



HOUSE OF REPRESENTATIVES FEDERAL REPUBLIC OF NIGERIA

VOTES AND PROCEEDINGS

Tuesday, 11 May, 2004

1. The House met at 11.02 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, 6 May, 2004.
By unanimous consent, the Votes and Proceedings were adopted.
3. **Announcements:**
 - (i) **Obituary:**
The Deputy Whip (PDP), Hon. Patricia Etteh informed the House of the death of Chief Sunday M. Afolabi, former Minister of Internal Affairs, who died on Monday, 11 May 2003 in England, United Kingdom.

One minute in silence observed in honour of the departed while Hon. Wunmi Bewaji rendered prayers for the repose of the soul of the deceased.
 - (ii) **Visitors:**
Mr Deputy Speaker recognized the presence in the Gallery of Comrade Adams Oshiomole, President of the Nigeria Labour Congress.
4. **Petition:**
Termination of Appointment: Engr Gilbert T. Kpam:
Hon. Gyang D. Dantong presented a petition on behalf of Engr Gilbert T. Kpam. The petitioner alleged that his appointment was terminated by the Management of the Nigerian Mining Corporation, Jos. He prayed the House to establish the facts of the termination of his appointment with a view to reinstating him.

Petition referred to the House Committee on Public Petitions.
5. **Matter of Urgent Public Importance:**
Invoking Order VIII, Rule 4 (1) of the Standing Orders, Hon. Shehu Sale Hassan lamented the spate of wanton killings in some parts of Plateau State and urged the House to debate the development as one of Urgent Public Importance.

Question, that the Matter be debated put and agreed to.

Question, that Order VIII, Rule 4 (3) be suspended to enable the House debate the matter forthwith, put and agreed to.
6. **Sectarian Crisis in Plateau State:**
Motion made and Question proposed, "That the House:

Notes the degeneration of the state of security in Plateau State and the spate of wanton killings in Yelwa/Shandam, Wase and Lantang Local Government Areas of Plateau State; lives lost since 2001 till date exceed 25,000;

Further notes that written and oral evidence at various Panels on the Sectarian Crisis had valued losses sustained since the eruption of the crisis at ₦30 Billion;

Worried that since 2001, Plateau State had retrogressed by 25 years in physical, social, political and economic development;

Disturbed that the State Government had no clear design or programme to deal with the grave situation;

Concerned that the crisis had potential to spread beyond the theaters of conflict in view of the helplessness of the State Government;

Resolves to:

Urge the President, Commander-in-Chief of the Armed Forces of Nigeria invoke his powers under the Constitution to declare a State of Emergency in Plateau State (*Hon. Shehu Sale Hassan*).

Debate:

Amendment Proposed:

leave out all the words in the Prayer and *insert* the following instead thereof:

"Urge the Federal Government to declare as disaster areas Yelwa/Shandam, Wase and Langtang Local Government Areas of Plateau State" (*Hon. Jafaru Damulak*).

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

Other Amendments Proposed:

(i) *Insert* a new Prayer (ii) as follows:

"Condemn all the killings in Plateau State" (*Hon. Aminu Waziri Tambuwal*).

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

(ii) *Insert* a new Prayer (iii) as follows:

"Mandate the House Committees on Peace and Reconciliation, Army, Police, National Security and Intelligence to investigate the withdrawal of Security Personnel from the volatile spots" (*Hon. Abdul Ningi*).

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

(iii) *Insert* a new Prayer (iv) as follows:

"Call on the National Emergency Management Agency to send relief materials to the refugees in the affected areas" (*Hon. Mohammed Abubakar Maifata*).

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

Other Amendments Proposed:

(i) *Insert* a new Prayer (v) as follows:

"Call on Mr President to deploy a contingent of the armed forces to the affected areas to maintain law and order" (*Hon. Azumi N. Babeji*).

Question that the amendment be made, put and negatived.

(ii) *Insert* a new Prayer (v) as follows:

"Condemn both the Government of Plateau State and the Police Command in the State for negligence of duty that led to the loss of many innocent lives" (*Hon. Abdullahi Faruk*).

Question that the amendment be made, put and negatived.

- (iii) **Insert a new Prayer (iv) as follows:**
 "Urge the Federal Government to publish without further delay White Papers of the Reports of Justice Tobin Commission of Enquiry and Professor Tamo Presidential Committee on the crises in Plateau State" (Hon. O. Ozomgbachi).

Question that the amendment be made, put and negatived.

Main Question as amended, put and agreed to.

The House:

Noted the degeneration of the state of security in Plateau State and the state of wanton killings in Yelwa/Shandam, Wase and Langtang Local Government Areas of Plateau State; lives lost since 2001 till date exceed 25,000;

Further noted that written and oral evidence at various Panels on the Sectarian Crisis had valued losses sustained since the eruption of the crisis at ₦30 Billion;

Worried that since 2001, Plateau State had retrogressed by 25 years in physical, social, political and economic development;

Disturbed that the State Government had no clear design or programme to deal with the grave situation;

Concerned that the crisis had potential to spread beyond the theaters of conflict in view of the helplessness of the State Government;

Resolved to:

- (i) Urge the Federal Government to declare as disaster areas Yelwa/Shandam, Wase and Langtang Local Government Areas of Plateau State;
- (ii) Condemn all the killings in Plateau State;
- (iii) Mandate the House Committees on Peace and Reconciliation, Army, Police, National Security and Intelligence to investigate the withdrawal of Security Personnel from the volatile spots and
- (iv) Call on the National Emergency Management Agency to send relief materials to the refugees in the affected areas (HR. 8 /2004).

7. Presentation of Bills:

- (i) International Convention on Civil Liability for Oil Pollution Damage (Ratification and Enforcement) Bill, 2004 — *Read First Time.*
- (ii) International Convention on the Establishment of an International Fund for Compensation for Oil Pollution Damage 1971 as Amended (Ratification and Enforcement) Bill, 2004 — *Read First Time.*

Referred to the Committees on Petroleum Resources, Petroleum Refineries and Justice.

8. Presentation of Reports:

- (i) **Committees on Appropriations and F.C.T. (Joint Referral):**
Motion made and Question proposed: "That this House do receive the Report of the Committees on Appropriations and F.C.T. on the Bill for an Act to authorise the issue out from the Consolidated Revenue Fund of the Federation, the Total Sum of Thirty-Seven Billion, Seven Hundred and Sixty-Three Million, Two Hundred and Eighty Thousand, Five Hundred and Eighty-Seven Naira (₦37,763,280,587.00) only; of which the Sum of Nine Billion, Seven Hundred Forty Nine Million, Seven Hundred and Seventy Two Thousand, Five Hundred and Eighty-Seven Naira (₦9,749,772,587.00) only is for Recurrent Expenditure cost and Sum of Twenty-Eight Billion, Thirteen Million, Five Hundred and Eight Thousand Naira (₦28,013,508,000.00) only is for Capital Projects for the service of the Federal Capital Territory, Abuja, 2004" (Hon. Claver Marcus Ikisikpo).

Question put and agreed to.

Report Laid.

- (ii) **Committees on Peace and National Reconciliation, National Security and Intelligence (Joint Referral):**

Motion made and Question proposed, "That this House do receive the Report of the Committees on Peace and National Reconciliation and National Security and Intelligence on the Lingering Ethnic clashes in Warri, Delta State" (Hon. Dahiru Bako Gassol).

Question put and agreed to.

Report Laid.

- (iii) **Committee on Peace and National Reconciliation:**

Motion made and Question proposed "That this House do receive the Report of the Committees on Peace and National Reconciliation on the visit to Ogbakiri, Rivers State, to commiserate with the people of the town" (Hon. Dahiru Bako Gassol).

Question put and agreed to.

Report Laid.

9. **A Bill for an Act to provide for the Amendment of Small and Medium Scale Industries Development Agency (Establishment, etc.) Act, 2003 and for Matters Connected Therewith, 2004 (HB.72) — Second Reading:**

Motion made and Question proposed "That the Bill for an Act to provide for the Amendment of Small and Medium Scale Industries Development Agency (Establishment, etc.) Act, 2003 and for Matters Connected Therewith, 2004 be now read the Second Time" (Hon. Abdul Ningi).

Debate:

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

Bill accordingly read the Second Time and referred to the Committee of the Whole House.

10. **A Bill for an Act to Amend the Electoral Act, 2002 (Amendment) Bill, 2004 (SB.63) — Second Reading:**
Motion made and Question proposed "That the Bill for an Act to Amend the Electoral Act, 2002 (Amendment) Bill, 2004 be now read the Second Time" (Hon. Abdul Ningi).

Debate:

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

Bill accordingly read the Second Time and referred to the Committee of the Whole House.

11. **Consideration of Reports**

Ad-hoc Committee on Pension Reforms:

Motion made and Question proposed, "That this House do resume consideration of the Report of the Ad-hoc Committee on Pension Reform on the Bill for an Act to Repeal the Pensions Act, 1990 and to Establish a Contributory Pensions Scheme for employees in the Public and Private Sectors in the Federal Republic of Nigeria and for Matters Connected Therewith, 2003, and approve the Recommendations therein" (Hon. Abdul Ningi).

Question put and agreed to.

Question, That the House do resolve into the Committee of Whole to consider the Report — agreed to.

(HOUSE IN COMMITTEE)

(Mr Deputy Speaker in the Chair)

**A BILL FOR AN ACT TO REPEAL THE PENSIONS ACT, 1990 AND TO ESTABLISH
A CONTRIBUTORY PENSIONS SCHEME FOR EMPLOYEES IN THE PUBLIC
AND PRIVATE SECTORS IN THE FEDERAL REPUBLIC OF NIGERIA
AND FOR MATTERS CONNECTED THEREWITH, 2003**

Debate:

Rescission of House decision:

That the House do rescind its approval of Clause 12 (1), (2) and (3) of the Principal Bill (*Hon. Ita Enang*).

Question put and agreed to.

Committee Recommendation:

Clause 19: Retirement account and remittance of contributions, etc.

- (1) The Board created under Section 23 of this Act shall maintain a retirement account in the name of each employee in the service of the arm of the public service being served by the Board.
- (2) The Board shall cause to be entered into the retirement account of each employee all the contributions made by or in respect of the employee.
- (3) All interests earned or returns received upon the investment, realisation of investment of the fund, shall be calculated at the end of each financial year, pro-rated and credited to the account of each employee.
- (4) The employer shall—
 - (a) deduct at source, the monthly contribution of the employee in his employment;
 - (b) not later than 7 working days from the day the employee is paid his salary, remit an amount comprising the employee's contribution under paragraph (a) of this subsection and the employer's contribution to the Federal Public Service Pensions Board.
- (5) Upon receipt of the contributions remitted under paragraph (b) of Subsection (4) of this section, the Federal Public Service Pensions Board shall not later than three working days disburse the amount received to each of the Funds established under Sub-Part C of this Part in relation to the appropriate arm of the public service of the Federation remitting the contributions (*Hon. Abubakar Momoh*).

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

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 *Ad-Hoc* Committee on Pensions Reform on the Bill for an Act to Repeal the Pensions Act, 1990 and to Establish a Contributory Pensions Scheme for Employees in the Public and Private Sectors in the Federal Republic of Nigeria and for Matters Connected Therewith, 2003, and rescinded its approval of Clause 12 (1), (2) and (3) of the Principal Bill. It reverted to the Committee's Recommendation and approved Clause 19 (1), (2), (3), (4) and (5) thereof.

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

12. Adjournment:

That this House do now adjourn till Wednesday, 12 May, 2004 at 2.00 p.m. (*Hon. Abdul Ningi*).

Adjourned accordingly at 2.15 p.m.

Austin A. Opara
Deputy Speaker