



HOUSE OF REPRESENTATIVES FEDERAL REPUBLIC OF NIGERIA

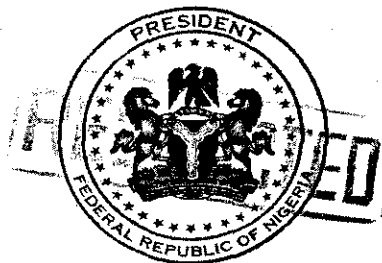
VOTES AND PROCEEDINGS

Wednesday, 6 May, 2009

1. The House met at 2.50 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, 5 May, 2009.

By unanimous consent, the Votes and Proceedings was adopted.

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



**PRESIDENT,
FEDERAL REPUBLIC OF NIGERIA**

29th April, 2009

*Rt. Hon. Dimeji Bankole
Speaker of the House of Representatives,
National Assembly Complex,
Abuja.*

Dear brother,

Re: Political Reform Bills

I forward herewith, for kind consideration and passage by the House of Representatives of the Federal Republic of Nigeria, the under listed Bills:

1. *A Bill for an Act to Amend the Independent National Electoral Commission Act, Cap. 15 LFN 2004 and Other Matters Connected Thereto.*
2. *A Bill for an Act to Alter the Provisions of the Constitution of the Federal Republic of Nigeria 1999 and for other Matters Connected Thereto.*

3. *A Bill for an Act to Establish the Electoral Offences Commission . and for other Matters Connected Thereto.*
4. *A Bill for an Act to Establish the Centre for Democratic Studies and Other Related Matters.*
5. *A Bill for an Act to Further Amend the Police Act, 1967 Cap. P19 2004 LFN and for Matters Connected Therewith.*
6. *A Bill for an Act to Establish the Political Parties Registration and, Regulatory Commission and for Other Matters Connected Thereto.*

Honourable Speaker of the House of Representatives, these bills are critical to the actualization of electoral reform and the consolidation of our democratic process. It is in the light of their vital importance and in the larger national interest that I request that they be treated distinctly from the more holistic on-going constitutional review process. This would enable us effect critical elements of the electoral reform process in the shortest possible time.

It is my hope that, in the usual tradition of the House of Representatives of the Federal Republic of Nigeria, these Bills will receive expeditious consideration.

Please accept, Honourable Speaker, the assurances of my highest consideration.

Yours sincerely,

(Signed)

UMARU MUSA YAR'ADUA

4. Matters of Urgent Public Importance:

- (i) Relying on Order VIII, Rule 4, Hon. Ali Ndume invited the attention of the House to its previous Resolution in respect of the withdrawal of Police Orderlies to Judges, Magistrates as well as Members of the National Assembly. He noted that despite the Resolution's mandate for the authority concerned to reverse the decision on the issue, the Police Authority had withdrawn Police Orderlies to Judges and Magistrates in Anambra, Imo and Ebonyi States. He stressed that the development was not only capable of hampering effective discharge of their duties but posed grave dangers to the safety of the Judicial Officers. In view of these and the call of the Nigeria Bar Association (NBA) on the legal practitioners in three States to embark on strike, he 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 4 (3) to enable it debate the matter forthwith, put and agreed to.

5. Withdrawal of Police Orderlies to Judicial Officers.

The House:

Notes the recent withdrawal of Police Orderlies to Judicial Officers in Anambra, Imo and Ebonyi States;

Further notes the harmful effects of the withdrawal on the safety of the life of the Judicial Officers and on dispensation of justice;

Observes that the Judicial Officers deserve adequate Police protection in the discharge of their duties;

Regrets that the withdrawal of Police Orderlies to Judicial Officers has caused the Nigeria Bar Association (NBA) to call on the legal practitioners in the States to embark on strike;

Resolves to:

Mandate the Joint Committee on Police Affairs and Legislative Compliance to liaise with the Inspector-General of Police to ensure reversal of the withdrawal and report to the House on Tuesday, 12 May, 2009 (*Hon. Ali Ndume*).

Debate:

Main Question put and agreed to.

The House:

Noted the recent withdrawal of Police Orderlies to Judicial Officers in Anambra, Imo and Ebonyi States;

Further noted the harmful effects of the withdrawal on the safety of the Judicial Officers and on dispensation of justice;

Observed that the Judicial Officers deserved adequate Police protection in the discharge of their duties;

Regretted that the withdrawal of Police Orderlies to Judicial Officers had caused the Nigeria Bar Association (NBA) to call on the legal practitioners in the States to embark on strike.

Resolved to:

Mandate the Joint Committee on Police Affairs and Legislative Compliance to liaise with the Inspector-General of Police to ensure reversal of the withdrawal and report to the House on Tuesday, 12 May, 2009 (HR. 28/2009).

- (ii) Rising on Order VIII, Rule 4, Hon. Ahmed Idris invited the attention of the House to the recent forceful eviction of the Hausa-Fulanis in Bashar Chieftdom, Wase Local Government Area Council of Plateau State. He noted that the action was in contravention of section 41 of the Nigerian Constitution and if not timeously restrained, it was capable of generating strife. 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.

Matter to stand over till next the Legislative Day.

6. Presentation of Reports:

(i) Committee on Culture and Tourism:

Motion made and Question proposed, "That this House do receive the Mid-Sessional Report of the Committee on Culture and Tourism" (Hon. K. G. B. Oguakwa).

Question put and agreed to.

Report laid.

(ii) Committee on Information and National Orientation:

Motion made and Question proposed, "That this House do receive the Mid-Sessional Report of the Committee on Information and National Orientation" (Hon. Dino Melaye).

Question put and agreed to.

Report laid.

(iii) Committee on Electoral Matters:

Motion made and Question proposed, "That this House do receive the Mid-Sessional Report of the Committee on Electoral Matters" (Hon. Musa Sarkin-Adar).

Question put and agreed to.

Report laid.

7. A Bill for an Act to Provide for the Establishment and Operation of Program to enable Certain Persons to Receive Protection in Relation to Certain Inquiries, Investigations or Prosecutions, 2008 — *Second Reading*:

Motion made and Question proposed, "That a Bill for an Act to Provide for the Establishment and Operation of Program to enable Certain Persons to Receive Protection in Relation to Certain Inquiries, Investigations or Prosecutions, 2008 be now read a Second Time" (Hon. Nkiruka Onyejeocha).

Debate:

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

Bill read a Second Time and referred to the Committee on Judiciary.

8. A Bill for an Act to Make Provisions for State of the National Address by the President and for Other Connected Matters, 2009 — *Second Reading:*

Motion made and Question proposed, "That a Bill for an Act to Make Provisions for State of the National Address by the President and for Other Connected Matters, 2009 be now read a Second Time" (Hon. Christopher Eta).

Debate:

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

Bill read a Second Time and referred to the Committee on Governmental Affairs.

9. A Bill for an Act to Provide for the Rights of Nigerian Citizens outside Nigeria to Vote in Certain Elections Conducted in Nigeria; and for Other Matters Connected Therewith, 2009 — *Second Reading:*

Motion made and Question proposed, "That a Bill for an Act to Provide for the Rights of Nigerian Citizens outside Nigeria to Vote in Certain elections Conducted in Nigeria; and for Other Matters Connected Therewith, 2009 be now read a Second Time" (Hon. Samson Osagie).

Debate:

By leave of the House, Bill withdrawn.

10. Consideration of Reports:

(i) A Bill for an Act to Establish the National Agricultural Development Fund and for Matters Connected Therewith, 2008 — *Committee of Whole:*

Motion made and Question proposed, "That this House do consider a Bill for an Act to Establish the National Agricultural Development Fund and for Matters Connected Therewith, 2008 (Hon. Ita Enang).

Question put and agreed to.

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

Question that the House do suspend Order VII, Rule 2 (2) to enable Mr Speaker preside in the Committee of Whole, put and agreed to.

(HOUSE IN COMMITTEE)

(Mr Speaker in the Chair)

**A BILL FOR AN ACT TO ESTABLISH THE NATIONAL AGRICULTURE DEVELOPMENT FUND
AND MATTERS CONNECTED THEREWITH**

**PART I — ESTABLISHMENT OF THE NATIONAL AGRICULTURAL DEVELOPMENT
FUND AND THE GOVERNING BOARD**

Clause 1: Establishment of the National Agriculture Development Fund.

- (1) There is established a body to be known as the National Agriculture Development Fund (in this Act referred to as "the Fund").
- (2) The Fund shall be a body corporate with perpetual succession and a common seal and may —
 - (a) may sue and be sued in its corporate name; and
 - (b) may hold and dispose its property whether movable or immovable (*Hon. Tunde Akogun*) — *Agreed to.*

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

Clause 2: Establishment of the Governing Board.

- (1) There is established for the Fund a Governing Board (in this Act referred to as "the Board").

- (2) The Board shall consist of —
 - (a) the Chairman;
 - (b) one representative each of the followings —
 - (i) Ministry of Finance (office of the Accountant-General),
 - (ii) Federal Inland Revenue Service,
 - (iii) All Farmers Association of Nigeria,
 - (iv) National Food Reserve Agency,
 - (v) Bankers Association of Nigeria,
 - (vi) the organised private sector to represent special interest;
 - (c) two persons to represent the Federal Ministry of Agriculture and Water Resources;
 - (d) one person from each of the six geopolitical zones; and
 - (e) the Executive Secretary.
- (3) The Chairman and members shall be appointed by the President on the recommendation of the Minister.
- (4) The President may vary the composition of the Board after consultation with the Minister.
- (5) The Performance of the functions or exercise of the powers of the Board shall not be affected by reason of there being a vacancy in the membership of the Board.
- (6) The appointment of a member shall not be invalidated by reason of a defect or irregularity in or in connection with his nomination or appointment.
- (7) Member, other than *ex-officio*, shall be part-time members.
- (8) The supplementary provisions set out in the Schedule to the Act shall have effect with respect to the proceedings of the Board and other matters contained therein (*Hon. Tunde Akogun*) — *Agreed to*.

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

Clause 3: Qualifications of Members.

The Chairman and members shall hold the following qualifications —

- (a) finance as it relates to agriculture, agricultural policy formulation and implementation; or
- (b) economics as it relates to agriculture, agricultural policy and implementation (*Hon. Tunde Akogun*) — *Agreed to*.

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

Clause 4: Tenure of Members.

- (1) A member other than *ex-officio* —

- (a) shall hold office for a term of four years and no more; or
- (b) may hold office on terms and conditions as may be specified in his letter of appointment.

- (2) A member may at any time be removed from office by the President for inability to discharge the functions of his office (whether arising from infirmity of mind or body) or if the President considers that it is not in the interest of the Fund or the Public for such member to continue in office (*Hon. Tunde Akogun*) — *Agreed to.*

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

Clause 5: Cessation of Membership.

- (1) A member may cease to hold office if —
- (a) he is without permission of the Board absent for more than three consecutive meetings of the Board or without such permission is absent from the country for a period exceeding one year;
 - (b) in case of a professional who is disqualified or suspended (other than at his own request) from practising his profession in any part of Nigeria by the order of any competent authority.
 - (c) a person shall cease to be a member if he —
 - (i) holds any office of profit under the Fund; or
 - (ii) enters into any contract with the Fund or is engaged or participates in sharing of profits in any contract with the Fund; or
 - (iii) becomes bankrupt; or
 - (iv) is guilty of serious misconduct in relation to his duties; or
 - (v) is convicted of a felony or any offence involving dishonesty.
- (2) A member may at anytime resign his membership —
- (a) by giving notice in writing through the Minister to the President and the resignation becomes effective from the date specified in the notice; and
 - (b) if no date is specified, from the date of the receipt of the notice by the President.
- (3) Where a member ceases to hold office for any reason whatsoever before the expiration of his term of office, the President after consulting the Minister may appoint another person for the unexpired term (*Hon. Tunde Akogun*) — *Agreed to.*

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

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. Tunde Akogun*) — *Agreed to.*

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

Clause 7: Allowances of Member.

Member shall be paid such allowances as the Federal Government may from time to time direct (*Hon. Tunde Akogun*) — *Agreed to.*

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

PART II — FUNCTIONS OF THE FUND AND POWERS OF THE BOARD**Clause 8: Functions of the Fund.**

The Fund shall —

- (a) provide finance to support Agricultural development in Nigeria taking into consideration the need to increase food production in Nigeria;
- (b) provide finance for the implementation of Agricultural policies and to strengthen Agriculture Institutions within the framework on national priorities and strategies;
- (c) provide funds for on-lending to farmers and corporate bodies through appropriate financial institutions including microfinance banks, cooperative societies, organisations, farmer groups and institutions on appropriate soft terms;
- (d) provide finance primarily for projects and programmes specifically designed to introduce, expand or improve food production systems;
- (e) provide financial support in the form of grant for research, training, market information systems and agricultural extension service in research institutes, universities and Ministries;
- (f) provide emergency Fund for Agriculture-Finance and intervention for the control of trans-boundary animal disease outbreak;
- (g) participate in the effort to build rural access to financial service through microfinance by creating linkages between upstream financial centre (including private-sector groups) and local organisation's swerving rural poor peoples;
- (h) assist the efforts of donor institutions to increase food and agricultural production as well as that organisation's technical competence and experience in this field; and
- (i) engage in such activities and perform such functions as this act may confer or as the president may, after consultation with the Minister, permit or assign to it (*Hon. Tunde Akogun*) — *Agreed to.*

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

Clause 9: Powers of the Board.

The Board shall have power to —

- (a) make regulations for the management of the fund with the approval of the Minister;
- (b) approve the annual budget of the Fund;
- (c) approve all grants for agricultural research, training and development;
- (d) approve loan for agricultural investment subject to section 8 (b) of this Act;
- (e) review and monitor the activities of the Fund;
- (f) approve payment to persons employees by the Fund such remuneration and allowances);
- (g) give report on all activities of the Fund on the quarterly basis through the Minister to the President;
- (h) specify the manner in which assets of the Fund are to be held and regulate payment into and out of the Fund;

- (i) specify the manner for the timely disbursement and recovery (where necessary) of loans;
- (j) require the keeping of proper accounts and records for the purposes of the fund in such form as may be specified in the rules;
- (k) require the accounts of the Fund to be audited periodically by the Auditor-General of the Federation;
- (l) ensure the submit of copies of the accounts and the auditor's report thereon to the Federal Executive Council through the Minister;
- (m) monitor the execution of projects; and
- (n) carry out such other activities as may be incidental to the discharge of its function under this Act (*Hon. Tunde Akogun*).

Amendment Proposed:

Leave out all the words in subclause (b) and *insert* the following instead thereof:
"Propose the Annual Budget Estimate of the Fund" (*Hon. Abdul Ningi*).

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.

PART III — APPOINTMENT OF THE EXECUTIVE SECRETARY AND OTHER STAFF

Clause 10: Appointment of the Executive Secretary, etc.

- (1) There shall be for the fund an Executive Secretary who shall be appointed by the President on the recommendation of the Minister.
- (2) The Executive Secretary shall be a person who in the opinion of the Minister has acquired cognate experience in any of the following disciplines —
 - (a) agricultural finance;
 - (b) economics;
 - (c) agricultural policy formulation and implementation.
- (3) The Executive Secretary shall be the Chief Executive of the Fund, and is responsible for the day-to-day administration of the Fund subject to the general directions of the Board.
- (4) The Executive Secretary shall —
 - (a) hold office for a term of five years and no more; or
 - (b) on such terms and conditions as are specified in his letter of appointment.
- (5) Notwithstanding, the provision of subsection (4) of this section, the Executive Secretary may be removed from office by the President —
 - (a) for inability to discharge the functions of his office (whether arising from infirmity of mind or body or any other cause) or for misconduct, or
 - (b) if he is satisfied that it is not in the interest of the service or the public for him to continue in office.
- (6) The Executive Secretary may resign his appointment by a letter to the President through the Minister (*Hon. Tunde Akogun*) — *Agreed to.*

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

Clause 11: Appointment of the Secretary/Legal Adviser and other Staff.

- (1) The Board shall appoint for the Agency a Secretary and 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) arrange for meetings of the Board;
 - (c) prepare the agenda and minutes of meetings of the Board;
 - (d) convey decisions of the Board; and
 - (e) carry out such other functions as may be assigned to him by the Board.
- (3) The Board may deploy or appoint for the Fund other employees upon such terms and conditions as may be determined by the Board.
- (4) Service in the Fund shall be approved service for the purpose of the Pension Reform Act (*Hon. Tunde Akogun*) — *Agreed to.*

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

PART IV — FINANCIAL PROVISIONS**Clause 12: Account.**

- (1) The Fund shall establish and maintain an account from which shall be defrayed all expenditure incurred by the Fund.
- (2) There shall be paid into the account established in subsection 1 of this section the following —
 - (a) take off grant provided by the Federal Government;
 - (b) whole or part of the Natural Resource Development Fund as may be approved by the President from time to time;
 - (c) 5% of profit after tax of each commercial bank in Nigeria;
 - (d) 5% of profit after tax of each oil exploration company in Nigeria;
 - (e) 50% of the duty levied on imported Rice, Wheat, Sugar and Milk;
 - (f) other monies as may be appropriated by the National Assembly (*Hon. Tunde Akogun*).

Amendments Proposed:

- (i) In Subclause (2) (c), *leave out* the figure "5%" and *insert* the figure "2%" instead thereof (*Hon. Halims Agoda*).

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

- (ii) In Subclause (2) (d), *leave out* the word "after" and *insert* the word "before" instead thereof — *Consequential amendment.*

- (iii) *Leave out* all the words in Subclause (2) (e) (*Hon. Leo Ogor*).

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.

Clause 13: Expenditure.

The Board may from time to time, apply the proceed of the account established in section 12 (1) of this Act to —

- (a) the cost of administration of the Fund;
- (b) the payment of the allowances and benefits of members and for reimbursing members of any Committee set up by the Board for such expenses as may be expressly authorised by the Board;
- (c) the payment of salaries, remuneration or allowances, pensions and other benefits payable to the officers, and other employees of the Fund, but no payment of any kind under this paragraph (except such as may be expressly authorised by the Board) shall be made to any person who is in receipt of emolument from the Federal or State Government; and
- (d) the development and maintenance of any property vested in or owned by the Fund (*Hon. Tunde Akogun*) — *Agreed to.*

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

Clause 14: Annual Accounts and Estimates.

- (1) The Fund shall keep accounts in respect of each year and proper records in relation to those accounts and shall cause to be prepared in each year —
 - (a) a statement showing the income and expenditure of the Fund for the preceding year; and
 - (b) a statement of all assets and liabilities of the Fund as at the last day of the immediate preceding year.
- (2) The Fund shall cause every statement prepared under this Section to be audited within six months after the end of the year to which the statement relates by auditors appointed from the list and in accordance with the guidelines supplied by the Auditor-General of the Federation.
- (3) The Fund shall submit to the Minister, not later than 31st August in each year, as estimate of its expenditure and income during the next succeeding year (*Hon. Tunde Akogun*) — *Agreed to.*

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

Clause 15: Annual Report, Audited Accounts and Auditor's Report.

- (1) The Fund shall prepare and submit to the Minister not later than six months after the end of the year a report, in such form as the Minister may direct, on the activities of the Fund during the immediate preceding year and shall include in the report a copy of the audited accounts of the Fund for that year and auditor's report thereon.
- (2) The Minister shall submit a copy of each report made to him under this section to the Federal Executive Council (*Hon. Tunde Akogun*) — *Agreed to.*

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

Clause 16: Gifts.

- (1) The Fund may accept any gift of land, money or other property on such terms and conditions, if any, as may be specified by the person or organisation making gift.
- (2) The Fund shall not accept any gift if the conditions attached by the person or organisation offering the gift are inconsistent with functions and objectives of the Fund (*Hon. Tunde Akogun*) — *Agreed to.*

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

Clause 17: Power to Borrow.

The Fund may, from time to time, borrow by way of overdraft or otherwise such sums as it may require for the performance of its functions under this Bill (*Hon. Tunde Akogun*) — *Agreed to.*

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

PART V — LEGAL PROCEEDINGS**Clause 18: Time within which to Sue.**

(1) No suit shall be instituted in any court against the Fund or its employee unless it is commenced —

(a) within three months next after the act, neglect or default complained of; and

(b) in the case of continuation of damage or injury, within three months next after the ceasing thereof.

(2) No suit shall commence against the Fund before the expiration of a period of one month after written notice of the intention to commence the suit shall have been served on the Fund by the intending plaintiff or his agent and the notice shall clearly state —

(a) cause of action;

(b) particulars of claim;

(c) the name and place of abode of the intending plaintiff; and

(d) the relief which he claims (*Hon. Tunde Akogun*) — *Agreed to.*

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

Clause 19: Service of Documents.

A notice referred to in Section 18 (2) of this Bill, summons or other documents required or authorised to be served on the Fund under this Act or any other law or enactment may be served by —

(a) delivering it to the office of the Executive Secretary; or

(b) by sending it by registered post addressed to the Executive Secretary or the principal office of the Fund (*Hon. Tunde Akogun*) — *Agreed to.*

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

Clause 20: Restriction on Execution.

(1) In any action or suit against the Fund, no execution or attachment of process in any nature thereof shall be issued against the Fund unless not less than three months' notice of the intention to execute or attach has been given to the Fund.

(2) Any sum of money which may by the judgement of any court awarded against the Fund shall subject to any direction given by the court where no notice of appeal against the judgement has been given, be paid from the account of the Fund (*Hon. Tunde Akogun*) — *Agreed to.*

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

Clause 21: Indemnity.

A member, the Executive Secretary or any employee of the fund shall be indemnified out of the asset of the Fund against any liability incurred by him in defending any proceeding, whether civil or criminal, if any such proceeding is brought against him in his capacity as a member, Executive Secretary or employee of the Fund (*Hon. Tunde Akogun*) — *Agreed to.*

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

PART VI — MISCELLANEOUS

Clause 22: General direction by the President.

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

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

Clause 23: Direction by the Minister.

Subject to the provision of this Act, the Minister may give to the Board directions of general nature relating to matters of policy with regard to the exercise by the Board of its functions and the Board shall comply with such directions (*Hon. Tunde Akogun*) — *Agreed to.*

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

Clause 24: Power to make Regulations.

The Minister may make regulations generally for the purpose of giving full effect to this Act (*Hon. Tunde Akogun*) — *Agreed to.*

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

Clause 25: Fixing of Seal.

The fixing of the seal of the Fund shall be authenticated by the signature of the Executive Secretary and the Secretary (*Hon. Tunde Akogun*) — *Agreed to.*

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

Clause 26: Interpretation.

In this Bill —

“Account” means the account established by section 12 (1) (*Hon. Tunde Akogun*).

Question that the meaning of the word “Account” be as defined in the interpretation to this Bill, put and agreed to.;

“Board” means the Governing Board of the Fund established by section 2 of this Bill (*Hon. Tunde Akogun*).

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

“Chairman: means the Chairman of the Board (*Hon. Tunde Akogun*).

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

“Functions” includes power and duty (*Hon. Tunde Akogun*).

Question that the meaning of the word “functions” be as defined in the interpretation to this Bill, put and agreed to.

“Fund” means the Fund established by section 1 (1) (*Hon. Tunde Akogun*).

Question that the meaning of the word “Fund” be as defined in the interpretation to this Bill, put and agreed to.

“Executive Secretary” is the Chief Executive of the Fund and Chairman of the Management Committee (*Hon. Tunde Akogun*).

Question that the meaning of the words “Executive Secretary” be as defined in the interpretation to this Bill, put and agreed to.

"Member" means an individual representing an organisation or institution in (the Board and includes the Chairman and Executive Secretary) (*Hon. Tunde Akogun*).

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

"Minister" means the Minister charged with responsibility for matters relating to Agriculture (*Hon. Tunde Akogun*).

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

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

Clause 27: Short Title.

This Bill may be cited as the National Agriculture Development Fund (Establishment) Bill, 2009 (*Hon. Tunde Akogun*) — *Agreed to.*

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

SCHEDULE

SUPPLEMENTARY PROVISIONS RELATING TO THE PROCEEDINGS OF THE BOARD

1. Before appointing a person as a member, the Minister shall satisfy himself that, that person will have no such interest or owe such allegiance as likely to affect prejudicially the discharge by him of his functions as a member and that he has no such interest; and any person who is or whom the Minister proposes to nominate as a member shall, whenever requested by the Minister considers necessary for the performance by the Minister of his duties under this Act.
2.
 - (1) Subject to this Act and Section 27 of the Interpretation Act (which provides for the decisions of a statutory body to be taken by a majority of the members of the body and for the persons presiding to have a second or casting vote), the Board may make standing orders regulating its proceedings or of any committee thereof.
 - (2) The quorum at a meeting shall be a third of the members of the meeting.
3.
 - (1) The Board shall meet not less than three times in each year and subject thereto, the Board shall meet whenever it is summoned by the Chairman, and if the Chairman is required to do so, by notice to him by not less than seven members, he shall summon a meeting of the Board to be held within seven days from the date on which the notice is given.
 - (2) At any meeting of the Board, the chairman shall preside but if he is absent, the members present at the meeting shall elect one of their members to preside provided there is a quorum.
4. Where the Board wishes to obtain the advice of any person on any particular matter, the Board may invite any person as it thinks fit, but any person who is invited by virtue of this sub-paragraph shall not be entitled to vote at any meeting of the Board and shall not count towards a quorum.
5.
 - (1) The Board may appoint one or more committees to carry out, on behalf of the Board, such of its functions as the Board may determine.
 - (2) Every Committee appointed under this paragraph shall consist of such number of persons as may be determined by the Board and not more than one third of those persons may be persons who are not members of the Board.
 - (3) A decision of a Committee of the Board shall be of no effect until it is ratified by the Board.
6.
 - (1) Where member has an interest in any application for loan for loan for any project made or proposed by any beneficiary shall disclose his interest at a meeting of the Board.
 - (2) Such disclosure shall be recorded in the minute of the meeting and the member shall not take part after such disclosure in any deliberation or decision of the Board with regard to that particular subject matter in respect of which his interest was disclosed (*Hon. Tunde Akogun*) — *Agreed to.*

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

Long Title:

A Bill for an Act to Establish the National Agriculture Development Fund and Matters Connected Therewith, 2009 (*Hon. Tunde Akogun*) — *Agreed to.*

Question that a for an Act to Establish the National Agriculture Development Fund and Matters Connected Therewith, 2009 be the Long Title of the Bill, put and agreed to.

Chairman to report Bill.

(HOUSE IN PLENARY)

Mr Speaker in the Chair, reported that the House in the Committee of Whole considered a Bill for an Act to Establish the National Agricultural Development Fund and for Matters Connected Therewith and approved Clauses 1 - 8, amended Clause 9, approved Clauses 10 and 11, amended Clause 12, approved Clauses 13 - 27, 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.

- (ii) **A Bill for an Act to Amend the National War College Act (Cap. N82 2004) to Provide for Change of Name to National Defence College and for Matters Connected Purposes, 2008 — *Committee of Whole:***

Motion made and Question proposed, "That this House do consider a Bill for an Act to Amend the National War College Act (Cap. N82 2004) to Provide for Change of Name to National Defence College and for Matters Connected Purposes, 2008 (Hon. Ita Enang).

Question put and agreed to.

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

Question that the House do suspend Order VII, Rule 2 (2) to enable Mr Speaker preside in the Committee of Whole, put and agreed to.

(HOUSE IN COMMITTEE)

(Mr Speaker in the Chair)

**A BILL FOR AN ACT TO AMEND THE NATIONAL WAR COLLEGE ACT (CAP. N82 2004)
TO PROVIDE FOR CHANGE OF NAME TO NATIONAL DEFENCE COLLEGE
AND FOR OTHER CONNECTED PURPOSES**

Amendment of Cap N82 LFN 2004.

The National War College Act, Cap. N82 2004 (in this Act referred to as Principal Act) is hereby amended as set out in this Act (*Hon. Tunde Akogun*) — *Agreed to.*

Amendment to section 1.

Section 1 (1) of the principal Act is hereby amended by substituting the words "National War College" in line 1 and wherever appearing in the principal Act with the words "National Defence College" (*Hon. Tunde Akogun*) — *Agreed to.*

Question that Section 1 as amended stand part of the Bill, put and agreed to.

Amendment to section 3.

Section 3 of the principal Act is hereby amended —

- (i) by inserting a new subsection (1) (f) as follows "a retired career ambassador or a professor in the relevant academic discipline" and renumbering consequentially; and
- (ii) in subsection (1) (g) by substituting the words "Director-General" with the words "Permanent Secretary" (*Hon. Tunde Akogun*).

Question that Section 3 as amended stand part of the Bill, put and agreed to.

Amendment to section 4.

Section 4 (b) of the principal Act is hereby amended by substituting the words "Fellow War College" and "FWC" with the words "Fellow Defence College" and "FDC" respectively and wherever appearing in the Act (*Hon. Tunde Akogun*) — *Agreed to.*

Amendment to section 5.

Section 5 of the principal Act is hereby amended by deleting the entire provision and replacing it with the following:

- (1) There is hereby established for the College, a centre to be known as the Centre for Strategic Research and Studies (in this Act referred to as "the Centre") which shall be charged with the responsibility of supporting the college in the conduct of research, documentation and publication of research findings in the broad area of strategic studies.
- (2) Notwithstanding the provision of subsection (1) of this section, the centre shall —
 - (a) serve as a think tank for the College, the three Services and the nation in the areas of defence, security, conflict management and peacekeeping;
 - (b) serve as a centre for Strategic level training and research in peace support operations;
 - (c) carry out research and training programmes in areas relevant to national security and development;
 - (d) monitor events and developments and trends around the world, which affect the security of Nigeria in particular and Africa at large;
 - (e) organise regular workshops, seminars, dialogue sessions and conferences on topical security and defence issues in Nigeria, Africa and the world at large,
 - (f) organise training programmes for civilian and military personnel going for peace keeping management and diplomatic operations,
 - (g) participate in collaboration with regional and continental organizations on relevant issues of defence, security, strategic studies and peacekeeping;
 - (h) network and collaborate with similar institutions within and outside the country in areas of research and training;
 - (i) provide internship and visiting fellowship for scholars within and outside Nigeria.
 - (j) raise funds to meet research requirements, and
 - (k) publish and disseminate its research findings in journals, books, the Internet and any other medium (*Hon. Tunde Akogun*) — *Agreed to.*

Question that Section 5 as amended stand part of the Bill, put and agreed to.

Amendment to section 10.

Section 10 (7) (a) of the principal Act is hereby amended by substituting the provisions therein with the words: "be a two-star general" (*Hon. Tunde Akogun*).

Amendment Proposed:

Retain the provision of the Principal Act (*Hon. Chile Igbawua W.*).

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

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

Amendment to section 11.

Section 11 of the principal Act is hereby amended —

- (i) in subsection (1) (b) inserting after the word "College" the words "who shall be a two-star general or its equivalent in the other Services";

- (ii) in subsection (1) (c) by substituting the word "Director" with the words "Head of Department";
- (iii) in subsection (1) (d) by substituting the word "Coordinating" with the word "Coordination";
- (iv) in subsections (1) (e) and (1) (f) by substituting the words "Principal Staff Officer" in each subsection with the words "Director of" and wherever appearing in the Act; and
- (v) in subsections (1) (e) and (1) (f) by inserting the words "who shall not be less than a colonel or equivalent in the other Services" after the words "Administration" and "Logistics" respectively (*Hon. Tunde Akogun*) — *Agreed to*.

Question that Section 11 as amended stand part of the Bill, put and agreed to.

Amendment to section 15.

Section 15 of the principal Act is hereby amended in subsection (1) by substituting the figures "N1,000,000" with the figures "N25,000,000" (*Hon. Tunde Akogun*) — *Agreed to*.

Question that Section 15 as amended stand part of the Bill, put and agreed to.

Amendment to section 18.

Section 18 of the principal Act is hereby amended by substituting new interpretations for the words "Centre" and "College" in lines 5 and 8 respectively as follows:

"Centre" means the Centre for Strategic Research and Studies, established under Section 5 of this Act.

"College" means the National Defence College established under section 1 of this Act (*Hon. Tunde Akogun*) — *Agreed to*.

Question that Section 18 as amended stand part of the Bill, put and agreed to.

Citation.

This Bill may be cited as the National War College Act (Amendment) Bill, 2009 (*Hon. Tunde Akogun*) — *Agreed to*.

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

Chairman to report Bill.

(HOUSE IN PLENARY)

Mr Speaker in the Chair, reported that the House in the Committee of Whole considered a Bill for an Act to Amend the National War College Act (Cap. N82 2004) to Provide for Change of Name to National Defence College and for Matters Connected Purposes, 2009 and approved the amendment of Sections 1, 3, 4, 10, 11, 15, 18 and the Short Title of the Bill.

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

(iii) Joint Committee on Diaspora, Foreign Affairs and Justice:

Report of the Joint Committee on Diaspora, Foreign Affairs and Justice on the Investigation into the Matter of a Nigerian Stabbed to Death in Ukraine.

Motion made and Question proposed, " That this House do consider the Report of the Committee on Diaspora on the Investigation into the Matter of a Nigerian Stabbed to Death in Ukraine and approve the Recommendations therein" (*Hon. Dabiri Abike Erewa*).

Question put and agreed to.

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

Question that the House do suspend Order VII, Rule 2 (2) to enable Mr Speaker preside in the Committee of Whole, put and agreed to.

(HOUSE IN COMMITTEE)

*(Mr Speaker in the Chair)*REPORT OF THE JOINT COMMITTEE ON DIASPORA, FOREIGN AFFAIRS AND JUSTICE ON THE
INVESTIGATION INTO THE MATTER OF A NIGERIAN STABBED TO DEATH IN UKRAINE**Recommendation (i):**

That adequate administrative sanctions be meted on Mr Yusuf, the consular by the Ministry of Foreign Affairs for his apparent display of lack of concern and patriotism to a fellow citizen (*Hon. Dabiri Abike Erewa*) — *Agreed to.*

Recommendation (ii):

That adequate compensation be provided to the family of the deceased, especially the son of the late Mr Sefiu in order to ameliorate the sufferings before him (*Hon. Dabiri Abike Erewa*).

Amendment Proposed:

Leave out all the words in Recommendation (ii) and *insert* the following instead thereof:

"Adequate compensation should be provided to the deceased family by the Ukrainian Government" (*Hon. Abdul Ningi*).

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

Recommendation (iii):

That the Nigeria Students be commended for their exemplary and patriotic behaviour in fighting for the interest of Nigerians irrespective of their place of abode (*Hon. Dabiri Abike Erewa*) — *Agreed to.*

Recommendation (iv):

That late Sefiu be commended as a good ambassador of Nigeria (*Hon. Dabiri Abike Erewa*) — *Agreed to.*

Recommendation (v):

Enjoin Nigerian Ambassadors and officials of the Embassies to always respond promptly and passionately to the well being of Nigeria Citizens in their various countries of posting (*Hon. Dabiri Abike Erewa*) — *Agreed to.*

Chairman to report proceedings:

(HOUSE IN PLENARY)

Mr Speaker in the Chair, reported that the House in the Committee of Whole considered the Report of the Joint Committee on Diaspora, Foreign Affairs and Justice on the Investigation into the Matter of a Nigerian Stabbed to Death in Ukraine and approved Recommendation (i), amended Recommendation (ii), approved Recommendations (iii) - (v).

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

11. Adjournment:

That this House do now adjourn till Thursday, 7 May, 2009 at 2.00 p.m. (*Hon. Baba Shehu Agaie*).

Adjourned accordingly at 5.50 p.m.

Dimeji Sabur Bankole
Speaker

CORRIGENDUM

In the Votes and Proceedings of Tuesday, 5 May, 2009, page 879, under Amendment Proposed, *leave out* the name Hon. Ita Enang and *insert* the name Hon. Chile Igbawua W. instead thereof.