



HOUSE OF REPRESENTATIVES FEDERAL REPUBLIC OF NIGERIA

VOTES AND PROCEEDINGS

Thursday, 28 May, 2009

1. The House met at 11.00 a.m. Mr Speaker read Prayers.
2. **Votes and Proceedings:**
Mr Speaker announced that he had examined and approved the Votes and Proceedings of Wednesday, 27 May, 2009.

By unanimous consent, the Votes and Proceedings was adopted.
3. **Announcements:**
Conferees:
Mr Speaker named the following conferees on the National Health Bill:
 - (i) Hon. Alaba Lad-Ojomo
 - (ii) Hon. Abba Adamu Annas
 - (iii) Hon. Patrick Asadu
 - (iv) Hon. Abolagba Johnson
 - (v) Hon. Samaila Ahmad
 - (vi) Hon. Samson Ihiabe Positive
4. **Petitions:**
The following petitions were received and referred to the Committee on Public Petitions:
 - (i) Hon. Jaiyeola Ajatta (*Oshodi/Isolo II Federal Constituency*), from Railways Pensioners, praying the House to intervene in the non-payment of their pensions by the Management of the Nigeria Railway Corporation;
 - (ii) Hon. Samson Osagie (*Orhionmwon Uhumwode Federal Constituency*), from the Retired Officers of the Nigeria Prisons Service, praying the House to investigate the non-payment of their entitlements in accordance with the 2007 new salary structure for Paramilitary Agencies and grant the relief sought therein.
5. **Privileges:**
Citing on Order 5, Rules 1 and 2 of the House Standing Orders, Hon. Sekonte Davies invited the attention of the House to the derogatory statements made against Members of the House of Representatives by the Minister of Foreign Affairs, Chief Ojo Maduekwe, published in the *ThisDay* newspapers of Thursday, 28 May, 2009. He noted that the statements scolded Honourable Members for performing their constitutional duty to investigate the alleged mismanagement and misappropriation of funds on the sale of the Nigerian Embassy's building in Washington, USA. He considered it as a breach of the House privilege.

Committee on Foreign Affairs Ordered to submit a formal report on the matter on Tuesday, 2nd June, 2009.

6. Matter Requiring Urgent Attention of the House:

Hon. Ubale Jakada Kiru directed the attention of the House to its earlier Resolution of Thursday, 7 May, 2009, which mandated the House Leadership to proceed to Plateau State to investigate the alleged forceful ejection of Fulanis from Wase Local Government Area of Plateau State.

Mr Deputy Speaker informed the House of the efforts that had been made to make consultation with the Plateau State Government on the matter, consequent upon which the House Leadership had been asked to make a formal request to the State Governor to indicate a convenient date for the Leadership's visit to the State.

Mr Speaker directed the Clerk of the House to issue a letter to that effect.

7. Presentation of Report:

Joint Committee on Appropriations and Finance:

Motion made and Question proposed, "That this House do receive the Report of the Joint Committee on Appropriations and Finance on the investigation into the Implementation of the 2009 Appropriation Act" (Hon. Ayo Adeogun).

Question put and agreed to.

Report laid.

8. Communal Clash over Chieftaincy Title in South Ibie Clan, Etsako-West Local Government Area of Edo State:

The House:

Notes that the People of South Ibie in Etsako-West Local Government Area of Edo State have lived together in peace and harmony for several decades in their Communities;

Aware of the bloody mayhem that recently erupted over contention for the Chieftaincy title in South Ibie Clan in Etsako West Local Government Area of Edo State;

Worried that not fewer than 40 persons were reported dead, while over 50 houses and property were burnt in the feud that ensued ;

Concerned that while the communal crisis is still raging, the lives of thousands of people including women and children are at risk; and people are relocating to neighbouring towns and villages;

Disturbed that this development could give rise to increased internal displacement, refugee situation, humanitarian crisis and epidemic in other Communities in Etsako West Local Government Area of Edo State;

Resolves to:

- (i) call on the National Emergency Management Agency (NEMA) to urgently send relief materials to the thousands of displaced victims in South Ibie;*
- (ii) urge the Inspector-General of Police to direct the State Commissioner of Police to restore peace, law and order in South Ibie Clan of Edo State (Hon. Abass Braimoh).*

Debate:

Amendments Proposed:

- (i) Insert a new Prayer (iii) as follows:
"Mandate the House Committee on States and Local Governments to investigate the matter and report back to the House in two weeks" (Hon. Rufus Omeire).*

Question that the amendment be made, put and negatived.

- (ii) Insert a new Prayer (iii) as follows:
"Further call on the Security Agencies to be proactive in preventing crisis rather than managing it after it has occurred" (Hon. Friday Itulah).*

Question that the amendment be made, put and negatived.

- (iii) *Insert a new Prayer (iii) as follows:*
"Condemn those who initiated and started the crisis" (*Hon. Shehu Matazu*).

Question that the amendment be made, put and negatived.

Main Question as amended, put and agreed to.

The House:

Noted that the People of South Ibie in Etsako-West Local Government Area of Edo State have lived together in peace and harmony for several decades in their Communities;

Aware of the bloody mayhem that recently erupted over contention for the Chieftaincy title in South Ibie Clan in Etsako West Local Government Area of Edo State;

Worried that not fewer than 40 persons were reported dead, while over 50 houses and property were burnt in the feud that ensued ;

Concerned that while the communal crisis was still raging, the lives of thousands of people including women and children are at risk; and people are relocating to neighbouring towns and villages;

Disturbed that this development could give rise to increased internal displacement, refugee situation, humanitarian crisis and epidemic in other Communities in Etsako West Local Government Area of Edo State;

Resolved to:

- (i) call on the National Emergency Management Agency (NEMA) to urgently send relief materials to the thousands of displaced victims in South Ibie;
- (ii) urge the Inspector-General of Police to direct the State Commissioner of Police to restore peace, law and order in South Ibie Clan of Edo State (**HR. 36/2009**).

9. **A Bill for an Act to Establish the Nigeria Integrated Water Resources Management Commission charged with the responsibility for the Regulation and Management of Water in Nigeria and for other Matters connected Therewith, 2009 — Third Reading:**

Motion made and Question proposed, "That a Bill for an Act to Establish the Nigeria Integrated Water Resources Management Commission charged with the responsibility for the Regulation and Management of Water in Nigeria and for other Matters connected Therewith , 2009 be read a Third Time" (*Hon. Tunde Akogun*).

Question put and agreed to.

Bill read the Third Time and passed.

10. **A Bill for an Act to Amend the National War College Act (Cap. N82 2004) to provide for the Change of Name to National Defence College and for Other Connected Purposes, 2009 — Third Reading:**

Motion made and Question proposed, "That a Bill for an Act to Amend the National War College Act (Cap. N82 2004) to provide for the Change of Name to National Defence College and for other Connected purposes, 2009 be read a Third Time" (*Hon. Tunde Akogun*).

Question put and agreed to.

Bill read the Third Time and passed.

11. **A Bill for an Act to Amend the Police Service Commission (Establishment) Act, 2001 and Other Related Matters, 2009 — Second Reading:**

Motion made and Question proposed, "That a Bill for an Act to Amend the Police Service Commission (Establishment) Act, 2001 and Other Related Matters, 2009 be now read a Second Time" (*Hon. Chukwuka W. Onyema*).

Debate:

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

12. Consideration of Reports:

- (i) **A Bill for an Act to Regulate the Business of Equipment Leasing in Nigeria and for Connected Purposes Therewith, 2009 (Committee on of Whole):**

Motion made and Question proposed, "That this House do consider a Bill for an Act to Regulate the Business of Equipment Leasing in Nigeria and for Connected Purposes Therewith, 2009" (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.

(HOUSE IN COMMITTEE)

(Mr Deputy Speaker in the Chair)

**A BILL FOR AN ACT TO REGULATE THE BUSINESS OF EQUIPMENT
LEASING IN NIGERIA AND FOR CONNECTED PURPOSES, 2009**

Debate:

Bill recommitted to the Committee on Commerce.

Chairman to report progress.

(HOUSE IN PLENARY)

Mr Deputy Speaker in the Chair, reported that the House in the Committee of Whole considered the Report on a Bill for an Act to Regulate the Business of Equipment Leasing in Nigeria and for Connected Purposes Therewith, 2009 and recommitted the Bill to the Committee on Commerce.

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

- (ii) **Committee on Environment:**

Motion made and Question proposed, "That this House do consider the Report of the Committee on Environment on a Bill for an Act to Establish the National Climate Change Commission of Nigeria for the Strategic Planning and Co-ordination of National Policies in the Field of Climate Change and Energy and for Matters Connected Therewith, 2007 and approve the Recommendations therein" (Hon. Eziuche Ubani)

Question put and agreed to.

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

(HOUSE IN COMMITTEE)

(Mr Deputy Speaker in the Chair)

**A BILL FOR AN ACT TO ESTABLISH THE NATIONAL CLIMATE CHANGE COMMISSION
AND FOR OTHER MATTERS CONNECTED THEREWITH**

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

- (1) There shall be established a body to be known as National Climate Change Agency (in this Bill referred to as "the Agency") which shall be a body corporate with perpetual succession which can sue be sued in its corporate name and subject to this Bill, perform all acts as conferred by this Bill.

Head Office of the Agency.

- (2) The Head Office of the Agency shall be in Abuja with a Zonal office located in each of the 6 geopolitical zones (*Hon. Eziuche Ubani*).

Amendment Proposed:

In subclause (2), line 1, immediately after the word "with" *leave out* the word "a" and *insert* the words "six zonal offices" instead thereof (*Hon C. I. D. Maduabum*).

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: Membership of the Agency.**

There shall be a Governing Board as the highest authority of the Agency. The Board shall have a chairman to be appointed by the President and the following other members, that is—

- (a) Representatives of the following Ministries—
 - (i) Energy (power and steel and petroleum)
 - (ii) Science and Technology
 - (iii) Environment
 - (iv) Water Resources, Agriculture and Rural Development
 - (v) Six other eminent Nigerians appointed by the President from each of the geopolitical zones shall also be members of the Board
- (b) the Director General of the Commission shall be the administrative and Accounting officer of the Commission (*Hon. Eziuche Uban*).

Amendment Proposed:

In subclause (a) immediately after the words "Rural Development" *insert* "new items (v) - (xii)" as follows:

- (v) Aviation;
- (vi) Transport
- (vii) Commerce
- (viii) Foreign Affairs
- (ix) Finance
- (x) Health
- (xi) Education
- (xii) Housing and Urban Development (*Hon. Eziuche Uban*).

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.

Clause 3: Establishment of the Technical Advisory Committee.

- (1) There shall be established a technical arm of the Commission to be known as the Technical Advisory Committee which shall consist of the Executive Secretary of the Commission as Chairman.
- (2) The other members of the committee who shall be appointed by the President shall be professionals representing the following Ministries, Government Agencies of Professional Organizations, that is to say—
 - (a) Nigerian Institute of Geological and Mining Research;
 - (b) Nigerian Institute of Oceanography;
 - (c) Nigerian Meteorological Agency (NIMET);
 - (d) Nigerian Communications Commission;
 - (e) Nigerian Electricity Regulatory Commission (NERC);

- (g) Nigerian Academy of Sciences;
 - (h) Representative of Civil Society/Non-Governmental Organization (NGO)
 - (i) National Planning Commission;
 - (j) Power Holding Company of Nigeria (PHCN);
 - (k) Manufacturers Association of Nigeria;
 - (l) Federal Ministry of Environment Housing and Urban Development;
 - (m) Energy Commission;
 - (n) Nigerian Society of Engineers;
 - (o) Nigerian National Petroleum Corporation
 - (p) Aviation and Transport;
 - (q) Federal Ministry of Health;
 - (r) Foreign Affairs;
 - (s) Federal Ministry of Finance;
 - (t) Federal Ministry of Education;
 - (u) And two other persons to be appointed the President'.
- (3) The Committee may co-opt, when necessary, any suitable Nigerian whose contributions may be needed by the Committee.

Committee Recommendation:

Leave out the provision in Clause 4 (Hon. Eziuche Uban) — Agreed to.

Committee Recommendation:

Clause 4: Tenure of Office.

The Director General shall hold office for a term of 4 years and may be reappointed for a further term of 4 years and no more (*Hon. Eziuche Uban*) — *Agreed to.*

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

Committee Recommendation:

Clause 5: Proceedings of the Board.

- (1) The Board shall have power to regulate the proceedings of the Agency in accordance with the provisions of the Act.
- (2) The Governing Board shall meet a minimum of 4 times in a year; once each quarter, for the due performance of its functions under this Bill.
- (3) The Board shall form quorum when the chairman and ½ of the members are present.
- (4) Where upon any special occasion the Board may co-opt that person to be a member for as many meetings as may be necessary and that person while so co-opted shall have all the privileges of a member except that he shall not be entitled to vote (*Hon. Eziuche Uban*) — *Agreed to.*

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

Committee Recommendation:

Clause 6: Structure of the Agency.

- (b) Vulnerability, Impacts and Adaptations (VIA);
- (c) Multilateral and Bilateral Programmes (MBP);
- (d) Research and Systematic Observations;
- (e) Planning and Statistics;
- (f) Administration and Finance;
- (g) Education, Public Enlightenment and Advocacy; (*Hon. Eziuche Ubani*) — *Agreed to.*

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

Committee Recommendation:

Clause 7: Functions of the Agency.

Subject to this Bill. The Agency is hereby charged with the responsibility for the strategic planning and co-ordination of national policies in the field of climate change and energy in all its ramifications and, without prejudice to the generality of the forgoing, the Agency shall—

- (a) advice the Federal Government on policies and priorities on the International Climate Change regime and its effects on the country;
- (b) Initiate research in technological use, acquisition and deployment to reduce impact of climate change;
- (c) Maintain a programme of technical assistance to bodies (public and private).
- (d) establish programmes for the prevention, reduction and elimination of greenhouse gases in the nation's air, land and inter-state waters as well as national programmes for restoration and enhancement of the environment;
- (e) utilize and promote expansion of research, experiments, surveys and studies by public and private agencies, Institutions and organizations concerning causes, effects, extent, prevention, reduction and elimination of greenhouse gases and such other related environmental protection as the commission may deem expedient;
- (f) serve as centre for gathering and disseminating of information relating to national policy on climate change its effects and mitigation.
- (g) serve as a centre for solving any inter-related problems that may arise in the implementation of any policy, strategy or guideline relating to climate change, develop strategy, master plan, programme for combating climate change;
- (h) Coordinate all institutional and voluntary actions and programmes of reducing green house gas and taking inventory of green house gases;
- (i) Undertake the implementation and ensuring national compliance with all commitments under the United Nations Framework Convention on Climate Change (UNFCCC), Kyoto Protocol, Marakesh Accord and all other related International agreements on climate change;
- (j) Prepare after consultation with such relevant agencies of government and private sector, periodic master plan for balanced and coordinated development of actions to adapt to climate change;
- (k) Make recommendation for the exploiting of other renewable sources of energy as and when necessary;
- (l) Monitor the performance of the energy use in the industrial, agricultural, land water, transport and aviation sector to ensure stabilization of green house gases and reduce emission level;

- (n) Act as designated National Authority (DNA) for the purpose of implementation of the Kyoto protocol financial mechanisms. For the time being, tend any other Post-Kyoto Mechanisms in pursuit in that, it shall have the powers to:
 - (i) Make and set out criteria in accordance to national laws for the implementation of the Clean Development Mechanism (CDM)
 - (ii) evaluate and assess applications for CDM projects and grant necessary approvals.
 - (iii) Liaise with the United Nations Framework Convention on Climate Change UNFCCC Secretariat on verification, validation and registration of CDM projects in Nigeria;
 - (iv) Make rules, guidelines and set procedures for the development of a carbon trading mechanism in the country assist in marketing and promoting CDM project and establishing market structures that will encourage the evolvments of a carbon market;
 - (v) Public awareness of Clean Development Mechanism (CDM);
- (p) The powers conferred on the Agency may be exercised by it or through any of its employees or agents authorized in that behalf by the Agency (*Hon. Eziuche Ubani*) — *Agreed to.*

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

Committee Recommendation:

Clause 7 (b): Duties and Responsibilities of the Governing Board.

- (1) The board shall be vested with the following duties and responsibilities—
 - (a) controlling the activities of the Agency
 - (b) Making standing orders and rules in accordance with the provisions of this Bill geared towards effective and efficient running of the Agency
 - (c) Giving directive as to fees on projects related to carbon market and sales of Certified Emission Reductions for the purpose of attaining the goals of Clean Development Mechanism (*Hon. Eziuche Ubani*) — *Agreed to.*

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

Committee Recommendation:

Clause 8: Staff and Pension Matters.

- (1) The Agency shall, from time to time, appoint such other persons as member of staff of the Agency as it may deem necessary, to assist the agency in the performance of its functions under this Bill.
- (2) Appointment of staff in the junior cadre, i.e level 01-06, shall be made by the Director General, while appointment in the senior cadre, i.e. level 07-17 shall be made by the Director General with the ratification and approval of the Board.
- (3) The members of the staff of the Commission appointed under subsection (3) of this section shall be appointed on such terms and conditions of service (including remuneration, allowances/benefits, pensions) as applicable in the Public service.
- (4) Promotion of staff in the junior cadre shall be as recommended by the Junior Staff Committee to the Director General for ratification and approval.
- (5) Promotion of staff in the senior cadre shall be as recommended by the senior Staff Committee to the Governing Board for ratification and approval.
- (6) Service in the Agency shall be approved service for the purposes of the Pension Reform Act and, accordingly, officers and other persons employed in the Agency shall be entitled to pensions, and other retirement benefits as are prescribed

- (7) Notwithstanding the provisions of subsection (1) of this section, the Agency may appoint a person to any office on terms, which preclude the grant of a pension, or other retirement benefits in respect of that office.
- (8) For the purpose of the Pension Reform Act, any power exercisable there under by a Minister or other authority of the Government of the Federation, other than the power to make regulations under section 18 thereof, is hereby vested in and shall be exercised by the Agency and not by any other person or authority (*Hon. Eziuche Ubani*) — *Agreed to.*

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

Committee Recommendation:

Clause 9: Establishment of Fund.

- (1) The Agency shall establish and maintain a fund into which all the monies accruable to the Agency shall be paid and from which all the activities of the Agency shall be funded.
- (2) There shall be paid and credited to the Fund:
 - (a) 0.5 percent monies in the accounts of the Ecological Fund relating to all the 36 States of the Federation;
 - (b) Donations, gifts and grants from International Agencies bodies and governments as well as proceeds from carbon sales;
 - (c) There shall be budgetary allocation to the Agency.
- (3) The funds of the Agency shall be disbursed subject to the approval of the National Assembly
- (4) The Board shall cause the accounts of the Agency to be audited quarterly and shall be externally audited once every year (*Hon. Eziuche Ubani*) — *Agreed to.*

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

Committee Recommendation:

Clause 10: Audit.

- (1) The Auditor-General for the Federation shall—
 - (a) inspect and audit the accounts and records of financial transaction of the Agency;
 - (b) inspect records relating to assets of the Agency; and
 - (c) draw the attention of the Director General to any irregularity disclosed by the inspection and audit.
- (2) The Auditor-General may dispense with all or any part of detailed inspection and audit of any account or record referred to in Subsection (1)
- (3) The Auditor-General or an officer authorized by him is entitled at all reasonable time to a full and free access to all accounts, records, documents and papers of the Agency relating directly or indirectly to the receipt or payment of money by the Agency or to the acquisition, receipt, custody or disposal of assets by the Agency.
- (4) The Director-General shall submit to the Governing Board, not later than 31st of March, each financial year, a report of its activities during the preceding financial year (*Hon. Eziuche Ubani*).

Amendment Proposed:

Leave out all the words in subclauses (1) and (2) (Hon Leo Ogor).

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

Committee Recommendation:**Clause 11: Annual Report.**

The Agency shall submit to the President not later than 30th June, of each financial year, a report of its activities during the proceeding financial year and it shall include a copy of the audited accounts of the Agency for that year and a copy of auditor's report on it (*Hon. Eziuche Ubani*) — *Agreed to.*

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

Committee Recommendation:**Clause 12: Power to acquire land. Cap. 202 LFN, 1990.**

The Agency may, subject to the Land Use Act, acquire any land for the purpose of discharging its functions (*Hon. Eziuche Ubani*) — *Agreed to.*

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

Committee Recommendation:**Clause 13: Limitation of Suit against the Agency. Cap. 380 LFN 1990.**

- (1) The provisions of the Public Protection Act shall apply in relation to any suit instituted against any officer or employee of the Agency.
- (2) No suit shall be commenced against a member of the Board, the Director General, officer or employee of the Agency before the expiration of a period of one month after written notice of intention to commence the suit shall have been served upon the Agency by the intending plaintiff or his agent.
- (3) The notice referred to in subsection (2) shall state the cause of action, the particulars of the claims, the name and place of abode of the intending plaintiff and relief which he claims (*Hon. Eziuche Ubani*).

Amendments Proposed:

- (i) In subclause (1), line 2, immediately after the word "Public" insert the word "Officer" (*Hon. Ita Enang*).

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

- (ii) Leave out all words in subclause (2) (*Hon. Ita Enang*).

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: Service of Documents.**

A notice, summons or any other document required or authorized to be served upon the Agency under the provisions of this Bill or any other law or enactment may be served by delivering it to the Director General at the principal office of the Agency (*Hon. Eziuche Ubani*).

Amendment Proposed:

In line 1, immediately after the words "be served" insert the words "in accordance with the provisions of Sheriff and Civil Process Act" (*Hon. Ita Enang*).

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

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

Committee Recommendation:**Clause 15: Restriction on execution against property of the Agency.**

- (1) No execution or attachment of process shall be issued against the Agency in any action or suit without the consent of the Attorney-General of the Federation.

- (2) Any sum of money which may by the judgment of any court be awarded against the Agency shall, subject to any direction given, be paid from the general reserve fund of the Agency (*Hon. Eziuche Ubani*).

Amendment Proposed:

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

"No execution or attachment of process shall be issued against the Agency except in accordance with the Sheriff and Civil Process Act" (*Hon. Ita Enang*).

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

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

Committee Recommendation:

Clause 16: Indemnity of Officers.

A member of the Board, Director General of the Agency, any officer or any employee of the Agency shall be indemnified out of the assets of the Agency against any proceeding, whether civil or criminal, in which judgment is given in his favour, or in which he is acquitted, if any such proceeding is brought against him in his capacity as member of the Board, Director General, officer or employee of the Agency (*Hon. Eziuche Ubani*) — *Agreed to.*

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

Committee Recommendation:

Clause 17: Engagement of Professionals other than Staff.

The Director General may with the approval of the Governing Board engage persons with knowledge or experience in Climate Change control or in matters relevant to the functions of the Agency to assist otherwise than on the basis of full time employment (*Hon. Eziuche Ubani*) — *Agreed to.*

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

Clause 18: Regulation.

The Commission may make regulations for the purpose of carrying out or giving full effect to the provisions of this Bill (*Hon. Eziuche Ubani*).

Committee Recommendation:

Leave out the provision in Clause 18 (*Hon. Eziuche Ubani*).

Amendment Proposed:

Retain the provision in the Bill and in line 1, *leave out* the word "Commission" and *insert* the word "Agency" instead thereof (*Hon. Ita Enang*).

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

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

Committee Recommendation:

Clause 19: Interpretation.

In this Bill—

"Agency" means National Climate Change Agency established under section 1 (1) of this Bill (*Hon. Eziuche Ubani*).

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

"function" include power and duty (*Hon. Eziuche Ubani*).

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

"member" means a member of the Board and includes the Chairman (*Hon. Eziuche Ubani*).

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

"President" Means the President of the Federal Republic of Nigeria (*Hon. Eziuche Ubani*).

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

"Board" means Governing Board of the Agency (*Hon. Eziuche Ubani*).

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

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

Committee Recommendation:

Clause 20: Citation.

This Bill may be cited as National Climate Change Agency Bill, 2009 (*Hon. Eziuche Ubani*)
— *Agreed to.*

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

SCHEDULE

SUPPLEMENTARY PROVISIONS RELATING TO THE AGENCY, ETC.

Proceedings of the Agency Cap. 192 LFN 1990

1. (1) Subject to this Bill and Section 27 of the Interpretation Act, the Agency may make standing orders regulating its proceedings or those of any of its committees.
- (2) The quorum of the Board shall be the chairman or the person presiding at the meeting and ½ of the members of the Board.
- (3) The Governing Board shall meet whenever it is summoned by the Chairman and if the Chairman is required to do so by notice given to him by not less than 2/3 majority members of the Board to be held within 24 days from the date which the notice is given.
- (4) Where the Board desires to obtain the advice of any person on a particular matter, the Board may co-opt him to the Board for such a period as it deems fit, but a person who is in attendance by virtue of his subparagraph shall not be entitled to vote at any meeting of the Board and shall not count towards a quorum.

Committee

2. (1) The Board may appoint one or more committees to carry out, on behalf of the Agency such functions as the Board may determine.
- (2) The committee appointed under this paragraph shall consider such number of persons as may be determined by the Board and a person shall hold office in the committee in accordance with the terms of his appointment.
- (3) A decision of the committee of the Agency shall be of no effect until it is confirmed by the Board
4. (1) The fixing of the seal of the Agency shall be authenticated by the signature of the Chairman or any other member of the Board generally or specifically authorized by the Board to act for that purpose and the Director General.
- (2) Any contract instrument which, if made or executed by a person not being a body corporate, would not be required to be under seal may be made or executed on behalf of the Agency by

- (3) A document purporting to be a document duly executed under the seal of the Agency shall be received in evidence and shall, unless and until the contrary is proved, be presumed to be so executed.
5. The validity of any proceedings of the Board or a committee shall not be adversely affected by—
- (a) a vacancy in the membership of the Board or committee; or
 - (b) a defect in the appointment of a member of the Board or committee; or
 - (c) reason that a person not entitled to do so took part in the proceedings of the Board or committee (*Hon. Eziuche Uban*).

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 Climate Change Commission and for Other Matters Connected Therewith, 2009 (*Hon. Eziuche Uban*) — Agreed to.

Question that a Bill for an Act to Establish the National Climate Change Commission and for Other 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 Environment on a Bill for an Act to Establish the National Climate Change Commission and for Other Matters Connected Therewith, 2009 and amended Clauses 1 and 2, approved Clauses 3 - 9, amended Clause 10, approved Clauses 11 - 12, amended Clauses 13 - 15, approved Clauses 16 - 17, amended Clause 18, approved Clauses 19 - 20, 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.

(iii) Joint Committee on Health and Justice:

Motion made and Question proposed, " That this House do consider the Report of the Joint Committee on Health and Justice on a Bill for an Act to Control the Possession, Sale, Use of Corrosive Chemical Substances Containing Hydro-chemical acid, Trioxonitrate (v) Acid, Tetra-sulphate (iv) Acid, Sulphuric Acid, Nitric Acid and Other Liquids Capable of Causing Hurt, Harm or Death and Other Related Matters 2008" (*Hon. Alaba Lad-Ojomo*).

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 PROHIBIT THE POSSESSION, SALE, USE OF CORROSIVE OR CHEMICAL SUBSTANCES CONTAINING HYDROCHLORIC ACID, TRIOXONITRATE (V) ACID, TETRASULPHATE (IV) ACID, SULPHURIC ACID, NITRIC ACID AND OTHER LIQUIDS CAPABLE OF CAUSING HURT, HARM OR DEATH AND FOR OTHER RELATED MATTERS

Debate:

Bill recommitted to the Joint Committee on Justice and Environment.

Chairman to report progress.

(HOUSE IN PLENARY)

Mr Deputy Speaker in the Chair, reported that the House in the Committee of Whole considered the Report of the Joint Committee on Health and Justice on a Bill for an Act to Control the Possession, Sale, Use of Corrosive Chemical Substances Containing Hydro-chemical acid, Trioxonitrate (V) Acid, Tetra-sulphate (IV) Acid, Sulphuric Acid, Nitric Acid and Other Liquids Capable of Causing Hurt, Harm or Death and Other Related Matters, 2008 and recommitted to the Joint Committee on Justice and Environment.

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

13. Adjournment:

That this House do now adjourn till Tuesday, 2 June, 2009 at 10.00 a.m. (*Hon. Tunde Akogun*).

Adjourned accordingly at 2.15 p.m.

Dimeji Sabur Bankole
Speaker