate a public water resources service in Nigeria unless the person—
 - (a) is a citizen of Nigeria; or
 - (b) is registered as a body corporate under the Companies and Allied Matters Act; and
 - (c) is licensed as a water resources services developer or operator under this Bill.
- (2) An authorized developer or operator of water resources infrastructure, other than a licensee, may provide and maintain only such facilities and services as are required to exploit water for its own external use on its premises, and not beyond.
- (3) The authorized developer of water resources infrastructure, other than a licensee, maybe licensed exceptionally to provide and maintain such specialized terminal equipment as may be considered unique to its operations.
- (4) Notwithstanding subsection (1) of this section, any person operating a Water Resources service may apply to the Commission within one year of the commencement of this Bill to be licensed under the provisions of this Bill.
- (5) Any person not licensed under this section of this Bill shall cease to operate Water Resources services in any part of Nigeria (Hon. Tsegba Terngu) — Agreed to.

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

Committee Recommendation:

Clause 11: Application for a licence.

- (1) Any application for a licence under this Bill shall be in writing addressed to the Commission.

- (2) The Commission may, before the consideration of an application under this Bill, require the applicant to produce such evidence or information as to show the capacity to develop and operate a Water Resources service as it may deem fit to enable the Commission reach a decision on the matter.
- (3) An application for a licence shall be accompanied by such fee as the Commission may, from time to time, prescribe (*Hon. Tsegba Terngu*) — *Agreed to*.

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

Committee Recommendation:

Clause 12: Issuance of licence.

- (1) The Commission may, subject to subsection (2) of this section grant a licence to an applicant under this Bill if it is satisfied from all the evidence and information supplied to it that the applicant is suitable to develop and operate a water resources service.
- (2) The Commission may defer the consideration of any application for as long as it deems fit and may in its absolute discretion, either grant the licence or refuse the application.
- (3) The licence granted under subsection (1) of this section shall be subject to such terms, provisions and limitations as the Commission may deem fit in each circumstance (*Hon. Tsegba Terngu*) — *Agreed to*.

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

Committee Recommendation:

Clause 13: Renewal of licence.

- (1) A licensee wishing to renew a licence granted under section 10 of the Act shall, not later than three months before the expiry of the licence, apply for a new licence to take effect from the date the current licence expires.
- (2) The procedure for renewal of a licence granted under this Bill shall be the same as for the consideration of an application for the grant of a licence.
- (3) A company which fails to renew its licence or whose application for renewal is rejected by the Commission shall cease to operate the water resources service (*Hon. Tsegba Terngu*) — *Agreed to*.

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

Committee Recommendation:

Clause 14: Revocation of licence.

- (1) The Commission may revoke any licence granted under section 11 of this Bill if it is satisfied that a condition of the licence has been breached or the licensee has ceased to be eligible or it is in the interest of the public so to do.
- (2) Any licence revoked under subsection (1) of this section shall not affect the obligations of the holder of the licence if the obligations arose before the revocation (*Hon. Tsegba Terngu*) — *Agreed to*.

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

Committee Recommendation:

Clause 15: Other powers of the Commission in respect of issuance of licence.

The Commission shall have power in relation to issuance of licence to—

- (a) declare in writing that a specific licence is subject to conditions specified in the declaration;
- (b) vary or revoke in writing a condition attached to a licence under this Bill;
- (c) consult with an affected licensee before bringing into force a change in the conditions attached to a licence if the change shall have the effect of imposing an additional obligation either in favour of or otherwise on an existing licensee;

- (d) determine a code of practice relating to dealings by a developer and service provider with International Water Resources operators;
- (e) approve guidelines for each licensee for the purpose of keeping of accounts and a cost allocation formula;
- (f) inspect a licensee's books of account and other records to determine whether a licensee is complying with its obligations or for any other purpose;
- (g) regulate and monitor the conduct of the licensee;
- (h) grant a licence to a person to carry on water resources undertakings in one or more of the activities listed in the Second Schedule of this Bill;
- (i) determine by notice and subject to the approval of the Minister, services and undertakings eligible for licensing from time to time;
- (j) determine, in writing, principles which shall apply in agreeing to terms and conditions about charges payable between licensees or between licensees and other developers for—
 - (i) inter-connection of facilities to networks of the other party, or
 - (ii) supply and delivery of water across such networks, or
 - (iii) the supply of facilities for the purposes of such interconnection or supply and delivery, or
 - (iv) matters related to inter-connection of water infrastructure generally; and
- (k) grant or revoke a permit for the development on a public water resources network by any private individual (*Hon. Tsegba Terngu*) — *Agreed to.*

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

Committee Recommendation:

Clause 16: Exploration of water and interconnectivity of structure by an authorised developer.

- (1) The holder of a licence or an authorized developer under this Bill shall have the right to exploit water from catchment or interconnect his structure to a structure of another licensee or authorised developer.
- (2) It shall be lawful for licensees and authorised developers to negotiate with a view to agreeing on terms and conditions for the purposes of carrying into effect the provisions of subsection (1) of this section or any other matter under this Bill provided such do not compromise the common well being of other stakeholders.
- (3) The Commission shall, at the request of either or both the holder of a licence or an authorised developer or another stakeholder set up an arbitration panel where the parties concerned cannot reach an agreement under subsection (2) of this section.
- (4) The Commission shall in conducting an arbitration under this Act, pursue the objectives of providing a mechanism of arbitration which is fair, just, economical and effective and shall not be bound by technicalities, legal form or rules of evidence but shall act according to the ethics of justice and the merits of each case.
- (5) The Commission shall determine and evolve the steps and rules guiding arbitration in conformity with the provisions of subsections (2) and (4) of this section (*Hon. Tsegba Terngu*) — *Agreed to.*

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

Committee Recommendation:

Clause 17: Power of the officer of the Commission to enter any premises or building without a warrant.

For the purposes of enforcing this Act, the Commission may authorize any officer of the Commission to enter any premises or building without a warrant and require to be produced—

- (a) examine and take copies of any licence, permit, certificate or other document required under this Act or by regulations made thereunder; or
- (b) examine any appliance, device, equipment or other facilities used in relation to water resources operations (*Hon. Tsegba Terngu*) — *Agreed to.*

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

Committee Recommendation:

Clause 18: Power of a licensee to enter and operate on any temporary land.

- (1) A licensee shall, subject to the approval of the Commission, have power to enter on any land temporarily and remain on the land for such reasonable time for the purpose of—
 - (a) supplying, erecting and maintaining water resources services or facilities;
 - (b) surveying or obtaining relevant information on the land;
 - (c) determining whether the land is suitable for its purpose; and
 - (d) cutting and removing on each site of any proposed or existing installation all such trees and underwood as may interfere with the construction or proper utilization of any installation.
- (2) Nothing in subsection (1) of this section shall empower the licensee to enter any land which is occupied by any burial ground or thing held to be sacred or object of veneration except for the purpose of removing a danger to life or property.
- (3) Subject to the provisions of this section, before exercising his power under this section, the licensee shall give reasonable notice in writing of his intention to do so to the occupier of the land, stating the specific purpose of his intention.
- (4) The notice referred to in subsection (3) of this section may either be served personally or by delivery to the place of abode of the person to be served.
- (5) Where the condition of any Water Resources installation is such as to endanger life or property, the licensee may enter on the land on which it is situated for the purpose of averting the danger to life or property.
- (6) In the exercise of the powers conferred under this section, the licensee shall take such reasonable care as may be practicable and shall in all—
 - (a) restore all affected structures and services to their normal state of report;
 - (b) remove all dirt and debris from the site; and
 - (c) pay compensation for any damage done to crop or economic trees.
- (7) The Minister's decision shall be final where there is doubt as to whether any land, tree or underwood falls within the category described under subsection (1) of this section (*Hon. Tsegba Terngu*) — *Agreed to.*

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

Committee Recommendation:

Clause 19: Payment of compensation by a licensee.

A licensee shall in accordance with the provisions of section 18 (6) of this Bill pay compensation in form of damage of a temporary or permanent character (*Hon. Tsegba Terngu*) — *Agreed to.*

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

Committee Recommendation:**Clause 20: Preparation and maintenance of a licensee's confidential register.**

- (1) The Licensee or developer shall prepare and maintain, in accordance with the rules and regulations made by the Commission, a register containing the following information—
 - (a) the approved types of customer equipment;
 - (b) details on holders of licences and permits;
 - (c) the classes of licence issued;
 - (d) the transfers of permits;
 - (e) the cancellations and revocation of licences and permits;
 - (f) accredited offices; and
 - (g) such other information as may be specified, from time to time, by the Commission.
- (2) The register referred to in subsection (1) of this section, shall be open to inspection by members of the public on payment of such token fee to be prescribed by the Commission from time to time (*Hon. Tsegba Terngu*) — *Agreed to.*

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

Committee Recommendation:**Clause 21: Un-authorised developer.**

- (1) A person who is or has been an employee of a licensee or authorized developer shall not operate—
 - (a) the water resources structure or facilities to deliver or attempt to deliver water which to his knowledge would be injurious or is to his knowledge likely to interfere with the efficient delivery of any service or endanger the safety of any person; or
 - (b) otherwise than under the authority of the Minister, or in the course of his duty as an employee of the licensee or authorized developer, either—
 - (i) use his privileged position with intent to obtain information which neither the licensee nor any person on whose behalf he is acting is authorized by the Minister to receive, or
 - (ii) except in the course of legal proceedings or for the purpose of any report thereof, disclose any information, being information which would not have come to his knowledge but for the provision of Water Resources services or facilities by him or by another person.
- (2) Any person who contravenes the provisions of subsection (1) of this section is guilty of an offence and shall on conviction be liable to penalty as spelt out in section 39 and 40 of this Bill (*Hon. Tsegba Terngu*) — *Agreed to.*

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

PART III — ESTABLISHMENT OF CATCHMENT MANAGEMENT OFFICES**Committee Recommendation:****Clause 22: Establishment of Catchment Management Offices.**

- (1) There is established for each hydrological zone a Catchment Management Office (in this Act referred to as "the Catchment Office").
- (2) The Catchment Management Office shall—
 - (a) be headed by a person with relevant professional qualification in the field of water resources management and shall not be of a rank lower than Deputy Director;

- (b) comprise of sufficient supporting staff of various relevant competencies;
 - 3. cover the Catchment in the performance of the functions described in this Act;
 - (d) produce quarterly reports which shall be sent to the office of the Director General;
 - (e) be accountable to the Commission for all funds accruing to it for purposes of discharging its functions under this Act; and
 - (f) perform other duties as may be assigned by the Director General in the interest of the Commission.
- (3) A committee shall be established for a Catchment area comprising the Catchment officer as chairman and a representative of each of the following—
- (a) the relevant Federal Government water development and public water service provider agencies;
 - (b) Nigeria Hydrological Services Agency;
 - (c) the State Water Board;
 - (d) the State Emergency Management Agency; and
 - (e) Water Users Association and Agricultural Cooperative Society.
- (4) The Catchment Committee shall advise the Catchment Office on the implementation of the functions of the Commission (*Hon. Tsegba Terngu*) — *Agreed to.*

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

PART IV — APPOINTMENT OF THE DIRECTOR GENERAL, ETC.

Committee Recommendation:

Clause 23: Appointment of the Director General.

- (1) There shall be for the Commission, a Director General, who shall be appointed by the President.
- (2) The Director General shall be—
 - (a) the Chief Executive and accounting officer of the Commission;
 - (b) responsible for the day-to-day administration of the Commission; and
 - (c) a Water Engineer, a Hydrologist or an Environmental Scientist with water resources management experience or a person otherwise professionally qualified in a field cognate to water resources management.
- (3) The Director General shall hold office for—
 - (a) a term of five years and no more; and
 - (b) such terms and conditions as are specified in his letter of appointment (*Hon. Tsegba Terngu*) — *Agreed to.*

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

Committee Recommendation:

Clause 24: Appointment of Secretary/Legal Adviser.

- (1) The Board shall appoint for the Commission, a Secretary/Legal Adviser who shall be a legal practitioner and must have been so qualified for a period of not less than 10 years.
- (2) The Secretary/Legal Adviser shall—

- (a) be Secretary to the Board;
- (b) be responsible for keeping the books and proper records of proceedings and correspondences of the Board and the upkeep of the records of the Commission;
- (c) administer and discharge all legal obligations of the Commission;
- (d) administer and discharge all insurance requirements of the Commission;
- (e) retain external legal services on behalf of the Council as the Board may deem necessary or expedient; and
- (f) perform such other functions as the Board or the Director-General as the case may be, may from time to time, assign to him (*Hon. Tsegba Terngu*) — *Agreed to.*

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

Committee Recommendation:

Clause 25: Remunerations, etc.

- (1) The Commission shall develop such terms and conditions of service concerning remunerations, fringe benefits, pension scheme and other benefits which would enable it attract and retain high quality manpower and submit for approval of the President as appropriate.
- (2) Notwithstanding the provisions of the Pensions Act, service in the Commission shall be approved service for the purpose of that Act and accordingly, officers and other persons employed in the Commission shall in respect of their service in the Commission be entitled to pensions and other retirement benefits as are enjoyed by persons holding equivalent grades in the civil service of the Federation, so however that nothing in this Bill shall prevent the appointment of a person to any office on terms which preclude the grant of pension in respect of that office (*Hon. Tsegba Terngu*) — *Agreed to.*

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

PART V — FUND OF THE COMMISSION

Committee Recommendation:

Clause 26: Fund of the Commission.

- (1) The Commission shall establish and maintain a fund from which shall be defrayed all expenditure incurred by the Commission.
- (2) There shall be paid and credited to the fund established in subsection (1) of this section—
 - (a) allocation to the Commission from the Federation Account;
 - (b) Allocation from Nigeria Ecological Fund (for the Preservation of River health);
 - (c) such money as may, from time to time, be granted or received from—
 - (i) the organized private sector,
 - (ii) international or donor organizations and non-governmental organizations;
 - (d) all monies raised for the purposes of the Commission by way of gifts, loans grant-in-aid, testamentary disposition or otherwise;
 - (e) such money as may be received from the Integrated Water Resources Management Trust Fund; and
 - (f) all other assets that may, from time to time accrue to the Commission (*Hon. Tsegba Terngu*).

Amendments Proposed:

- (i) In subclause (2) (a), *leave out* the words "Federation Account" and *insert* the words "Federal Government" instead thereof (*Hon. Ita Enang*).

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

- (ii) In subclause (2) (b), immediately after the word "Allocation" *insert* the words "not less than 2%" (*Hon. C. I. D. Maduabum*).

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

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

Committee Recommendation:**Clause 27: Application of proceeds of the Fund of the Commission.**

The Commission shall apply the proceeds of the fund established pursuant to section 26 of this Act to—

- (a) the cost of the administration of the Commission;
- (b) the payment of salaries, fees, remunerations, allowances and pensions payable to members and the employees of the Commission;
- (c) the payment for all contracts, including mobilization, fluctuations, variations, legal fees and cost on contract administration;
- (d) the payment for all purchases; and
- (e) undertake such other activity as are connected with all or any of the functions of the Commission under this Act (*Hon. Tsegba Terngu*) — *Agreed to.*

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

Committee Recommendation:**Clause 28: Power to accept gift.**

- (1) The Commission may accept gifts 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.
- (2) The Commission shall not accept any gift if the conditions attached by the person or organization making the gift are inconsistent with the functions of, the Commission under this Act (*Hon. Tsegba Terngu*).

Amendment Proposed:

Leave out all the words in Clause 28 and *insert* the following instead thereof:

"The Commission may not accept gifts of land, money or other property, if the conditions attached by the person or organization making the gift are inconsistent with the functions of the Commission under this Bill" (*Hon. Sokonte Davies*).

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

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

Committee Recommendation:**Clause 29: Power to borrow.**

- (1) The Commission may with the consent of the Minister borrow on such terms and conditions as the Commission may determine, such sums of money as the Commission may require in the exercise of its functions under this Bill.
- (2) The Commission shall not borrow money which exceeds at any time the limit set without the approval of the Minister.

- (3) Notwithstanding subsection (2) of this section, where the sum to be borrowed is in foreign currency, whether or not it exceeds the limit set by the Minister the Board shall not borrow the sum without the prior approval of the President (*Hon. Tsegba Terngu*) — *Agreed to.*

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

Committee Recommendation:

Clause 30: Submission of annual financial report to the Minister.

- (1) The Board shall, not later than 30th September each year submit to the Minister an estimate of the expenditure and income of the Commission during the next succeeding year.
- (2) The Commission shall keep proper accounts in respect of each financial year and shall cause the accounts to be audited not later than 6 months after the end of each financial year by auditors appointed from the list and in accordance with the guidelines supplied by the Auditor-General of the Federation (*Hon. Tsegba Terngu*) — *Agreed to.*

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

Committee Recommendation:

Clause 31: Annual General Report.

The Board shall prepare and submit to the Minister, not later than 30th June each year, a report on the activities of the Commission during the immediate preceding year, and shall include in the report a copy of the audited accounts of the Commission for that financial year and the auditor's report thereon (*Hon. Tsegba Terngu*) — *Agreed to.*

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

PART VI — MISCELLANEOUS

Committee Recommendation:

Clause 32: Requisitions, etc.

- (1) In the exercise of its functions under this Bill, the Commission may demand by requisition from any public organization, suitable available equipment, facility or personnel which may assist in the efficient and effective management of water in Nigeria.
- (2) Any organization which willfully obstructs or impedes the Commission or any person acting under the authority of the Commission in the exercise of any powers or duties under this Act is guilty of an offence and therefore liable on conviction.
- (3) The Commission shall compensate for loss or damage arising from the use of any equipment, facility or personnel received under this section of this Bill (*Hon. Tsegba Terngu*) — *Agreed to.*

Question that Clause 32 stand part of the Bill, put and agreed to.

Committee Recommendation:

Clause 33: Offices and Premises.

- (a) For the purpose of providing offices and premises necessary for the performance of its functions under this Act, the Commission, may, subject to the Land Use Act—
- (a) purchase or take on lease any interest in land, or other property; and
- (b) construct offices and premises and equip and maintain same.
- (2) The Commission may, subject to the Land Use Act, sell or lease any office or premises held by it, which offices or premises is no longer required for the performance of its functions under this Bill (*Hon. Tsegba Terngu*) — *Agreed to.*

Question that Clause 33 stand part of the Bill, put and agreed to.

Committee Recommendation:**Clause 34: Directives by the President.**

Subject to the provisions of this Act, the President may, give to the Commission, directives of a general nature or relating generally to matters of policy with regard to the performance by the Commission of its functions and it shall be the duty of the Commission to comply with the directives (*Hon. Tsegba Terngu*) — *Agreed to.*

Question that Clause 34 stand part of the Bill, put and agreed to.

Committee Recommendation:**Clause 35: Jurisdiction.**

The Federal High Court, the State High Court and the High Court of the Federal Capital Territory shall have jurisdiction for the trial of offences arising under this Bill or the rules and regulations made thereunder over all suits brought to enforce any liability or duty created by the provisions of this Bill (*Hon. Tsegba Terngu*).

Amendment Proposed:

In line 1, *leave out* the words "the State High Court" and *insert* the words "the High Courts of the States" instead thereof (*Hon. Ita Enang*).

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

Question that Clause 35 as amended, stand part of the Bill, put and agreed to.

Committee Recommendation:**Clause 36: Investigation.**

- (1) If the Commission, either upon complaint by a person or otherwise, finds that the provisions of this Act or of any rules or regulations made thereunder have been or are about to be violated, it may require such person to file with it a statement in writing under oath as to all the facts and circumstances concerning the subject matter which he believes to be in the public interest, the Commission may order an investigation into the facts so asserted.
- (2) If the Commission finds that any person is engaged in or about to engage in any act or practice which constitutes or is likely to constitute a violation of the provisions of this Bill or any rules or regulations made thereunder, it may bring an action in the High Court to stop such acts or practices and upon a proper showing of acts by the Commission a permanent or temporary injunction or restraining order may be granted without the payment of a bond
- (3) The Commission may transmit such evidence as may be available concerning such acts or practices to the Attorney-General of the Federation or the Attorney General of the State concerned who may institute the necessary criminal proceedings under this Bill.
- (4) Upon application of the Commission under this section, the High Court may issue a writ of mandamus commanding any person to comply with the provisions of this Bill or any rules or regulations made thereunder (*Hon. Tsegba Terngu*) — *Agreed to.*

Question that Clause 36 stand part of the Bill, put and agreed to.

Committee Recommendation:**Clause 37: Regulations.**

The Commission may with the approval of the National Council of Ministers through the Minister make regulations generally for the purpose of giving effect to the provisions of this Bill and may in particular, without prejudice to the generality of the foregoing provisions make regulations in relation to the following matters, that is—

- (a) technical standards and rules;
- (b) payment of licence fees, annual levy on gross turn-over by specified licensees and other charges;
- (c) procedures for obtaining licences or permits and the conduct of holders of licences and permits;

- (d) tariff charged by operators;
- (e) customer equipment;
- (f) accreditation of water quantity and quality testing agencies;
- (g) piping, canal structures and water conveyance facilities; and
- (h) such other matters as may be referred to it by the Minister (*Hon. Tsegba Terngu*) — *Agreed to.*

Question that Clause 37 stand part of the Bill, put and agreed to.

Committee Recommendation:

Clause 38: Delegation of powers.

The Commission may, subject to such conditions as it may deem fit delegate any of its powers under this Bill to any of its members or to the Director General (*Hon. Tsegba Terngu*) — *Agreed to.*

Question that Clause 38 stand part of the Bill, put and agreed to.

Committee Recommendation:

Clause 39: Offences and penalties.

- (1) Any person who contravenes any provisions of this Bill or any rules and regulations thereunder is guilty of an offence and liable on conviction, where no specific penalty is prescribed therefore, to—
 - (a) a fine of ₦200,000.00 or to imprisonment for a term not exceeding one year or to both, such fine and imprisonment as a first offender; or
 - (b) ₦500,000.00 or to imprisonment for a term not exceeding three years or to both, such fine and imprisonment for subsequent convictions.
- (2) The Commission may make regulations generally to provide for the imposition of a fine and in any proper case, for the payment of compensation or for confiscation of the equipment or facilities as it may deem fit (*Hon. Tsegba Terngu*) — *Agreed to.*

Question that Clause 39 stand part of the Bill, put and agreed to.

Committee Recommendation:

Clause 40: Offences by corporate bodies.

Where an offence against this Bill or any rules or regulations made thereunder has been committed by a body corporate or by a member of a partnership or other firm, every director or officer of that body corporate or any member of the partnership or other person concerned with the management of such firm shall, on conviction, be liable to a fine not exceeding ₦1,000,000.00 for such offence and in addition shall be liable to the payment of compensation for any damage resulting from such breach thereof as estimated by the Commission unless he proves to the satisfaction of the court that—

- (a) he effected due diligence to secure compliance with the provisions of the Act; and
- (b) such offence was committed without his knowledge, consent or connivance (*Hon. Tsegba Terngu*) — *Agreed to.*

Question that Clause 40 stand part of the Bill, put and agreed to.

Committee Recommendation:

Clause 41: Interpretation.

In this Act unless the context otherwise requires—

"Commission" means the Nigeria Integrated Water Resources Management Commission as established by section 1 of this Bill (*Hon. Tsegba Terngu*).

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

"authorised operator" means a person who is either authorised under Nigerian enactments to provide or operate a Water Resources service or is licensed under this Act to provide or operate a Water Resources service (*Hon. Tsegba Terngu*).

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

"Chairman" means the part time Chairman of the Board (*Hon. Tsegba Terngu*).

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

"Catchment Area" means the operating Hydrological Areas established under this Bill (*Hon. Tsegba Terngu*).

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

"Director General" means the Chief Executive Officer of the Commission "licence" means a Water Resources Development or Operating licence in force under this Bill (*Hon. Tsegba Terngu*).

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

"Licence" means a Water Resources Development or Operating Licence in force under this Bill (*Hon. Tsegba Terngu*).

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

"licensee" means a person who is the holder of a Water Resources licence under this Bill (*Hon. Tsegba Terngu*).

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

"Ministry" means the Federal Ministry of Agriculture and Water resources or any Ministry which may be created out of it and charged with the responsibility for water resources (*Hon. Tsegba Terngu*).

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

"Minister" means the Minister for the time being charged with the responsibility for Water Resources management in Nigeria (*Hon. Tsegba Terngu*).

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

"water resources facility" means any part of the infrastructure of a water storage, delivery and use and includes any dams, dyke, water conveyance pipeline, borehole, tubewell, all types of water equipment for human consumption, irrigation, or any other structure or thing used or intended for use in connection with a Water Resources exploitation and uses (*Hon. Tsegba Terngu*).

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

"water resources undertaking" means an undertaking in the field of water resources that is carried on in the whole or in part within Nigeria (*Hon. Tsegba Terngu*).

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

Question that Clause 41 stand part of the Bill, put and agreed to.

Committee Recommendation:

Clause 42: Short Title.

This Bill may be cited as the Nigeria Integrated Water Resources Management Commission (Establishment, etc.) Bill, 2009 (*Hon. Tsegba Terngu*) — *Agreed to.*

Question that Clause 42 stand part of the Bill, put and agreed to.

SCHEDULE

Section 2 (3)

SUPPLEMENTARY PROVISIONS RELATING TO THE BOARD, ETC.

Proceedings of the Board

1. Subject to this Bill and section 27 of the, Interpretation Act, the Board may make standing orders regulating its proceedings or those of any of its committees.
2. The quorum of the Board shall be the Chairman or the person presiding at the meeting and 5 other members of the Board, and the quorum of any Committee of the Board shall be as determined by the Board.
3. The Board shall meet whenever it is summoned by the Chairman and if the Chairman is required to do so by notice given to him by not less than 4 other members, he shall summon a meeting of the Board to be held within 14 days from the date on which the notice is given.
4. At any meeting of the Board, the Chairman shall preside but if he is absent, the members present at the meeting shall appoint one of their members to preside the meeting.
5. Where the Board desires to obtain the advice of a person on a particular matter, the Board may co-opt him to the Board for such period as it deems fit, but a person who is in attendance by virtue of this sub-paragraph shall not be entitled to vote at any meeting of the Board and shall not count in determining quorum.

Committees

6. (1) The Board may appoint one or more committees to carry out, on behalf of the Board, such functions as the Board may determine.
- (2) A committee constituted under this paragraph shall, consist of such number of persons as may be determined by the Board and a person shall hold office on the committee in accordance with the terms of his appointment.
- (3) A decision of a committee of the Board shall be of no effect until it is confirmed by the Board.
7. At any time when the office of the Chairman is vacant or the Chairman is in the opinion of the Board temporarily or permanently unable to perform the functions of his office, a member of the Board duly appointed by the Minister shall perform those functions and references in this Schedule to the Chairman shall be construed accordingly.
8. The fixing of the seal of the Commission shall be authenticated by the signature of the Chairman or of some other member authorized generally or specially by the Board to act for that purpose by the Commission (*Hon. Tsegba Terngu*) — *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 Nigeria Integrated Water Resources Management Commission Charged with the Responsibility for the Regulation and Management of Water in Nigeria and for Other Matters Connected Therewith (*Hon. Tsegba Terngu*) — *Agreed to.*

Question that a Bill for an Act to Establish the Nigeria Integrated Water Resources Management Commission Charged with the Responsibility for the Regulation and Management of Water in Nigeria and for Other Matters

Chairman to report Bill.

(HOUSE IN PLENARY)

Mr Deputy Speaker in the Chair, reported that the House in the Committee of Whole considered the Report of the Committee on Water Resources on a Bill for an Act to Establish the Nigeria Integrated Water Resources Management Commission Charged with the Responsibility for the Regulation and Management of Water in Nigeria and for Other Matters Connected Therewith and approve the Recommendations therein and approved Clauses 1 - 5, deleted Clause 6, approved Clause 7, amended Clause 8, approved Clauses 9 - 25, amended Clause 26, approved Clause 27, amended Clause 28, approved Clause 29 - 34, amended Clause 35, approved Clauses 36 - 42, approved 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.

9. Adjournment:

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

Adjourned accordingly at 1.45 p.m.

Dimeji Sabur Bankole
Speaker