



HOUSE OF REPRESENTATIVES FEDERAL REPUBLIC OF NIGERIA VOTES AND PROCEEDINGS

Wednesday, 3 June, 2009

1. The House met at 2.29 p.m. Mr Deputy Speaker read Prayers.

Executive Session — 2.40 p.m.

House in Plenary — 3.55 p.m.

2. **Votes and Proceedings:**

Mr Deputy Speaker announced that he had examined and approved the Votes and Proceedings of Tuesday, 2 June, 2009.

By unanimous consent, the Votes and Proceedings was adopted.

3. **Announcements:**

Mr Deputy Speaker announced that copies of the report of the Justice Mohammed Uwais' Electoral Reform Panel were available for collection. Members were asked to pick up their copies, either from the Sergeant-At-Arms desk, or from the Clerk of the House, or Rules and Business Committee.

4. **Petitions:**

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

- (i) Hon. Gbenga Onigbogi (*Atakumosa East/Atakumosa West/Ilesa West Federal Constituency*), from Mr Ajayi, Aggrey Akinyemi, praying the House to intervene in the alleged unjust termination of his appointment by the Nigeria Export Promotion Council;
- (ii) Hon. Albert T. Sam-Tsokwa (*Takun-Donga-Federal Constituency*), from Professor Humphrey Ogoegbunam and Commandant-General of National Unity Peace Corps (NUPEC) and 2 others, praying the House to prevail on the Ministry of Interior to return their license to enable them resume operation of their business.

5. **Presentation of Report:**

Committee on Millennium Development Goals (MDGs):

Motion made and Question proposed, "That this House do receive the Report of the Committee on Millennium Development Goals (MDGs) on the End of Year Report on the Millennium Development Goals" (*Hon. Saudatu Sani*).

Question put and agreed to.

Report laid.

6. **Admittance into the Chamber:**

Motion made and Question proposed, "That pursuant to Order XV, Rule 9 (1), this House do admit into the Chamber former Presiding Officers, Principal Officers of Post-Independent Nigeria, former Members of the House of Representatives from 1979 - 2007 and Speakers of the State Houses of Assembly to mark the end of Second Session of the 3rd National Assembly on Thursday, 4 June, 2009".

Question put and agreed to.

7. **A Bill for an Act to Establish the National Agricultural Development Fund and for Matters Connected Therewith, 2009 — *Third Reading:***

Motion made and Question proposed, "That a Bill for an Act to Establish the National Agricultural Development Fund and for Matters Connected Therewith, 2009 be now read a Third Time" (*Hon Tunde Akogun*).

Question put and agreed to.

Bill read the Third Time and passed.

8. **A Bill for an Act to Ensure Full Integration of Persons with Disabilities into the Society and to Establish A National Commission for Persons with Disabilities and Vest it with the Responsibilities for their education, Healthcare and the Protection of their Social, Economic, Civil and Political Right, 2009 — *Third Reading:***

Motion made and Question proposed, "That a Bill for an Act to Ensure Full Integration of Persons with Disabilities into the Society and to Establish A National Commission for Persons with Disabilities and Vest it with the Responsibilities for their education, Healthcare and the Protection of their Social, Economic, Civil and Political Right, 2009 be now read a Third Time" (*Hon Tunde Akogun*).

Question put and agreed to.

Bill read the Third Time and passed.

9. **A Bill for an Act to Establish the Hydroelectric Power Producing Area Development Commission and Vest it with the responsibility of Managing the Ecological menace due to Operation Matters 2008 — *Third Reading:***

Motion made and Question proposed, "That a Bill for an Act to Establish the Hydroelectric Power Producing Area Development Commission and Vest it with the responsibility of Managing the Ecological menace due to Operation Matters 2008 be now 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 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 — *Third Reading:***

Motion made and Question proposed, "That 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 be now 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 Repeal and Re-Enact the National Agricultural Seeds Council Act, 1992 and for Other Related Matters, 2008 — *Third Reading:***

Motion made and Question proposed, "That a Bill for an Act to Repeal and Re-Enact the National Agricultural Seeds Council Act, 1992 and for Other Related Matters, 2008 be now read a Third Time" (*Hon Tunde Akogun*).

Question put and agreed to.

Bill read the Third Time and passed.

12. A Bill for an Act to Establish Nigeria Agricultural Quarantine Service and Matters Connected Therewith, 2008 — *Third Reading:*
Motion made and Question proposed, "That a Bill for an Act to Establish Nigeria Agricultural Quarantine Service and Matters Connected Therewith, 2008 be now read a Third Time" (*Hon Tunde Akogun*).

Question put and agreed to.

Bill read the Third Time and passed.

13. A Bill for an Act to Amend the National Primary Healthcare Development Agency Act, 1992 No. 29 and for Matters Connected Therewith, 2008 — *Third Reading:*
Motion made and Question proposed, "That a Bill for an Act to Amend the National Primary Healthcare Development Agency Act, 1992 No. 29 and for Matters Connected Therewith, 2008 be now read a Third Time" (*Hon Tunde Akogun*).

Question put and agreed to.

Bill read the Third Time and passed.

14. A Bill for an Act to Repeal the National Programme on Immunization Act, 1997 and Transfer the Functions of the National Programme on Immunization to the National Primary Healthcare Development Agency and for Matters Connected Therewith, 2008 — *Third Reading:*
Motion made and Question proposed, "That a Bill for an Act to Repeal the National Programme on Immunization Act, 1997 and Transfer the Functions of the National Programme on Immunization to the National Primary Healthcare Development Agency and for Matters Connected Therewith, 2008 be now read a Third Time" (*Hon Tunde Akogun*).

Question put and agreed to.

Bill read the Third Time and passed.

15. **Consideration of Report:**
Committee on Water Resources:
Motion made and Question proposed, "That this House do consider the Report 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 and approve the Recommendations therein" (*Hon. Terngu Tsegba*).

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 AMEND THE PROVISIONS OF THE RIVER BASINS DEVELOPMENT AUTHORITIES (ESTABLISHMENT, ETC.) ACT; TO PROVIDE FOR THE ESTABLISHMENT OF THE IMO AND UPPER NIGER RIVER BASIN DEVELOPMENT AUTHORITIES AND LIST SAME INTO THE FIRST SCHEDULE OF THE ACT AND FOR OTHER RELATED MATTERS CAP. R9 LFN 2004

Amendment of the Act.

Committee Recommendation:

Establishment, etc. of River Basins Development Authorities.

The River Basins Development Authorities (Establishment, etc.) Decree No. 35 of 1987 is hereby amended by the provision of this Bill (*Hon. Terngu Tsegba*) — *Agreed to.*

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

Amendment of Section 1.

Committee Recommendation:

The Decree is amended as follows—

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

Amendment of Section 2.

Committee Recommendation:

Section 2 (1)(b) by deleting thereof the "word" General Manager and inserting the "word" Managing (Hon. Terngu Tsegba) — Agreed to.

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

Amendment of Section 3.

Committee Recommendation:

Director.

Section 3 is amended by—

- (1) Deleting in section 3 (1) the figure "three" thereof, and inserting the word "four"
- (2) By adding immediately after the word "member" thereof the phrase "not being a public officer" before the word "may" (Hon. Terngu Tsegba) — Agreed to.

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

Insertion of New Section 4.

Committee Recommendation:

Remuneration.

By adding a new Section 4 on "REMUNERATION" which shall read as follows—

- (1) Members of the Board shall be paid such remuneration and allowances as may be determined by the Salaries and Wages Commission
- (2) The Minister may make recommendations to the President which if approved shall empower the Minister to declare in writing the position of a member vacant Where—
 - (a) it appears to the Minister that a member of the Board be removed from office on grounds of misconduct or inability to perform the functions of his/her office;
 - (b) the Minister is satisfied that the continued presence on the Board of any member is not in the national interest or interest of the authority (Hon. Terngu Tsegba) — Agreed to.

Question that Section 4 as amended stand part of the Bill, put and agreed to.

Amendment of Section 4.

Committee Recommendation:

Section 4 is amended by—

- (1) Re-numbering the section as Section 5 (Hon. Terngu Tsegba) — Agreed to.

Question that Section 4 as amended stand part of the Bill, put and agreed to.

Amendment of Section 5.

Committee Recommendation:

Section 5 is amended by re-numbering it as Section 6 (Hon. Terngu Tsegba) — Agreed to.

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

Amendment of Section 6.

Committee Recommendation:

Section 6 (1) which is re-numbered Section 7 is amended by—

- (1) Deleting the word "General Manager" and inserting the word "Managing Director" (Hon. Terngu Tsegba) — Agreed to.

Question that Section 6 as amended stand part of the Bill, put and agreed to.

Amendment of Section 7.**Committee Recommendation:**

Section 7 is amended by re-numbering it as Section 8 (*Hon. Terngu Tsegba*) — *Agreed to.*

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

Amendment of Section 8.**Committee Recommendation:**

Section 8 is amended by—

Re-numbering it as Section 9 (*Hon. Terngu Tsegba*) — *Agreed to.*

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

Amendment of Section 9.**Committee Recommendation:**

Section 9 is amended by—

Re-numbering it Section 10 (*Hon. Terngu Tsegba*) — *Agreed to.*

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

Amendment of Section 10.**Committee Recommendation:**

Section 10 is amended by—

Re-numbering it Section 11 (*Hon. Terngu Tsegba*) — *Agreed to.*

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

Amendment of Section 11.**Committee Recommendation:**

Section 11 is amended by—

Re-numbering the Section as 12 (*Hon. Terngu Tsegba*) — *Agreed to.*

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

Amendment of Section 12.**Committee Recommendation:**

Section 12 is amended by—

Re-numbering the Section as 13 (*Hon. Terngu Tsegba*) — *Agreed to.*

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

Amendment of Section 13.**Committee Recommendation:**

Section 13 is amended by—

Re-numbering the Section as 14 (*Hon. Terngu Tsegba*) — *Agreed to.*

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

Committee Recommendation:**Citation.**

This Bill may be cited as the River Basins Development Authority (Establishment, etc.) (Amendment) Bill, 2009 (*Hon. Terngu Tsegba*) — *Agreed to.*

Question that Section 16 as amended stand part of the Bill, put and agreed to.

SCHEDULES

FIRST SCHEDULE

LIST OF RIVER BASINS DEVELOPMENT AUTHORITIES

<i>S/No.</i>	<i>Name of Authority</i>	<i>Area of Operation</i>	<i>Headquarter</i>
1.	Anambra River Basin Development Authority	The whole of Anambra, Enugu and Ebonyi States	Enugu
2.	Benin-Owena River Basin Development Authority	The whole of Edo, Ekiti, Ondo States and area of Delta State drained by the Benin, Escravos, Forcados and Ramos Rivers Creek' Systems.	Benin.
3.	Chad Basin Development Authority	The whole of Borno and Yobe States and area of Adamawa State drained by the Yedseram and Goma River Systems	Maiduguri
4.	Cross-River Basin Development Authority	The whole of Akwa Ibom and Cross River States	Calabar
5.	Hadejia-Jama'are River Basin Development	The whole of Jigawa, and Kano States, and the area of Bauchi State drained by the Misau and Jama'are River System	Kano
6.	Lower Benue River Basin Development Authority	The whole of Benue, Nasarawa and Plateau States	Makurdi
7.	Niger Delta Basin Development Authority	The whole of Rivers, Bayelsa and part of Delta States	Port Harcourt
8.	Ogun-Osun River Basin Development Authority	The whole of Lagos, Ogun, Osun, and Oyo States	Abeokuta
9.	Sokoto-Rima River Development Authority	The whole of Katsina, Kebbi, Sokoto and Zamfara States	Sokoto
10.	Upper Benue River Basin Development Authority	The whole of Gombe and Taraba States and the are of Bauchi State drained by the Gongola River system and the whole of Adamawa excluding the area drained by the Yedseram River system	Yola
11.	Lower Niger River Basin Development Authority	The whole of Kwara and Kogi States	Ilorin
12.	Upper Niger River Basin Development Authority	The whole of Niger, Kaduna states and the Federal Capital Territory	Minna
13.	Imo River Basin Development Authority	The whole of Abia and Imo States	Owerri

(Hon. Terngu Tsegba) — Agreed to.

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

SECOND SCHEDULE

Proceedings of the Authorities

1964 No.1.

1. Subject to the provision of Section 26 of the interpretation Act 1964 (which provides for decision of a statutory body to be taken by a majority of its members and for the person presiding to have a casting vote) each Authority may make standing orders regulating the proceedings of the Authority or any committee thereof.
2. At any meeting of the Authority the Chairman shall preside but if the Chairman is absent, the members present shall appoint one of their member to preside at the meeting.
3. Where any Authority desires to obtain the advice of any person on a particular matter, the Authority may co-opt that person as a member for such period as Authority may deem fit, but a person who is a member of the authority by virtue of this paragraph shall not be entitled to vote at any meeting of the Authority and shall not count towards a quorum.
4. The quorum for meetings of each Authority shall be the Chairman and four other members and the quorum for any meeting of a committee of the Authority shall be determined by the Authority.
5. Each Authority shall meet not less than 4 times in each year and on such other occasions as the Authority may consider necessary.
6. Any member of the Authority or any Committee thereof having a personal interest in any contract or arrangement entered into or proposed to be entered into by the Authority or any Committee thereof shall forthwith declare his interest to the Authority or Committee and shall not vote on any question relating to the contract or arrangement.

Advisory Committee and Other Committees

7. (1) Each authority shall establish an Advisory Committee who shall consist of—
 - (a) the General Manager/Managing Director of the Authority who shall be Chairman;
 - (b) the Zonal Officer of the Federal Ministry of Water Resources;
 - (c) the heads of the following Divisions of the Ministries of Water Resources; Agriculture and Natural Resources of each State in the area of operation of the Authority—
 - (i) Agriculture,
 - (ii) Irrigation,
 - (iii) Fisheries,
 - (iv) Veterinary Services and Livestock;
 - (d) the Directors of research institutes conducting research relevant to the work of the Authority as may be determined by the Authority, or their representatives.
 - (e) the General Managers of the respective States Water Boards or Corporations; and
 - (f) the District Manager of the National Electric Power Authority.
- (2) Each Authority may, notwithstanding the foregoing provisions appoint other persons in addition as it thinks fit to be members of the Advisory Committee.
- (3) It shall be the function of the Advisory Committee to advise the Authority with respect to—
 - (a) the matters of mentioned in section 5 of this Bill generally;
 - (b) the technical soundness of specific projects and programme;
 - (c) the co-ordination of the activities of the Authority and the Ministry of Water

(d) such other matters as the Authority may from time to time determined.

- (4) Each Authority may also establish such other standing, steering and *ad-hoc* Committees to carry out on behalf of the Authority such of its functions as the Authority may determine.

Miscellaneous

8. The fixing of the seal of each Authority shall be authenticated by this signature of the Chairman and of a member of the Authority authorized in that behalf by the Authority.
9. Any contract of 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 Authority by any person generally or specially authorized to act for that purpose.
10. Any document purporting to be a document executed under the seal of Authority and authenticated as aforesaid shall be received in evidence and shall, unless the contrary is proved, be deemed to be so executed.
11. The validity of any proceeding of the Authority shall not be affected by any vacancy in the membership of the Authority or by any defect in the appointment of a member of the Authority or by reason that any person not entitled to do so took part in the proceedings of the Authority (*Hon. Terngu Tsegba*).

Amendment Proposed:

Retain the provisions of the Principal Act (*Hon. Ita Enang*).

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

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

Long Title:

A Bill for an Act to Amend the Provisions of the River Basins Development Authorities (Establishment, etc.) Act; to Provide for the Establishment of the Imo and Upper Niger River Basin Development Authorities and List Same into the First Schedule of the Act and for Other Related Matters Cap. R9 LFN 2004 (*Hon. Terngu Tsegba*) — *Agreed to.*

Question that a Bill for an Act to Amend the Provisions of the River Basins Development Authorities (Establishment, etc.) Act; to Provide for the Establishment of the Imo and Upper Niger River Basin Development Authorities and List Same into the First Schedule of the Act and for Other Related Matters Cap. R9 LFN 2004 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 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 and approved Clauses 1 - 13, approved the First Schedule, amended the Second Schedule and approved the Long Title of the Bill.

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

16. Adjournment:

And its being 4.56 p.m. the House adjourned till Thursday, 4 June, 2009 at 9.45 a.m.