



HOUSE OF REPRESENTATIVES FEDERAL REPUBLIC OF NIGERIA

VOTES AND PROCEEDINGS

Wednesday, 12 May, 2004

1. The House met at 2:25 p.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 Tuesday, 11 May, 2004.

By unanimous consent, the Votes and Proceedings were adopted.

3. Petitions:

(i) Dismissal from the Nigerian Army: Mr Chukwu Nwite:

Hon. Aroh Ensebius Aroh presented a petition on behalf of Mr Chukwu Nwite of the Nigerian Army. The petitioner admitted that he accidentally fired a gun shot which led to the loss of a bullet and his consequent dismissal. He considered his punishment as harsh and prayed the House to intervene with a view to reinstating him.

(ii) Murder of Mr Emmanuel Nwankwo: Nanka Patriotic Union, Lagos Branch:

Hon. Nedu O. Ogochukwu presented a petition on behalf of Nanka Patriotic Union, Lagos Branch. The petitioners alleged that a member of their Union, Mr Emmanuel Nwankwo was murdered on Sunday, 11 January, 2004 by a Security Guard and prayed the House to investigate the circumstances surrounding the death of the deceased with a view to ensuring that the suspect was prosecuted.

Petitions referred to the Committee on Public Petitions.

4. Presentation of a Bill:

Revenue Allocation to Local Governments and Area Councils (Federation Account, etc.) Bill, 2004 — Read First Time.

5. Consideration of Reports:

- (i) 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 (Committee of Whole):

Deferred by Order.

- (ii) A Bill for an Act to Amend the Electoral Act, 2002 and for Purposes Connected Therewith, 2004 (Committee of Whole):

Deferred by Order.

(iii) **Committees on Appropriations and F.C.T. (Joint Referral):**

Motion made and Question proposed: "That this House do consider 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 and approve the recommendation therein" (Hon. Philip Aduda).

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 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

Debate:

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 Appropriations and Federal Capital Territory and observed the absence of a breakdown of the various Heads and items of expenditure in the Bill as well as the Ministry's revenue profile. It ordered the Joint Committee to rework the Bill to include the above details.

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

6. 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

Committee Recommendation:**Clause 20: Deduction of contribution from monthly allocation in case of default.**

- (1) Where an employer defaults in remitting its contributions and that of its employees, the Board shall issue a certificate of non-compliance and cause same to be served on the employer and the Accountant-General of the Federation.
- (2) The certificate shall state the period in which the employer has been in default and the amount due from the employer in respect of contributions by either the employer or the employee or in respect of both the employer and the employee.
- (3) Upon receipt of his own copy of the certificate issued pursuant to Subsection (1) of this section, the Accountant-General of the Federation shall promptly deduct an amount equivalent to the unpaid contributions specified in the certificate.
- (4) The amount deducted pursuant to Subsection (3) of this section shall be promptly paid to the Board and the Board shall accordingly credit the account of the relevant Fund.
- (5) The certificate issued by the Board shall without further assurance be sufficient authority for the Accountant-General of the Federation to make the deductions hereby authorised. *(Hon. Abubakar Momoh) — Agreed to.*

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

Committee Recommendation:**Clause 21: Opening of retirement accounts for existing employees.**

- (1) As from the commencement of this Act, every employee in the public service of the Federation shall be issued with a retirement account into which shall be credited the contribution of an employee and that of his employer.
- (2) The Fund created for the arm of the public service to which an employee mentioned in Subsection (1) of this section belongs shall issue the employee with a retirement account in accordance with the provisions of Section 19 of this Act. *(Hon. Abubakar Momoh) — Agreed to.*

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

Committee Recommendation:**Clause 22: Transfer from one employment to another.**

- (1) Where an employee transfers his service or employment from one employer or organisation to another, the employer shall, at the request of the employee, transfer the accrued benefits of the employee to the new employment.
- (2) An officer who served in the Federal or State or Local Government and any scheduled parastatals may transfer his service with his accrued benefits to any tier of Government without losing continuity of service. *(Hon. Abubakar Momoh) — Agreed to.*

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

SUB-PART C—FEDERAL PUBLIC SERVICE PENSIONS BOARD

Committee Recommendation:**Clause 23: Establishment and membership of the Federal Public Service Pensions Board.**

- (1) There is hereby established the Federal Public Service Pensions Board (in this Part referred to as "the Board" which shall consist of—
 - a Chairman, who shall be a retired public servant not below the rank of a Federal Permanent Secretary or its equivalent;
 - a representative each of the following—
 - (i) the Head of Civil Service of the Federation,

- (ii) the Federal Ministry of Finance,
 - (iii) the Federal Ministry of Justice,
 - (iv) the Federal Ministry of Employment, Labour and Productivity,
 - (v) the Nigerian Armed Forces,
 - (vi) the Nigeria Police Force,
 - (vii) the Nigerian Customs, Immigration and Prison Services,
 - (viii) the Nigerian Union of Pensioners,
 - (ix) the Public Service Negotiating Council,
 - (x) the Nigeria Labour Congress,
- (c) four permanent members to be appointed by the President, one of whom shall be a woman; and
- (d) the Secretary to the Board who shall be a public servant not below the rank of a Director in the public service (*Hon. Abubakar Momoh*) — *Agreed to.*

Question that the provisions in Clause 23 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 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 approved Clauses 20, 21, 22, 23 and adjourned consideration of Clause 24 to enable the Chairman of the *Ad-Hoc* Committee further explain Clause 24 (g) of the Bill.

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

7. Adjournment:

That this House do now adjourn till Thursday, 13 May, 2004 at 10.00 a.m. (*Hon. Abdul Ningi*).

Adjourned accordingly at 4.10 p.m.

Austin A. Opara
Deputy Speaker