

HOUSE OF REPRESENTATIVES
FEDERAL REPUBLIC OF NIGERIA

Wednesday, 18th November, 2009

The House met at 11.50 a.m.

PRAYERS

(The Speaker in the Chair)

The Speaker: The House is called to Order. Let me apologise on behalf of the Printing Division. Our papers were not ready until ten to fifteen minutes ago.

The Hon. Chairman of the Committee on Rules and Business was running up and down to make sure that the papers were ready this morning. Probably they were not informed that we were going to take Plenary this morning. They were still preparing for afternoon; that was why the papers were late.

VOTES AND PROCEEDINGS

The Speaker: My dear Colleagues, I have examined and approved the Votes and Proceedings of Tuesday, 17th November, 2009.

**MESSAGE FROM THE PRESIDENT
OF THE FEDERAL REPUBLIC OF NIGERIA**

The President: Hon. Colleagues, I have a message from the President of the Federal Republic of Nigeria. It reads:

16th November 2009

*The Rt. Honourable Dimeji Bankole, CFR,
Speaker of the House of Representatives,
National Assembly Complex,
Three Arms Zone,
Abuja.
Dear brother,*

**Forwarding of a Draft Bill for an Act to Establish the
National Land Reform Commission and for the
Related Matters**

I forward herewith for your kind consideration and passage into law a Bill for an Act to Establish the National Land Reform Commission and for Related Matters.

It is my hope that this Bill will receive the usual expeditious consideration of the hon. Members.

Please accept, Mr. Speaker, the assurances of my highest consideration.

Yours sincerely,

(Signed)
UMARU MUSA YAR'ADUA
PRESIDENT

**Visit of Staff and Students of Jehovah Jireh
International College**

And

**Staff and Pupils of God's Anointed
Nursery/Primary School**

The Speaker: Hon. Colleagues, we have in the Gallery, Staff and Students of Jehovah Jireh International College, Taraba State and God's Anointed Nursery/Primary School, Nyanya, Abuja.

(Staff and Students of both educational institutions stood up for recognition)

**National Association of Public Administration
Students**

We also have in the Gallery members of the National Association of Public Administration Students, Kogi State University, Ayingba, Kogi State.

(Members of the Association stood up for recognition)

Albino Foundation of Nigeria

The Speaker: We also have in the Gallery Members of the Albino Foundation of Nigeria.

(Members of the Association stood up for recognition)

PRESENTATION OF PUBLIC PETITIONS

The Speaker: Any Member who has a Petition to present to the Floor may, please, rise to do so. (No response)

MATTER OF URGENT PUBLIC IMPORTANCE

Hon Beni Lar (Langtang North/Langtang South): Point of Order, Mr. Speaker!

The Speaker: What is the Point of Order, Hon. Beni Lar?

**Forceful Displacement of some Nigerians
Living in Bakassi Peninsular**

Hon Beni Lar: It is Order VII, Rule 4 of our Standing Orders. I seek your permission to move a Motion of Urgent Public Importance with regard to an article that appeared in *This Day* newspaper of Tuesday, 17th November 2009 about some Nigerians being forced by the Cameroonians forces to flee the Bakassi Peninsula.

I am therefore urging this honourable House to consider this matter as one of Urgent Public Importance.

The Speaker: I will put the question that this matter be considered as one of Urgent Public Importance to be taken at the next Legislative Day.

Question put and agreed to.

Resolved: That this honourable House do consider this matter as one of Urgent Public Importance to be taken at the next Legislative Day.

Hon. John Halims O. Agoda (Ethiopia East/Ethiopia West): Point of Order, Mr. Speaker!

The Speaker: What is the Point of Order, Hon. Halims Agoda?

Hon. Halims Agoda: My Order is Order IX, Rule 9 of our Standing Orders and by your permission I read:

A Member desiring to speak shall raise his hand in his place (which I have done) and if called upon shall stand and address his observations to the Speaker or the Chairman.

We need to keep our records straight. Yesterday, we discussed the issue of the deregulation of the downstream sector. Some of the Print and the Electronic Media reported copiously yesterday that the House has finally agreed on deregulation. I was here yesterday.

If you look at the two resolutions passed by this honourable House yesterday it is not to that effect. This is because the House was still expecting some issues to be resolved, particularly the issue of Amendment of some Acts. With your permission, I will read the two resolutions taken yesterday from the Vote and Proceeding:

- i. *Direct the Ministry of Petroleum Resources and Nigerian National Petroleum Corporation to guard their pronouncements with respect to the deregulation of Petroleum downstream sector to avoid panic buying and hoarding of Petroleum products;*
- ii. *Urge the Ministry of Petroleum Resources and the Nigerian National Petroleum Corporation (NNPC) to sensitise the public with accurate facts and data on the underlying reasons for the proposed deregulation of the Petroleum downstream sector.*

The House passed two resolutions yesterday. If the House is to be reported, it should be reported correctly. I do not know whether the way I appreciate the event that took place and the subsequent relief adopted by the House yesterday is that of my own understanding alone.

I need to bring it up so that we should be reported appropriately. I beg to observe, Sir.

The Speaker: Hon. Chairman, Committee on Rules and Business, please take note of the Order raised by Hon. Halims Agoda.

Hon. Ita Enang (Itu/Ibiono Ibom): Yes, Sir.

Hon Ihiabe Samson Positive (Dekina/Bassa): Point of Order, Mr. Speaker!

The Speaker: What is the Point of Order, Hon. Samson Positive?

Hon Ihiabe Samson Positive: My Order is Order V, Rules 1 and 2 of our Standing Orders at page 10 dealing with Privileges. Mr. Speaker would recall that this House discussed the issue of speed breakers and resolved that they should be removed or modified.

The publication in *This Day* newspaper of 15th November 2009 clearly indicated that the Minister is considering modifying the bumps but practically not as a result of any threat from the House of Representatives or the Senate.

In the second instance, he said that he is more sensitive to the issue of people's lives rather than cars. He equally added that the matter is simply on his table

but it was not directed from anywhere and he is not listening to any voice from anywhere.

My position is very clear. We did not threaten the Minister of FCT. This is why I feel that my privilege is being breached. We simply discussed and resolved. As the only House that has the right of oversight of the FCT, we are simply doing our constitutional duties. We are not insensitive to people's life in taking that decision and I wonder what the Minister meant when he said he would consider people's lives rather than cars. If I have a car and I am driving with some people seated at the back and in front of my car, so long as the car is not safe, I am not safe. I do not know how he could distinguish between cars not safe and saving people's lives.

If you look at page 14 of today's *Daily Trust* because of the flagrant abuse of power; not listening to directives from the Legislative Arm of the Government, which serves as the only body that has the oversight function of the FCT, it is taken by the Public that the Minister does what he likes without acting as directed by the House. There are reports of what the Minister has done on page 14 of this paper and that he is on his own.

The paper also reported that the Minister simply proposed the Bill and that they would start implementing the provisions of the Bill before it is passed. This is a great disrespect to this House; the corporate image of this House must be protected.

In the course of discussing this issue with some of my Colleagues, a Member of the House Committee on FCT informed me that the Minister of FCT came to the Committee and apologised. As a matter of fact, my position on that matter is not a matter of insulting somebody in the marketplace and coming into his bedroom to apologise. If the Minister had made the comment in the public and the Nigerian public has taken it that it is over and above the powers of the Legislature, it means that he has to come back and go to the public through the Media where he has taken us to and rubbished our authority to come and apologise. Let us do what is right at the right time.

The Speaker: Chairman, Committee on FCT you have interacted with the Hon. Minister. What are your conclusions?

Hon Usman Ali. A. Atai (Ankpa/Omala/Olamaboro): Thank you, Mr. Speaker. Arising from what happened on the Floor of this House on Thursday last week when this issue arose in the course of debate, the Committee on FCT and Area Councils and other

Committees invited the Minister. We took him up on the speed breakers which is the subject of today's discussion. He gave explanations that, first of all, he never made any statement in the Press. He said that his enemies were planting stories in the Press to cause problem between him and the National Assembly; I am quoting him.

Secondly, the Minister raised the issue of the House Resolution which he said was officially communicated to him last week and that if the House so ask him to remove the bumps, he is going to remove them immediately.

The Minister came with statistics of the rate of accident in the Federal Capital Territory in the past few months before the bumps were erected and also gave us the statistics of what obtains now. Then he said - and I agree with him - that if the bumps must be removed, we have to put money in the Budget to have them removed because it would cost a lot of money to remove them. This is because the bumps were erected by Oceanic Bank's under its corporate social responsibility. The bank sought permission from the FCT and it was granted as part of the bank's social responsibility.

The Minister said he asked Oceanic Bank management to remove the bumps but the bank in response said in view of its financial crisis, it may not have enough money to remove them immediately.

We are now in the last quarter of the year. Since we appropriate money for whatever happens in the FCT, I would like hon. Members to be patient. It is a question of one month. When we provide the funds, they will remove those bumps.

Hon. Independence Ogunewe (Ahiazu Mbaise/Ezinihite): Mr. Speaker, the only twist I got from the Chairman's presentation is that the Minister is saying that his enemies were planting stories in the newspapers. Otherwise, I would say that the much that has been written in the front-page of newspapers are so damaging to the image of this House that you are privileged to lead. In fact, you must appreciate the fact that any damage to this House, first of all, is on Mr. Speaker and any other Member in this Chamber.

So, it is either we accept the fact that his enemies are doing mischief by paying so much to secure front-page damaging stories in which case we also have to sympathise with him. That means he may have to find a way to carry himself to minimise the level of enmity he is causing for himself. Otherwise we are saying that the Minister should, please, appreciate the fact that we

do not just have power of oversight over FCT, we legislate for it. The Minister was once a Governor and a Senator and I begin to imagine the level of relationship he had with Members of his State House of Assembly.

We are not here to intimidate him or cast aspersions on him person or impugn him. His profile is such a strong one that we all know he is a good Nigerian. For once the Minister should understand that if a Parliament of this standard representing the people of Nigeria would sit and deliberate on an issue and resolutions are taken even if he does not agree with it, he should find a way to get back to us.

The Speaker: Hon. Members of the House of Representatives, I believe that Hon. Atai still needs to sit down with the Minister of FCT and sort things out. You still need to dialogue with him further. Two resolutions have been passed and we need to move on.

Hon. Igochukwu N. Aguma (Port Harcourt I): Point of Order, Mr. Speaker! The Point of Order is Order V, Rule 1 of our Standing Orders dealing with Privileges. Because of the peculiar nature of what I want to introduce, I want to rely on Order 1, Rule 1(a) and (b) which states *inter alia*:

- (a) *The Proceedings in the House of Representatives and in all Committees of the House shall be conducted in accordance with these Standing Orders.*
- (b) *In all cases not provided for hereinafter or by Sessional or other Orders or practice of the House the House shall be resolution regulate its procedure.*

I also want to rely copiously on Part 1, Section 1 of the Constitution. It says:

The Constitution is supreme and its provisions shall be binding on all authorities and persons throughout the Federal Republic of Nigeria.

I will therefore go to the particular matter that breaches the privilege of the National Assembly which is Part 2, Section 5. Section 5(1)(a) and (b) states:

Subject to the provisions of this Constitutions the Executive powers of the Federation -

- (a) *Shall be vested in the President and may as aforesaid and to the provisions of any law made by the National Assembly be exercised by him either directly or*

through the Vice President and Ministers of the Government of the Federation or other offices in the Public Service of the Federation; and

- (b) *shall extend to the execution and maintenance of this Constitution all laws made by the National Assembly and to all matter with respect to which the National Assembly has for the time being powers to make law.*

What is the privilege? Let me refer this honourable House to the Public Procurement Act as serialised today by the same agency on the pages of newspaper. I refer to page 43 of today's *This Day* Volume 14, No. 5323. The Public Procurement Act states:

Part 1 – Establishment of National Council on Public Procurement

*There is established the National Council on Public Procurement in this Act referred to as **the Council.***

I want to state that the statutory Members of this Council include the Minister of Finance as Chairman. Also included are members of the Nigerian Society of Engineers, the Civil Society, the Media, the Nigerian Institute of Purchasing and Supply Management, the Nigerian Bar Association and the Nigerian Association of Chambers of Commerce, Industry, Mines and Agriculture. Apart from making regulations on how public procurement will go on in accordance with the law, the Council has a very prominent function to perform in choosing the headship of the Bureau.

I will also refer this honourable House to Section 7 of the Act. It says: *There shall be for the Bureau a Director General who shall be appointed by the President on the recommendation of the Council after competitive selection process.*

Mr. Speaker, as I speak to you today, we do not have a Council in place. We have an Acting Director-General; he has been acting for three years. The Act does not recognise or pre-empt or envisage an acting Director General.

What is the consequence of this? The Due Process in Procurement starts on the Floor of this House. When we do the medium term expenditure framework through the submission of the budget, the Appropriation Act is enacted and then the various ministries, departments and agencies go ahead to

qualify and carry out all provisions of this Act only to submit it to an illegally constituted body.

You cannot build something on nothing. They have gone ahead and serialised this. Now this Act which many people say has been scarce; everybody knows it. Let us just think of one consequence where somebody who may have failed genuinely and then the good intentions of the Public Procurement Act and its administrators as it is constituted today go ahead and do what is their duty, then the person goes to court.

We have also moved and passed a Motion in this honourable House asking Mr. President to constitute the Council. Otherwise, I would have come by way of Motion. There is no time other than tomorrow where Mr. President is coming to lay before this august Assembly his budget. We should call on Mr. President to stop trampling on the privileges of the Parliament and obey the law as he swore to on the Constitution to obey and constitute the Council and then properly get an appropriate Director General which might still be the current Director General because of his CV and what he has been doing but let things be done properly.

He who must come to Equity must come with clean hands.

Hon. Daniel Dino Melaye (Kabba/Bunu/Ijumu): Mr. Speaker, hon. Colleagues, I draw inspiration from Order VIII, Rule 4 of our Standing Orders. I ask for your permission to start my presentation by reading from the Debt Management (Establishment) Act 2003 as passed by this honourable House.

Section 21(1) of the Act says:

No external loan shall be approved or obtained by the Minister unless the terms and conditions have been laid before the National Assembly and approved by resolution.

Part 8, Section 23 of the Act says: *The Minister, that is, the Minister of Finance, shall not guarantee an external loan unless the term and condition of the said loan have been laid before the National Assembly and approved by its resolution.*

Mr. Speaker, on Wednesday last week the Federal Executive Council ratified the loan of US\$300 million from the International Development Association, that is, the World Bank to be injected in the Power sector.

The meeting took place between 11th and 13th of May 2009. In attendance was the Federal Ministry of Finance, the Federal Ministry of Justice, Federal Ministry of Power, the Power Holding of Nigeria, the

Debt Management Office were in attendance to negotiate for this loan.

The x, y, z of it is that a recommendation was made to the President and the President authorised the acceptance of Nigeria to the World Bank on 11th May. On 16th of June the World Bank Executive met and accepted as proposed by the Federal Republic of Nigeria.

On Wednesday last week the Federal Executive Council directed the Minister of Finance to implement the agreement between the World Bank and the Federal Republic of Nigeria. The powers of the National Assembly as specifically conferred on the House of Representatives are sacrosanct as regards public finance.

We have not been notified as a House. I want to tell you that this secret loan brokers and obvious end-users did not consult with the National Assembly and have obviously misadvised Mr. President. Mr. President we know is the apostle of the rule of law and the Attorney General of the Federal and Minister of Justice who is a Senior Advocate of Nigeria who should know better was in attendance and this loan has been signed and sealed and an agreement has been made and the National Assembly has been neglected.

When Mr. President wanted to give a US\$30 million loan to Sao Tome and Principe, he wrote to this honourable House for our approval and I could recall we sat here and approved it. When it was time for the disbursement of the loan, we were not consulted. Negotiations took place in May; the President wrote in May; acceptance was given in June and on Wednesday last week the Federal Executive Council ratified this loan without a word to the National Assembly. This is a flagrant disregard of the powers of the Parliament and in the era of the rule of law, we should not even be talking about the necessity of the loan because a few years ago, Nigeria celebrated with pomp and pageantry our exit from the highly indebted nations of the world.

Before we go into the meat of this presentation this morning, I seek the indulgence of this House that we take this matter as one of Urgent Public Importance and take it on the next legislative day.

Hon. Ita Enang (Itu/Ibiono Ibom): I have observed the House, Mr. Speaker. I will simply draw attention of the House to the issues and the decision is for the House to take and agree if it is the same thing.

On 27th July, 2009 Mr. President wrote a letter to this House forwarding a request for Emergency

Supplementary Expenditure and Modification of Financing items. In that letter, he had requested for approval to incur World Bank loan of US\$500 million.

This House did approve the Supplementary Expenditure but has not yet endorsed the approval to take a loan of US\$500 million.

When the matter was raised yesterday, I had drawn the attention of the House and my brother that a Motion is going to stand in the name of the Leader in respect of this matter on the Order Paper today and it was listed in the Notice Paper. As it is, if he is talking about a loan other than this, I have no objection. I just want to draw attention that there is a matter like this and if his matter relates to a loan other than this on the Order Paper, I have no objection.

The Speaker: Hon. Ita Enang, I asked you and Hon. Dino Melaye to confer after sitting yesterday whether or not it was the same loan or otherwise. I am asking you; is it the same loan or a different loan?

Hon Ita Enang: I conferred with Hon. Melaye and I asked him of particulars of this other loan other than what is published in the papers. He said he does not have any and I drew his attention to this and even about five minutes ago, I walked up to him on his seat and he said he had taken leave to move and he would still move.

In all, I surrender this to the discretion of the House.

The Speaker: So you cannot say for sure whether it is the same loan or not?

Hon. Ita Enang: I am drawing the attention of the House to the paper pending on the Floor of the House.

The Speaker: Before I call on the Point of Order raised by the Minority Leader, Hon. Dino Melaye, did you confer with Hon. Ita Enang yesterday and if you did, what was the conclusion?

Hon. Dino Melaye: Speaking with every sincerity of purpose of heart and commitment except you want me to invoke the name of God to add some bony seriousness, immediately the House adjourned yesterday, I approached Hon. Ita Enang in the Chamber and told him that the US\$500 million is different from US\$300 million; he is a lawyer. I said to him; I have gone through the Supplementary Appropriation Bill Mr. President sent to the House. In that Bill, Mr. President had specified what that US\$500 million is to be used for. This US\$300 million is to be used for the

Power sector and, therefore, they are two different things. Even if they were to be the same, already implementation is from 24th November, 2009 to 23rd November, 2014 and it has already been ratified.

What he is bringing, even if it were the same thing, does not require our approval because you cannot be talking of drugs over a dead patient. I am saying in emphatic terms that they are two different subject matters. The difference between US\$300 million and US\$500 million is like the difference between man and woman.

The Speaker: Before I call on the Leader of Minority, let us hear from the Deputy Chairman of Committee on Loans.

Hon. Friday Itulah (Esan North East/South East): I thank Hon. Dino Melaye for bringing this matter before us. I also want to say that apart from the eloquence with which he made his submission, there is no document whatsoever to show that what he has said is either in process or is in place.

We are aware that there is a Motion pending on the Floor of the House. The Presidency is asking this House to ratify the sum of US\$500 million which is higher than US\$300 million dollars. If the Presidency deems it necessary to seek the ratification of the House for US\$500 million, why would it hesitate to ask for same in respect of the US\$300 million loan? I have a strong feeling that the issue that Hon. Melaye has referred to is part of this money. That is very clear and besides, if you look at the text of this Motion before us, it also made reference to the Power sector where this money that is being sought would be utilised.

I believe the best thing to do before you put the question is to seek further clarification because once you put the question on this issue and it becomes a matter of urgent public importance, the damage would have been done. I crave the indulgence of Mr. Speaker to seek clarification on what he has said so that this matter can come up later on.

The Speaker: We will get to the bottom of this. Let us hear from the Deputy Chairman of the Committee on Finance.

Hon. Leonard W. W. Dilkon (Pankshin/Kanke/Kanam): We as a Committee are not aware of any US\$300 million for the Power sector but we are aware of US\$500 million loan which is here. If you look at the Motion, it says:

Further aware that the World Bank loan if approved would address core infrastructural

development in the Power, Works, Transport and Aviation Sectors.

We cannot say no or yes but if you look at this Motion, it is part of this but we would still invite the Minister of Finance to ask further questions.

Hon. Abdul Ahmed Ningi (Ningi/Warji): Mr. Speaker, to my dismay, I have noticed a very dangerous precedence in this House. Where a Member raises a matter of Privilege in this House, it is incumbent on the Member to furnish us with the relevant information thereto since Members may not have any information about it.

It is therefore necessary that if a Member raises a matter about the behaviour or dealings of the Executive unless he has an explanation to the issue raised he should not, please, attempt to muddle up the Proceedings. Now, what do you do? A Member has raised an objection on this matter. We are unable to actually comprehend and appreciate the US\$500 and US\$300 million. The matter need not be debated unless a Member has a satisfactory explanation.

If Mr. Speaker rules that the matter be stood down and then ask the appropriate Committees to give us an explanation by tomorrow, we would save ourselves the embarrassment and give opportunity for those people who brought these things to us to look at it again. We do not start looking for answers where there are none. We are not Ministers; we are Members of Parliament.

I suggest that we ask an appropriate Committee(s) to get to the root of this matter and report back to the House by tomorrow including his procurement matter.

The Speaker: Yesterday when this matter came up, I asked the mover of the Order and the contesting Chairman of the Committee on Rules and Business to confer and get to the root of the matter. They have disagreed. That is why I allowed contribution from the Deputy Chairman of Debt Management Committee and that of the Finance Committee but they have not shed enough light on this matter.

However, my advice is that we should give it a second thought as the former Leader of the House said while the Chairmen of the Committees on Debt, Finance, Appropriation and Rules and Business sit down and find out what is truly going on. The mover of the Motion should equally join these Committees to find out and inform the House of the conclusions on the next legislative day.

With respect to Hon. Igo Agoma's Point of Order, I ruled on it in favour of what he has said. We expect the Committee on Procurement to begin to take action on that ruling immediately.

Hon. Mohammed Ali Ndume (Damboa/Gwoza/Chibok): Point of Order Mr. Speaker!

The Speaker: What is the Point of Order, Minority Leader?

Hon. Mohammed Ali Ndume: My Point of Order is Order V, Rule 1 of our Standing Order at page 9. It reads:

Privileges are the rights enjoyed by the House collectively and by the Members of the House individually conferred by the Legislative Houses (Powers and Privileges) Act, 2004 and other statutes, practices, precedents, usages and customs.

I would also like to refer my Colleagues to Part II, Section 4(1) of the Constitution of the Federal Republic of Nigeria, 1999 dealing with Legislative powers of the Federal Republic of Nigeria. It says:

The Legislative powers of the Federal Republic of Nigeria shall be vested in the National Assembly for the Federation which shall consist of a Senate and Houses of Representatives.

Section 7 of the Second Schedule to the Constitution which deals with the Exclusive Legislative List says: *Borrowing of monies within or outside Nigeria for the purposes of the Federation or of any State.*

The Speaker: My dear Leader, are you referring to the issue that we have just ruled on?

Hon. Mohammed A. Ndume: No, Mr. Speaker.

The Speaker: Which is the one that you are referring to?

Hon. Mohammed Ali Ndume: In addition to that; let me conclude so that you can rule me out of Order.

The Speaker: Hon. Ndume, you are a Minority Leader of this House and you have all the opportunities but we need to know what you are referring to?

Hon. Mohammed A. Ndume: What I am referring to is still on the rights and privileges of this honourable House.

The Speaker: Yes, we know but which particular item?

Hon. Mohammed A. Ndume: The rights and privileges of this Honourable House, which is consistently being negated and trampled on

The Speaker: My Leader, we have just ruled on that.

PRESENTATION OF REPORTS

Report of the Joint Committee on Appropriations and Finance

The Speaker: The next Business of the Day is Presentation of the Report of the Joint Committee on Appropriations and Finance on a Bill for an Act to authorise the issue from the Consolidated Revenue Fund of the Federation the total sum of ₦352,850,000,000 (Three Hundred and Fifty-Two Billion, Eight Hundred and Fifty Million Naira) only for which ₦96,300,000,000 (Ninety-Six Billion, Three Hundred Million Naira) only is for additional Recurrent (Non-Debt) Expenditure while the balance of ₦256,550,000,000 (Two Hundred and Fifty-Six Billion, Five Hundred and Fifty Million Naira) only is for contribution to the Development Fund for additional Capital Expenditure for the year ending on the 31st day of December, 2009 standing in the name of Hon. Ayo Adeseun.

The Bill was referred to the Committee on 12th September, 2009. The Report is now ready for presentation. Hon. Adeseun is invited to present the Report.

Hon. Ayoade Ademola Adeseun (Ogo Oluwa/Surulere Oluyole): Mr. Speaker, I move that this House do receive the Report of the Joint Committee on Appropriations and Finance on a Bill for an Act to authorise the issue from the Consolidated Revenue Fund of the Federation the total sum of ₦352,850,000,000 (Three Hundred and Fifty-Two Billion, Eight Hundred and Fifty Million Naira) only for which ₦96,300,000,000 (Ninety-Six Billion, Three Hundred Million Naira) only is for additional Recurrent (Non-Debt) Expenditure while the balance of ₦256,550,000,000 (Two Hundred and Fifty-Six Billion, Five Hundred and Fifty Million Naira) only is for contribution to the Development Fund for additional Capital Expenditure for the year ending on

the 31st day of December, 2009 (Supplementary Appropriation Bill, 2009).

I so move.

Mr. John Kalipa (Okrika/Ogu/Bolo): I rise to second the Motion as moved by the House Committee Chairman on Appropriation, Hon. Ayoade Ademola Adeseun.

Question put and agreed to.

Report laid.

Report of the Joint Committee on Police Affairs and National Security and Intelligence on the Grave Security Situation in Anambra State

The Speaker: The next Order of the Day is the presentation of the Report of the Joint Committee on Police Affairs and National Security and Intelligence on the Grave Security Situation in Anambra State standing in the name of Hon. Abdul Ningi.

Members would recall that on Wednesday, 22nd July, 2009 the House in a resolution mandated the Joint Committee to meet with the Inspector General of Police and the Director General, State Security Service and come up with immediate and appropriate extraordinary and emergency measures that would guarantee public safety and public order in Anambra State and report to the House. The report is ready.

Hon. Ningi is invited to present the Report, please?

Hon. Abdul A. Ningi (Ningi/Warji): Rt. Hon. Speaker, hon. Colleagues, I move that this honourable House do receive the Report of the Joint Committee on Police Affairs and National Security and Intelligence on the Grave Security Situation in Anambra State.

Hon. John Halims Agoda (Ethiope East/Ethiope West): May I humbly second the Motion.

Question put and agreed to.

Report laid.

MOTION

Approval of \$500 Million Loan in Accordance with Debt Management Office Act, 2003

The Speaker: My dear Colleagues, the next Order of the Day is a Motion on the approval of \$500 million loan in accordance with Debt Management

Office Act, 2003 standing in the name of the House Leader, Hon. Tunde Akogun.

However, I will invite the Chief Whip to move the Motion.

Hon. Emeka Nkem Ihedioha (Aboh Mbaize/Ngor Okpala): Mr. Speaker, hon. Colleagues, I move that the House do consider the Motion. The House:

Notes that Mr. President in his letter dated 27th July, 2009 requested the House to endorse the Emergency Supplementary Expenditure to effectively respond to current challenges;

Recall that 2009 Appropriation Act inadvertently omitted or insufficiently provided for certain items;

Aware that the Supplementary budget would be funded from Special concessional facilities from the World Bank;

Appreciates that the concessionary terms for the World Bank facility include zero interest rate, 0.75 *per cent* for service charge, 0.5 *per cent* commitment charge on undisbursed balance, 10 years grace period and 40 year repayment period, among others;

Further aware that the World Bank Loan if approved would address core infrastructural development in Power, Works, Transport and Aviation Sectors;

Resolves to:

- (i) Approve the request of Mr. President in the equivalent amount of \$500 million as loan from the World Bank;
- (ii) Further approve from the World Bank Account the distribution of the Federal Government's share of the Excess Crude disbursed earlier this year amounting to ₦98,873 billion or such other as at today.

I so move.

Hon. Ita Enang: Mr. Speaker, I do second the Motion as moved.

The Speaker: There are some observations that need to be attended to.

Hon. Leonard Okuweh Ogor (Isoko North/Isoko

South): I support this Motion *in toto* but my observation is the second prayer. The second prayer states very clearly here and I quote:

Further approve from the World Bank Account the distribution of the Federal Government's share of the Excess Crude disbursed earlier this year amounting to ₦98,873 billion or such other as at today.

This is a totally different issue from the body of the Motion.

Order IX, Rule 1(4) of our Standing Orders says:

A member must confine his contribution to the subject matter under discussion and may not introduce matters irrelevant there to.

I also want us to be guided by the provisions of Section 162 of the Constitution in respect of us as Parliament. I will not disagree with us in approving anything that definitely will keep the business of government going but let us be very clear. As Parliament when we start using some words like *Excess Crude*, which we know definitely well that is a clear violation of Section 162 of the 1999 Constitution, we would be indirectly giving credence to illegal words. I know that this fund is coming from the Consolidated Account of the Federation but I would not want us to start putting words of this nature in our Motions.

I would appeal that we can definitely take this particular matter under a different Sub-Head and approve the US\$500 million.

The Speaker: Are you suggesting an Amendment?

Hon. Leonard O. Ogor: I am only raising an observation in respect of this particular issue.

The Speaker: It is all right. Hon. Chairman, Committee on Rules and Business, what is your comment on this?

Hon. Ita Enang: Mr. Speaker, we want to really apologise that there is a mix-up in the words there. The appropriate prayer there is: *That the House do further approve the distribution of the Federal Government's share of the Excess Crude Fund disbursed earlier this year amounting to ₦98.873 billion or such other sum as at today.*

That is because the letter from Mr. President in our Votes and Proceedings on Paragraph 7 reads as follows:

In order to address the dwindling revenue and further bridge financial gap, we propose to utilise the gains accrued from the exchange rate differential between the budgeted exchange rate of this and that and the actual exchange rate during the year.

As at the end of June, this amounted to ~~₦~~98.873 billion. In addition, we are seeking formal endorsement of the National Assembly to utilise the balance of the Federal Government share of the Excess Crude distributed earlier this year which amounts to ~~₦~~53.9 billion.

The Speaker: What is the suggested amendment?

Hon. Leonard O. Ogor: The suggested amendment should read very clearly that:

Further approve the disbursement of the Federal Government share distributed earlier this year amounting to ~~₦~~98.873 billion or such other as at today.

The Speaker: Is any Member seconding that Amendment?

Hon. Ita Enang: I beg to second.

Amendment put and agreed to.

Hon. Sani Sale Minjibir (Minjibir/Ungogo): Mr. Speaker, without going into any unnecessary semantics, I believe that the issue that is before us now is the same issue we discussed earlier and we agreed that the various parties involved should sit down, articulate a position, come back and inform the House so that we can be rightly guided. I do not know why we are discussing it now.

The Speaker: Why we are also discussing it is that it was paramount that initially as far back as July this was brought to the House and it has not been endorsed. We also know that the FEC approval for US\$300 million was given just last week. By the time they sit down, if there is any difference, we would then take the appropriate action but as regards what has been given to us to address, we need to move ahead.

Main Question as amended, put and agreed to.

The House:

Noted that Mr. President in his letter dated 27th July, 2009 requested the House to endorse the Emergency Supplementary Expenditure to effectively respond to current challenges;

Recalled that 2009 Appropriation Act inadvertently omitted or insufficiently provided for certain items;

Aware that the Supplementary Budget would be funded from a Special concessional facilities from the World Bank;

Appreciated that the concessionary terms for the World Bank facility include zero interest rate, 0.75 per cent for service charge, 0.5 per cent commitment charge on undisbursed balance, 10 years grace period and 40 year repayment period, among others;

Further aware that the World Bank Loan if approved would address core infrastructural development in Power, Works, Transport and Aviation Sectors;

Resolved to:

- (i) Approve the request of Mr. President in the equivalent amount of \$500 million as Loan from the World Bank;
- (ii) Further approve the distribution of the Federal Government's share disbursed earlier this year amounting to ~~₦~~98,873 billion or such other as at today.

Rescission: Order 6 (6) Re: Public Procurement (Amendment) Act

Order 1, Rule 2, Standing Orders of the House of Representatives:

The Speaker: The next Order of the Day is a Motion for Rescission coming under Order I, Rule 2 and Order IX, Rule 6 of the Standing Orders of the House of Representatives standing in the name of Hon. Ita Enang.

Hon. Ita Enang is invited to move his Motion.

Hon. Ita Enang: Mr. Speaker, I come under the inherent jurisdiction of this House and I come under Order I, Rule 2 and Order IX, Rule 6 of the Standing Orders of this House. Order I, Rule 2 says:

In all cases not provided for hereinafter, or by Sessional or other Orders or practice of the

House, the House shall by resolution regulate its procedure.

I therefore move that:

Whereas the House, upon Conference with the Senate, did pass the harmonised version of the Public Procurement Act (Amendment) Bill 2009;

Whereas upon passage, a cursory reading revealed lacuna, and possible conflict between the Principal Act sought to be amended and the harmonised Amendment Bill itself, particularly Section 35(1) of the Amendment Bill;

Whereas it is expedient that this Bill be re-called and recommitted for re-consideration to eliminate the apparent conflict to save time of possible Amendment after Mr. President's assent or avoid possible withholding of assent by Mr. President;

It is therefore moved and be it resolved as follows:

- (a) that the House do recall and re-commit the Bill, Public Procurement (Amendment) Bill, 2009 (HB. 87) for re-consideration;
- (b) that the House do agree to amend the clause of the said Bill in the manner set out hereafter, to wit:

In addition to any other regulation as may be prescribed by the Bureau, a Mobilization fee of an amount which in the opinion of the procuring entity is reasonably sufficient for expeditious execution of the works or services may be paid to a supplier or contractor supported by requisite performance bond from a reputable bank.

Mr. Speaker, I move that the House do recommit and agree on this Amendment and when seconded, I shall provide further insight with the leave of the House.

Hon Ike Chinwo (Obio/Akpor): I rise to second the Motion as moved by Hon. Ita Enang.

Question put and agreed to.

Main Question put and agreed to.

Whereas the House, upon Conference with the Senate, did pass the harmonised version of the Public Procurement Act (Amendment) Bill 2009;

Whereas upon passage, a cursory reading revealed lacuna, and possible conflict between the Principal Act sought to be amended and the harmonised Amendment Bill itself, particularly Section 35(1) of the Amendment Bill;

Whereas it is expedient that this Bill be re-called and recommitted for re-consideration of the said Bill to eliminate the apparent conflict to save time of possible amendment after Mr. President's assent, or avoid possible withholding of assent by Mr. President;

Be it resolved:

- (i) that the House do recall and re-commit the Bill, Public Procurement (Amendment) Bill, 2009 (HB. 87) for re-consideration;
- (ii) that the House do agree to amend the clause of the said Bill in the manner set out hereafter, to wit.

In addition to any other regulation as may be prescribed by the Bureau, a Mobilization fee of an amount which in the opinion of the procuring entity is reasonably sufficient for expeditious execution of the works or services may be paid to a supplier or contractor supported by requisite performance bond from a reputable bank.

CONSIDERATION OF REPORTS Report of the Joint Committee on Appropriations and Finance

The Speaker: The next Order of the Day is consideration of the Report of the Joint Committee on Appropriations and Finance on a Bill for an Act to authorise the issue from the Consolidated Revenue Fund of the Federation the total sum of ₦353,600,000,000 (Three Hundred and Fifty-Three Billion, Six Hundred Million Naira) only of which ₦100,050,000,000 (One Hundred Billion, Fifty Million Naira) only is for additional Recurrent (Non-Debt) Expenditure while the balance of ₦253,550,000,000 (Two Hundred and Fifty-Three Billion Five Hundred and Fifty Million Naira) only is for contribution to the Development Fund for additional Capital Expenditure for the year ending on the 31st day of March, 2010.

Hon. Ayoade, can you move for the consideration of the Report, please?

Hon Ayoade Ademola Adeseun: I move that this House do consider the Report of the Joint

Committee on Appropriations and Finance on a Bill for an Act to authorise the issue from the Consolidated Revenue Fund of the Federation the total sum of ₦353,600,000,000 (Three Hundred and Fifty-Three Billion, Six Hundred Million Naira) only of which ₦100,050,000,000 (One Hundred Billion, Fifty Million Naira) only is for additional Recurrent (Non-Debt) Expenditure while the balance of ₦253,550,000,000 (Two Hundred and Fifty-Three Billion Five Hundred and Fifty Million Naira) only is for contribution to the Development Fund for additional Capital Expenditure for the year ending on the 31st day of March, 2010 and approve the Recommendations therein.

I so move.

Hon Leonard Okuweh Ogor (Isoko North/Isoko South): With due respect and humility, I second the Motion ably moved by the Chairman, Committee on Appropriations and Finance.

Question put and agreed to.

Resolved: That the House do consider the Report of the Joint Committee on Appropriations and Finance on a Bill for an Act to authorise the issue from the Consolidated Revenue Fund of the Federation the total sum of ₦353,600,000,000 (Three Hundred and Fifty-Three Billion, Six Hundred Million Naira) only of which ₦100,050,000,000 (One Hundred Billion, Fifty Million Naira) only is for additional Recurrent (Non-Debt) Expenditure while the balance of ₦253,550,000,000 (Two Hundred and Fifty-Three Billion Five Hundred and Fifty Million Naira) only is for contribution to the Development Fund for additional Capital Expenditure for the year ending on the 31st day of March, 2010 and approve Recommendations therein.

The Speaker: Chairman, Committee on Rules Business Committee, let us take another Report so that the Whip can now move for us to move into Committee of the Whole.

Hon. Ita Enang: Yes, Mr. Speaker.

The Speaker: Could you consult quickly with the Deputy Speaker before I move on.

(Hon. Ita Enang confers with the Deputy Speaker)

Report of the Joint Committee on Gas Resources and Justice on a Bill for an Act to Amend the Associated Gas Re-Injection Act No. 99 of 1979 Cap A.25 Laws of the Federation of Nigeria 2004, 2008 (HB. 112)

The Speaker: The next Order is the consideration of the Report of the Joint Committee on Gas Resources and Justice on a Bill for an Act to Amend the Associated Gas Re-Injection Act No. 99 of 1979 Cap A.25 Laws of the Federation of Nigeria 2004, 2008. The Report was referred to the Committee on Tuesday, 29th July, 2008.

Hon. Igochukwu Aguma is invited to move for the consideration of the Report.

Hon Igochukwu N. Aguma (Port Harcourt I): I move that this House do consider the Report of the Joint Committee on Gas Resources and Justice on the Bill of an Act to Amend the Associated Gas Re-Injection Act No. 99 of 1979 Cap A 25 Laws of the Federation of Nigeria 2004, 2008.

Hon. Bernard Ambrose Udoh (Ikot Abasi/Mkpat Enin/Eastern Obolo): I rise to second the Motion as moved by Hon. Igochukwu Aguma.

Question put and agreed to.

Resolved: That the House do consider the Report of the Joint Committee on Gas Resources and Justice on a Bill for an Act to Amend the Associated Gas Re-Injection Act No. 99 of 1979 Cap A.25 Laws of the Federation of Nigeria 2004, 2008.

The Speaker: What about Hon. Leonard Okuweh Ogor's Report? Is he ready for it?

Hon. Ita Enang: Mr. Speaker, in view of the time limit, may we take just one.

The Speaker: But we have enough time.

Hon. Ita Enang: We may then take the second report as well.

Report of the Joint Committee on Governmental Affairs and Justice on a Bill for an Act to Establish Senior Citizen's Centre in the Country

The Speaker: Hon. Colleagues, the next Order is the Consideration of the Report of the Joint Committee on Governmental Affairs and Justice on a Bill for an Act to Establish Senior Citizen's Centre in the country to cater for the needs of our Senior Citizens and for Other Matters Connected Therewith, 2008. The Report was laid on Tuesday, 3rd November, 2009.

I call on Hon. Leo Ogor to move for the consideration of the Report.

Hon Leonard O. Ogor: I move that this House do consider the Report of the Joint Committee on Governmental Affairs and Justice on a Bill for an Act to Establish Senior Citizen's Centre in the country to cater for the needs of Senior Citizens and for Other Matters Connected Therewith, 2008 and I approve the Recommendation therein.

Hon. Austin Nwachukwu (Ehime Mbano/Ihitte Uboma/Obowo): I second the Motion as ably moved by Hon. Leo Ogor.

Question put and agreed to.

Resolved: That the House do consider the Report of the Joint Committee on Governmental Affairs and Justice on a Bill for an Act to Establish Senior Citizen's Centre in the country to cater for the needs of Senior Citizens and for Other Matters Connected Therewith, 2008 and approve the Recommendation therein.

The Speaker: Chief Whip, could you move for us to resolve into Committee of the Whole and the Committee of Supply to consider the Reports.

Hon. Emeka Nkem Ihedioha (Aboh Mbaise/Ngor Okpala): Mr. Speaker, I move that the House do resolve into the Committee of the Whole and Committee of Supply to consider the Reports.

Hon. Friday Itulah (Esan North/East South East): I rise to second the Motion ably moved by the Chief Whip of the House.

Question put and agreed to.

Resolved: That the House do resolve into Committee of Supply and Committee of the Whole to consider the Reports.

A Bill for an Act to authorise the issue from the Consolidated Revenue Fund of the Federation the total sum of ₦353,600,000,000 (Three Hundred and Fifty-Three Billion, Six Hundred Million Naira) only of which ₦100,050,000,000 (One Hundred Billion, Fifty Million Naira) only is for additional Recurrent (Non-Debt) Expenditure while the balance of ₦253,550,000,000 (Two Hundred and Fifty-Three Billion, Five Hundred and Fifty Million Naira) only is for contribution to the Development Fund for additional Capital Expenditure for the year ending on the 31st Day of March, 2010 – CONSIDERED IN THE COMMITTEE OF SUPPLY.

(Mr. Speaker in the Chair)

SCHEDULE
PART A - RECURRENT (NON-DEBT)
EXPENDITURE

The Chairman: My dear Colleagues, we will start with the Schedule, Part A, Recurrent (Non-Debt) Expenditure which amounts to ₦100,050,000,000.

Service-Wide Vote

₦13,800,000,000.00 for *Parastatals Pensions Arrears Settlement (Recurrent) - ordered to stand part of the Schedule.*

₦15,000,000,000.00 for *Balance of Parastatals Pensions Arrears Settlement (Verified Recurrent) - ordered to stand part of the Schedule.*

₦9,000,000,000.00 for *NITEL/MTEL Buy-Out Pension Settlement (Recurrent) - ordered to stand part of the Schedule.*

₦29,000,000,000.00 *Refund of VAT Collection by FIRS to FCT (Recurrent) – ordered to stand part of the Schedule.*

₦4,500,000,000.00 for *Ministry of Foreign Affairs: Shortfalls in Remittances to Missions (July – December 2006) Recurrent - ordered to stand part of the Schedule.*

₦10,000,000,000.00 for *FMBN: Civil Servants and Affordable Home Mortgage Scheme (Recurrent) – ordered to stand part of the Schedule.*

₦15,000,000,000.00 for *Emergency Road Rehabilitation Works (FERMA: Direct Labour) (Recurrent) – ordered to stand part of the Schedule.*

₦1,500,000,000.00 for *Margin for Increased Costs (Recurrent) – ordered to stand part of the Schedule.*

₦97,800,000,000.00 for *Recurrent (Non-Debt) Expenditure for Service Wide Votes – ordered to stand part of the Schedule.*

National Assembly

₦600,000,000.00 for *Senate Recurrent Supplementation (Recurrent) – ordered to stand part of the Schedule.*

₦900,000,000.00 for *House of Representatives Recurrent Supplementation (Recurrent) – ordered to stand part of the Schedule.*

₦750,000,000.00 for Management Recurrent Supplementation (Recurrent) – ordered to stand part of the Schedule.

₦2,250,000,000.00 for Recurrent (Non-Debt Expenditure for National Assembly) – ordered to stand part of the Schedule.

Hon. Sani Sale Minjibir (Minjibir/Ungogo): Mr. Chairman, I am of the view that we are too hasty in putting the question on the Service-Wide Votes. I had thought that we would go into details.

I am particularly interested in knowing the details as it concerns the Emergency Road Rehabilitation Works being undertaken by FERMA, which is by direct labour. There are lots of serious issues concerning road rehabilitation in this country and we would want to know how these monies are spread. The monies should be spread in such an equitable manner that all of us should feel comfortable with that.

The Chairman: Hon. Minjibir, I understand what you are saying and I am in agreement with you but that was before I ruled on it. When I said *Service Wide Vote*, I had expected you to raise up your hand and make your opinion known but I had ruled upon it before you raised your hands.

I am going to move to the next subject head and if you have an issue this is the time to do so.

Head 0490000 - Federal Ministry of Transport

Question proposed.

Hon. Igochukwu N. Aguma (Port Harcourt I): I want to raise an issue under Capital. I have looked at all the subheads here. It does not include the project as put forward by the entire Rivers State Delegation to the House of Representatives for which the Chairman, Committee on Appropriation is yet to tell us why we are still being denied our parliamentary privilege?

The parliamentarians from Rivers State in this House do not have any input be it in the main Budget or the Supplementary Budget.

The Chairman: Chairman, Committee on Appropriation, what is happening?

Hon. Ayoade Ademola Adeseun (Ogo-Oluwa/Surulere Oluyole): Mr. Chairman, in the course of the 2009 Appropriation exercise at Conference ₦1 billion that was specifically targeted by the Rivers State contingent for a project somehow miraculously

disappeared. We tried to find out what had happened but we could not.

My position is that we will do it in the 2010 Appropriation process but they raised the issue and said why we not use Supplementary Bill to cure that ill and I think they should please wait till 2010 but if you want it today we will do it.

The Chairman: Hon. Aguma, are you satisfied with the explanation he has given?

Hon. Igochukwu N. Aguma: I am one out of thirteen Members. I want to state that it be resolved and then captured as a resolution by us here that it will be included in the 2010 Appropriation and we are going to receive twice as much.

The Chairman: I appreciate the gesture from the Rivers State Caucus.

Hon. Ukam Alex Ikor (Akamkpa/Biase): I want to make an appeal in respect of Item 1 that we have passed. As a Member of this Parliament, it will not be fair if I am approached by my constituent or an outsider to explain certain things and I do not know what to say. The issue that concerns me here is the supplementary budget of the National Assembly that I cannot explain.

The Chairman: I am sure you are the only person that feels the way you do now. As I said, you have the opportunity to raise up your hand like Hon. Igochukwu did when I mentioned the subhead.

If you are still not satisfied, I am sure we can get clarification from the Committee and Representatives from your State on Appropriation Committee or even from myself afterwards; I shall be happy to do that.

Hon. Ambrose Bernard Udoh (Ikot Abasi/Mkpat Enin/Eastern Obolo): Mr. Chairman, as the Chairman on Land Transport of this House, I am surprised that the details of this Supplementary Budget were not made known to Members of the Committee.

If I any Member of the Committee challenges tomorrow about the Supplementary Budget, I have no fact whatsoever to explain and I know my Colleagues in the Transport Committee will hold me responsible on every detail of this contract.

Hon. Ayoade Ademola Adeseun: Mr. Chairman, the Supplementary Appropriation Bill came in a few days ago. We invited all the key players and relevant Chairmen of Committees to a meeting on Friday last

week in Room 301. The Chairman of the Lands and Transport Committee was one of those that participated very actively in the process and he is now coming to say that he is not aware.

The Chairman: Chairman, Committee on Lands and Transport, did you take part in that Consultative Forum, with other Chairmen and the Chairman, Committee on Appropriation?

Hon. Ambrose Bernard Udoh: Mr. Chairman, I went in there and I tried to talk to the Chairman, Committee of Appropriation.

The Chairman: Chairman, did you take part?

Hon. Ambrose Bernard Udoh: No, I did not. I went in there and I tried to give him details of what we were dealing with and I was asked to sit down. If I do not say it here now Member of my Committee will hold me responsible. So I want to play it out.

The Chairman: My Chairman, it means you took part but you may not be satisfied with the result. I can assure you that most of us are not particularly satisfied but we move on with what we have.

Hon. Abdul Ningi: I am a Member of the Appropriation Committee. My good Friend, Hon. Bernard Udoh was also in attendance. If we want to tell ourselves the procedure and the truth of the matter, we were all called and invited by the Appropriation Committee on this subject matter. But it is incumbent upon the Appropriation Committee to make available details to the Chairmen that are concerned; Chairmen of the Committee on Transport, Committee on Health and the Committee on Niger Delta.

It is incumbent upon them to be able to lay their hands on the details. We were all there and the Minister was also there but certainly, the details ought to have been made available to these Chairmen and their Committees; it is just the procedure.

The Chairman: As per procedure, please make the details available to the Chairmen. I will put the Question on the ₦24,350,000,000.00 Capital Estimates for the Federal Ministry of Transport.

PART B – CAPITAL

Federal Ministry of Transport

- (i) *₦19,650,000,000.00 for 15 per cent Counterpart Funding for \$500 million Chinese Loan (Abuja-Kaduna) Capital - ordered to stand part of the Schedule.*

- (ii) *₦1,700,000,000.00 Funding Shortfall: Rehabilitation of Lagos-Jebba Rail Line (Capital) – ordered to stand part of the Schedule.*

- (iii) *₦3,000,000,000.00 for Funding Shortfall: Rehabilitation of Jebba-Kano Rail Line (Capital) – ordered to stand part of the Schedule.*

₦24,350,000,000.00 for Capital Estimates for Federal Ministry of Transport – ordered to stand part of the Schedule.

Nigerian Railway Corporation

The Chairman: The Nigerian Railway Corporation Total Capital Project is ₦14,000,000,000.00.

Question proposed.

Hon. Ambrose Bernard Udoh (Ikot Ekpene/Essien/Essien Udim/Oboto): Mr. Chairman, on the items on in respect of the ₦14 billion, as I speak now, we do not have tracks. Since we do not have tracks, there is no how we can lay locomotive on a track that is non-existent. The track is not even in existence and you are talking about Rail Mass Transit. I do not think this is necessary.

The Speaker: Which figure is not necessary?

Hon. Ambrose Bernard Udoh: ₦12.5 billion is not necessary.

The Chairman: It is all right. The Deputy Chairman has an observation on that.

Hon. Usman Bayero Nafada (Dukku/Nafada): Chairman, Committee on Land Transport, the ₦1.5 billion is just like the one we have in Kaduna now. The one in Kaduna is working inter state. That is why they said since we have one that is working, there is need to have more that would work within the year. So, ₦1.5 billion was proposed for that.

Chairman, Committee on Appropriation, ₦1.5 billion was provided for six cities and you added an additional city without adding anything.

Hon. Bernard Udoh: What I am saying is that since we do not have existing track, it would be better to even take the ₦1.5 billion from having the Township Mass Transit. It is like having taxi within town. Let us

put that money into the rail track by having the mass transit within town.

Hon. Usman Bayero Nafada: I do not understand what you are saying.

Hon. Bernard Udoh: For example, you have Abuja Green Cab; that is exactly what it is meant here.

Hon. Usman Bayero Nafada: No, it is not like that.

Hon. Bernard Udoh: Rail Mass Transit is a rail system within the metropolis.

Hon. Usman B. Nafada: It is not only within. For example, the one in Kaduna is from Zaria to Kafanchan. It is not restricted to Kaduna metropolis. It is about 150 kilometres inter-state.

The Chairman: I think we are clear on that.

Hon. Usman B. Nafada: Excuse me, Sir. I asked the Chairman a question. A sum ₦1.5 billion was provided for six cities, that is, one city from each geo-political zone and you added one city without adding anything on that. How did that happen? Which one are you going to say we are not doing because you have added another city?

Hon. Abode A. Adeseun: The main summary that came gave us the notion that there were other areas that could benefit from this type of programme. They were open to it and they are in the process of trying to design and work it out. I agree with you that we ought to have given some additional funding for that. For now; we may be willing to leave out Aba and then plough that into the 2010 programme.

The Chairman: What we are trying to find out is this; Aba was not there originally. How did Aba get there without increasing money?

Hon. Ayoade Ademola Adeseun: Mr. Chairman, let me say specifically that in the course of the debate, the Chairman, Committee on Rules and Business raised the issue that we are going into an election year and there are areas of concentration of population and Aba is one of them.

The Chairman: If you are going to include Aba, why do you not give them more money to make sure that Aba works because there are elections in other places apart from Aba?

Hon. Ayoade A. Adeseun: The Minister told us he was willing to accept it. In fact, he wanted as many as four additional cities; Aba, Ibadan and some whatever. We said we should limit it to Aba because of the concentration of population there.

The Chairman: If you look at the original that was brought, it was one per geo-political zone. Somehow, one has been included by the Committee and we are asking them to justify it.

If it is included, you need to justify it by saying; what is so special about Aba that is not special about Bauchi, Ibadan and the rest of them? In doing so, even if Aba is going to be there, you also have to justify Aba's presence with the funds for Aba. You do not just put Aba there without appropriating money for it.

Can the Committee Chairman, please, answer these two pertinent questions? Otherwise you put Aba there and we have problems with other cities. If you put Aba there it would not be funded because there is no money for it.

Hon. Ayoade A. Adeseun: Mr. Chairman, I would ask that we consider Aba but defer that programme till 2010 budget is in process. I also agree that even that particular setting would be a useful one to look at but for now we can leave it out and then plough it into the 2010 Budget.

The Chairman: Hon. Colleagues, it seems to us now that the inclusion of Aba is not fair on other States. However, even if we maintain the inclusion of Aba right now, it is not going to be funded because it is clear money is not available for it.

I would suggest that be done in the 2010 budget. I would advise that since we have got to this stage we should sort this out at the Conference stage. Meanwhile, we shall leave it as it is.

(i) ₦12,500,000,000.00 for Procurement of 25
Railway Locomotives – Supplementation
(Capital) - ordered to stand part of the
Schedule.

Hon. Emeka Ihedioha: Mr. Chairman, I want to propose an amendment that in Line 2 of the subhead on Provision of Rail Mass Transit Services in Selected Cities, we leave out the town Aba.

I so move.

Hon. Ita Enang: I second the Amendment moved by the Chief Whip.

Amendment put and agreed to.

- (ii) **₦1,500,000,000.00 for Provision of Rail Mass Transit Services in Selected Cities (Lagos, Kano, Port Harcourt, Enugu, Jos, Maiduguri) Capital – as amended ordered to stand part of the Schedule.**

₦14,000,000,000.00 for Capital Estimates for the Nigerian Railway Corporation – ordered to stand part of the Schedule.

Ministry of Federal Capital Territory Administration

The Chairman: We now go to Ministry of Federal Capital Territory Administration. The Ministry has **₦66,500,000,000.00** as its Total Capital Estimates.

Question proposed.

Hon. John Halims Agoda (Ethiope East/Ethiope West): Mr. Chairman, first of all, I acknowledge the unique position of the Federal Capital Territory which is our responsibility as a House to develop.

On the issue of this House being prudent, we were told that the expansion of the Airport Road and the Kubwa Road are to be properly taken care of by private hands. Now money is budgeted for it right here. So what happened to the earlier position?

The Speaker: Chairman, Committee on Appropriation, I know you and the Chairman of the Committee on FCT had to engage the Minister on this. What was the conclusion?

Hon. Ayoade A. Adeseun: The Minister came and faced the panel. He laid the Presentation before us to the effect that when they initially conceived of this programme, they were going to do it on a Private-Public Partnership basis but when the funding arrangement arose, the contractors were to source for funds from the private sector and it was supposed to be financed over a four-year period and the total budget for the project was **₦250 billion**.

When they came back with the interest and other costs that were ancillary to it, the costs alone was **₦109 billion**. So if they appended 109 billion to **₦250 billion** it came to about **₦359 billion** or **₦400 billion** and when they took this to the Federal Executive Council, it was

thought that for Nigeria to lose **₦109 billion** on just one project over a four-year period was unconscionable. Therefore, it was thought to seek other ways of funding this programme. He came back and said they were canceling that original one and would now source for funds and eventually the programme is being looked at whereby toll will be charged on that road eventually.

In the meantime, they had embarked on the project and it is already going on; they could not now back out and say they were not to do it any more.

The Speaker: Are you insinuating that by jettisoning the PDP policy, they would be saving the nation **₦109 billion**?

Hon. Ayo Ademola: Yes that was what he said if the nation did direct funding of the project which is what we are proposing now.

The Speaker: That is quite straightforward. Deputy Chairman, Committee on Finance, can you respond, please?

Hon. Leonard W. W. Dilkon (Pankshin/Kanke/Kanam): Just as Hon. Leonard Ogor said, the hon. Minister did not understand what was PPP; that is the true position. He went into contract financing by private companies, not PPP. When he went into it they were supposed to source funds from the banks which were going to be at 23 *per cent* and he felt that was PPP. When he went into it, it was PPP and everybody was celebrating, but after the Minister of Finance had looked at it, he felt that it was better to fund it directly. This is because it was going to cost the Federal Government extra **₦109 billion**. So that was the true position. It was not PPP initially because he does not understand what it was.

Hon Suleiman Abdulrahman (Sumaila/Takai): Mr. Speaker, I think we have two things before us. We quite agree from the explanation of the Deputy Chairman of Finance Committee that the Minister failed to understand the difference between Private-Public Partnership and Contract Financing. The way the Minister is going clearly shows that he failed to understand his responsibility as a Minister of the Federal Republic of Nigeria. Going by the reality, whoever is plying these roads from Abuja to Kubwa and to Airport will know that this project is very important.

There is no reason why we should allow Nigerians to suffer because of the misdeed of the failed Minister.

instead I think we have to allow this proposal to go then we will find out a way of dealing with the failed Minister from the failed party.

I so submit. (Applause)

Hon. Ita Enang: Mr. Chairman, I appreciate that we have this matter but I want us as a House to let Senator Aliero know that this is House of Assembly for the Federal Capital Territory.

We should therefore mandate the House Committee on FCT to get a written explanation from him on this particular project and carry out an investigation on it. Let us show him that he has not performed up to what a Member of the National Assembly ought to be and he is a disappointment to this National Assembly.

The Chairman: That is all right. We need to carry on with this.

Question put and agreed to.

₦46,500,000,000.00 for Expansion of Airport Road and Kubwa Road (Capital) – ordered to stand part of the Schedule.

₦20,000,000,000.00 for Seed Money for Infrastructural Development of FCT Residential Districts (Loan to FCT) Capital – ordered to stand part of the Schedule.

₦66,500,000,000.00 for Capital Estimates for the Ministry of the Federal Capital Territory Administration – ordered to stand part of the Schedule.

Ministry of Health

The Chairman: We now take Federal Ministry of Health. The Total Capital Estimate for the Ministry is ₦1,700,000,000.00.

Question proposed.

Hon. Abdulrahman Suleiman (Sumaila/Takai): Mr. Speaker, I can see from the Proposal before us that ₦1.7 million was earmarked for the completion of Primary Healthcare Centres?

The Chairman: Yes, it was earmarked for that purpose.

Hon. Abdulrahman Suleiman: There is need for the Minister of Health or Ministry of Health to explain

in detail where these projects are.

The Chairman: They are already in the original Budget.

Hon. Abdulrahman Suleiman: For over seven months, the Minister of Health refused to implement our Primary Healthcare Centres.

The Chairman: Based on the engagement of Members of the House of Representatives, particularly from your State?

Hon. Abdulrahman Suleiman: Yes. I am the one that led that delegation.

The Chairman: Particularly from your own State. The engagement with the Minister has led to the inclusion of funds in the Supplementary Budget to solve the particular problem that you led the delegation to.

Hon. Abdulrahman Suleiman: Mr. Chairman, two issues are involved and I want this House to understand that we put the money earmarked for Kano in this zonal intervention there. When we met the Minister, he confirmed that it was released. He made two-way statements; first he said that it was in the Central Bank Account. He also said it was in his Ministry's Account.

At the end, we learnt that the money was released to Federal Ministry of Health but he refused to implement without reason. Now, we can see that it was for the completion of Primary Healthcare Centres. Which Primary Healthcare is he talking about?

Hon. Ayode A. Adeseun: Let me also clarify further. The ones that were queried in the course of passing 2009 Appropriation Bill into law have now been awarded about a week or so ago. That was as a result of the pressure that this House exerted on the Ministry.

This one, like the Deputy Speaker said, is money that was meant to cater for those abandoned projects through mop up in the past years. Additionally, there were some that have been completed but were not paid for. So the contractors refused to hand them over to the Federal Government for use. All of those things are what they are trying to clean up.

₦1,700,000,000.00 for Completion of Primary Healthcare Centres (Capital) – ordered to stand part of the Schedule.

₦1,700,000,000.00 for Capital Estimates for Federal Ministry of Health – ordered to stand part of the Schedule.

Hon. Mohammed Ali Ndume: Point of Order, Mr. Chairman!

The Chairman: Which Point of Order again?

Hon. Mohammed Ali Ndume: Permit me to raise Order V of our Standing Orders on page 9 dealing with Privileges of Members.

The Chairman: Which Privileges now?

Hon. Mohammed Ali Ndume: These Privileges are constitutional as I stated earlier.

The Chairman: Which Privileges are you referring to now, Sir?

Hon. Mohammed Ali Ndume: I am referring to Privileges as they relate not only to this particular Budget, Mr. Chairman. I appreciate the fact that there are time constraints – *(Interruptions)*

The Chairman: It is not about time, Sir. Which Privileges?

Hon. Mohammed Ali Ndume: If we are considering Reports like this, if a Member raises issues that relate to other performances – *(Interruptions)*

The Chairman: Which issues or Privileges?

Hon. Mohammed Ali Ndume: Like the FCT that you have ruled upon.

The Chairman: We discussed it and have ruled on it after debate. Hon. Minority Leader, you have raised two or three Orders and Privileges today and you have not been able to substantiate any. I am beginning to think that your privileges are actually frivolous.

National Assembly

₦200,000,000.00 for Senate Capital Supplementation (Capital) - ordered to stand part of the Schedule.

₦300,000,000.00 for House of Representatives Capital Supplementation (Capital) - ordered to stand part of the Schedule.

₦500,000,000.00 for Capital Estimates for the National Assembly - ordered to stand part of the Schedule.

Head 0990000 – Capital Supplementation

Post-Amnesty Intervention in the Niger Delta

Question proposed.

Hon. Emeka Nkem Ihedioha: On Thursday last week we requested the Executive to furnish us with details of the funds for the Post-Amnesty. We commended the Appropriation Committee for the wonderful work that they have done. Just like we requested today we have details of the projects.

There was an oversight. Essentially, Sir, the essence of what Mr. President set out to do with the **₦114 Billion** for the Post-Amnesty funding is to ensure that we have peace in the entire region. There was an oversight that there is a road that link up the East-West Road from Abia State; the oil producing areas and the riverine communities. These roads are the Port Harcourt Road, Opobo Junction, Azu-Nmeri - Ukanafun Road. It links up Rivers, Abia and Akwa-Ibom States. Ukanafun is in Akwa-Ibom State. Port Harcourt Road, of course is in the River State. Opobo Junction, Azu-Nmeri is in Abia State.

After due consultation with the Committee on the Niger-Delta and the Chairman of the Appropriation and the Delegation from Abia State, we have agreed that we include these roads and provide only for this Supplementary the sum of **₦2 billion**. We also agreed that this **₦2 billion** should be taken from Item F, which is the Development of New Towns: Feasibility Study, Design and Implementation because we know that this is the money that we will utilise for the Supplementary period between now and the end of the year.

In so doing and also appreciating the need to reflect Federal Character and in line with the thinking of the rest of us, only one city from each of the six geo-political zones was provided for in the Nigerian Railway Capital Project.

We, therefore subscribe to accommodate this request and achieve national balance that Aba be step down for now, Sir.

The Chairman: The same Aba that we have ruled on?

Hon. Emeka Nkem Ihedioha: Yes, Sir.

The Chairman: I have ruled already.

Hon. Independence Ogunewe (Ahiazu Mbaise/Ezinihite): As always, I know the Chairman would make his comment. I aligned myself with what the Whip had said. But I want to point out one or two things.

On the day that we had the debate on the General Principles of this Supplementary Bill, I drew our attention to certain parts and I want to appreciate the fact that, to an extent, our concerns have been reflected in this but a lot more have to be done.

I believe what we are doing here today is to rationalise, based on what is available. If we take a look at the Capital Supplementation, you will discover that there is an item there that they wrote *Public Mass Transit*. (Interruptions)

The Chairman: No, we have not reached there.

Hon. Independence Ogunewe: I am coming, Sir; this is my turn to talk. They said *Public Mass Transit (Revolving Fund to Procure Vehicles)* and they put in there: ₦10,000,000,000.

Experience has shown that Mass Transit programme right from the time of the Babangida era, in terms of providing coaches and buses have not really worked. It has always been an avenue to the mismanagement of public funds.

If we have to keep maintaining it, we may have to do some adjustments so that the issues that have been canvassed by the Whip can be accommodated from funds that we can get from here. Secondly, I would like Mr. Speaker to oblige the South East, particularly the Imo and Abia axis. What we even have in the Owerri - Elele Road Design is just ₦5 billion. This ₦5 billion would amount to nothing considering the fact that on the hierarchy of the contribution to national wealth Imo State indeed is strong. I was looking at a figure that would be much more than the ₦5 billion. To tell you the importance of Owerri - Elele Road, Rivers State has even constructed their own up to the boundary to link up the two States so that we can make better gains out of what we are doing here.

I saw here also that Textiles, Cotton and Garment Industry Resuscitation Scheme Initiative and the Seed Money is nil and we are talking about a budget that should be able to generate employment and we know that textile industry in Nigeria is one of the highest

employers of labour. Therefore, to even talk about Mass Transit which we know is a failure and then leave the textile with zero amounts to nothing. If we want to address the real need of this country, the textile industry is one of the major players in the real sector of the economy.

The Chairman: I understand the politics you are playing as well.

Hon. Independence Ogunewe: I would say that something has to be provided in the Textile Industry and even the Owerri - Elele Road.

The Chairman: Are you suggesting that the ₦10 billion for Public Mass Transit should be put allocated to the Seed Money for the Textile?

Hon. Independence Ogunewe: Yes.

The Chairman: All of it?

Hon. Independence Ogunewe: Take some to textile and some to the construction of Opobo - Azu Nmeri and Ukanafun road.

The Chairman: Is there any clarification from the Chairman?

Hon. Ayode A. Adeseun: I do not have any problem with the observations raised by my Colleague that putting ₦10 billion on Mass Transit is open to debate. It depends on whatever the House chooses to do but on the issue of textile industry, what we did was move money from the textile industry component to the Bank of Industry. We do not want to limit ourselves or pigeonhole ourselves to just textile industry. The Bank of Industry is there to cater for all industries. They are all selecting new applications that have been long-lasting including textile industry applications. They will be better able to manage the fund because the fund was for them to hand over.

The Chairman: We understand what you are saying. You are assuming that the monies that are supposed to be in the Bank of Industry (BOI) would be for textile. Do you want to make clarification?

Hon. Independence Ogunewe: Yes Mr. Chairman. The idea of moving the money to Bank of Industry is wonderful but I want to point out that the issue of the textile industry has been of such national debate that that sector has been captured as an emergency area. Therefore, there should be direct utilisation into that area.

The Chairman: I see.

Hon. Usman B. Nafada: Mr. Chairman, I want to say that that aspect of textile was put there as an emergency rescue for the industry and if you put it again in another sector or organisation, the tendency is that textile may not get up to ~~₦2~~ billion out of that.

During the last administration, there was a promise by the government that they will give this same textile ~~₦50~~ billion but a dime was not given to them. That was the reason why they put ~~₦10~~ billion here. I think it is better to leave that ~~₦10~~ billion where it belongs rather than removing it and merging it with Bank of Industry.

The Chairman: So we are in agreement that the ~~₦10~~ billion should go back to where it was?

Several hon. Members: Yes.

The Chairman: I need to conclude on the issue raised by the Chief Whip. Chief Whip, can you make your suggestion now?

Hon. Emeka Nkem Ihedioha: This is a Supplementary Initiative. Therefore, I move that we reduce Item (f): *Development of New Towns, Feasibility Study, Design and Construction* from ~~₦10~~ billion to ~~₦8~~ billion and increase that provided in (i) on the same column: *Port- Harcourt Road, Opobo Junction, Azu Nmeri - Ukanafun Road* ~~₦2~~ billion.

The Chairman: I need to put the question on this particular one because he is raising an Amendment but before that there was a contribution here.

Hon. Usman B. Nafada: Mr. Chairman, the Whip of the House earlier said that for checks and balances, he is now removing Aba there because the money was made for six cities.

Hon. Igochukwu N. Aguma (Port-Harcourt I): I thank the Deputy Speaker for reminding us because we are not playing games here; we are very honest to ourselves. We can stand the provision of Rural Mass Transit Services in Aba down for now in the belief and affirmation that it will come up in 2010 Budget.

Amendment put and agreed to.

Hon. Igochukwu N. Aguma: The Budget is being brought to the National Assembly for the Niger Delta Region. This time around, we talked about Post-Amnesty intervention in the Niger Delta; it did not come with any breakdown of projects. As usual, the

Executive Arm will allow us to tinker with all these projects listed hereunder:

Expenditure Items

- (i) Post-Amnesty Intervention in the Niger Delta:
 - (a) East-West Railway: Feasibility Study, Design and Construction (~~₦22~~ billion);
 - (b) Coastal Highway: Design and Construction (~~₦20~~ billion);
 - (c) East-West Road: Additional Funding (~~₦34~~ billion);
 - (d) Inland Waterway Transportation System: Feasibility Study, Design and Construction (~~₦5~~ billion);
 - (e) Land Reclamation/Environmental Remediation: Feasibility Study, Design and Implementation (~~₦10~~ billion);
 - (f) Development of New Towns: Feasibility Study, Design and Construction (~~₦10~~ billion);
 - (g) Owerri - Elele Road: Design and Construction (~~₦5~~ billion);
 - (h) Amnesty Reintegration Programme Capital (~~₦8~~ billion)

The most singular important issue here is the integration. What are those things we should do that should integrate the people that were disarmed into the society? We have forty five days to the end of the year. I could hear Hon. Independence ask how many people were disarmed. Hon. Independence Ogunewe will say what he is saying because I do not know how many people were disarmed.

The Chairman: Why do you not just talk to the House?

Hon. Igochukwu N. Aguma: As I was saying, Mr. Chairman, the only intervention programme we are putting here, that is, Amnesty Reintegration Programme is ~~₦8~~ billion. It is without definition. We should be able to ask ourselves; how many people were disarmed. I want it to be on record that I said this.

I do not know how a non-warrior would try to benefit from the spoils of war? I believe that we should be realistic so that at the end of the year we do

not have so much money paid back into the treasury. We have five days to the end of the year. Looking at the Public Procurement Act there is no way these projects can be completed because some of them are not ongoing.

Question put and negatived.

The Speaker: I really need to get to the root of this once and for all. My Leader, you have the Floor please.

Hon. Mohammed Ali Ndume: Mr. Speaker, I just want to remind you that he was just trying to make a point for record; so it is recorded. I was just trying to emphasise and re-echo the observation made by Hon. Independence Ogunewe. Dumping ₦10 billion for the Public Mass Transit Revolving Fund to procure vehicles does not make too much meaning to me particularly the area we are trying to address because we know of the then history about Textile Industry.

The Chairman: We have agreed that the textile industry money in BOI be put back. So it is not affected. It was subsidised and would be brought back to where it is. We are on Total Capital Project and we have details spelt out here. All I need to know from my Colleagues is this:

**Head 0990000 – Capital Supplementation
Expenditure Item**

*₦114,000,000,000.00 for Post-Amnesty
Intervention in the Niger Delta - ordered to stand part
of the Schedule.*

The Chairman: We now go to the next line; Public Mass Transit (Revolving Fund to Procure Vehicles) ₦10 billion. Hon. Ihedioha suggested that it should be reduced it to ₦8 billion and we agreed.

Amendment put and negatived.

The Chairman: That was not the one we agreed to reduce. What I am now asking is that Public Mass Transit (Revolving Fund to Procure Vehicles in the sum of ₦10 billion stand part of the Schedule.

Question put and agreed to.

*₦10,000,000,000.00 for Public Mass Transit
(Revolving Fund to Procure Vehicles) – ordered to
stand part of the Schedule.*

*₦1,500,000,000.00 for Additional Poverty
Alleviation Interventions (Grants) - NWC (₦300
million), SMEDAN (₦400 million), NAPEP (₦300*

*million) and NDE (₦500 million) - ordered to stand
part of the Schedule.*

*₦2,000,000,000.00 for Mass Transit for Federal
Higher Institutions (Max ₦50 million per Institution) -
ordered to stand part of the Schedule.*

Hon. Abdul Ahmed Ningi (Ningi/Warji): Mr. Speaker, I appreciate the concern of Members by agreeing to questions put. But as Nigerians you and I know that it is not an easy thing to be able to put in this money and have this Mass Transport equitably distributed.

The Chairman: Which one are we talking about? Is it about the ₦2 billion Mass Transit for Federal Higher Institutions?

Hon. Abdul Ahmed Ningi: Yes. You and I are Nigerians and all of us are Members of one Committee or the other. If we allow this particular clause to go without hearing from either the Appropriation or Transport Committee, we are going to do ourselves irreparable damage because it is possible that if this is passed today, the entire money will be taken to just one zone. We must at every time get a clue of the distribution network of the institutions. That is just my concern.

Hon. Independence Ogunewe: I have an Amendment, Mr. Chairman. My Amendment is that ₦10,000,000,000.00 be inserted in the Expenditure Item: Textiles, Cotton and Garment Industry Resuscitation Scheme Initiative: Seed Money.

Amendment put and agreed to.

*₦156,500,000,000.00 for Capital Estimates for
Expenditure Items - ordered to stand part of the
Schedule.*

Real Sector Support Programme

*₦4,000,000,000.00 for Bank of Industry (Further
Federal Government Equity Contribution) Capital - as
amended, ordered to stand part of the Schedule.*

*₦2,000,000,000.00 for NERFUND: SME Support
Capital - ordered to stand part of the Schedule.*

*₦3,000,000,000.00 for NEXIM: Export
Stimulation Scheme (Capital) – ordered to stand part
of the Schedule.*

*₦9,000,000,000.00 for Capital Estimates for Real
Sector Support Programme – ordered to stand part of
the Schedule.*

Hon. Mohammed A. Ndume: I just want to draw the attention of this honourable House to the fact that most of the items in the Supplementary Budget is dedicated to ongoing projects but the project that are dedicated to Niger/Delta are new projects with only forty five days or less to go.

The Chairman: We are now taking the Clauses; it will give solutions of some of the things Hon. Igo Aguma and Hon. Mohammed Ali Ndume mentioned. Clause 1 states as follows:

Clause 1 - (ISSUE AND APPROPRIATION OF ADDITIONAL SUM OF ₦353,600,000,000 FROM THE CONSOLIDATED REVENUE FUND FOR 2009)

- 1) The Accountant General of the Federation shall, when authorised to do so by Warrants signed by the Minister charged with responsibility for finance, pay out of the Consolidated Revenue Fund of the Federation during the year ending on the 31st day of March, 2010 the sums specified by the warrants, not exceeding in the aggregate ₦353,600,000,000 (Three Hundred and Fifty Three Billion, Six Hundred Million Naira) only.
- 2) The amount mentioned in subsection (1) of this section is hereby appropriated to the heads of expenditure as specified in the Schedule to this Act.
- 3) Amounts appropriated under the 2009 Appropriation Acts, that is, (i) 2009 Appropriation Act; (ii) 2009 Supplementary Act I; (iii) 2009 Supplementary Act II be implemented through 31st March, 2010.

Minority Leader, what is the Amendment?

Hon. Mohammed A. Ndume: My Amendment is that instead of it reading *amounts appropriated under the 2009 Appropriation Acts, i.e. (i) 2009 Appropriation Act; (ii) 2009 Supplementary Act I; (iii) 2009 Supplementary Act II be implemented through 31st March, 2010*, it should read: *the amounts appropriated under 2009 Appropriation Act shall be implemented through 31st March, 2010 and the 2009 Supplementary and 2010 Supplementary through June 2010.*

This is because the Supplementary Bill was brought just two months ago and it should be given enough time to be implemented.

Hon. Igochukwu Aguma: I believe that the intention of this honourable House is to guarantee that our Capital Projects are implemented. I think that there should be an Amendment to capture only Capital Projects. My Amendment is that in Sub-Clause (3), line 3, immediately after the figure 2010, the words *with respect to capital projects only* should be inserted.

The Chairman: Yes, they are referring to only Capital Projects, please.

Amendment put and agreed to.

Clause 1 - (ISSUE AND APPROPRIATION OF ADDITIONAL SUM OF ₦353,600,000,000 FROM THE CONSOLIDATED REVENUE FUND FOR 2009) – as amended ordered to stand part of the Schedule.

Clause 2 – (RELEASE OF FUNDS FROM THE CONSOLIDATED REVENUE FUNDS) – ordered to stand part of the Bill.

Clause 3 - (VIREMENT) - ordered stand part of the Bill.

Clause 4 - (INTERPRETATION)

The Chairman: Clause 4 states: *For the purpose of this Act the term Schedule includes the detailed estimates of expenditure attached thereto.*

Clause 4 - (INTERPRETATION) - ordered stand part of Bill.

Clause 5 - (SHORT TITLE)

The Chairman: The Short Title provides: This bill may be cited as the Supplementary Appropriation Bill, 2009 II.

Clause 5 - (SHORT TITLE) - ordered to stand part of the Bill.

Hon. Emeka N. Ihedioha: I hereby move that the House do revert to Plenary.

Hon. Ita Enang: I second the Motion that the House do revert to Plenary.

Question put and agreed to.

Resolved: That the House do revert to Plenary.

(The Speaker resumed the Chair)

The Speaker: Hon. Colleagues, the House in the Committee of Supply considered the Report of the Joint Committee on Appropriation and Finance on the 2009 Supplementary Appropriation Bill and approved the Schedule, Part A, the Recurrent Expenditure and amended Part B (Capital).

It also amended Clause 1, subsection (3), approved Clauses 2 – 4 and approved the Short and Long Title.

ADJOURNMENT

Hon. Ita Enang: Mr. Speaker, having successfully completed all the items on the Order

Paper, I move that this House do stand adjourned till tomorrow Thursday, 19th November, 2009 at 10.00 a.m.

Hon. Juliet Akano (Nkwerre/Isu/Nwangele/Njaba): I second the Motion as moved by Hon. Ita Enang.

Question put and agreed to.

Resolved: That the House do stand adjourned till tomorrow Thursday, 19th November 2009 at 10.00 a.m.

The House adjourned accordingly at 2.25 p.m.