

HOUSE OF REPRESENTATIVES

FEDERAL REPUBLIC OF NIGERIA

Thursday, 12th November, 2009

The House met at 11.05 a.m.

PRAYERS

(The Speaker in the Chair)

VOTES AND PROCEEDINGS

The Speaker: Hon. Members, the House is called to order. I have examined and approved the Votes and Proceedings of Wednesday, 11th November, 2009.

ANNOUNCEMENTS

Meeting of the Committee on Marine Transport

The Speaker: Hon. Colleagues, I have the following announcements to make. There will be a meeting of the Committee on Marine Transport in Hearing Room 2.37, New Building at 2.00 p.m.

(Signed)

Chairman

Visit of Staff and Students of Baptist Nursery and Primary School

The Speaker: We have in the Gallery Pupils and Students of Baptist Nursery and Primary School, Garki, Abuja.

Visit of Staff and Students of Niger (NIGLEEN) Nursery, Primary and Secondary School

We also have Staff, Pupils and Students of Niger (NIGLEEN) Nursery, Primary and Secondary School Gauraka Village, Niger State.

Please stand up for recognition.

(Staff and Students of both schools stood up for recognition)

The Speaker: Hon. Sumaila Abdullahi, will you, please, meet with me as soon as soon as possible?

PRESENTATION OF PUBLIC PETITIONS

The Speaker: Any Member who has a Petition to present to the House may, please, rise to do so now.

Dismissal from Service

Hon. Emmanuel Y. O. Jev (Buruku): Mr. Speaker, hon. Colleagues, I have a Petition from one Mr. Jonathan Ervihi against his unjustified dismissal from the service of the Nigerian Railway Corporation.

The summary of Mr. Ervihi's Petition is that he rose through the ranks. However, at a point he was given a query which he answered convincingly and was reinstated to his job. Surprisingly, based on the same facts, he was dismissed.

On the basis of this unjustified dismissal, he is seeking two prayers from this honourable House. One is that the House should order his reinstatement or in the alternative, direct that his dismissal be reviewed to retirement with benefits.

With your permission, I will lay the Petition on the Table?

The Speaker: Proceed, please.

Petition laid.

Wrongful Dismissal from the Nigeria Police Force

Hon. James Baitachi (Bosso/Paikoro): I have with me a Petition by one ex-Police Corporal Gabriel Mamman. The Petitioner is alleging wrongful dismissal by the Nigeria Police Force for which he has petitioned the Inspector General of Police. Up till this moment, his case has not been treated.

He is, therefore, seeking the intervention of this honourable House to look into his Petition with a view to reinstating him into the Police Force.

May I lay the Petition on the Table?

The Speaker: Please, proceed, Sir.

Petition laid.

The Speaker: The Petitions are referred to the Committee on Public Petitions.

(Petitions referred to the Committee on Public Petitions)

Hon. Sokonte Davies (Degema/Bonny): Point of Order, Mr. Speaker! My point of Order is Order V, Rule 1 of our Standing Orders at page 9 dealing with Privileges. With your permission, I read:

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, LFN 2004 and other Statutes, practices, precedents, usages and customs.

Order 5(2) provides:

Any Member may rise at any time to speak upon a matter of privilege suddenly arising and he shall be prepared to move, without notice, a Motion declaring that a contempt or breach of privilege has been committed, or referring the matter to the Committee on Ethics and Privileges, but if the matter is raised in Committee of the Whole House, the Chairman shall leave the Chair on an order to report progress.

Three weeks ago, this House discussed the issue of speed bumps within the Federal Capital Territory, Abuja and passed a resolution. If you permit me I will read from *Vanguard* newspaper of Wednesday, 11th November 2009 at page 10. It says: *Aliero dares National Assembly over Speed Breakers.* The newspaper further reported thus:

The Minister of the Federal Capital Territory, Senator Mohammed Adamu Aliero, may have dared the National Assembly on the call for the removal – (Interruptions)

The Speaker: Did you say *may have*?

Hon. Sokonte Davies: Yes. That is what the newspaper reported. What Senator Aliero said was also quoted. According to Senator Aliero: *Reports from the Police and the Federal Road Safety Commission have shown that the speed breakers have caused drastic reduction....*

What I am saying in essence is that we as a National Assembly and actually the House of Assembly of FCT have taken a decision but instead of complying with our resolution, Senator Aliero is relying on agencies which do not have the powers to even give him instruction. In fact, this also shows his contempt for this House. We passed a resolution in this House that the charges that they are paying for

land rates should be reverted to the old rates which they are also not doing.

As a Member of this House, my privilege to make law and have the law implemented is being flouted because this House has the power to make resolution and it is incumbent on whoever we made the resolution on to comply with such resolutions.

Thank you, Sir. *(Applause)*

The Speaker: Hon. Sokonte Davies and Chairman, Committee on FCT, please, meet and resolve this matter as soon as possible.

Hon. Solomon U. Agidani (Apa/Agatu): Point of Order, Mr. Speaker!

The Speaker: Which Point of Order, Hon. Agidani?

MATTER OF URGENT PUBLIC IMPORTANCE

Hon. Solomon Agidani: It is Order 8, Rule 4(1) of our Standing Orders. It reads:

The matter for discussion shall, if possible be referred to the Speaker prior to the commencement of the day's sitting and the Speaker shall refuse to allow the claim unless he is satisfied that the matter is definite and urgent.

For the past few days, the papers are awash with stories that a lot of industries in the Lagos areas are closing shop because of the cut in supply of gas from Gas-link and the Gas Users Group of the Manufacturers Association of Nigeria (MAN) actually came here to see you on Monday.

The Speaker: My Dear Colleague, our Rule says that any Matter of Urgent Public Importance must be discussed with me before presentation.

Hon. Solomon U. Agidani: I was to raise this matter on Tuesday but the Deputy Speaker, the Presiding Officer at that time, urged me to wait for the arrival of the Chairman of the Committee on Gas in the House.

The Speaker: My Colleague, since you have not discussed with me and you discussed with the then Presiding Officer may be you should wait for that Presiding Officer before you raise the matter.

You could have easily discussed the matter with me this morning. Could you approach the Chair, please?

(Hon. Solomon Agidani accordingly approached the Chair)

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

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

Hon. Mohamed A. Ndume: It is Order 8, Rule 4 of our Standing Orders dealing with Matter of Urgent Public Importance which I discussed with you before this sitting. I did my home work as you directed. That is why I am going ahead to raise the Point of Order.

The Speaker: Hold on for a moment, please. Is the Chairman, Committee on Petroleum Resources (Upstream) here? *(No response)*

Hon. Mohammed A. Ndume: The Chairman, Committee on Gas is here. It is downstream matter with the Committee on Gas.

The Speaker: Go ahead.

Recent Pronouncements by the NNPC on the Deregulation of the Petroleum Downstream Sector

Hon. Mohammed A. Ndume: Mr. Speaker, you are aware of the panic caused by the recent pronouncements by NNPC and related institutions on the deregulation of the downstream sector.

This is a proposal that is before this honourable House and is being processed. The various institutions or authorities connected; the Minister, NNPC and the like have now caused a serious panic in our markets that everywhere you go you will find long queues at the filling stations and hike in price. To my greatest surprise, the NNPC and the Minister, instead of making the representatives of the people to educate them on the reason behind the so called deregulation, are holding meetings with NLC which is a union that has no constitutional powers to make laws for this country.

I want this honourable House to take some of these issues very seriously because we are the representatives of the people. NNPC cannot just be making statements that will cause panic in the market.

I am, therefore, saying that this House should take this matter as a Matter of Urgent Public Importance in order to address the issue by letting Nigerians know that NNPC does not have the right and cannot deregulate or regulate on that matter.

Hon. Clever M. Ikisikpo (Ogbia): Mr. Speaker, in the first instance, the Minority Leader has not really said what he wants. The issue of deregulation is government policy. Two days ago, the government met with the Labour leaders and they are still meeting to find a solution concerning the deregulation. So, we should give them a chance?

The Speaker: Chairman, Committee on Gas, let us hear from you.

Hon. Igochukwu N. Aguma (Port Harcourt I): I do not want to join issues; I want to inform the House properly. The issue of deregulation has to do with two funds created by Acts of Parliament; the Petroleum Equalisation Fund and the Petroleum Support Fund and there is no how deregulation can work without the Parliament repealing those Acts.

I do not subscribe to the statement that the NLC should not be consulted. I do not believe that the hands of the Parliament should be tied from outside before coming in. Whereas they have moulded the public opinion which now ties our hands by the time they bring such Acts for us to repeal and see the merits and the demerits of it. However, I believe that more technical work needs to be done. It is not necessarily by way of Motion but through consultations between the relevant Committees and agencies.

The Speaker: Let me make some clarifications to guide us. NNPC has the right to consult anyone they wish especially Labour; that is important and relevant. However, I am a little bit surprised now because I am not clear on this issue of deregulation that has been going on for the past three weeks. It is something that every government in Nigeria has been involved with.

The Committees on Gas and the two Committees on Petroleum cannot tell us that they are not following up on this issue. Are you following up?

Hon. Igochukwu Aguma: Yes, we are.

The Speaker: If you are following up on the issue, I do not understand what Hon. Ndume's Motion is all about?

Hon. Mohammed A. Ndume: Mr. Speaker, you know that all these statements that they are making on the issue of deregulation is causing panic and Nigerians are suffering as a result of those panic. You will find queues in the filling stations here and there.

The Speaker: So, what is your prayer?

Hon. Mohammed A. Ndume: My prayer is that the NNPC should not make statements that they are going to deregulate because they cannot do that without the consent of the National Assembly.

The Speaker: That is all right. Before I make a ruling on this issue, I will give the Floor to the Chairman, Committee on Public Petitions.

Hon. C. I. D. Maduabum (Nnewi North South/Ekwusigo): What is clear is that the Minority Leader does not know what he exactly wants.

Hon. Mohammed A. Ndume: Point of Order, Mr. Speaker! *(Interruptions)*

The Speaker: Hold on, Hon. Ndume. You cannot raise another Point of Order when I have not ruled, please. *(Prolonged Interruptions)*

Hon. Minority Leader, please hold your temper as a Leader in this House. When Hon. Maduabum has concluded, we shall take on the matter.

Hon. C. I. D. Maduabum: What Hon. Ali Ndume is asking for is not clear; that is certainly not an insulting statement. It is really not a matter of urgent public importance to ask NNPC not to make statements.

NNPC has a responsibility to manage our oil resources. If NNPC makes statements that we do not like we cannot bring it before this House and say they should not make statements and that we should gag them from making statements.

The Speaker: You can take your seat now, Hon. Maduabum. I will now put the question that the matter Hon. Mohammed Ali Ndume raised be considered as a Matter of Urgent Public Importance.

Question put and agreed to.

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

Hon. Dino Daniel Melaye (Kabba/Bunu/Ijumu): Point of Order, Mr. Speaker!

The Speaker: Hon. Dino Melaye, which Point of Order?

Hon. Dino Melaye: It is Order V, Rule 1 of our Standing Orders dealing with Privileges. I am raising this Point of Order because as a Member of the House of Representatives, I recall that at no time did this House sit to say that we are in support or not in support of deregulation but last week the Media, especially the print and electronic media, was awash with report that the House of Representatives is in support of deregulation. This is the aftermath of an interview granted by the Chairman of the House Committee on Petroleum (Downstream) in Lagos.

I want to use this opportunity to say that I, Hon. Dino Melaye; did not and will not support deregulation because the House did not officially refute that statement.

The Speaker: Hon. Dino Melaye, as a Member of the House of Representatives, I am sure you are also aware that in the course of our debates, you must admit that you may be convinced. Therefore, you cannot take a position that you will never be convinced from day on. That I think may not be appropriate.

Chairman, Committee on Petroleum Resources (Downstream), did you make such a statement on behalf of the whole House?

Hon. Clever M. Ikisikpo (Ogbia): Yes, Mr. Speaker. I am the Chairman of the Committee on Petroleum Resources (Downstream) and as a Committee, the Committee was in Lagos. It was not Hon. Ikisikpo as a person that made the statement but as a Committee, I made that statement.

The Speaker: Hon. Ikisikpo, you have told the whole House that you arrived at your decision and that your pronouncement is based on the resolution of your Committee. Is that correct?

Hon. Clever Ikisikpo: Yes, Sir.

The Speaker: The Deputy Chairman of the Committee, can you authenticate what the Chairman has just said?

Hon. Aro Samuel Bamidele (Yagba East/Yagba West/Mopamuro): We never did that, Sir. It is true

that the Committee went to Lagos on oversight function to inspect NNPC facilities, Atlas Cove and all the rest. In the course of the interview Hon. Ikisikpo, Chairman of the Committee granted, a Pressman asked a question: is the House in support of deregulation or not? The Chairman now said yes; we will support deregulation so that the refineries can work again. We can produce the tape. He did not make the statement on behalf of the House. It was in response to a question a Pressman asked. He said he as a person would support deregulation for the refineries to be in order; we can call for the tape.

The Speaker: Hon. Chairman of the Committee on Petroleum Resources (Downstream) is claiming that he made that statement based on his Committee's resolution but the Deputy Chairman who should know is claiming that at no time did the Committee meet to give such a resolution.

Chairman, Committee on Petroleum (Downstream), I think you and your Committee should sit down and get to the bottom of this because this is a bit embarrassing for your Committee. We cannot be doing this on live Television and your Committee cannot speak with the same voice, especially the Deputy and the Chair. So, you will meet immediately and take a position because you are going to advise the whole House when we take this up for Debate.

Hon. Dino Melaye, I hope you are satisfied?

Hon. Dino Melaye: I am.

Hon. Ubale Jakada Kiru (Bebaji/Kiru): What has happened now is happening in so many other places. This is exactly what happened in the Committee on States and Local Governments where the Chairman goes ahead to do everything alone. *(Interruptions)*

Their Deputies and other Members of the Committees should be properly taken along in the process.

The Speaker: Thank you. Hon. Colleague, I have ruled on that but it is important to also advise Members and Chairmen of Committees that positions of the House are only taken on the Floor of the House. Your individual position should remain your individual positions and you should not bring the House into dispute with such comments.

PRESENTATION OF REPORTS

Report of the Joint Committee on Finance and National Planning on the 2010-2012 Medium Term Expenditure Framework and Fiscal Strategy Paper of the Federal Government of Nigeria

The Speaker: Today's business is the presentation of the Report of the Joint Committee on Finance and National Planning on the Medium Term Expenditure Framework and Fiscal Strategy Paper of the Federal Government of Nigeria standing in the name of Hon. John Owan Enoh. Members would recall that the Paper was referred to the Committee on Wednesday, 28th October 2009. The Report is now ready.

Hon. Enoh is invited to present the report.

Hon. John Owan Enoh (Obubra/Etung): I move that this House do receive the Report of the Joint Committee on Finance and National Planning on the 2010-2012 Medium Term Expenditure Framework and Fiscal Strategy Paper of the Federal Government of Nigeria.

Hon. Ndudi Godwin Elumelu (Aniocha North/South/Oshimili North/South): I rise to second the Motion as moved by the Chairman of the Committee on Finance.

Question put and agreed to.

Report laid.

The Speaker: Hon. Colleagues, in furtherance to the Report that has just been laid now, Members are informed that on Tuesday, 17th November, 2009 the House will consider the Report of the Committees on Finance on Legislative Budget on 2010 Medium Term Expenditure Framework which will be the basis for the 2010 Budget to be presented by Mr. President of the Federal Republic of Nigeria on Thursday, 19th November, 2009. Members are, please, requested to note in view of its importance as the basis for the 2010 Budget.

Copies of the Report are being made available to Members in their boxes and at the Entrance Desk.

(Signed)

Hon. Ita Enang

Chairman, Committee on Rules and Business

ORDER OF THE DAY

MOTIONS

Joint Session of the National Assembly

The Speaker: The first Order of the Day is a Motion on the Joint Session of the National Assembly standing in the name of the Leader, Hon. Tunde Akogun, to enable the House sit jointly with the Senate to receive an Address by the President of the Federal Republic of Nigeria on the 2010 Budget Estimate.

The Leader is invited to move his Motion.

Hon. Tunde Akogun (Akoko Edo): Mr. Speaker, I rise to move that this House do resolve to meet with the Senate in a Joint Session on Thursday, 19th November, 2009 at 11:00 a.m. to receive an Address by the President, Commander-in-Chief of the Armed Forces of the Federal Republic of Nigeria on the 2010 Budget Estimate and other measures thereto relating.

Hon. Baba Shehu Agaie (Agaie/Lapai): I rise to second that this House do resolve to meet with the Senate in a Joint Session on Thursday, 19th November, 2009 at 11:00 a.m. to receive the Address by Mr. President, Commander-in-Chief of the Armed Forces of the Federal Republic of Nigeria on the 2010 Budget Estimate and other measures thereto relating.

Question put and agreed to.

Resolved: That the House do resolve to meet with the Senate in a Joint Session on Thursday, 19th November, 2009 at 11:00 am to receive the Address by Mr. President, Commander-in-Chief of the Armed Forces of the Federal Republic of Nigeria on the 2010 Budget Estimate and other measures thereto relating.

Near Air Mishap within Port Harcourt Airspace

The Speaker: The Second Order of the Day is a Motion on the near Air Mishap within Port Harcourt Airspace standing in the name of Hon. Ekperikpe Ekpo.

Hon. Ekpo, please move your Motion.

Hon. Ekperikpe Ekpo (Abak/Etim Ekpo/Ika): I rise to move a Motion on the near air mishap within Port Harcourt Airspace.

The House:

Notes the near Air Mishap (collision) between Hawker 900, a passenger aircraft belonging to Garventon and an Allied Aircraft within Port Harcourt airspace on 30th October, 2009.

Further notes that Hawker 900 was heading to Lagos en-route Port Harcourt from Calabar while Allied Aircraft took off from Port Harcourt en-route Calabar;

Aware that it is compulsory for all passenger aircrafts to have functional Traffic Collision Avoidance System (TCAS) equipment;

Observes that the Allied Aircraft which was descending into the Hawker 900 either had no Traffic Collision Avoidance System (TCAS) equipment or it was not functional;

Disturbed that the Port Harcourt Control Tower cleared the Allied Aircraft to descend from a higher level across the approved operational level of Hawker 900 to a level lower on the opposite direction.

Worried that most Nigerian passenger aircrafts are flying blind without the Traffic Collision Avoidance System (TCAS) equipment:

Resolves to:

- (i) Urge the Nigerian Civil Aviation Authority (NCAA) and other relevant authorities to ensure that all passenger aircrafts have functional Traffic Collision Avoidance System (TCAS) equipment before flying Nigeria Airspace;
- (ii) Further urge the Minister of Aviation to ensure that any aircraft without Traffic Collision Avoidance System (TCAS) equipment be grounded;
- (iii) Mandate the House Committee on Aviation to investigate the matter and report to the House within two weeks.

Hon. Betty Apiafi (Ahoada East/Abua/Odual): I rise to second the Motion as moved by my hon. Colleague.

Hon. Ekperikpe Ekpo: Mr. Speaker, the 30th day of October 2009 would have recorded an unprecedented air mishap in Nigeria but for God's intervention that it was changed to near air mishap. This is a warning signal to the leaders of this country

that all is not well with our Aviation Industry. That is why this Motion is here today.

The Hawker 900 aircraft was heading from Calabar en-route Port Harcourt to Lagos carrying the Governor of Akwa Ibom State and nine others while the Allied Air, a chartered aircraft of the CBN, was heading to Calabar but within Port Harcourt Control Airspace. We were made to understand by publications and interviews that the Controller of the Tower within Port Harcourt directed or advised the Allied Air to descend.

The Speaker: Can you authenticate the directive of the Control Tower?

Hon. Ekperikpe Ekpo: Yes.

The Speaker: What you are saying is a very serious thing. This is because the House has not conducted any investigation into this and I am not aware of any report of any investigation that can authenticate what you are saying.

Why do you not use the word *allege*?

Hon. Ekperikpe Ekpo: It is all right, Sir. It was alleged that the Controller at the Port Harcourt Control Tower directed the Allied Air to move to a level of 21,000 ft whereas on the Voice Record in his office it is written 25,000 ft which conflicts with the Voice Record sent to the Pilot of the Allied Air.

The Hawker 900 that was coming from Calabar was operating at 24 and the Traffic Collision Avoidance System (TCAS) installed in this aircraft informed it that another aircraft was descending into the Hawker 900 and the Pilot had to descend by about 5,000 ft. By the time the system re-advised the Pilot to climb the engine stopped and the aircraft went into a free fall and in the process the air hostess collapsed. Many of the passengers were sick when they got out but by the special grace of God - (*Interruptions*)

The Speaker: Did the Governor of Akwa-Ibom State collapse as well?

Hon. Ekperikpe Ekpo: He did not collapse. He was on his seat like others.

The Speaker: He was about to collapse?

Hon. Ekperikpe Ekpo: It is on the issue of protecting the Constitution of the Federal Republic of Nigeria as regards safety.

The Speaker: Then you should have mentioned every other name in the aircraft because they are just as important. Please proceed.

Hon. Ekperikpe Ekpo: It was by the special grace of God that the engine of the aircraft came up again and when they got communicated again to the Port Harcourt Control Tower, it was to their shock and surprise that the aircraft that was heading to Calabar was not aware of what happened at all.

They tried to link up with Calabar and they were equally told that Port Harcourt could not link up with Calabar on their Radio System except through GSM. These are important things that are happening in the Aviation Industry that we need to address.

The issue here is that it is likely that the TCAS in the Allied Air was not functional; outside that that would have been detected. If it was a bigger aircraft fully loaded with passengers that would have resulted in another air crash in this country because the capability to come up again would not have been there and nobody would have known what caused the crash. As I speak to you, we do not even know what is responsible for the accidents that we have been having in this country. I believe this is a signal for us to actually look into those things.

In order not to mislead this honourable House, I went into a little investigation and discovered that there are four types of TCAS; one is passive in nature which could be referred to as analogue. The passive system covers less than seven miles in connecting the aircraft. The second one, called TCAS II, covers up to forty miles so that any other aircraft that is approaching would be alerted.

The third one is equipped with in-built system that can give instructions to the pilot to descend or climb and all those things. Therefore, we need to know the kind of TCAS that are being equipped in our aircrafts for the safety of Nigerians and air travellers.

With the deplorable state of roads in Nigeria many people now prefer to travel by air and as we are moving into December it will increase. There is need to go beyond the issue of TCAS. As I speak to you the screening machine at the Calabar International Airport that screen luggage is no longer functional. For over two months now, screening is done manually and you

know that influential people can pass and intimidate those people that are supposed to do that; these are things that we need to address. I could recall that I raised the issue of airfield lighting in a motion but nothing has been done about it.

I am, therefore, calling on this honourable House to look into the problem facing our Aviation Industry towards making sure that things are done the right way to ensure the safety of Nigerians.

Hon. Patty Etete O. Inemeh (Ikot Ekpene/Essien/Essien Udim/Obot): I am in support of the Motion ably moved by Hon. Ekperikpe Ekpo. What was averted on the issue Hon. Ekpo has talked about is such that would have caused a great national calamity to this country. Important personalities and Nigerians were aboard that flight. These are breadwinners to their families; these property owners *et cetera*. So economically, we would have lost a lot.

Image wise, this country would have lost so much in terms of attracting investment and restoring the confidence of investors and foreigners alike; it would have done a great damage to us.

A lot is wrong with our Aviation Industry. I crave the indulgence of my Colleagues here to ensure that the prayers in this Motion sail through.

The Speaker: Hon. Colleagues, this Motion is quite straightforward. I am going to put the question unless there is any amendment.

Hon. Rabe Nasir (Bindawa/Mani): In supporting this Motion, I think we should equally strengthen some of the prayers. I feel that the subject matter of the Motion is the mishap that was averted.

The Speaker: Can we just have your Amendment, please?

Hon. Rabe Nasir (Bindawa/Mani): Apparently, we do not even know how it all came about. I would like Prayer (i) to be amended so that we can direct the relevant Committee of this honourable House to investigate the incident so that the House will now be in a position to know what happened.

Hon. Salisu Yusuf Majigiri (Dutse/Mashi): I rise to second the Motion moved by Hon. Rabe Nasir.

Amendment put and negated.

Hon. Atai Aidoko Usman Ali (Ankpa/Omalala/Olamaboro): I want to add an Amendment to Prayer (iv) to read thus: *All personnel found wanting by way of negligence should face the relevant laws and be punished.*

Hon. Ihiabe Samson Positive (Dekina/Bassa): I second the Amendment as proposed by Hon. Atai Aidoko

Amendment put and agreed to.

Hon. Friday Itulah (Esan North East/South East): Prayers (i) and (ii) are already doing the work that the hon. Member is asking the Committee to do. I am of the opinion that we should just allow the Committee to conduct a thorough investigation into the matter and make recommendations to the House.

Therefore, I suggest that we delete prayers (i) and (ii) and leave (iii).

Hon. Hassan A. Shekarau (Birnin Gwari/Giwa): I rise to second the Amendment moved by Hon. Friday Itulah.

Amendment put and negated.

Main Question as amended put and agreed to.

The House:

Noted the near air mishap (collision) between Hawker 900, a passenger aircraft belonging to Garventon and an Allied Aircraft within Port Harcourt airspace on 30th October, 2009;

Further noted that Hawker 900 was heading to Lagos en-route Port Harcourt from Calabar while Allied Aircraft took off from Port Harcourt en-route Calabar;

Aware that it is compulsory for all passenger aircrafts to have functional Traffic Collision Avoidance System (TCAS) equipment;

Observed that the Allied Aircraft which was descending into the Hawker 900 either had no Traffic Collision Avoidance System (TCAS) equipment or it was not functional;

Disturbed that the Port Harcourt Control Tower cleared the Allied Aircraft to descend from a higher

level across the approved operational level of Hawker 900 to a level lower on the opposite direction;

Worried that most Nigerian passenger aircrafts are flying blind without the Traffic Collision Avoidance System (TCAS) equipment:

Resolved to:

- (i) Urge the Nigerian Civil Aviation Authority (NCAA) and other relevant authorities to ensure that all passenger aircrafts have functional Traffic Collision Avoidance System (TCAS) equipment before flying Nigeria Airspace;
- (ii) Further urge the Minister of Aviation to ensure that any aircraft without Traffic Collision Avoidance System (TCAS) equipment be grounded;
- (iii) Also urge the Minister of Aviation to ensure that anybody found guilty of negligence of duty in respect of the matter be punished;
- (iv) Mandate the House Committee on Aviation to investigate the matter and report to the House within two weeks.

The Speaker: My dear Colleagues, I hope we all have the Supplementary Order Paper.

Several hon. Members: Yes

The Speaker: It is all right.

Resumption of Exploration and Exploitation of Oil in Chad Basin, Benue and Adamawa Troughs:

The Speaker: The next Order of the Day is a Motion by the Leader of the Minority on the resumption of exploration and exploitation of Oil in Chad Basin, Benue and Adamawa Troughs.

Hon. Mohammed A. Ndume: Mr. Speaker, before I move my Motion, I want to apologise for the little overboard that happened. It is because these two Colleagues of mine, Hon. C.I.D. Maduabum and his Friend, are fond of intimidating me. Therefore, I want to apologise to my Colleagues for that behaviour but I hope you will call these two big people to order for trying to intimidate me always.

The Speaker: Who is trying to intimidate you?

Hon. Mohammed Ali Ndume: Hon. Leo Ogor and Hon. C.I.D. Maduabum.

The Speaker: Can you just, please, move your Motion?

Hon. Mohammed Ali Ndume: The Motion is on resumption of exploration and exploitation of oil Chad Basin, Benue and Adamawa troughs.

This House:

Notes the importance of exploration and exploitation of oil and gas resources to the economic and social well-being of Nigerians as the major source of revenue;

Worried that the Federal Government had for the past ten years promised to resume the exploration and exploitation of oil in the Lake Chad Basin and Benue troughs without any visible progress;

Cognizance of the fact that our neighbouring countries of the Republic of Chad and Niger Republic have completed the exploration process and have now started the process of exploitation of the vast oil resources in the region;

Resolves to:

Urge the Federal Government to direct all relevant authorities to resume fully the exploitation of oil and gas resources in the Lake Chad Basin, Benue and Adamawa troughs.

I so move.

Hon. Igochukwu N. Aguma (Port Harcourt I): I rise to second this wonderful Motion as proposed by the Minority Leader.

Hon. Mohammed A. Ndume: This Motion is straightforward and simple. It is for the resumption of oil exploration and exploitation in the Chad Basin. As you can see, I have so many honourable Members supporting this Motion. Therefore, I will just give a brief overview of the activities of the NNPC and oil exploration in the Lake Chad Basin.

The issue of oil exploration in the Chad Basin began as far back as 1976. Let me add that Lake Chad Basin itself occupies over 2,335,000 square kilometres out of which 233,500 kilometres is within our country, Nigeria and it occupies 10 *per cent*.

We all know that Lake Chad is being bordered by Chad, Niger, Cameroon and Nigeria. Niger and Chad have already discovered oil in their countries and they have since started the process of exploitation and they are even building refineries in Chad and Niger.

We all know that oil is being exploited in the Sudan. As I said, geophysical activities in that region commenced in 1976 but NNPC moved in 1982 to start exploration. They were exploring between 1984 and 1998 when it was suspended and up till that time twenty three wells were drilled by the NNPC. Exploration stopped thereafter and the NNPC went into agreement with another company called Mosunmolu Consortium to review the data collected so far and advise properly.

One of the findings of that consultancy company is that the seismic data analysis used by the NNPC then which is too dimensional cannot be effectively used for analysis of oil exploration. They suggested that since there is a modern cutting edge seismic data technology, it should be used. That report was given to NNPC in 2000. Now NNPC is saying that they are going back to resume exploration but up till now, nothing very tangible and visible has been done by NNPC.

I am therefore seeking the support of Members of this House so that the NNPC and the Committees that are charged with that responsibility will step in to ensure the early commencement of exploration of oil and gas.

Hon. Igochukwu Aguma: I commend the Minority Leader for once moving in the direction of our great government conceived and formed by the People Democratic Party. I also wish to inform him that the vision of our President in reforming the oil and gas sector has indeed taken cognisance of the need to continue to explore inwards the frontiers of oil and gas possibilities in Nigeria.

By that they have removed the burden from the NNPC in the proposed Petroleum Industry Bill and place it squarely in an agency to be created specifically for that purpose. That is the Frontier Exploration Agency. It is embodied and it is now an authority with a full Board in the proposed Petroleum Industry Bill.

The major constraint NNPC has had has been the cost of the exploration but with the frontier company standing on its own it will now have its own budget to continuously carry out those activities.

I thank the Leader of the Minority for moving towards People Democratic Party (PDP).

Hon. Aminu Waziri Tambunwal (Kebbe/Tambunwal): Mr. Speaker, I support this Motion and commend the Minority Leader for appreciating the vision of our own government and for him to do that I believe he is being quite supportive of what is clearly well established project of the Government of the People Democratic Party of Nigeria.

Arising from the contribution of the Chairman, Committee on Gas, I submit that we amend the prayer: thus:

Urge the Federal Government to direct the relevant authorities to resume the exploitation of oil and gas resources in the Federal Republic of Nigeria.

The Speaker: Before we take on that Amendment, I give the Floor to the Chairman of the Committee on Petroleum Resources (Upstream).

Hon. Bassey Otu (Yakurr/Abi): Mr. Speaker, even though I am in support of the Motion wholeheartedly, I want to inform the House that the Government of President Umaru Musa Yar'Adua has already commenced the 3G Seismic Data Explorations in that regard. Funds have already been committed to it. This is one of the reasons why we must commend this government as far as the Petroleum sector is concerned. They have taken some bold steps which no other government before now has ever done.

Leader of the Minority, we thank you for keying in into this programme and we will continue to encourage you to carry on because we in this House believe that there is oil in Dahomey Basin.

The Speaker: I am going to move straight to the Amendment. Deputy Chief Whip, could you repeat your Amendment, please?

Hon. Aminu Waziri Tambunwal: Mr. Speaker, I have stepped my Amendment down.

The Speaker: Hon. Chairman, Committee of Petition, what is your Amendment?

Hon. C.I.D. Maduabum: Mr. Speaker, my amendment is to add to the Motion. It reads:

Urge the Federal Government to direct the relevant authorities to resume the exploitation and

exploration of oil and gas resources in Lake Chad Basin, Benue, Anambra and Adamawa troughs.

The truth is that Anambra Basin has perhaps the largest concentration of gas in the Federal Republic of Nigeria and it is neither exploited nor explored. That is clearly proven. That is why Anambra State is not an oil producing State. Anambra Basin is a matter of necessity and fact. So my Amendment is to add Anambra Basin because that is what is right.

Hon. Andrew Uchendu (Ikwerre/Emohua): Mr. Speaker, I would like to make an Amendment.

The Speaker: You are just to second the Amendment.

Hon. Andrew Uchendu: I do not want to second it.

The Speaker: Thank you. For the record, Chairman, Committee on Public Petitions, you are requesting for exploration before exploitation?

Hon. Abdullaziz Abubakar (Anka/Talata Mafara): Mr. Speaker, I second Hon. C.I.D. Maduabum's Amendment.

Amendment put and agreed to.

Hon. Ita Enang: Mr. Speaker, I have an Amendment which I am proposing in view of the fact that there are several corked oil wells in the country in which oil has been discovered.

My Amendment is: *Urge the Nigeria National Petroleum Corporation to direct the oil companies to re-open and explore oil in the various oil wells corked all over the country.*

The Speaker: Why do we not add the words *provided oil was once discovered in commercial quantities*?

Hon. Ita Enang: It is all right, Mr. Speaker.

Hon. Solomon Agidani (Apa/Agatu): Mr. Speaker, if this is agreed to, what happens to the adopted one? The point now is that whereas there is need to elongate the sentence to include the portion that was adopted, if this is deleted, that one should also be deleted because we have already adopted a position.

Hon. Austin Nwachukwu (Ehime Mbano/Ihite Uboma/Obowo): I second the Motion as ably moved by Hon. Ita Enang.

Question put and negatived.

Hon. Sani Muhammad Abdu (Alkaleri/Kirfi): What is required now is to remove Adamawa trough and any other one because geologically we are speaking of trough, not River Basin as people thought; I have read the document.

The Speaker: What is your Amendment, please?

Hon. Sani M. Abdu: My Amendment is that the prayer should read: *Exploration and exploitation of oil and gas resources in the Lake Chad Basin and Benue trough.* This is because Benue trough encompasses all those areas.

The Speaker: Are you seeking to remove Adamawa?

Hon. Sani M. Abdu: Yes. This is because we are not talking about River Basins but the geological aspect.

The Speaker: It is all right. Is any Member seconding the Motion seeking the deletion of Adamawa from the prayers?

Hon. Stanley Emeka (Ukwa East/West): I rise to second the Motion that Adamawa be deleted from the prayer.

Amendment put and negatived.

Hon. Bello Emmanuel (Gombi/Hong): Mr. Speaker, I have an amendment and it reads: *That the Federal Government should facilitate a quicker resolution to the fund raising and placement by those who won the blocs in the Lake Chad Basins which have already been sold.*

They were owned by companies and they are trying to raise money.

The Speaker: Hon. Bello, could you just move your Amendment, please?

Hon. Bello Emmanuel: My amendment is: *That the government should try to facilitate the companies that have won the blocs to quicken exploration in the Chad Basin.*

Hon. Abubakar Mahmud Wambai (Miaha/Mubi North/Mubi South): I rise to second the Amendment as moved by Hon. Bello Emmanuel.

Amendment put and negatived.

Main Motion as amended put and agreed to.

This House:

Noted the importance of exploration and exploitation of oil and gas resources to the economic and social well-being of Nigerians as the major source of revenue;

Worried that the Federal Government had for the past ten years promised to resume the exploration and exploitation of oil in the Lake Chad Basin and Benue troughs without any visible progress;

Cognizance of the fact that our neighbouring countries of the Republic of Chad and Niger Republic have completed the exploration process and have now started the process of exploitation of the vast oil resources in the region;

Resolved to:

Urge the Federal Government to direct all relevant authorities to resume fully the exploration and exploitation of oil and gas resources in the Lake Chad Basin, Benue, Anambra Basin and Adamawa troughs.

CONSIDERATION OF BILLS

Supplementary Appropriation Bill, 2009

A Bill for an Act to authorise the issue from the Consolidated Revenue fund of the Federation the total sum of N352,850,000,000 (Three Hundred and Fifty-Two Billion, Eight Hundred and Fifty Million Naira) only of which ~~N~~96,300,000,000 (Ninety Six Billion, Three Hundred Million Naira) only is for additional Recurrent (Non-Debt) Expenditure while the balance of ~~N~~256,550,000,000 (Two Hundred and Fifty-Six Billion, and 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 -

Order for Second Reading.

The Speaker: The next Order of the Day is consideration of a Bill for an Act to authorise the issue

from the Consolidated Revenue Fund of the Federation the total sum of ~~N~~352,850,000,000 (Three Hundred and Fifty-Two Billion, Eight Hundred and Fifty Million Naira) only of which ~~N~~96,300,000,000 (Ninety Six Billion, Three Hundred Million Naira) only is for additional Recurrent (Non-Debt) Expenditure while the balance of ~~N~~256,550,000,000 (Two Hundred and Fifty-Six Billion, and Five Hundred and Fifty Million Naira) only is for contribution to the development fund for additional Capital Expenditure for the year ending 31st day of December, 2009 Supplementary Appropriation Bill, 2009. Members would recall that the Bill was read for the First Time on Tuesday, 3rd November, 2009.

I now invite the leader of the House to move that the Bill be read a Second Time.

Hon. Ita Enang: I crave the indulgence of the Chairman and my Colleagues to, please, move for the suspension of Order XII, Rule I of our Standing Orders to enable us take this Bill in view of the fact that the Bill was only received on Tuesday, 10th November, 2009 and we have circulated 400 copies of the Bill as was sent in two days ago. As at today, we have also produced another 360 copies of this Bill and have distributed them to Members.

The essence of gazetting is to allow notice and the fact of the Bill to be made known to Members and the fact of hearing of this matter was published in the Notice Paper which was issued on Friday, last week.

I therefore move that the House do suspend Order XII, Rule I of our Standing Orders to enable us consider the Bill as contained in Order XXXVI.

I so move.

Hon. Emmanuel Jime (Makurdi/Guma): Mr. Speaker, I most humbly rise to second the Motion as moved by Hon. Ita Enang.

Question put and agreed to.

Resolved: That the House do suspend Order XII, Rule I of our Standing Orders to enable the House consider the Supplementary Appropriation Bill, 2009 Bill as contained in Order XXXVI.

Hon. Tunde Akogun: I move that a Bill for an Act to authorise the issue from the Consolidated Revenue Fund of the Federation the total sum of ~~N~~352,850,000,000 (Three Hundred and Fifty-Two Billion, Eight Hundred and Fifty Million Naira) only of

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 31st day of December, 2009 be read the Second Time.

Hon. Baba Shehu Agaie (Agaie/Lapai): I second the Motion that 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 of 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, and Five Hundred and Fifty Million Naira) only is for contribution to the development fund for additional Capital Expenditure for the year ending 31st day of December, 2009 be read a Second Time.

Question proposed.

Hon. Tunde Akogun (Akoko-Edo): Hon. Speaker, the Supplementary Appropriation Bill seeks to authorise the issue from the Consolidated Revenue of the Federation a total sum of ₦352,850,000,000 (Three Hundred and Fifty-Two Billion, Eight Hundred and Fifty Million Naira) only of which ₦96,300,000,000 (Ninety-Six Billion, Three Hundred Million Naira) only is for additional Recurrent Expenditure while the balance of ₦256,550,000,000 (Two Hundred and Fifty-Six Billion and Five Hundred and Fifty Million Naira) is for Capital Expenditure.

The Bill, which is within the Fiscal Framework of the 2009 Appropriation Act, seeks to facilitate some Government emergency regimes, augment spending shortfalls and support the Rail Sector Reactivation Programmes. Part of the expenditure items includes the support for the Post-Amnesty intervention programmes in the Niger Delta.

Hon. Members are aware of how far the Government has gone in dousing militancy. While this fiscal support is aimed at ensuring peace it also seeks to build confidence in Government commitment towards accelerated development of the region and this has an added economic advantage of improved crude production output and the restoration of hitherto shutdown oil production facilities

Another key point of the Supplementary Budget is the provision of palliative measures to cushion the immediate effect of the forthcoming deregulation of the downstream sector of the Petroleum Industry. In furtherance of this emergency measures, road rehabilitation is proposed particularly along the Eastern corridors of the country so as to reduce cost of transportation as Christmas approaches. In the rail transportation sub sector, provisions have been made for the procurement of railway locomotive and rail mass transport services in selected cities in the country.

The Budget also seeks to service a counterpart funding of a negotiated loan with the Chinese Government for Abuja - Kaduna Rail Lines and to offer augmentation of the shortfall in rehabilitating Lagos - Jebba and Jebba - Kano Rail Track

To strengthen the various facets of poverty eradication programme a significant amount is earmarked for the Bank of Industry to help in reactivating the real sector particularly the small and medium industry.

Disturbing pension palaver as it were of NITEL and MTEL is what we are seeking to resolve once and for all. To achieve this, provision has been made for a facility to offset the pension overhang thereby facilitating the eventual smooth buyout of NITEL and MTEL conglomerate.

Legislative measures are equally being put in place to ensure that these expenditures are sustained and carried over into the first quarter of next year. This budget is going to be redrafted. This is to allow for the full implementation as proposed so as to avoid the legal necessity of returning unspent funds back to the Consolidated Revenue of the Federation.

Funding for these items are expected from the Federal Government share of the Excess Crude Account, DMO, Federal Government Bond Issuance, soft loan from the World Bank and of course projected unspent balance of the 2009 Appropriation Act.

I therefore urge you to, please, support this Bill to enable government to effectively respond to these immediate socio-economic challenges of our nation.

The Speaker: Hon. Igochukwu Aguma, there is a special meeting in my office and there are some people waiting for you there. Could you proceed to my office please?

Hon. Emeka Ihedioha (Aboh Mbaise/Ngor Okpala): I rise to speak on behalf of my constituency in support of the timely Supplementary Appropriation Bill brought forward by the Executive.

You will agree with me that this present Government must be given kudos for having made successful inroad in budget implementations. We have our reservations about the slow pace in some respects but we agree that this Government has been committed to spending budget as approved and appropriated by this House.

In a few areas where there are challenges, they have been addressed. The Reports from our various Committees that have been visiting the site and over-sighting what the Executive has been doing is bringing about some progress. Our intervention has been positive. In this wise, the various projects as outlined are laudable.

I have seen projects that have to do with the reactivation of our Rail lines. In most part of the country that is supportive, we cannot overemphasise the need to enhance transportation both in the Rail and Road sub sectors as well as in the Inland Waterways that indeed is positive.

I am also happy to have noticed a line in the budget that takes care of the completion of Primary Health Centres, an issue that this House has taken up with the Executive. Guess is the response to the issue that has been raised by the House that the Executive has accommodated it in the Supplementary Budget. I am therefore positive that the Primary Health Centres would be executed before the end of the year.

It is interesting that the largest chunk of money to a single line budget or line item is given to Post-Amnesty intervention in the Niger Delta. We all have applauded the President for a wonderful job. The initiative in bringing about amnesty in the Niger Delta is commendable. It has brought a lot of positives to the nation and to the administration.

Today, we have peace in our land. What therefore remain is for the deliverables to get actually to the people. There lies my worry. I have seen the sum of ₦114,000,000,000 (One Hundred and Fourteen Billion Naira) allocated to Post Amnesty intervention in the Niger Delta in the letter that was sent to us by Mr. President.

Mr. President talked about the urgency of consolidating and sustaining peace to which I agree

completely. Mr. President has told us that it would help deepen and consolidate peace as well as lay foundation for sustainable development. Mr. President also enumerated the areas. However, I have my worries that if we do not have the details of how the ₦114,000,000,000 (One Hundred and Fourteen Billion Naira) would be spent the Executive may not be able to carry out this job before the end of this year.

It is very important that we urge the Executive to send to the Appropriation Committee details of these projects when this Bill passes Second Reading. It is important for us to be sure that all nooks and crannies and all parts of the Niger Delta are accommodated. In supporting the Second Reading of this Bill, it is important that we set a timeframe within which the Committee on Appropriation will report back to this House.

Hon. Waziri Aminu Tambunwal (Kebbe/Tambunwal): I rise to support the Second Reading of this Bill for the following reasons. This is a Bill that seeks to address one of the issues of shortfalls in remittances to our Missions abroad. We as a country have our various Missions in other parts of the world and indeed we have been receiving reports from some of these Missions of the difficulties the Missions are facing currently due to shortfalls in the funding of their activities which definitely hampers the carrying out of their respective work at various Missions. Based on this, I believe that this House should support the Second Reading of this Bill.

This Bill also seeks to promote the provision of Housing Scheme for lower cadre of our Civil Servants. There is a provision in this Bill for road maintenance to be carried out by FERMA. I believe that all of us, day in day out, have been witnessing and receiving complaints about the state of our roads. Therefore, it is pertinent that we support the Second Reading of this Bill so that FERMA can carry out extensive repairs. I can see the argumentation for the hosting of FIFA Under 17 World Cup for 2009 which is ongoing. We have invited the whole world and the tournament is ongoing and we need to conclude this very all-important international responsibility.

I can also see that there is a provision that seeks to take care of cotton and garment industry, the resuscitation of seed money which I believe is intended to inject more funds into the rehabilitation and turning around of the ailing textile industries in Nigeria. Based on this and of course some other reasons highlighted by other previous speakers, I urge all of us to kindly support the Second Reading of this Bill.

Hon. Mohammed A. Ndume: Mr. Speaker, the spirit behind the Second Reading of a Bill is to discuss the general principles of that particular Bill. In as much as we appreciate the importance and the relevance of the sub-headings mentioned in the Supplementary Bill, I am particularly concerned about the timing of the Bill.

We have barely forty days to the end of the year and we have a Supplementary Budget of ₦352 billion into very critical sectors especially the Railway and the Post Amnesty which should not be as they have started saying in the papers; talk and talk. This House should make it very clear that the processing of the Bill will hopefully take some time before it comes out. It may take us to the end of the month so to say. It means that by the time the President assents to this Supplementary Bill, we would have barely thirty days to the end of this year. After those thirty days, going by the new system, the agencies would not have access to this money and then we would start the process of another budget for 2010 which is to be presented to this House next year.

Mr. Speaker, this should be a source of concern because it is not going to be honourable for this House to approve a Supplementary Budget only to end up unimplemented because of technicalities and Due Process that we insist must be followed. So, if we are sincere about this issue, we either have to put a caveat in the Supplementary Budget to enable the agencies not only to access the money but for it to be seen to be used for that purpose. We all know that a lot of money has been pumped into the Niger-Delta. The problem is that this money does not get to the people that are crying for help some of which took up arms in the past. What is the NDDC doing? What happened to the money that had earlier been released?

This House should ask more questions rather than passing Supplementary Budget for rural area, this and that and then commending the President for that. The commendation should come only after practical things are seen and these things are working. Commending this man for bringing up this and that should not be the issue. In Hausa there is an adage that says when a dog says there is party in your house, they would say that the dog would want to see it there, that is, there should be bone or something.

As the Niger-Delta people are crying out, we are tired of this talk, talk, talk and commendation. They are asking for their right; it is not a privilege. Therefore, these things should be seen to be done.

I could hear a hon. Colleague say I should second the Motion for the Second Reading of the Bill. I am in support of the Second Reading of the Bill but there should be a caveat to make sure that the money is judiciously utilised.

Hon. Leonard W.W. Dilkon (Paskshin/Kanke/Kanam): Mr. Speaker, I would not want to belabour my Colleagues on why we should support the Second Reading of this Bill but I want to raise some observations.

Everywhere in the world today, government is injecting money into banks and so on. Here, there is ₦10 billion for Federal Mortgage Banks; ₦15 billion for Banks of Industries; ₦3 billion for NEXIM and ₦2 billion for NERFUND. These banks should tell us how much they are going to be giving us every year if this money is released to them.

We have been bringing revenue to finance budget. There is nowhere you will see a column of refund from the investment of government. We might give them this money and tomorrow you will hear that they are building zonal offices here and there. So, I would want this House to pass this but these agencies should make a return to the Committee on how these monies have been expended. There is about ₦40 billion that would be going in as seed money.

The only reservation I have is that of the FCT budget. The Hon. Minister brought a budget proposal of ₦92 billion. We passed ₦118 billion. This was as a result of the work of the Finance Committee because it did not capture ₦26 billion. He brought ₦25 billion refund from the Federal Inland Revenue Service (FIRS) and we said no; it was ₦29 billion.

There was another ₦17 billion that FIRS said they will collect as taxes for this year; he did not capture it. If you look at the submission, you will see that there is ₦29 billion that we had approved that should be given to the Minister. Of this ₦29 billion, ₦5 billion was supposed to be for the expansion of the Airport Road that was approved for the FCT. If you go down, you will see that there is ₦46 billion for this same road. There is another ₦5 billion because this ₦29 billion includes ₦5 billion that was approved for that same road.

I would want the Appropriation Committee and Finance Committee to look at it and let us know the actual situation. When the Minister brought this budget here, he told us it was private partnership. Today it is no longer Private Partnership. If we enter

into that agreement it is going to be a very bad one. So it is a good idea that the President has said no; we are going to pay but let us look at that.

The Minister wants ₦20 billion for seed money for loan to build houses. This is the hon. Minister who said that the resolution of this House does not mean anything to him. The man does not recognise us. Although he was one of us, has no respect for us and as such, all the other things in this Budget should be passed to Mr. President but the ₦20 billion loan request by the Minister should be stood down.

Hon. Ihiabe Samson Positive (Dekina/Bassa): Before I go to my point, I want to align myself with the last speaker with specificity on the FCT Minister that my hon. Colleague had spoken about who had vowed never to go by the Resolutions of the House and he is still destroying Nigerian cars left, right and centre around the city.

With respect to matters that affect FCT, it is important that the Committee on Legislative Compliance take immediate action and find out why the Minister said that he is over and above the legislature in Nigeria. Over and above that, therefore, I wish to second the Motion as moved by Hon. Leonard Dilkon.

The Speaker: I am not aware of any Motion. He was contributing to the Debate

Hon. Independence Ogunewe (Ahiazu Mbaize/Ezinihitte): I am in support of the Second Reading of this Bill; it is an objective statement of fact. However, there are some salient issues that the Minority Leader raised. That is what I want to bring to the notice of this House and particularly, the Speaker.

Today is 12th. If we go by timing, we would assume that perhaps if we are very fast by 25th or 26th of this month, we would have been through with this document and it would be signed into law. That means we would have about less than thirty days or a little more to execute this. Assuming the government sticks to its standard of making sure that by 31st December un-accessed funds are returned back, what it means is that it is most likely that some of these things may not be accessed. If the government is still insisting on bringing this even when they know that they were not accessed, something agitates my mind; it might be necessary that Mr. Speaker, at his level communicates with the Executive with a view to finding out whether they are seeking anticipatory approval, which means that these things might actually have been expended on

the basis of which anticipatory approval is being sought. Otherwise, it does not make sense.

Having said that, I align myself very strongly, first of all, with the position of the Chief Whip. I am from Imo State and by the grace of God, we are part of the Niger Delta States and there is a line item here that talks about Post-Amnesty Projects. In fact, before Ugochukwu left part of his agitations were that there should have been breakdown not only for the NDCC; there should have also been a breakdown for these Post-Amnesty Projects.

From the address of Mr. President, on the second page, you will realise that, to a very large extent, what was put there agitates my mind because most of those projects caused some problems even during the Obasanjo Administration when he was talking about the East-West roads, the coastal highways and several other projects which indeed excluded Imo and Abia States.

Now, we are saying that we contribute to the Commonwealth and we are saying also that as peace loving people; people who have experienced war in the past, we do not subscribe to violence. Why we are telling people to take it easy is because of the three years of harrowing experience we had during the Civil War and we know what it means to fire a bullet.

I think the government should reward our loyalty and advocacy of non-violence by making sure that if they see that their focus is all about this, there should be additions. It would amount to nothing if we come here to pass Resolutions and laws that cannot be implemented.

I would not want to criticise the FCT Minister but let me say that Hon. Leo's observation is so instructive because it is worth investigating. If he came in here and said certain projects are supposed to be through Private/Public Partnership and at the end of the day, it is now ending up in the Budget without explanation, then somebody might smell a rat. I may not have the details but I think the relevant Committee should be asked to look into the reason why he veered away from the path of the Public/Private Partnership and insisting now that the government should pick up the whole bill.

However, the Minister should be made to honour every other resolution we pass here it. Otherwise, he will make us a bunch of school children.

Hon. Mayor Chukwudi Eze (Orlu/Orsu/Oru East): Point of Order, Mr. Speaker. My Point of Order

is Order V, Rule 1 of our Standing Orders at page 9 dealing with Privileges.

My privilege as a legislator has been breached. I cannot be part of a Parliament that issued instructions to the Federal Capital Territory Minister and he refused to implement it and now we are here to pass a Budget that will affect him.

I therefore move that this House should suspend everything that concerns the FCT Minister.

(Prolonged Interruptions)

A hon. Member: Point of Order, Mr. Speaker!

The Speaker: Please, I need to rule on the Point of Order raised by Hon. Chukwudi Eze. Earlier on today this issue came up and I gave a ruling. Please, we can do a lot of damage control. The whole world is aware of what you are talking about and we can resolve this issue amicably. I am pleading with you to, please, speak to the general principles of this Bill.

My ruling on the Point of Order raised by Hon. Eze would be that we stick to the general principles of this Bill while we consider what you are saying subsequently.

Hon. Dino Melaye: Point of Order, Mr. Speaker!

The Speaker: What is the Point of Order, Hon. Dino Melaye?

Hon. Dino Melaye: After the stunning revelation from the Deputy Chairman – *(Interruptions)*

The Speaker: Hon. Dino Melaye. I have ruled on what has to do with the FCT Minister.

Hon. Dino Melaye: My Point of Order is not on the Minister, Sir.

The Speaker: I have ruled on the Ministry of the Federal Capital Territory.

(Prolonged Interruptions)

My dear Colleagues of the largest Parliament in Africa.

Hon. Halims Agoda: Point of Order, Mr. Speaker!

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

Hon. Halims Agoda: I am aware of the procedure of this honourable House that once you have ruled on a given issue it takes more than more argument to revive that issue but I am convinced that the issue raised by Hon. Dino Melaye is a critical issue that we cannot undermine as a Parliament.

The Minister came here and made a presentation that this item would be financed by Public/Private Partnership and, therefore, the government is not even required to spend much on it other than the required regulation but we are now seeing huge sum of money.

No Parliament can be blinded to this obvious fact of discrepancies. This is a Parliament that is in charge of the nation's purse and our purse at the moment is very lean. We owe this great country the duty to manage the scarce resources of this country prudently.

I therefore support very sincerely the move made by Hon. Dino Melaye that this House will be on a higher pedestal if we are able to examine and verify these discrepancies and, therefore, save a lot of money for the Nigerian people.

I beg to add.

A hon. Member: Point of Order, Mr. Speaker!

The Speaker: You will allow me to rule on this Order before you raise another one. I give the Floor to the former Leader of the House, Hon. Abdul Ningi.

Hon. Abdul Ahmed Ningi (Ningi/Warji): Mr. Speaker, I am sad as anyone of us here. Additionally, I am a Member of the FCT Committee. On several occasions, we have been having a running battle with the FCT Minister.

Today, we are discussing the general principles of a Bill. The law that we are practising does not allow us at the present time to add. What the law allows us to do is to criticise and support and then state the merits and demerits of the case and Members have patiently laid their positions and anger and that is a lesson for all of us Nigerians and especially the Ministers to know and understand. However, we cannot subtract any item here and bring it down until when we come to the Clause by Clause consideration.

If it is the view of Members that they do not like it, they must wait for the Clause by Clause consideration of the Bill after which we will remove it.

The Speaker: Now that we have somewhat been informed, I will put the Question that the Bill be read the Second Time.

Question put and agreed to.

Bill read the Second Time and referred to the Joint Committee on Appropriation and Finance.

**Federal Highway Medical Services Agency
(Establishment) Bill, 2009**

A Bill for an Act to Provide for the Establishment of Federal Highway Medical Services Agency and to Make Comprehensive Provision for Establishment of Sick Bay Centre and for Matters Connected Thereto, 2009 (HB. 298) –

Order for Second Reading.

The Speaker: The next Order of the Day is Commencement of Debate on the General Principles of a Bill for an Act to Provide for the Establishment of Federal Highway Medical Services Agency and to Make Comprehensive Provision for Establishment of Sick Bay Centre and for Matters Connected Thereto, 2009. Hon. Colleagues would recall that the Bill was read for the First Time on 30th July, 2009

I now invite Hon. Patrick Ikhariale to move that the Bill be read the Second Time.

Hon. Patrick Ikhariale (Esan Central/Esan West/Igubeben): Mr. Speaker, hon. Colleagues, I move that a Bill for an Act to Provide for the Establishment of Federal Highway Medical Services Agency and to make Comprehensive Provision for Establishment of Sick Bay Centre and for Matter Connected Thereto be read the Second Time.

Hon. Doris Uboh (Ika North East/Ika South): I second the Motion as moved by Hon. Patrick Ikhariale.

Question proposed.

Hon. Patrick Ikhariale: This Bill, to all intents and purposes, is a straightforward one as it borders on saving lives of Nigerians who get involved in auto accidents almost everyday. If you take a look at our dailies, there is hardly any day that passes by without

reports of one form of road accident or the other. More often that not there are so many people that end up being victims of these road accidents.

The baseline of my argument is that death resulting from road accidents in Nigeria annually when computed can form the population of small countries in the Islands. I do not want to bore this House with dailies reports but suffice it to say that with me here is official statistics of the Federal Road Safety Corps.

In the course of pursuing the details of this Bill, I did request from the Federal Road Safety Commission to give me official statistics. What that signifies is that there are incidences that do not necessarily get reported. Even at that the revelation from the statistics I am having here is appalling. In 2007, from the statistics I have here, the total casualty recorded amounted to 22,467 out of which those killed amounted to 4,673 in one year.

In 2008 the total number of casualty resulting from road accidents on our Federal Highways across the country was 34,641 out of which 6,661 died. In 2009 we are in, we already have 19,360 as official casualties with actual deaths amounting to 3,507. This represents official statistics and I know that there are quite a number that may not have been officially reported. It therefore means this is a tip of the iceberg.

That does that translate to? It simply means that the number of people we lose to road accidents annually in this country is enormous. Permit me at this point in time to say that I watched with rapt attention when my Colleague moved a Motion concerning the near air mishap. I was amazed to see the level of concern that Members expectedly gave to it and I was equally pleased with the resolution.

Be that as it may, this brings us to what Shakespeare would paraphrase as: *When the poor dies, nobody speaks but even the heavens blaze forth the death of kings*. I do not want to believe that because more often than not the masses of this country are principally and predominantly involved in these road accidents. About 70 to 80 *per cent* of these accident victims ordinarily would have lived if they had access to quick medical attention; that is the baseline of this Bill.

This Bill seeks to establish an institution that will take charge and care of emergency situations by having sick bay centre across Nigerian Federal Highways and for a pilot scheme, we can take the old Federal Toll Gates that abound the Federal Highways in Nigeria.

I regret to say that quite often victims of road accidents are usually at the mercy of passers-by and if you take statistics of our Federal Highways, they are usually bypassing major cities and towns and passers-by for this purpose do not necessarily have understanding and knowledge of the nearest medical centre and when that happens, they are as helpless as the accident victims. What happens? They bleed to death.

I beg to say that thousands of these people would still have been living today if we have well-established medical sick bays across our Federal Highways. I am saying this because this is the legislative anchorage that I can give to it.

If we go into the provision of the Constitution of the Federal Republic of Nigeria, 1999 which is the grundnorm of this country, we can adequately take a legal and constitutional anchorage on the position that this Bill seeks to protect. The truth of the matter is that Section 17(3)(c) and (d) makes it mandatory and incumbent on the Government of the Federal Republic of Nigeria to take adequate responsibility and care over the health and welfare of Nigerians. We are Members of Parliament because we have people we represent.

Need I say that from the State by State statistics which is given to me it is obvious that as true representatives of our people there is no day that the constituents of one or two Members of this House do not get involved in one road accident or the other. We cannot fold our hands continuously and not take decisive decision as to how we can curb and reduce the rate of accident as much as possible.

In view of this, I beg my honourable Colleagues

to, please, support that the Bill be read a Second Time.

Question put and agreed to.

Bill read a Second Time and referred to the Committee on Health.

Meeting of the House Committee on Police Affairs with the IGP

The Speaker: Before I call on the Leader, let me inform this honourable House that the Committee on Police Affairs is meeting with the Inspector General of Police right now.

(Signed)
Hon. Abdul Ningi
Chairman

ADJOURNMENT

Hon. Tunde Akogun: Mr. Speaker, hon. Colleagues, I move that the House do adjourn till Tuesday, 17th November, 2009 at 10.00 a.m.

Hon Baba Shehu Agaie: Mr. Speaker, I rise to second Motion as moved.

Question put and agreed to.

Resolved: That the House do stand adjourned till Tuesday, 17th November, 2009 at 10.00 a.m.

The House adjourned accordingly at 1.22 p.m.