



HOUSE OF REPRESENTATIVES FEDERAL REPUBLIC OF NIGERIA VOTES AND PROCEEDINGS

Tuesday, 19 May, 2009

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1. The House met at 10.42 a.m. Mr Deputy Speaker read Prayers.
 2. **Votes and Proceedings:**
Mr Deputy Speaker announced that he had examined and approved the Votes and Proceedings of Thursday, 14 May, 2009.

By unanimous consent, the Votes and Proceedings was adopted.
 3. **Petition:**
The following petition was received and referred to the Committee on Public Petitions:

Hon. Mayor Eze (*Orlu/Orsu/Oru East Federal Constituency*), from Umuagu Community Association, praying the House to intervene in the alleged unlawful refusal by the Corporate Affairs Commission to register and issue Certificate of Incorporation to the Association.
 4. **Matter of Urgent Public Importance:**
Rising on Order VIII, Rule 4 (1) Hon. Ali Ndume drew the attention of the House to the impending strike by the Academic Staff Union of Universities (ASSU) slated to commence on Wednesday, 20 May, 2009. He urged the House to consider the Matter as one of Urgent Public Importance, in view of the strategic importance of the University system in the educational development of the country.

Question that the matter be considered as one of urgent public importance, put and agreed to.

Matter to stand over till the next Legislative Day.
 5. **Presentation of Report:**
Committee on Water Resources:
That this House do receive the Report of the Committee on Water Resources on a Bill for an Act to Amend the River Basins Development Authorities (Establishment, etc.) Act; to Provide for the Establishment of the Lower Anambra and Upper Niger Basin Development Authorities and List same into the First Schedules of the Act and for Other Related Matters, 2008.

Order read, deferred.
 6. **Incessant Maltreatment and dehumanizing search on Nigerians by Foreign Airlines and their Immigration Officials:**

Order read, deferred.

7. A Bill for an Act to Amend the Economic and Financial Crimes Commission (Establishment) Act, 2004 and for Matters Connected Therewith, 2009 — *Second Reading*:

Motion made and Question proposed, "That a Bill for an Act to Amend the Economic and Financial Crimes Commission (Establishment) Act, 2004 and for Matters Connected Therewith, 2009 be now read a Second Time" (*Hon. Henry S. Dickson*).

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 Drug, Narcotics and Financial Crimes.

8. A Bill for an Act to Provide for the Distribution and Payment to State Governments of Some Taxes and Duties Collected by the Federal Inland Revenue Services (FIRS) or Other Authorities of the Federal Government and Other Matters Connected Therewith, 2009 — *Second Reading*:

Order read, deferred.

9. Consideration of Reports:

(i) *Committee on Agriculture:*

Motion made and Question proposed, "That this House do consider the Report of the Committee on Agriculture on a Bill for an Act to Establish Nigeria Agricultural Quarantine Service and Matters Connected Therewith, 2008 and approve the Recommendations therein" (*Hon. Gbenga Mankanjuola*).

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 NIGERIA AGRICULTURAL
QUARANTINE SERVICE AND MATTERS CONNECTED THEREWITH

PART I — ESTABLISHMENT OF THE NIGERIA AGRICULTURAL
QUARANTINE SERVICE AND THE GOVERNING BOARD

Committee Recommendation:

Clause 1: Establishment of the Nigeria Agricultural Quarantine Service.

There is established a body to be known as the Nigeria Agricultural Quarantine Service (in this Bill referred to as "the Service") which —

- (a) shall be a body corporate with perpetual succession and a common seal; and
- (b) may sue and be sued in its corporate name (*Hon. Gbenga Mankanjuola*).

Amendment Proposed:

Insert a new subclause (c) as follows:

"Shall be operated under Professional Departments (Plants, Livestocks, and Aquatics Resources and other Related Service Department" (*Hon. Mohammed A. Maifata*).

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

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

Committee Recommendation:

Clause 2: Establishment of the Governing Board.

(1) There is established for the Service, a Governing Board which shall consist of —

- (a) a chairman;
- (b) representative of the Federal Ministry of Agriculture and Water Resources;
- (c) representative of the Federal Ministry of Health;

- (d) representative of the Federal Ministry of Transportation;
 - (e) representative of Nigeria Customs Service;
 - (f) representative of the Federal Ministry of Commerce and Industry;
 - (g) representative of the Federal Ministry of Finance;
 - (h) one other person to represent public interest; and
 - (i) the Director-General of the Service.
- (2) Members, other than *ex-officio* shall —
- (a) be appointed by the President on the recommendation of the Minister; and
 - (b) hold office on part-time basis for a term of four years and no more.
- 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 other matters contained therein (*Hon. Gbenga Makanjuola*).

Amendment Proposed:

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

"hold office on part-time basis for a term of four years and subject to reappointment for another term of four years and no more" (*Hon. C. I. D. Maduabun*).

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

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

Committee Recommendation:

Clause 3: Cessation of Membership.

- (1) A member shall cease to be a member if —
- (a) he resigns as a member by notice in writing under his hand addressed to the Minister and from the date specified in the notice or, if no date is specified, from the date of the receipt by the Minister of the notice, he shall cease to be a member; or
 - (b) he is without permission of the Board absent from more than two consecutive meetings or without such permission is absent from the country for a period exceeding one year; or
 - (c) the Minister subject to the approval of the President, is satisfied that it is not in the interest of the service or the public for the person appointed to continue in office and notifies the member in writing to that effect.
- (2) If the Minister is satisfied that a member of the Board —
- (a) has become bankrupt; or
 - (b) is incapacitated by physical or mental illness;
 - (c) holds any other office of profit under the Service;
 - (d) enters into contract with the Service or is engaged or participates in the sharing of the profits of any contract with the service;
 - (e) is guilty of serious misconduct in relation to his duties;
 - (f) has been convicted at any time by any court of law in Nigeria or elsewhere for an offence involving financial dishonesty; or

- (g) is otherwise unable or unfit to discharge the functions of a member; the Minister may declare his office as a member of the Board to be vacant.

- (3) Where a member ceases to hold office for any reason whatsoever before the expiration of his term of office, President after consulting the Minister may appoint another person for the unexpired term (*Hon. Gbenga Makanjuola*) — *Agreed to.*

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

Committee Recommendation:

Clause 4: Dissolution.

Notwithstanding anything to the contrary in this Bill, the Minister shall exercise 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. Gbenga Makanjuola*) — *Agreed to.*

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

Committee Recommendation:

Clause 5: Allowances of Members.

A member shall be paid such remuneration and allowance as the Federal Government may, from time to time direct (*Hon. Gbenga Makanjuola*) — *Agreed to.*

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

PART II — FUNCTIONS OF THE SERVICE AND POWERS OF THE BOARD

Committee Recommendation:

Clause 6: Functions of the Service.

(1) The Service shall —

- (a) enforce compliance with laws, guidelines, policies and standards on agricultural quarantine matters;
- (b) coordinate and liaise with stakeholders within and outside Nigeria to ensure compliance with matters of agricultural quarantine standards, regulations and enforcement;
- (c) enforce compliance with the provisions of international agreements, protocols, conventions and treaties on agricultural quarantine, including forestry, endangered species, plants products, animal, animal products, animal biologics, sanitation, marine and wildlife, and such other agricultural quarantine agreements as may from time to time come into force such as International Plant Protection Convention, International Office of Epizootics, etc;
- (d) enforce compliance with any legislation on disposal of spent animal, animal product, biologics, plants, fish and fish products, wood and other wood packaging materials and regulated articles at the ports of entry and Agricultural Quarantine Stations;
- (e) enforce compliance through monitoring the agricultural quarantine regulations and standards on plants, fishes, animals, and forestry wood and their products;
- (f) enforce compliance with regulations on the importation and exportation of fishes and fish products, animals, animal products, biologics, plants, plant products wildlife and wildlife trophies, and wood products;

- (g) ensure that agricultural quarantine projects funded by donor organisations and external support agencies are carried out in compliance to regulations in plant health, animal public health, safety and environmental protection;
 - (h) enforce compliance with agricultural quarantine control measures using the registration, plant health, public health, licensing and permit systems, permits, inspection and certification system;
 - (i) conduct agricultural quarantine audit, pest survey and disease surveillance, containment and eradication programmes on regulated pests and establish data bank on regulatory and enforcement mechanisms of agricultural quarantine standards;
 - (j) prohibit the use of processes, equipment and materials that are capable of undermining public health, sanitation, and endangering the agricultural economy;
 - (k) develop agricultural quarantine monitoring networks, compile and synthesize data on agricultural quarantine measures compliance from all sectors;
 - (l) enter into agreement with public or private organizations and individuals to develop, utilize, coordinate and share monitoring programmes, research works, data on the effect of various activities as they concern the mandate of the Service;
 - (m) collect and make available, through publications and other appropriate means and in co-operation with public and private organizations, scientific data and other information pertaining to agricultural quarantine measures and standards;
 - (n) charge fees for tests, investigations and other services performed by the Service;
 - (o) develop pest and animal diseases diagnostic and analytic capabilities and establish laboratories and quarantine stations at such places as may be deemed necessary and encourage and promote activities related to the functions of the Services;
 - (p) collaborate with relevant agencies in the conduct of public investigation on epidemic, public health and sanitation occasioned by the spread or outbreak of quarantine-able diseases or pests;
 - (q) train and develop the staff of the service; and
 - (r) other relevant agencies (national and international) with the approval of the Minister, establish programmes for setting standards and regulations for the prevention, reduction and elimination of quarantine-able diseases, pests and epidemics caused by diseases or brought about by these pests.
- (2) The service shall to the greatest extent be consistent with the performance of its duties under this Bill, collaborate and co-operate with Ministries, Departments particularly parent Departments of Agriculture, Livestock and Pest control Services, Fisheries, Forestry, branches and agencies of any Government in Nigeria and international organisations having duties related to those of the Service.
- (3) The Minister shall approve collaboration referred in sub-section (2) and such approval shall be laid before the Board within 60 days.
- (4) The Service may cause to be published such studies and reports, which shall include a review of medium and long-term economic prospects and problems, prepared for the use of Service as it sees fit.

- (5) It shall be the duty of the Board to comply with any directives given by the President under this section (*Hon. Gbenga Makanjuola*) — *Agreed to.*

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

Committee Recommendation:

Clause 7: Powers of the Board.

- (1) The Board shall have power to -
- (a) manage and superintend the affairs of the Service;
 - (b) subject to the provisions of this Bill, make, alter and revoke rules and regulations for carrying on the functions of the Service;
 - (c) fix the terms and conditions of service including remuneration of employees of the Service in conjunction with the office of the head of Service of the Federations;
 - (d) maintain the efficiency and adequacy of the Service to ensure the efficient performance of its functions;
 - (e) in the absence of a duly constituted Board for the Service, the Director-General of the Service shall with the approval of the Minister carry out such functions of the Board as may be required;
 - (f) the Board shall on the recommendation of the Director-General make all necessary regulation for the implementation of this Bill as the need arises.
- (2) In the exercise of its functions and powers, the Service shall give effect to the policy of the Service in relation to those functions and powers as communicated to it from time to time in writing by the Minister (*Hon. Gbenga Makanjuola*) — *Agreed to.*

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

PART III — APPOINTMENT OF THE DIRECTOR GENERAL AND OTHER STAFF

Committee Recommendation:

Clause 8: Appointment of the Director General.

- (1) There shall be for the Service a Director General who shall be appointed by the President on the recommendation of the Minister.
- (2) The Director-General shall be a person with cognate and professional experience in agricultural quarantine activities.
- (3) The Director-General shall be the Chief Executive and Accounting Officer of the Service and is responsible for the execution of the policies and the day to day administration of the service.
- (4) The Director General shall —
- (a) hold office for a term of five years only; and
 - (b) on such terms and conditions as are specified in his letter of appointment.
- (5) If for any reason the Director General is unable to perform his function or carry out his duties or there exist a vacancy in the office of the Director-General the board may designate an employee of the service who is next in rank to act as the Director-General during the period of his inability or vacancy until a Director is appointed in accordance with the provision of this Bill and the employee shall while so acting have all the power and perform all the functions of the Director-General (*Hon. Gbenga Makanjuola*) — *Agreed to.*

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

Committee Recommendation:**Clause 9: Appointment of Secretary/Legal Adviser.**

- (1) The Board shall appoint for the Service, 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 Service;
 - (c) administer and discharge all legal obligations of the Service;
 - (d) administer and discharge all insurance requirements of the Service;
 - (e) retain external legal services on behalf of the Board as he 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.
- (3) The Board may deploy or appoint other employees upon such terms and conditions as may be determined by the Board (*Hon. Gbenga Makanjuola*) — *Agreed to.*

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

Committee Recommendation:**Clause 10: Establishment of Directorate and Zonal Offices of the Service.**

- (1) The Service may established Zonal Quarantine offices and Directorates as it deems necessary for the discharge of its function.
- (2) Zonal Quarantine office shall be headed by a Deputy Director (*Hon. Gbenga Makanjuola*) — *Agreed to.*

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

PART IV — FINANCIAL PROVISIONS**Committee Recommendation:****Clause 11: Fund of the Service.**

- (1) The Service shall establish and maintain a Fund from which shall be defrayed all expenditure incurred by the Service.
- (2) There shall be paid and credit into the Fund the following —
 - (a) such sum as may be appropriated to it by the National Assembly;
 - (b) 2% of the Agriculture Development Fund;
 - (c) such sum as may be approved by the President from the Natural Resource Development Fund;
 - (d) loans and grants in aid from national, bilateral and multilateral agencies;
 - (e) all sums accruing to the Service by way of rents, fees, grants, subsidies, subscriptions, interest, royalties and other internally generated revenues from Service rendered by the Service;

- (f) all sums accruing to the service by way of gifts, endowments, bequeaths or other voluntary contributions by persons and organizations but the Service shall not be obliged to accept a gift, endowment, bequeath, contribution or donation for a particular purpose unless it approves of the terms and conditions attached to such donation;
- (g) any sum or property which may in any manner become payable to or vest in the Service in respect of the performance of its functions;
- (h) any sum derived from the sale of any property held by or on behalf of the Service;
- (i) any other sum and property lawfully received by the Service for the purposes of the Service; and
- (j) all accumulations of income derived from any such property or money (*Hon. Gbenga Makanjuola*).

Amendment Proposed:

Leave out all the words in subclause (2) (e) (Hon. John Owan Enoh).

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

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

Committee Recommendation:

Clause 12: Expenditure.

The Service shall, from time to time, apply the funds at its disposal to —

- (a) the cost of establishing and maintaining the head Office of the Service located at the Federal Capital Territory, Abuja and its offices and stations in other places in Nigeria;
- (b) the cost of compliance monitoring and enforcement activities including provision of uniform materials/paraphernalia, and payment of rents for offices;
- (c) pay allowances and other benefits of members of the Service and of its committees;
- (d) pay the salaries and entitlements of the Director-General and other members of staff of the Service;
- (e) pay the pension, overhead and other administrative costs incurred by the Service;
- (f) training and capacity building of staff of the Service;
- (g) develop and maintain any property vested in or owned by the Service including vehicles, facilities, laboratories and infrastructures;
- (h) pay for services and contracts entered into by the Service; and
- (i) undertake any other activity in connection with all or any of the functions of the Service (*Hon. Gbenga Makanjuola*) — *Agreed to.*

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

Committee Recommendation:

Clause 13: Annual Account and Estimate.

- (1) The Service shall every year cause to be prepared and shall adopt annual estimates of income and expenditure of the Service for the ensuing year and, if so directed by the Minister, for any other period and shall submit these estimates not later than such date as the Minister directs.
- (2) A copy of all the annual estimates and supplementary estimates, shall, upon their adoption by the board, be sent forthwith to the Minister for approval.

- (3) Moneys shall not be expended by the Service other than in accordance with the estimates of expenditure approved by the Minister (*Hon. Gbenga Makanjuola*).

Amendments Proposed:

- (i) *Leave out* all the words in subclause (2) and *insert* the following instead thereof:
"A copy of all the annual estimates and Supplementary estimates, shall, upon their adoption by the Board, be sent forthwith to the Minister for inclusion in the Ministry's Budget for presentation to the National Assembly for approval" (*Hon. Ike Chinwo*).

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

- (ii) *Leave out* all the words in subclause (3) and *insert* the following instead thereof:
"Monies shall not be expended by the service other than in accordance with the estimates of expenditure as approved by the National Assembly" (*Hon. Ike Chinwo*).

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

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

Committee Recommendation:

Clause 14: Annual Report.

- (1) The Service shall, as soon as practicable after each thirtieth day of December occurring after the commencement of this Bill, prepare and finish to the Minister a report on the operation of the Service during the year ended on that date, together with financial statements in respect of that year in such form as the Auditor-General of the Federation approves.
- (2) Before furnishing the financial statements to the Minister, the Service shall submit to the Auditor-General of the Federation, who shall satisfy —
- (a) whether the statements are based on proper accounts and records;
- (b) whether the statements are in agreement with the accounts and records and show fairly and truly the financial operations and state of the affairs of the Service;
- (c) whether the receipt, expenditure and investment of money, and the acquisition and disposal of assets, by the Service during the year have been in accordance with this Bill; and
- (d) as to such other matters arising out of the statements as the Auditor-General of the Federation considers should be reported to the Minister (*Hon. Gbenga Makanjuola*) — *Agreed to.*

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

Committee Recommendation:

Clause 15: Power to accept gift.

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

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

Committee Recommendation:

Clause 16: Power to Borrow.

- (1) The Service 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.

- (2) The Service shall not, without the approval of the Minister, borrow money which exceeds at any time, the amount set by the Government as the limit of the authority of the Service.
- (3) Where the sum to be borrowed is in foreign currency, the Service shall seek and obtain the approval of the Minister through the Board (*Hon. Gbenga Makanjuola*) — *Agreed to.*

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

Committee Recommendation:

Clause 17: Power to enter into Contract.

No committee of the Service or any person or body engaged by it, and notwithstanding anything in the terms of reference —

- (a) shall carry on any activity on behalf of the Service unless the consent of the Minister is obtained; and
- (b) shall enter into any contract with any other person or body, except with the consent of, or in accordance with the terms of any general authority given by, the Board (*Hon. Gbenga Makanjuola*) — *Agreed to.*

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

Committee Recommendation:

Clause 18: Power to Acquire Land.

- (1) For the purpose of providing offices and premises necessary for the performance of its functions, the Service may, subject to the provisions of the Land Use Act, 1978 —

- (a) purchase or take on lease any interest in land, building or property; and
- (b) build, equip and maintain offices and premises.

- (2) The Service may, subject to the provisions of the Land Use Act, 1978, sell or lease any office or premises held by it, which is no longer required for the performance of its functions under this Bill (*Hon. Gbenga Makanjuola*) — *Agreed to.*

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

PART V — MISCELLANEOUS

Committee Recommendation:

Clause 19: Power of Authorized Officer.

Authorized Officer shall —

- (a) inspect, examine and take samples of any plant, plant product, annual, animal products, fish and fishery product or regulated articles and send such samples for further sanitary or phytosanitary action;
- (b) enter and search at all reasonable time and with such assistance, if any, as they considers necessary, any area or premises if he has a reason to believe that an offence under this Bill has been, is being or is about to be committed or for the purpose of satisfying himself that the provisions of this Bill are being complied with after identifying himself by making available the identity card issued to him by the Service;
- (c) ask the consignee to produce an import permit or health certificate or other documentation required under this Bill, provided that no officer shall in the exercise of the power conferred by this section, enter into any building or part of a building which is used exclusive as a private dwelling place or residence or on Board of any sea going ship or vessel unless he shall have been authorized by a warrant issued by a competent authority;

- (a) grow, rear, possess, sell, offer for sale, transport or distribute in any manner any plant, plant product, animal, animal product, fish, fish product or regulated article knowing them to be imported Nigeria contrary to this Bill;
- (b) assault, resist, threaten or wilfully obstruct any authorized officer from exercising his lawful function under this Bill;
- (c) fail to comply with any order or directive lawfully made or given under this Bill;
- (d) import any plant, plant product, animal, animal product, fish, fish product or regulated articles at a point of entry not specified by the service;
- (e) import any plant, plant product, animal, animal product, fish, fish product or regulated articles contrary to any requirements prescribed under this Bill;
- (f) fail to allow a search or inspection authorised under this Bill;
- (g) knowingly or reckless provide information which is false for the purpose of obtaining any document under this Bill; and
- (h) alter, forge, deface or destroy any document issued under this Bill (*Hon. Gbenga Makanjuola*) — *Agreed to*.

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

Committee Recommendation:

Clause 21: Penalties.

- (1) Any person who commits an offence under section 20 of this Bill shall —
 - (a) on a first summary conviction be sentenced to imprisonment for a period of 1 year or fine of 100% of the market value of the plants, plant products, animal, animal products, fish, fish products or regulated articles or both; and
 - (b) on a second summary conviction be sentenced to imprisonment for a period of 2 years or a fine of 200% of the market value of the plants, plant products, animal, animal products or regulated articles or both.
- (2) In addition, in the case of second summary conviction, the service may suspend the rights of the person temporarily to import as well as to perform any activities accredited by the service.
- (3) In all cases, all plants, plant products, fish, fish products or regulated articles imported into Nigeria in contravention of this Bill, rules, orders or regulations there under shall be subject to reshipment, confiscation and destruction if there is no alternative sanitary and phytosanitary measure approved by the Service to deal with the goods (*Hon. Gbenga Makanjuola*) — *Agreed to*.

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

PART VI — LEGAL PROCEEDINGS

Committee Recommendation:

Clause 22: Indemnity.

A member, the Director General or any employee of the Service shall be indemnified out of the asset of the Service 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, Director General or employee of the Service (*Hon. Gbenga Makanjuola*) — *Agreed to*.

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

- (d) inspect, examine and make copies of such permits, certificates and documentation or take extracts from registers or records kept by such persons and seize them if they have reason to believe that all or any of them may be evidence of the commission of an offence punishable under this Bill;
- (e) search any person, baggage, package, conveyance or any other regulated article upon entry into or exit from Nigeria;
- (f) make such examination and inquiries as he thinks fit in order to ascertain whether the provisions of this Bill are being complied with and for that purpose stop any conveyance;
- (g) stop the distribution, sale or use of any product, animal products, fish, fish products or regulated articles and seize same if he has reason to believe that they are being distributed, sold or used in contravention of the provisions of this Bill;
- (h) order at the owners expense, the treatment or disposal including reshipment and confinement in quarantine sites of plants, products, animal, animal products, fish, fish products or regulated articles import into Nigeria, whether or not they are covered by imported permits or health certificates, as well as the treatment of incoming conveyances as he may consider necessary for the prevention of the spread of any regulated pest or diseases which he has reasonable grounds to believe is or are among such plants, plant products, animal, animal products, fish, fish products or regulated articles;
- (i) be present when the official service seal on containers containing products, animal, animal products, fish, fish products or regulated articles are being broken;
- (j) be accompanied and assisted by police officers in the performance of their functions under this section;
- (k) order that plants, plant products and other regulated articles imported if found or suspected to be infected with any regulated pest or diseases be destroyed or re-shipped to the country of origin or they shall direct such plants products, animal, animal products, fish, fish products or regulated articles should not be granted entry into Nigeria until they are treated in accordance with the existing sanitary and phytosanitary, regulations of the Service, reshipped to country or be destroyed;
- (l) refuse to issue phytosanitary certificate for plants, plant products, health certificates for animal and fish products and other regulated articles on exportation where request for sanitary and phytosanitary certificates are found or suspected not to be in compliance with sanitary requirements of the importing country until they have been so treated;
- (m) conduct inspection and animal diseases surveillance of trade animals which shall be accompanied with veterinary movement and loading permit at the inter-state veterinary control pests; and
- (n) conserved in the field or Cold Stone, Seeds, seedlings, in-vitro, cuttings or any form, the imported germplasma samples after necessary sanitary and phytosanitary actions have been taken and in collaboration with any relevant institution mandated to conserve germplasm in order to control reduce frequent importation of such germplasm;
- (o) exercise such other powers as the service may deem necessary to delegate for carrying out the purposes of this Bill (*Hon. Gbenga Makanjuola*) — *Agreed to.*

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

Committee Recommendation:

Clause 20: Offences.

It shall be an offence to —

Committee Recommendation:**Clause 23: Execution of Deeds.**

- (1) All deeds, instruments, contracts and other documents shall be duly executed by or on behalf of the Service if sealed with the seal of the Service and signed by the Director General and the Director of Finance and Administration or any other person not below the rank of a Director appointed by the Board for that purpose.
- (2) A deed, instrument, contract or other documents executed in accordance with subsection (1) shall, subject to any exception that may be taken thereto on any ground other than that of competence of the party executing the same on behalf of the Service, be effectual in law to bind the service and its successors and may be varied or discharged in like manner as that in which it was executed (*Hon. Gbenga Makanjuola*) — *Agreed to.*

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

Committee Recommendation:**Clause 24: Limitation of Suits against the Service.**

- (1) No suit shall be instituted against the Service or its employees unless it commenced —
 - (a) within three months after the act, neglect, or default complained of; and
 - (b) in the case of continuation of damage or injury, within six months after the ceasing thereof.
- (2) No suit shall commence against the Board, Director General or any employee of the Service before the expiration of a period of one month, after written notice of intention to commence the suit shall have been served on the Service by the intending plaintiff or his agent.
- (3) The notice referred to in subsection (2) of this section shall clearly state the —
 - (a) cause of action;
 - (b) particulars of the claim;
 - (c) name and place of abode of the intending plaintiff; and
 - (d) relief which he claims (*Hon. Gbenga Makanjuola*) — *Agreed to.*

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

Committee Recommendation:**Clause 25: Service of Documents.**

The notice or other documents required or authorized to be served on the service under the provisions of this Bill or any other law may be served by —

- (a) delivering the same to the office of the Director General; or
- (b) sending it by registered post addressed to the Director General at the Head Office of the Service (*Hon. Gbenga Makanjuola*) — *Agreed to.*

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

Committee Recommendation:**Clause 26: Interpretation.**

In this Bill —

“Authorized Officer” means an inspector in the Pre-entry Department of the Service (*Hon. Gbenga Makanjuola*).

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

“Board” means the Governing Board of the Service established by section 2 of this Bill (*Hon. Gbenga Makanjuola*).

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

“Chairman” means the Chairman of the Board (*Hon. Gbenga Makanjuola*).

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

“Director-General” means the Chief Executive of the Service and Chairman of the Management Committee (*Hon. Gbenga Makanjuola*).

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

“Functions” includes power and duty (*Hon. Gbenga Makanjuola*).

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

“Fund” means the account established by section 8 (1) (*Hon. Gbenga Makanjuola*).

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

“member” means an individual representing an organisation or institution in (the Board and includes the Chairman and Director-General) (*Hon. Gbenga Makanjuola*).

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

“Minister” means the Minister charged with responsibility for matters relating to Agriculture (*Hon. Gbenga Makanjuola*).

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

“Service” means the Service established by section 1 (1) (*Hon. Gbenga Makanjuola*).

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

“animal” means horse, mule, donkey, camel, cattle, cow, bull, bullock, heifer and calf, buffalo, sheep, goat, swine, dog, cat, laboratory animal, wild animal and for purposes of this Act includes bird, rabbit and poultry (domestic fowl, turkey, duck, goose, pigeon, guinea fowl and ostrich, etc.) (*Hon. Gbenga Makanjuola*).

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

“animal product” means egg, milk, semen or any other part of the animal (*Hon. Gbenga Makanjuola*).

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

“area” means an area to which this Bill applies (*Hon. Gbenga Makanjuola*).

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

"control post" means an established area along trade cattle routes at international and inter-state borders or within the States with facilities for inspection, examination, vaccination and treatment of trade animals (*Hon. Gbenga Makanjuola*).

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

"premises" mean house, tenement, land, farm, hatchery and includes rail wagon, motor vehicle, river or ocean going vessel or aircraft (*Hon. Gbenga Makanjuola*).

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

"quarantine station" means a designated place where animals or plant and their products, boxes, rugs, kennels and other appurtenances which have come from infected or suspected to be infected countries or areas are detained at the frontiers, ports of entry or at other officially designated areas where they are temporarily kept before being allowed to mix with local stock or for restricting the movement of local stock infected or suspected to be infected with disease while under observation, disinfection and treatment (*Hon. Gbenga Makanjuola*).

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

"trade animal" means cattle, sheep, goat and camel, horse, donkey, pig intended for slaughter or for use as a pack animal whether coming overland or by air or sea from any place outside Nigeria or purchased in and intended to be moved out of an area; but does not include cattle proceeding to grazing ground, and not intended for sale or for use as pack animal (*Hon. Gbenga Makanjuola*).

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

"certificate" an official document which attests to the phytosanitary status of any consignment affected by phytosanitary regulations (*Hon. Gbenga Makanjuola*).

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

"containment" application of phytosanitary measures in and around an infested area to prevent spread of a pest and disease (*Hon. Gbenga Makanjuola*).

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

"contamination" presence in a commodity, storage place, conveyance or container, of pests or other regulated articles, not constituting an infestation (see infestation) (*Hon. Gbenga Makanjuola*).

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

"control (of a pest)" suppression, containment or eradication of a disease or pest population (*Hon. Gbenga Makanjuola*).

Question that the meaning of the words "control (of a pest)" be as defined in the interpretation of this Bill, put and agreed to.

"entry (of a consignment)" movement through a point of entry into an area (*Hon. Gbenga Makanjuola*).

Question that the meaning of the words "entry (of a consignment)" be as defined in the interpretation of this Bill, put and agreed to.

"import permit" official document authorizing importation of a commodity in accordance with specified phytosanitary import requirements (*Hon. Gbenga Makanjuola*).

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

"inspection" official visual examination of animal, animal products, plant, plant products aquatic resources products or other regulated articles to determine if pests are present and/or to determine compliance with phytosanitary regulations (*Hon. Gbenga Makanjuola*).

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

"inspector" person authorized by a National Plant Protection Organization to discharge its functions (*Hon. Gbenga Makanjuola*).

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

"monitoring" an official ongoing process to verify phytosanitary situations (*Hon. Gbenga Makanjuola*).

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

"packaging" material used in supporting; protecting or carrying a commodity (*Hon. Gbenga Makanjuola*).

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

"pest" any species, strain or biotype of plant, animal or pathogenic agent injurious to plants or plant products (*Hon. Gbenga Makanjuola*).

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

"plants" living plants and part thereof, including seeds and germplasm (*Hon. Gbenga Makanjuola*).

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

"point of entry" airport, seaport or land border point officially designated for the importation of consignments, and/or entrance of passengers (*Hon. Gbenga Makanjuola*).

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

"quarantine" official confinement of regulated articles for observation and research or for further inspection, testing and/or treatment (*Hon. Gbenga Makanjuola*).

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

"regulated article" any plant, plant products, animal, animal products, aquatic resources, aquatic resources product, storage place, packaging, conveyance, container, soil and any other organism, object or material capable of harbouring or spreading pests, deemed to require phytosanitary measures, particularly where international transportation is involved (*Hon. Gbenga Makanjuola*).

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

"surveillance" an official process which collects and records data on diseases, pest occurrence or absence by survey, monitoring or other procedures (*Hon. Gbenga Makanjuola*).

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

"wood" a commodity class for round wood, sawn wood, wood chips or dunnage, with or without bark (*Hon. Gbenga Makanjuola*).

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

"wood packaging material" wood or wood products (excluding paper products) used in supporting, protecting or carrying a commodity (includes dunnage) (*Hon. Gbenga Makanjuola*).

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

"aquatic" in aquaculture: live finfish, molluscs and crustaceans, including their reproductive products, fertilized eggs, embryos and juvenile stages, whether from aquaculture sites or from the wild (*Hon. Gbenga Makanjuola*).

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

"aquatic product" product or sub product obtained from a cultured organism whose value or retail price is greatly enhanced after being subjected to processing (*Hon. Gbenga Makanjuola*).

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

"aquatic resource" natural resource in which a group of people has common user rights (not necessarily owner rights). It is common for the resources of lakes, rivers, estuaries and marine areas to be considered as common properties. Traditionally, they are not open-access but are subject to rules and conventions often unwritten, of local communities (*Hon. Gbenga Makanjuola*).

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

"phytosanitary certificate" means the certificate set out in Schedule to be made under this Bill (*Hon. Gbenga Makanjuola*).

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

"phytosanitary measures" means any legislation, regulation or official produce having the purpose to prevent the introduction and/or spread of pests (*Hon. Gbenga Makanjuola*).

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

"phytosanitary requirements" means any official specific phytosanitary import conditions to be met by a consignment of a particular plant, plant product or regulated article from an specific origin (*Hon. Gbenga Makanjuola*).

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

"phytosanitary regulations" means any official rule to prevent the introduction and/or spread of pests by regulating the production, movement or existence of commodities or other articles, or the normal activity of persons, and by establishing procedures for phytosanitary certification (*Hon. Gbenga Makanjuola*).

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

"plant" means any living plant and parts thereof, including seeds and germplasm (*Hon. Gbenga Makanjuola*).

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

"plant product" means any unmanufactured material of plant origin (including grain) and those manufactured products that, by the nature or that of their processing may create a risk for the introduction and spread of pests (*Hon. Gbenga Makanjuola*).

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

"quarantine pest" means a pest of potential economic importance to the area endangered thereby and not yet present there, or present but not widely distributed and being officially controlled (*Hon. Gbenga Makanjuola*).

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

"regulated pest" means a quarantine pest or a regulated non-quarantine pest (*Hon. Gbenga Makanjuola*).

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

"Area of jurisdiction" means seaports, airports, land borders, interstate control posts, post offices and any other area as per the mandate of the Service (*Hon. Gbenga Makanjuola*).

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

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

Committee Recommendation:

Clause 27: Short Title.

This Bill may be cited as the Nigeria Agricultural Quarantine Service (Establishment, etc.) Bill, 2009 (*Hon. Gbenga Makanjuola*) — *Agreed to.*

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

SCHEDULE

Section 2 (3)

SUPPLEMENTARY PROVISIONS RELATING TO THE BOARD

1. (1) The Board shall meet and deliberate on the affairs of the Service at least twice in one year.
- (2) At any meeting of the Board—
 - (a) six members shall form a quorum, but in determining whether a quorum has been constituted the presence of any person invited to offer opinion or tender documents shall not be considered;
 - (b) the Chairman, or in his absence, the member elected by the members present to act as Chairman, shall preside;

- (c) 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: and
 - (d) the Chairman or a member presiding has a deliberative vote and, in the event of equality of votes, also has a casting vote.
- 2. The Board may, if it thinks fit, transact any of the business by the circulation of papers, and resolution in writing approved in writing by a majority of the members thereof shall be as valid and effectual as it had been passed at the meeting of the Board by the votes of the members so approving the resolution.
- 3.
 - (1) If any member has any beneficial interest in any land or building situate in an area comprised in any project of the Service, or has any beneficial interest in any company or undertaking with which the Service proposes to make any contract, or has an interest in any such contract, he shall forthwith disclose to the Board the fact and the nature of such interest, and such disclosure shall be recorded in the minutes of the Board, and thereafter such member shall take no further part in any deliberation or decision of the Board relating to such project or contract.
 - (2) Any member disclosing any interest in any project or company or undertaking in which the Service proposes to make any contract shall be disregarded for the purposes of constituting a quorum of the Board for any such deliberation or decision.
 - (3) For the purposes of subsection (1) of this section, a general notice given at a meeting of the Board by a member to the effect that he is a member of a specified company or firm and is to be regarded as interested in any transaction or project of the Service concerning the company or firm, shall be regarded as a sufficient disclosure of his interest in relation to that transaction or project.
 - (4) A member need not attend in person at a meeting of the Board in order to make any disclosure which he is required to make under this section if he takes reasonable steps to secure that the disclosure is made by notice which is brought up and read at the meeting.
- 4.
 - (1) The Board may, subject to the provisions of this Bill, make staff regulations relating generally to the conditions of service of the Service and without prejudice to the generality of the foregoing, such regulations may provide for—
 - (a) the appointment, promotion, termination, dismissal or other disciplinary control of the staff of the Service;
 - (b) appeals by such staff against dismissal or other disciplinary measures, and until such regulations are made any instrument relating to the conditions of service of officers in the public service of the Federation shall be applicable, with such modifications as may be necessary; and
 - (c) the Board shall be responsible for the policy guidance affairs of the Service.
 - (2) The Board may make regulations with respect to—
 - (a) the quorum, proceedings and meetings of the Board and the determination of the Board;
 - (b) the execution of instruments and the mode of entering into contracts by or on behalf of the Board, and the proof of documents purporting to be executed, issued or signed by the Board, or an officer or servant of the Service.
 - (3) Until such regulation is made section of this Bill shall apply to regulate the quorum, proceedings, meetings and determination of the Board.

- (4) The Board may from time to time, by resolution, appoint, constitute, discharge, alter, continue or reconstitute any committee to advise the Board on such matters concerning the functions of the Service as it sees fit.
- (5) Any person may be appointed to be a member of a committee notwithstanding that he is a member of the Board.
- (6) Subject to any direction given by the Board every committee may regulate its own procedure (*Hon. Gbenga Makanjuola*) — *Agreed to.*

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

Committee Recommendation:

Long Title:

A Bill for an Act to Establish Nigeria Agricultural Quarantine Service and Matters Connected Therewith, 2009 (*Hon. Gbenga Makanjuola*) — *Agreed to.*

Question that a Bill for an Act to Establish Nigeria Agricultural Quarantine Service and Matters Connected Therewith, 2009 be the Long Title of the Bill, put and agreed to.

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 Agriculture on a Bill for an Act to Establish Nigeria Agricultural Quarantine Service and Matters Connected Therewith, 2009 and amended Clauses 1 - 2, approved Clauses 3-10, amended Clause 11, approved Clause 12, amended Clause 13, approved Clauses 14 - 27, 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.

(ii) Committee on Public Petitions:

Report on the Petition by Evening Programme Graduates of University of Nigeria:

Motion made and Question proposed, "That this House do consider the Report of the House Committee on Public Petitions by Evening Programme Graduates of University of Nigeria, against the University of Nigeria, Nsukka and approve the Recommendations therein" (Hon. C. I. D. Maduabum).

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)

Debate:

Recommendation (i):

That the House do direct the Honourable Minister of Youth Development to withdraw the circular issued in October 11, 2000 which has effect of excluding the petitioners from mobilization for the National Youth Service Corps (NYSC) programme, as the circular is in conflict with Section 2 of the National Youth Service Corps programme Act (*Hon. C. I. D. Maduabum*) — *Agreed to.*

Question put and agreed to.

Recommendation (ii):

That the House do direct the Director-General of the National Youth Service Corps (NYSC) programme to grant special dispensation to the petitioners, by immediately mobilizing them for the National Youth Service Corps (NYSC) Programme, due to the special circumstances of this matter (*Hon. C. I. D. Maduabum*) — *Agreed to.*

Question put and agreed to.

Recommendation (iii):

That in the alternative, the House do direct the National Youth Service Corps (NYSC) Director-General, to issue certificates of exemption to the petitioners under Section 17 of the National Youth Service Corps Act that authorizes the Directorate, with the necessary approval, to "exempt any person from all or any provisions of this Act (*Hon. C. I. D. Maduabum*) -- Agreed to.

Question put and agreed to.

Chairman to report proceedings.

(HOUSE IN PLENARY)

Mr Deputy Speaker in the Chair, reported that the House in the Committee of Whole considered the Report of the Committee on Public Petitions on the by Evening Programme Graduates of University of Nigeria, against the University of Nigeria, Nsukka and approve the Recommendations (i), (ii) and (iii).

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

(iii) Committee on Public Petitions:**Report on the Petition by the Technical Trainee Graduates:**

Motion made and Question proposed, "That this House do consider the Report of the House Committee on Public Petitions on the Petition by the Technical Trainee Graduates against the Nigerian Ports Authority (NPA) and approve the Recommendations therein" (*Hon. C. I. D. Maduabum*).

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)

Debate:

Recommendation (i):

That the House could not compel NPA to re-admit the petitioners to their payroll nor order a deployment of all successful Graduates as the NPA complied with Federal Government Policy on disengagement of staff (*Hon. C. I. D. Maduabum*) -- Agreed to.

Question put and agreed to.

Recommendation(ii):

That although entitlement due to the petitioners have been paid to them, we urge the management of the NPA to continue to assist the graduates with job placements in other companies where their services may be needed as part of its corporate social responsibility, as they are currently doing (*Hon. C. I. D. Maduabum*) -- Agreed to.

Question put and agreed to.

Chairman to report proceedings.

(HOUSE IN PLENARY)

Mr Deputy Speaker in the Chair, reported that the House in the Committee of Whole considered the Report of the Committee on Public Petitions on the Petition by the Technical Trainee Graduates against the Nigerian Ports Authority (NPA) and approve the Recommendations (i) and (ii).

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

(iv) Committee on Public Petitions:**Report on the Petition by Wing Commander Yusuf Garba Mshelia:**

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

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)

Debate:

Recommendation:

That since the petitioner's retirement was not based on a disciplinary matter but on "overriding service interest", the Committee recommends that Wing Commander Mshelia accept his retirement from the Nigerian Air Force and collect his entitlement (*Hon. C. I. D. Maduabum*).

Amendment Proposed.

Leave out all the words in the Recommendation (Hon. Bala Ibn Na'Allah).

Question put and agreed to.

Chairman to report proceedings.

(HOUSE IN PLENARY)

Mr Deputy Speaker in the Chair, reported that the House in the Committee of Whole considered the Report of the Committee on Public Petitions on the Petition by Wing Commander Yusuf Garba Mshelia against Nigerian Air Force, rejected the Recommendation and referred the Petition back to the Committee on Public Petitions for review.

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

(v) Committee on Public Petitions:

Report on the Petition by Retrenched Workers Association of Savannah Sugar Company:

Motion made and Question proposed, "That this House do consider the Report of the House Committee on Public Petitions on the Petition by Retrenched Workers Association of Savannah Sugar Company against the Bureau of Public Enterprises (BPE) and approve the Recommendations therein" (Hon. C. I. D. Maduabum).

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)

Debate:

Recommendation (i):

That the Bureau of Public Enterprises (BPE) should show a breakdown of how it arrived at its computation in order to allay the fears of the workers that they may be short changed (*Hon. C. I. D. Maduabum*) — *Agreed to.*

Question put and agreed to.

Recommendations (ii):

That the Bureau of Public Enterprises (BPE) should immediately calculate and pay the retrenched staff of the Savannah Sugar based on their entitlements on their last pay certificates (*Hon. C. I. D. Maduabum*) — *Agreed to.*

Question put and agreed to.

Chairman to report proceedings.

(HOUSE IN PLENARY)

Mr Deputy Speaker in the Chair, reported that the House in the Committee of Whole considered the Report of the Committee on Public Petitions on the Petition by Retrenched Workers Association of Savannah Sugar Company against the Bureau of Public Enterprises (BPE) and approve the Recommendations (i) and (ii).

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

(vi) Committee on Public Petitions:

Report on the Petition by Dr Obadia Mailafia:

Motion made and Question proposed, "That this House do consider the Report of the House Committee on Public Petitions on the Petition by Dr Obadia Mailafia against Central Bank of Nigeria (CBN) and approve the Recommendations therein" (*Hon. C. I. D. Maduabum*)

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)

Debate:

Recommendation (i):

That the Committee is unable to recommend Dr Mailafia's reinstatement to the Central Bank of Nigeria (CBN) as he was properly disengaged from service and the President has appointed another person in his place (*Hon. C. I. D. Maduabum*) — *Agreed to.*

Question put and agreed to.

Recommendation (ii):

That Dr Mailafia be paid all his entitlements for the period he served as Presidential Advisor, including a severance allowance (*Hon. C. I. D. Maduabum*) — *Agreed to.*

Question put and agreed to.

Recommendation (iii):

That the Committee is unable to recommend that the petitioner be paid damages, as the Committee could not find any ground for such compensation (*Hon. C. I. D. Maduabum*) — *Agreed to.*

Question put and agreed to.

Chairman to report proceedings.

(HOUSE IN PLENARY)

Mr Deputy Speaker in the Chair, reported that the House in the Committee of Whole considered the Report of the House Committee on Public Petitions on the Petition by Dr Obadia Mailafia against Central Bank of Nigeria (CBN) and approve the Recommendations (i), (ii) and (iii).

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

(vii) Committee on Public Petitions:

Report on the Petition by Mr Anthony Morka:

Motion made and Question proposed, "That this House do consider the Report of the House Committee on Public Petitions on the Petition by Mr Anthony Morka against the Nigerian Ports Authority (NPA) and approve the Recommendations therein" (*Hon. C. I. D. Maduabum*).

Question put and agreed to.

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

(HOUSE IN COMMITTEE)

(Mr Deputy Speaker in the Chair)

Recommendation:

That the Petition by Mr Anthony U. Morka be dismissed for lack of merit (*Hon. C. I. D. Maduabum*) —
Agreed to.

Question put and agreed to.

Chairman to report proceedings.

(HOUSE IN PLENARY)

Mr Deputy Speaker in the Chair, reported that the House in the Committee of Whole considered the Report of the House Committee on Public Petitions on the Petition by Mr Anthony Morka against the Nigerian Ports Authority (NPA) and approve the Recommendation.

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

10. Adjournment:

That this House do now adjourn till Wednesday, 20 May, 2009 at 2.00 p.m. (*Hon. Baba Shehu Agaie*).

Adjourned accordingly at 12.50 p.m.

Usman Bayero Nafada
Deputy Speaker