

1309

HOUSE OF REPRESENTATIVES
FEDERAL REPUBLIC OF NIGERIA

Tuesday, 2nd June, 2009

The House met at 10.45 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 Thursday, 28th May, 2009.

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

**A Bill for an Act to Alter the Provisions of the
Constitution of the Federal Republic of Nigeria,
1999 and for Other Matters Connected Thereto**

The Speaker: I have before me a Bill from the President of the Federal Republic of Nigeria. It is a Bill for an Act to Alter the Provisions of the Constitution of the Federal Republic of Nigeria, 1999 and for Other Matters Connected Thereto. The covering letter reads: May, 2009

*Right Honourable Dimeji Bankole, CFR
Speaker of the House of Representatives,
National Assembly Complex,
Three Arms Zone,
Abuja.*

Dear brother,

**BILL FOR AN ACT TO ALTER THE PROVISIONS
OF THE CONSTITUTION OF THE FEDERAL
REPUBLIC OF NIGERIA 1999 AND FOR OTHER
MATTERS CONNECTED THERETO**

I forward herewith, for your kind consideration and passage into law, the attached draft Bill for an Act to Alter the 1999 Constitution of the Federal Republic of Nigeria (Amendment No. III).

Pursuant to the above, therefore, and in line with the powers vested in the National Assembly, I hereby present the said Bill for the kind consideration of the hon. Members of the House of Representatives of the Federal Republic of Nigeria.

It is my hope that the honourable House of

1310

Representatives of the Federal Republic of Nigeria will consider and pass the Amendment Bill in your usual expeditious manner.

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

Yours sincerely,

(Signed)
UMARU MUSA YAR'ADUA

ANNOUNCEMENT

**Meeting of the Ad-Hoc Committee on the
Activities of NNPC**

The Speaker: There will be a meeting of the Ad-hoc Committee on the activities of NNPC today Tuesday, 2nd June 2009 in Committee Room 210, New Building immediately after sitting.

This is from Hon. Igo Aguma, Chairman.

**Explanation Required on Hon.
Members' Salaries**

The Speaker: Is the Chairman, House Services Committee here? *(No response)* Is his Deputy here? *(No response)*

A hon. Member: They are enjoying themselves!

The Speaker: They should be very careful because they will need to explain to Members the calculations of the salaries which we received last week.

Deputy Leader of the House, could you please get the House Services Committee and your good self to make very quick explanation on what happened to the salaries of Members.

If there is any correction made after this announcement, we want that analysis and information in every Member's box by the end of today.

**Election of the 1st Vice President of the
African Parliament**

The Speaker: My dear Colleagues, it is my pleasure to announce to the House that last Thursday, 28th May 2009, at a very keenly contested Election of the 1st Vice President of the African Parliament, Hon. Bethel Amadi emerged the winner. He polled just about 100 votes to his opponent's 97 votes; it was a very close contest.

1311

Hon. Bethel Amadi, congratulations! (*Applause*)

Special Session of the House of Representatives

The Speaker: Hon. Colleagues, there will be a Special Session on Thursday, 4th June, 2009 to celebrate Ten Years Anniversary of the Legislature and, indeed, the House of Representatives. Any further enquiries could be made to the Chief Whip of the House who is the Chairman of the Committee for this celebration.

All Members who have Bills and Motions to be considered on the Floor for Thursday, 4th June 2009 should realise that those activities will be brought forward to Wednesday 3rd June 2009 so that we can take on those Bills and Motions on Wednesday instead of Thursday.

PRESENTATION OF REPORTS

Report of the Committee on Foreign Affairs on the Briefing by the Hon. Minister of Foreign Affairs, Chief Ojo Maduekwe on the Sale of Nigeria Embassy Properties in Washington DC, United States of America

The Speaker: Hon Members, the first Business of the Day is the presentation of the Report of the of the Committee on Foreign Affairs on the Briefing by the Hon. Minister of Foreign Affairs, Chief Ojo Madueke on the Sale of Nigerian Embassy Properties in Washington DC, United States of America standing in the name of Hon. Umar M. Bature.

Members would recall that on Thursday, 28th May 2009 the House in a Resolution mandated the Committee to present the Report on the Briefing. The Report is ready for presentation.

Hon. Bature is invited to present the report.

Hon. Umar M. Bature (Sokoto North/South): I move that this House do receive the Report of the Committee on Foreign Affairs on the Briefing by the Hon. Minister of Foreign Affairs, Chief Ojo Madueke on the Sale of Nigeria Embassy Properties in Washington DC, United States of America.

Hon. James Joseph Idachaba (Idah/Ibaji/Igalamela/Ofu): I do second the Motion moved by the Chairman of the Committee on Foreign Affairs.

Question put and agreed to.

Report laid on the Table.

Report of the Committee on Public Petitions

1312

on the Petition by Ex-Private Kayode Omidiji against the Nigerian Army

The Speaker: The second Business of the Day is

the Report of the Committee on Public Petitions on the Petition by Ex-Private Kayode Omidiji against the Nigerian Army standing in the name of Hon. C.I.D. Maduabum. The Petition was referred to the Committee on Thursday 13th Marcy 2008. The report is ready.

Hon. Maduabum, you are invited to present the Report.

Hon. C.I.D. Maduabum (Nnewi North/South/Ekwusigo): I move that this House do receive the Report of the Committee on Public Petitions on the Petition by Ex-Private Kayode Omidiji against the Nigerian Army.

Hon. Shehu Garba Matazu (Matazu/Musawa): I do second the Motion moved by the Chairman of the Committee on Public Petitions.

Question put and agreed to.

Report laid on the Table.

Report of the Committee on Public Petitions on the Petition by Ex-Private Haruna Hassan against the Nigerian Army

The Speaker: The next Business is the Presentation of Report of the Public Petitions Committee on a petition by Ex-Private Haruna Hassan against the Nigerian Army. This Petition was referred to the Committee on Wednesday 5th November, 2008.

Hon. Maduabum, please, present the report.

Hon. C.I.D. Maduabum: I move that this House do receive the Report of the Committee on Public Petitions on the Petition by Ex-Private Haruna Hassan against the Nigerian Army.

Hon. Joseph Jaiyeola Ajatta (Oshodi-Isolo II): I do second the Motion moved by the Chairman of the Committee on Public Petitions.

Question put and agreed to.

Report laid on the Table.

Report of the Committee on Public Petitions on the Petition by Ex-Trooper Ismail against the Nigerian Army

1313

The Speaker: Again, Hon. Maduabum has a report to present. The report was presented on the Floor on the House on Tuesday, 30th September 2008 on the petition by Ex-Trooper Ismail against the Nigerian Army.

Hon. Maduabum, you may present the report, please.

Hon. C.I.D. Maduabum: I move that this House do receive the Report of the Committee on Public Petitions on the petition by Ex-Trooper Ismail against the Nigerian Army.

Hon. Umaru Ibrahim Kurfi (Dutsin-Ma/Kurfi): I do second the Motion.

Question put and agreed to.

Report laid on the Table.

Report of the Committee on Public Petitions on the Petition by Mr. Sunny S. Moniedafe against the Nigerian Maritime Administration and Safety Agency (NIMASA)

The Speaker: Hon C.I.D. Maduabum has a Report that is ready on a Petition by Mr. Sunny S. Moniedafe against the Nigerian Maritime Administration and Safety Agency (NIMASA). This Petition was referred to the Committee of Public Petitions on Tuesday, 29th October, 2008.

Hon. Maduabum is invited to present his Report.

Hon. C.I.D. Maduabum: Mr. Speaker, I move that this House do receive the Report of the Committee on Public Petitions on the Petition by Mr. Sunny S. Moniedafe against the Nigerian Maritime Administration and Safety Agency (NIMASA).

Hon. Saudatu Sani (Lere): Mr. Speaker, I rise to second the Motion moved by Hon. Maduabum, Chairman, Committee on Public Petitions.

Question put and agreed to.

Report laid.

Mid-Sessional Report of the Committee on Federal Capital Territory

The Speaker: The next Business of the Day is the presentation of the Mid-Sessional Report of the Committee on Federal Capital Territory (FCT) in the name of Hon. Ali A. Atai Usman

1314

Hon. Atai Usman is invited to present his Report.

Hon. Ali A. Atai Usman (Ankpa/Omala/Olamaboro): I move that this House do receive the Mid-Sessional Report of the Committee on FCT.

Hon. Ifaluyi Isibor (Egor/Ikpoba Okha): I rise to second the Motion moved by Hon. Ali Atai Usman.

Question put and agreed to.

Report laid on the Table.

ORDERS OF THE DAY

MOTION

Indiscriminate Displacement of Skilled Nigerians by Foreign Companies Based in Nigeria

The Speaker: The first Order of the Day is a Motion on Indiscriminate Displacement of Skilled Nigerians by Foreign Companies based in Nigeria standing in the name of Hon. Abubakar Bunu and 15 Others.

Hon. Bunu is invited to move his Motion.

Hon. Abubakar Shehu Bunu (Bungudu/Maru): Mr. Speaker, I move that this House:

Notes and appreciate the presence and operations of foreign owned Companies in Nigeria;

Further notes that such operations by foreign companies in Nigeria could lead to technology transfer;

Worried by the unhealthy policies of these foreign owned companies operating in Nigeria where redundant or unskilled workers in their home countries are brought in to replace skilled, competent and highly qualified Nigerian workers in their employment;

Disturbed by the recent development where a GSM provider operating in Nigeria replaced four Nigerian Executives with Arab Expatriates as reported in the National Dailies;

Further Disturbed that members of the Maritime Workers Union of Nigeria in Port Harcourt are threatening to go on strike because the Port Operators brought in twenty-eight Sri Lankan workers to take over their jobs;

1315

Concerned that in a contract awarded by Nigerian National Petroleum Corporation (NNPC) to a software technology company to implement an Enterprise Resource Package (ERP), all its consultants will be expatriate workers despite the several software experts in Nigeria;

Further Concerned that the Company's new CEO,

an American, was recruited from Los Angeles, USA which could flaw the implementation of the Enterprise Resource Package (ERP) as he may not be familiar with the Nigerian terrain and its peculiarities

Resolves to:

- (i) Condemn these unwholesome practices by these foreign owned companies;
- (ii) Mandate the Joint Committee on Interior and Labour and Productivity to thoroughly investigate this issue with a view to curtailing these unhealthy trends perpetuated by foreign companies and report to the House within four weeks.

I so move.

Hon. Emanuel Y. O. Jev (Buruku): I rise to second the Motion moved by Hon. Abubakar Shehu Bunu.

Question proposed.

Hon. Abubakar Shehu Bunu: Mr. Speaker, we should use this opportunity to address a clear danger that is looming in our society. Apart from the global economic meltdown arising from the devastating impact of falling prices of crude oil and the consequent decrease in revenue, there are some latent problems with less impact on our economy.

We have noticed a trend by some foreign companies bringing their redundant workers from their home country to take over jobs from Nigerians. With your permission, I will read the Editorial of *This Day* newspaper of Monday, 16th March, 2009:

Apart from job losses of Nigerians abroad and their drastic reduction in remittance home, we are worried about the likely increase in the international migration of expatriates who receive preferential treatment from Nigerian multinational employees in Nigeria.

We are aware that some companies' expatriates displace Nigerians and jobs for which the latter have

1316

better competitiveness yet the expatriates are paid higher salaries, furnished accommodations and luxury cars. We are also aware of close political relationship between some of these multinational companies and their home government which they support by creating job opportunities here for their nationals. We are also aware that some foreigners who are allowed in the country on various business trips end up accepting plump jobs in higher remunerating sectors of the economy at the expense of their Nigerian counterparts.

The Nigerian High Commissioner in London, Ambassador (Dr.) Dalhatu Sarki Tafida also made a comment in the same *ThisDay* newspaper of Monday 16th March 2009. The Ambassador said and I quote:

There is a noticeable increase in the number of British nationals applying for entry visa to Nigeria as well as work permit.

The Ambassador also mentioned that Nigeria is the second largest African market for United Kingdom disclosed that between 100 and 250 visas are granted daily while in 2008, 950 subject to regularisation FCI work permit were issued and 1,030 temporary work permits were also granted to British nationals. There has been this increase in spite of the fact that the British Government has consequently issued a negative travel advisory to Nigeria citizen in Nigeria.

In the same vein the National Union of Petroleum Workers and PENGASSAN condemned the increase in expatriate quota abuses and alarming danger to Nigerian casual workers in the Oil industry.

As I earlier mentioned in one of the daily newspaper about two months ago, about four Nigerian Executive Directors were replaced by Arab expatriates from the then DFM newspaper. Also about three months ago, a contract was awarded by the NNPC for enterprising resource package to serve Nigeria. The software technology company to the best of my knowledge has only one certified software consultant; all the remaining expatriates had to be brought from outside the country. They even brought the Chief Executive from Los Angeles, the United States of America to manage this kind of project for which he does not have any knowledge of Nigeria.

This is a clear danger signal which we should begin to address immediately and most of these foreign companies especially the South African companies are guilty of this unwholesome practice in bringing illegal workers to Nigeria. It is important for the Committee on Interior to look into this matter as urgently as possible.

I so submit.

1317

The Speaker: I thought this is quite straightforward.

Hon. Ubale Jakada Kiru (Bebeji/Kiru): Mr. Speaker, I have three reasons why I believe I should join my hon. Colleagues in condemning this unwholesome act as well as supporting the idea that this honourable House direct the two Committees on Interior and Labour and Productivity to investigate this issue and report to the House.

The first is that employment opportunities anywhere in the world are created. In other words, the economy itself should have some internal mechanisms that will create opportunities for members of the society to be properly employed and placed. By importing staff and services that are already available in the country they are replacing our people who can perform those assignments thereby sending them into the labour market. We are doing ourselves a great deal of havoc and I believe we should not allow this to continue.

Secondly, technology acquisition is by interaction, not by replacement. In other words, if you want your technology to grow, you do not do that by sending off your own people and replacing them completely with foreigners to do the same job your people can do. This country is blessed with talented young men and women who have become excellent professionals; people who can do things others cannot do in other parts of the world.

Just last week, you told this honourable House one of the best things that happened in this country which was that our military men are among the best in the world as far as the issue of crisis management was concerned. I believe our engineers, architects and indeed all sorts of professionals that we have in this country are in a very good position to help this country and the economy grow. How do we go about acquiring the appropriate technology? We will not do that by laying off our own people and replacing them completely with foreigners who will only come for their own selfish purposes in most cases.

My third reason is that Nigerians should be able to handle the fate of Nigeria. I believe that the best way for us to do this is by asking our people to do jobs that they can do and to learn from others on the job they are assigned to do.

Hon. Friday Itulah (Esan North East/South East): Mr. Speaker, I am very happy with the intendment of this Motion which is that there are some foreign based companies today that are treating Nigerians in a manner to suggest that we do not have the technological know-how to meet with the requirements of their companies.

1318

But beyond that, if you look at this Motion critically you will discover that it lacks the ability to be investigated by a Committee of the House. I am saying this because the very premises that are leading to the resolution are not specific. When you say foreign companies in Nigeria, are you saying all the companies in the entire nation are guilty of this offence? When you go down to the Preambles, you will only see where the Nigerian National Petroleum Corporation, which is wholly Nigerian, is accused of having given out a contract to a foreign based company. This company which perhaps is not even located in Nigeria is being accused of not recruiting staff that are Nigerians.

The prayers are that the Committees on Interior and Labour and Productivity should investigate this issue with a view to curtailing this unhealthy trend perpetrated by foreign companies and report back to the house within four weeks. Which are these foreign companies? This is a situation where a Motion lacks specifics and the Committee that is assigned to carry out the mandates will have difficulty in locating who is being addressed. This is something that the House would need to take a second look at. As I said, the intendment is good but it lack specifics and the Motion is supposed to be very concise and specific. It should be able to give direction to the implementors on where to go and carry out the directives that they have been given.

To that extent, I believe that the sponsors of this Motion should be asked to do a second job on this Motion so that the House will be in a position to carry out specific directives.

Hon. Ike Chinwo (Obio/Akpor): Mr. Speaker, I co-sponsored this Motion in order to draw further attention to the issues highlighted when the Bill on the amendment to the Immigration Act was moved on the Floor of this House.

We have law enforcement agencies, Para-military including the Immigration and the rest of them. However, on a daily basis we see all kinds of people streaming into the country in the name of coming to do one job or the other; some of them with genuine papers and some with no papers at all; our borders are porous.

I have listened to Hon. Itulah. There are some issues in terms of specifics but the fact still remains that these are practices that occur on a daily basis and they affect our economy negatively. We cannot be here talking about unemployment and all kinds of things while all sorts of people are brought in to take the available jobs that our people can do.

Outsourcing does not say we should not employ

1319

our people but there should be standards. We can bring in foreigners in areas where Nigerians cannot do these jobs and it should pass through particular procedure so that they are approved to come in.

When the Immigration Amendment Bill was brought, it was referred to the Committee for a more holistic Bill so that the other sectors of economy other than the Oil industry that might be targeted would be addressed. On this Floor, too there was the Expatriate Quota Agency Bill that was proposed.

I submit that we tackle the problem from the base so that we can solve this problem once and for all. If we do that, we will be living up to our responsibility on this Floor.

Hon. Igochukwu N. Aguma (Port Harcourt I): Mr. Speaker, the spirit behind this Motion is germane. However, I believe that as legislators we should do our work and our work is to look at the best-fit solutions to issues. The best-fit solution that I see to this problem now is indeed the Amendment of the Immigration Act. This is because that would take care of defining expatriate quota.

There are two issues there; an expatriate and quota. What this means is that you can bring in an expatriate only in cases where there is no Nigerian to do the work. Then the quota aspect of it is that within any company you are limited by the number of such expatriates that you can bring in. I believe that this issue can be resolved only by an Act; we do not need an investigation; everybody knows it is ongoing. On the face of the Motion, he has already enumerated facts that you do not need to investigate or verify.

Therefore, the Committee on Interior, the Committee on Labour and that of Justices should expedite action to amend the Immigration Act in line with solving these problems that have been enumerated here. I believe that is the fastest way that we can do these things.

Hon. Stanley O. Ohajuruka (Umuahia North/South/Ikwuano): Mr. Speaker, I align myself with last speaker and also to add that we all agree that this particular Motion lacks specificity in the sense that it did not actually identify these foreign companies that have violated these quotas as enumerated in the Motion.

We cannot embark on wild goose chase or embark on something that does not have any direction in this Chamber. The Motion fails to specify companies that have actually violated this particular Act.

1320

Therefore, we cannot ask any Committee to just engage in an action that has no direction whatsoever. I would want to apply that the mover of this Motion and all the sponsors re-direct this Motion and then allow the Amendments. This House can now expedite action on the Amendment of that expatriate quota.

Hon. Emmanuel Jime (Makurdi/Guma): I am also in complete agreement with the last two speakers on what needs to be done so that we can address this particular issue that appears to be a recurring decimal in our discussions here.

I believe that the proper attitude of our Parliament is indeed to use the best instrument that is available to a Parliament in order to be able to solve a problem. As a Parliament the best instrument that is available to us is Bill.

Motions are in themselves good but as far as there are laws that we are either engaged in a process of making or laws that are already in existence. I am not sure that the instrumentality of a Motion will assist a parliament to solve the problem any better than the instrument of a law can.

In this Parliament it is evident that we have not only the Immigration laws that we are looking at; I hasten to also say that the Local Content Bill in the Petroleum industry that we are looking at is also one of those instruments that I believe when put together can offer this House a better solution than the power of a Motion can.

In that regard it is better for us to yield to the voice of wisdom and act very quickly on those legislations that are ongoing in this House so that we best address this problem holistically.

Hon. Leonard Okuweh Ogor (Isoko North/Isoko South): What this hon. Member has done is to bring before every Member of this House specific events that are happening within NNPC and I find it so difficult to say that the author of this Motion has not been specific.

I state with due humility that he has been so specific and he has brought into limelight that unskilled Nigerians are being deprived of privileges and opportunities and I say with due humility that any justice delayed is justice denied.

Here we are complaining about our brothers and sisters that are saturated in the Labour market and here other people are bringing unskilled labour from other countries to come and take over the labour that these

1321

people are supposed to carry on and we are saying that it is not important and that the Committee should not look into this issue.

My appeal is that as a Parliament it is our responsibility at any given time to correct anything that we know that it is wrong. If we find any situation wanting we should be in a position to speak and say categorically that no; this thing that is happening here is wrong because it cannot happen in other places.

With due respect, it has become important for us to look at this issue holistically. This is an opportunity to give jobs to Nigerians that deserve them. Here we are supposed to award jobs to people that probably have the capacity to do these jobs and here as a Parliament in line with Section 4(2) of our Constitution we are supposed to make good laws for good governance. You know that the process of law-making sometimes could take about a year or two years. Are we saying that we should wait for one, two or three years before we start addressing this issue?

Hon. Olufemi Gbajabiamila (Surulere I): First, I would like to say very clearly and categorically that no country in the world, no matter how small or big, will mortgage its Labour market to any foreign country. All that the movers of this Motion have done is to trigger their investigative powers under the Constitution.

Employment is an important issue. The fact that this issue can be tackled whether or not by Amendment to a Bill is absolutely irrelevant to what is on ground now. There is no Member here that is not inundated by its constituents on employment issues. Why should anybody then bring a matter of employment to the Floor of this House and we are saying that it should not be investigated? Specifics can only be arrived at during or consequent upon an investigation. You cannot specify without an investigation. Therefore, it is upon investigation that these specifics can come into play.

Yes, I agree that we need to amend the relevant Act to protect the Labour market.

The issue of Local Content Bill should even be looked into. But then again, it is specific to industry. We should even be looking into a Nigerian Content Bill that covers every industry. In advanced democracies like the United State; I believe you can even attract jail term when you employ a foreigner when you have locals who can perform the job.

For whatever it is worth, if we investigate this matter, all it will do is to strengthen the Committee and its work for Amendment of the Act; it is as simple as that.

1322

Hon. Shehu Garba Matazu (Matazu/Masawa): First of all, I congratulate and commend Hon. Abubakar Bunu and sixteen others for sponsoring this very important Motion which comes at the right time when Nigeria and Nigerians are celebrating ten years of Democracy for the first time in the history of this country.

What we are discussing today in this very important Chamber is just neo-colonialism. We are trying to say no to neo-colonialism. We have been independent for the last forty nine years. Nigeria is a great Nation. We have great people; we have qualified and skilled people in all aspects of human endeavour. We cannot allow our own people to be treated as slaves in our own motherland. Let me remind us that we have no other country than Nigeria. Therefore we must not allow people from outside this country to come to this country and be treating our brothers and sisters like their slaves. The same treatment is given to our brothers and sisters outside Nigeria and then we should also allow it to happen in Nigeria. That means we are not carrying out our responsibilities.

We must support this Motion. Inasmuch as I believe and agree that we have some Bills which are currently going through legislative procedure in this Chamber, we must not stop this Motion from passing so that the two Committees can conduct investigations into this matter. This is an issue that affects all sectors of our economy; Aviation, Construction, Petroleum, Housing etc. Everywhere you will see outsiders who are less qualified are brought as supervisors to replace or head more qualified Nigerians. Therefore, this issue must be addressed once and for all.

I urge my Colleagues to support this Motion so that we can save our brothers and sisters from slavery.

Hon. Mohammed Sani Abdu (Kirfi/Alkali): I am in support of this Motion but there are some important issues that should be taken care of as the highest legislative body of this country.

There are some issues of the argument that need to be investigated particularly where there is this allegation of redundant and unskilled workers replacing the most skilled, competent and highly qualified. I think this is a very serious allegation which points to Prayer (ii) that we need to investigate. I lend my support to that.

I doubt if we can actually contextualise this argument without looking at the Laws of the Federation of Nigeria in terms of trying to penalise those companies that have done something wrong. It also lends to the argument proffered by many of our distinguished Colleagues here that we need to look at

1323

this issue holistically, look at the Laws of the Federation of Nigeria and make all the necessary Amendments in such a way that we can protect our employment.

Finally, I want to say that despite that, we should also remember that we are not living in isolation; we are in a global village. We also want to attain international best practices in the operations of our industries, research centres and all economic endeavours. We cannot afford to make mistakes.

Hence, we should adopt a two-pronged approach whereby the investigation based on this Motion will feed us with more important tools towards the amendment, clarifications and review some of our Laws of Federation of Nigeria in such a way that we can strike a balance. We will not be happy if Nigerians are deported from all other countries in retaliation for what we have done in Nigeria. So, we have to strike a balance and I hope this modest contribution will go a long way in supporting this Motion.

Hon. Abdulkadir M. Nasir (Kafur/Malumfashi): I am in total agreement with the submissions of my senior Colleagues, Hon. Leo Ogor and the Leader of the Action Group.

Let me emphasise and let this House know that I was a victim of such happening. I could recall that after my diploma course some time in 1985, I was opportuned to be attached to Sona Farms in Anegbete in the then Bendel State now Edo State. I am very sure Hon. Friday Itulah will be conversant with that place.

Foreign engineers were on that farm and one of the D8 Bulldozers we were using there broke down; that bulldozer had only a problem of an inlet band that was not opening. These engineers from France could not fix that machine; they had to look at all the manuals they brought from France. I was just an agricultural trainee there but one mechanic in the pool discovered that fault after three months. That bulldozer was there for three months; they could not repair it; that mechanic that was a Nigerian and of the then Bendel State origin was the man that repaired it. I believe such people are still there and these things are still happening to Nigerians and Nigeria. So, I support the Motion moved by Hon. Abubakar *in toto*.

Hon. Bala Ibn Na'Allah (Zuru/Fakai/Sakaba/D/Wasagu): It is important that we understand from the point of view that this Motion is before this House and that it is very straightforward.

Mr. Speaker, as number four citizen of this country, I am very sure that if we check any of the visas that you have taken in your passport now, there is a

1324

caveat that it is not valid for employment, work or whatever. That is to show you how passionate countries have been or are taking the issue of employment as far as their countries are concerned.

I even have an Amendment to make on this Motion. Whichever Committee to which this Motion will be referred, it should take the sectors of this country one after the other and look at what is involved. Some of them are matters of policies, laws and legislative interventions. But I will give you just one example.

In this country today, more than 70 *per cent* of our pilots are foreigners even when we have pilots who are duly qualified to fly in this country. It is even as ridiculous as to the fact that when you enter some aircrafts in this country, even the cabin crews come from outside. I do not think that that is fair. That is the more reason this Motion must sail through and that people should support it and then the sectoral analysis of this matter is done.

Hon. Habeeb A.B. Fasinro (Eti-Osa): Inasmuch as I believe in the thrust of this Motion, I believe we need to understand the real crux that we are trying to deal with. The real crux is enforcement.

Any company that illegally employs foreigners above Nigerians must have a quota and that quota is given by the Ministry of Internal Affairs. The Ministry of Internal Affairs sits down and allow such thing to happen. I see Chinese people going all around the place even on motorcycles; some of them even have small corner shops. I see them in my constituency. We have some of them in highbrow areas like Eti-Osa, arguably the richest constituency in Nigeria. But the issue is how do these people come into this country? How do they displace Nigerians? How are companies in Nigeria, whether foreign or local, employing foreigners in their establishment?

In other jurisdiction, if such things happen, it is not even left to the Legislature, it is left to the Executive to go there. We do not have to ask for an investigation. Companies that are found wanting are fined and when they are given serious fines, they will not continue with this kind of illegality.

My Colleague raised the issue concerning the Aviation Sector. It is true that about 70 *per cent* of pilots in Nigeria are foreigners. The question we must ask ourselves is what is the policy of our Aviation Ministry regarding acquisition of aircraft through dry lease or wet lease? This is because when you acquire aircraft on wet lease, you acquire it with the crew and that is part of the agreement that you have.

1325

So, when we start saying certain things that we cannot employ foreigners or that there are too many foreigners in Nigeria, what is the policy of government of the day on these issues? If the policy of the government today is about employing its citizens and then sits down when it sees visibly Chinese and other nationalities running around the place and setting up businesses and displacing Nigerians, then we have a big problem.

We do not take the interest of Nigerians at heart. We are just paying lip service to it. If we are really going to be serious about these things, the Immigration Department must be compelled to enforce its rules on Expatriate Quota. We can also go further as Members of the Parliament, as my Leader has said, on issues of domestic laws that create certain areas that are Nigerian only; it is done in other jurisdictions.

Finally, we are talking about Oil industries employing expatriates and things like that. Can anybody tell me how many graduates that have the requisite qualifications in the Petroleum industry have we produced in the last ten years?

Several hon. Members: There are quite a lot of them.

Hon. Habeeb A.B. Fasinro: What I am getting at is that we must make recruitment into certain industries the exclusive preserve of Nigerians. My position is that if we have so many graduates in the Petroleum industry, why can we not make certain sectors of our industries in Nigeria specifically for Nigerians knowing that we will not have any foreigner coming to participate for employment in these areas? We will then know that where we make most of our money from, we are guaranteed that Nigerians are making the money for us.

Hon. Ali Mohammed Ndume (Damboa/Gwoza/Chibok): I have listened to all of our Colleagues that contributed in favour and against this Motion. But then all our Colleagues who spoke whether in favour or against this Motion agree that the intention of the Motion is very good. Unfortunately or fortunately, the reservations that were expressed are coming from most of our lawyers in this hallowed Chambers. One of the fundamental problems that we have in this country, with all due respect, is our lawyers because instead of addressing issues, they always emphasise on technicalities.

We have a problem here and everybody has agreed that there is a problem in this sector. The Mover of the Motion has enumerated the problems and had supported them with examples. It is the duty of our learned Colleagues to maybe use their technicality to put the Motion in the way that it will achieve what we want.

1326

Here we have a problem; you are talking about Bills that are in progress but this issue must be addressed immediately by this Motion so that these technicalities will be taken care of later. If you want me to apologise, I am sorry.

This Motion is a very good one. The lawyers can do their technicalities by amending it but it should be allowed to go.

The Speaker: Hon. Halims Agoda, you are a lawyer. Are you not?

Hon. John Halims O. Agoda (Ethiopia East/West): I should not be seen from that angle; I am a Member of Parliament as I am standing here. I agree to a large extent with what my Colleague and the Leader of Minority said that the intentment of the Motion is good but as a Parliament, we need to know our basic problems and the operation of international diplomacy.

I would like to read through the first two letters of the Motion.

(i) *Notes and appreciates the presence and operations of foreign owned companies in Nigeria;*

(ii) *Further notes that such operations by foreign companies in Nigeria could lead to technology transfer.*

The Mover of this Motion has acknowledged that as a nation, we still need technology transfer in this country; he appreciates that in his Motion. For instance, you need to remember the use of NITEL yesterday which we all operated and the use of GSM which we are now enjoying.

What this Motion is simply saying is that enough is enough of whatever technology these foreign companies are transferring to our country by way of their people coming down to this country to render services.

I want to say with all sense of humility that even the United Kingdom and the United States of America still need foreigners to take care of certain sensitive areas of their society. For instance, Nigerians are rendering certain sensitive services to different part of the world. What we must bear in mind is that when we as a nation and a Parliament come out with this decision, there is the principle of reciprocity. Other nations will say it is all right; if that is the way we want to play our game, they will also come out with such decision against our people that are all over the world.

Under the principle of Labour Law, you cannot force a willing employee on an unwilling employer; it is

1327

very clear in Labour Law. So, we cannot by Motion insist that a company, whether foreign or not, must employ certain group of Nigerians. With all our arguments, no matter how you look at it, they did not tell this Parliament the kind of laws these companies breached in their operations. They did not cite a single Section or subsection. There is no need to make generalisation. Tell this Parliament a Section of the law that these companies breached in their operations; nobody was able to cite one.

I want to submit very seriously that Nigeria is still at the stage where technology transfer is still needed by our country. You need to compare the services rendered by a skilled foreign worker to that of Nigeria. I am not trying to degrade our people but the truth must be told. By the couching of this Motion and the failure to state the facts vis-à-vis the laws that have been breached, I do not believe in this Motion because we need technology transfer and we do not need to invoke the principle of reciprocity and we know that in Labour Law you cannot force me, an unwilling employer, to employ a willing employee; it is never done.

Hon. Olufemi Gbajabiamila (Surulere I): Point of Order, Mr. Speaker!

The Speaker: What is the point of Order?

Hon. Olufemi Gbajabiamila: It is Section 18 of the Constitution. It is very important that when we are debating this issue, we should guide and direct the House properly.

My Colleague stated that nobody had talked about any breach of any law. Section 88 of the Constitution which is triggered here does not require the breach of the law.

The Speaker: Can you read the Section, please?

Hon. Olufemi Gbajabiamila: I will read Section 88(2)(a). It says:

The powers conferred on the National Assembly under the provision of this Section are exercisable only for the purpose of enabling it to –

(a) make laws with respect to any matter within its legislative competence and correct any defects in existing laws.

You do not need to have breached a law; that is medicine after the fact. You can actually investigate for the purpose of making a law to address a problem. It is as simple as that. (Applause)

1328

The Speaker: I will now put the Question on the Motion.

Question put and agreed to.

The House:

Noted and appreciated the presence and operations of foreign owned Companies in Nigeria;

Further noted that such operations by foreign companies in Nigeria could lead to technology transfer;

Worried by the unhealthy policies of these foreign owned companies operating in Nigeria where redundant or unskilled workers in their home countries are brought in to replace skilled, competent and highly qualified Nigerian workers in their employment;

Disturbed by the recent development where a GSM provider operating in Nigeria replaced four Nigerian Executives with Arab Expatriates as reported in the National Dailies;

Further Disturbed that members of the Maritime Workers Union of Nigeria in Port Harcourt are threatening to go on strike because the Port Operators brought in twenty-eight Sri Lankan workers to take over their jobs;

Concerned that in a contract awarded by Nigerian National Petroleum Corporation (NNPC) to a software technology company, to implement an Enterprise Resource Package (ERP), all its consultants will be expatriate workers despite the several software experts in Nigeria;

Further Concerned that the Company's new CEO, an American, was recruited from Los Angeles, USA which could flaw the implementation of the Enterprise Resource Package (ERP) as he may not be familiar with the Nigerian terrain and its peculiarities

Resolves to:

(i) Condemn these unwholesome practices by these foreign owned companies;

(ii) Mandate the Joint Committee on Interior and Labour, Employment and Productivity to thoroughly investigate this issue with a view to curtailing these unhealthy trends perpetuated by foreign companies and report to the House within four weeks.

1329

CONSIDERATION OF BILLS

Police Act 1967 Cap. P 2004 (Amendment) Bill, 2009

A Bill for an Act to Further Amend the Police Act, 1967 Cap. P 2004, LFN and for Matters Connected Therewith (HB. 234) 2009 –

Order for Second Reading.

The Speaker: Hon. Ita Enang, is the Bill for an Act to Further Amend the Police Act, 1967 Cap. P 2004 LFN and for Matters Connected Therewith (HB.234) 2009 Executive Bill or Private Member's Bill?

Hon. Ita Enang: It is an Executive Bill.

The Speaker: Is it part of the Electoral Reform Bill?

Hon Ita Enang: Yes, it is.

The Speaker: Now, we asked you to stand down the Bill until we are fully briefed on the contents.

Hon. Ita Enang: I am much obliged.

Bill, with the leave of the House, stood down.

The Speaker: Hon. Members, let me repeat this announcement and please listen.

ANNOUNCEMENT

Special Session of the House of Representatives

The Speaker: On Thursday, 4th June, 2009 this House would be marking its anniversary and the commemoration of ten years of sustained democracy. The House of Representatives will hold a Special Session starting from 10.00 a.m. on Thursday, not 11.00 a.m. Former Presiding Officers and Members have been invited to seat with us to mark this event.

All Members are advised to be inside this Chamber by 9.45 a.m. There would be Anniversary Dinner at Transcorp Hilton by 7.00 p.m. same day.

Federal Polytechnic Act 1979 (Amendment) Bill, 2009

A Bill for an Act to Amend the Federal Polytechnic Act 1979 and for Other Related Matters, 2009 -

1330

Order for Second Reading.

The Speaker: The next Order of the Day is the commencement of Debate on the General Principles of a Bill for an Act to Amend the Federal Polytechnic Act, 1979 and for Other Related Matters, 2009. This Bill was read for the First Time on Wednesday, 13th May, 2009.

I now invite the Leader of the House, Hon. Tunde Akogun, to move that the Bill be read the Second Time.

Hon. Tunde Akogun (Akoko Edo): Mr. Speaker, this Bill is not quite an Executive Bill. So I am not prepared to take it today.

The Speaker: That is all right. We will stand the Bill down.

Bill, with the leave of the House, stood down.

Federal Colleges of Education Act 1986 (Amendment) Bill, 2009

A Bill for an Act to Amend the Federal Colleges of Education Act 1986 and Other Related Matters, 2009 (HB.222) -

Order for Second Reading.

The Speaker: The next one, Leader, is a Bill for an Act to amend the Federal Colleges of Education Act 1986 and Other Related Matters, 2009 (HB.222). Hon. Nwachukwu, are you ready for that?

Hon. Ita Enang: Mr. Speaker, this Bill is also an Executive Bill. May it be stood down, Sir?

The Speaker: Hon. Nwachukwu, are you ready for the Bill?

Hon. Austine Nwachukwu: Mr. Speaker, I am ready.

Hon. Ita Enang: With respect, Sir, may I please bring to the attention of the House that the Bill by Hon. Nwachukwu is seeking the same Amendment being sought by the second and third Bills. It is seeking to amend the Federal Universities, Polytechnics and Colleges of Education laws to harmonise the Retirement Age whereas the Bill No. 3 stood down by the Leader are of the same subject matter.

Why they were brought together was that they could and ought to be consolidated. The danger is that

1331

if we take Hon. Nwachukwu's Bill and we put the Question on it, negative or positive, Bills No. 2 and 3 cannot be taken again because the Question on these Bills would have been put.

I pray, with respect, under the Standing Orders that we stand this down.

The Speaker: Why? Hon. Nwachukwu is ready.

Hon. Ita Enang: I concede.

Harmonised Retirement Age of Academic Staff of Federal Universities, Polytechnics and Colleges of Education Bill, 2009

A Bill for an Act to Harmonise Retirement Age of Academic Staff of Federal Universities, Polytechnics and Colleges of Education and for Matters Incidental Thereto, 2009 (HB. 223) -

Order for Second Reading.

The Speaker: Hon. Colleagues, the next Order of the Day is commencement of debate on the General Principles of a Bill for an Act to Harmonise Retirement Age of Academic Staff of Federal Universities, Polytechnics and Colleges of Education and for Matters Incidental Thereto, 2009. It was read the First Time on Wednesday, 13th May, 2009.

Hon. Austin Nwachukwu is invited to move that the Bill be read the Second Time.

Hon. Austin Nwachukwu (Ehime Mbano/Ihitte Uboma/Obowo): Mr. Speaker, I have this morning before you a Bill for an Act to Harmonise Retirement Age of Academic Staff of Federal Universities, Polytechnics and Colleges of Education and for Matters Incidental Thereto, 2009. This is my Bill.

Hon. Leonard Okuweh Ogor (Isoko North/Isoko South): Mr. Speaker, may I with due humility second the Motion moved by Hon. Nwachukwu.

Question proposed.

Hon. Austin Nwachukwu: I have this morning before you an all-important Bill that will cater for the lives of our teachers across the country. We are all aware that for us to be in this hallowed Chamber this morning to talk on issues that bother on Nigeria was because of the fact that we are all product of teachers. If we were not given that education by our teachers, I am not sure any one of us will be here today to talk about national issues.

1332

As such before I proceed, I want to say that there is this slogan that the reward of teachers is in heaven. Let me advocate now that the reward of teachers should first of all be on earth before they go to heaven for the second reward. What I am saying in effect is that teachers are the moulders of the society. Teachers are responsible for the upbringing of anybody across the world. The good tutelage and education of President Obama assisted him in becoming the President of America today. If he did not go to school and was well schooled, he would not have been elected American President.

I am hinging my Bill this morning on the Public Service Rules, 2006 Edition and Pension Reforms Act, 2004 but most importantly on the Public Service Rules, 2006. You can find that on page 23 and the Rule is 020810. With your permission, I read:

- (i) *The compulsory retirement age of all grades in the service shall be sixty (60) years or thirty-five 35 years of pensionable service which ever is earlier.*
- (ii) *No Officer shall be allowed to remain in service after attaining the retirement age of 60 years or 35 years of pensionable service, which ever is earlier.*
- (iii) *The provision is without prejudice to prevailing requirements for judicial officers and academic staff of Universities who retire at the age of seventy and sixty-five (70 and 65) years respectively.*

If this Bill is given approval by all of us, then this particular Section of the Public Service Rules would have been amended to seventy (70) years.

I will also want to take us to the fact that -
(Interruptions)

The Speaker: Hold on. You want to do what?

Hon. Austin Nwachukwu: I said by the time this Bill comes into effect, then the provision as enshrined in this Public Service Rules, 2006 would have been caused to be amended.

The Chairman: To what?

Hon. Austine Nwachukwu: For the Judiciary, according to the Rules, it is 70 years. I am bringing to the Floor of the House for us to harmonise this provision and put the retirement age of Federal University lecturers, Polytechnic and College of Education ages to 70 years on retirement.

1333

The Chairman: Are you saying that all of them are now seventy years?

Hon. Austin Nwachukwu: Yes, they are at par; there was harmonisation because the Rule says 65 years and I will enunciate why I want it to be 70. I will advance reason why I would like them to enjoy 70 years of service to their fatherland.

The trend is that when a Professor or a Vice Chancellor retires from the Federal Universities, Polytechnics or Colleges of Education at 65, they rush back to private Universities and pick up appointments for another tenure. Why can we not then keep these good brains of Nigerians longer in the Public or the Federal Universities or Polytechnics to give more education to our people so that we can all benefit from their experiences?

An example of this is Professor Adamu Bayike of the University of Benin. He was a former Vice Chancellor of the University of Benin who retired and today he is a Vice Chancellor in a private university somewhere in the northern part of Nigeria. If this good brain was allowed to remain up to seventy years in the University of Benin, he would have been able to impart more knowledge and train more Nigerians to be of good conduct in that area.

Secondly, Professor Ayo Banjo of the former University of Ife is today having a private life. If he had been allowed to remain in a Federal University he would have been able to educate Nigerians a lot. We also have Professor Alele Williams, Professor Bello Mohammed and Professor Kuki of the University of Port Harcourt; we are all aware that during the military Professor Kuki was given the mandate to go round for the IMF loan. He retired at sixty-five. He is still very viable and very brainy. He can continue if he is given the opportunity of serving his fatherland until he is 70.

I will not forget to mention Professor Nimfot Gomwalk of the University of Jos, whom most of us knew as a very agile and good brain. Today he has retired and is holding a private appointment. Supposing he was given that chance to be in the University of Jos for another five years, that would have made him very viable to all of us.

There is a magazine called *Agewatch Magazine*. Professor Fagbolu, in that magazine, said that teachers should not be made to retire and that they should continue to teach because they are teachers and know what to do. I am not saying they should remain there perpetually but they should retire at 70.

There are several publications to buttress what I am saying here today. For example, on the 13th of May

1334

this year our current Minister of Education, Dr. Sam Egwu, was in a function in the Senate and there he made this pronouncement that the Federal Government has decided to remove the disparity between HND and University degree. He went further to say that *we are addressing the problem because when a staff with HND does not earn the same position as that of his counterpart from the university, it becomes a problem. Right now they should all be at par. If the HND and the degree holder are coming together to be at par, then the lecturers who are imparting that knowledge should also retire at the same time.*

That is the point I am trying to make here; that is one. Two, in the *Vanguard* newspaper of Friday, 25th April, 2008 it was also mentioned there that *Varsity Programme will collapse after five years if the good brains are retiring at the age of sixty five and the young ones cannot cope with the vacuum that they are creating.*

In so doing, statistics had shown that it is feared that the retirement age of 65 and 60 for Universities, Colleges of Education and Polytechnic teachers will create 18,263 vacancies.

The Speaker: For new people to fill?

Hon. Austin Nwachukwu: If they come in, they cannot even have enough to fill those vacancies because of the retiring age.

The statement in the *Vanguard* newspaper continued: *As at 2006, the nation is hard to fill these vacancies with 72 per cent or 12,784 of the Academic vacancies subsisting at Senior Lecturer level.*

This portends a grave danger for our educational system. I am saying that we cannot have a system where the good brains in the Polytechnics, Colleges of Education as lecturers and good brains in our Nigerian Universities are allowed to bow out at the age of 65 when they are still viable, able and strong enough to continue serving their fatherland.

I do not want to bore all of us this morning with this but I know that what I am canvassing for is for us to have to look inward and put credence to the moulders of society. The teachers needed to be assisted.

I thank you for giving me this opportunity to speak on this issue.

Hon. Ita Enang: Point of Order, Mr. Speaker. Permit me to come under Order XII, Rule 14 to apply that House Bill Nos. 221, 222 and 223 be consolidated and taken as one Bill.

1335

House Bill No. 223 is the Bill that has just been argued by my Brother and Colleague, Hon. Austin Nwachukwu.

House Bill No. HB. 222 is seeking the Amendment of the Colleges of Education Act, 1986 to bring the age of retirement to 65 years.

House Bill No. 221 is seeking the Amendment of the Federal Polytechnics Act, 1979 to bring the retirement age of Academic Staff also to the age of 65.

The only difference between the Polytechnics and Colleges of Education Bills and the Bill by Hon. Nwachukwu is that he has included the Universities.

Order XII, Rule 14 states:

Bills on the same Subject Matter

More than one Bill on the same subject matter may be introduced but when the Second Reading of the Bill has been agreed to or negated, the Question shall not be proposed for the Second Reading of another Bill of the same subject matter during the same session. On the Order of the Day relating to such a Bill being read, the Speaker shall direct that the Bill be withdrawn: provided that such two Bills may, with leave of the House, be consolidated and debate taken together as if it were one Bill.

Mr. Speaker, the leave I am seeking now is the leave agreed to by this Section which is that we consolidate these three Bills and debates taken together as if it is one Bill and refer and together them together.

With your leave and with the grace of the House I so move.

Hon. Emmanuel Jime (Makurdi/Guma): Mr. Speaker, I rise to second the Motion moved by Hon. Ita Enang, Chairman, Committee on Rules and Business.

Question put and agreed to.

The following House Bills were accordingly consolidated:

A Bill for an Act to Amend the Federal Polytechnic Act, 1979 and for Other Related Matters, 2009 (HB 22);

A Bill for an Act to Amend the Federal Colleges of Education Act, 1986 and other Related Matters, 2009 (HB. 222);

1336

A Bill for an Act to Harmonise Retirement Age of Academic Staff of Federal Universities, Polytechnics and Colleges of Education and for matters incidental Thereto, 2009 (HB. 223).

The Speaker: Hon. Nwachukwu, you are frowning your face; I do not really understand that.

Hon. Austin Nwachukwu: Mr. Speaker, I am not frowning. What I am saying is that a stitch in time saves nine. You gave the ample opportunity for the Rules and Business Committee – *(Interruptions)*

The Speaker: Hon. Nwachukwu, are you arguing about opportunities now or reason behind this consolidation?

Hon. Austin Nwachukwu: I rest my case.

The Speaker: So we can move forward. Hon. Nwachukwu has more or less given us some principles on how to move forward on his Bill.

Is there any other contributor?

Hon. Uche Ekwunife: Mr. Speaker, I want to lend credence to this Bill because there is so much wisdom in harmonising the retirement age of lecturers and teachers irrespective of where they teach and where they work. Chinua Achebe even at his age still goes round the whole world giving lectures and speeches on account of his experience, not because of his age.

We can see that experience is synonymous with age. Education is all about quality and knowledge and you cannot impart what you do not know. You can only impart knowledge when you have the experience and there is no way you can have the experience without being of age. To a large extent, you cannot have experience without spending quality years on the job.

I am supporting this Bill because this will not just help us to improve the quality of education, it will help us to minimise the level of turnover of experienced teachers and lecturers in our institutions.

I am sure Mr. Speaker agrees with me that if a 65 year old Professor retires from the Public Service and goes into teaching in a private institution he may continue with that teaching for the next twenty years and the older he gets the more knowledge he acquires and the better quality of knowledge that he imparts on the students.

1337

So, I want this House to, please, support this Bill because there is so much wisdom in supporting it.

Hon. Chile Igbawua (Kwande/Ushongo): Mr. Speaker, the spirit in the Bill brought by Hon. Nwachukwu and the two Executive Bills are acceptable but these Bills will properly come by way of Amendment of the Pensions Act. This is because Section 101 of the Amendment Act establishes the supremacy of the Pensions Act on Pension Matters. If you look at the two Executive Bills, particularly Section 17 of Federal Polytechnic Act 1979 subjects itself to the Pensions Act and that whatever is being done in that Section of the Polytechnic Act is being done under the provisions of the Pensions Act.

Similarly, Section 14 of the Federal Colleges of Education Act (Amendment) Bill also subjects itself to the provisions of the Pensions Act. The way the proposal is coming means that the law will provide separate Pension provisions which is not elegant. We have a Pensions Act which prescribes the age of retirement and what have you. If this Act is of general application to the Employment sector it is inappropriate that we should begin to bring Amendments through various Bills.

The only thing which is new in the two Executive Bills is the issue of the inclusion of institutions that were not listed in the Schedules; that is the only thing that is novel there which can be accepted. The Sections that they seek to amend are completely inappropriate because they seek to amend the disciplining provisions of those Acts. Therefore, retirement on ground of age or length of service is not a disciplinary measure. So, you cannot go to an Act and look at the Disciplining Section and say you are amending it to bring in a matter for regular voluntary retirement or easing from the service; that is the first issue.

Secondly, I agree that when we harmonise the three Bills we will come to the age which is appropriate. I would also like to say that we do have a provision usually of age retirement. The House will deal with the life expectancy within the polity in which we are discussing. Besides, we also have provisions for contract appointments for officers who retire. So it does not really mean that when an officer retires, he cannot any longer work. He can be employed on contract.

I believe that by the time we refer these Bills to the Committee(s) these errors would be corrected.

Hon. Solomon Agidani (Apa/Agatu): Mr. Speaker, I rise to support this Bill because I believe that the older you get the wiser, more knowledgeable and more experienced. In a situation where a lot of room is

1338

left for people who are trained with the resources of government to leave Federal institutions to go to private institutions when their services are still required should be checked because we know the cost of training.

Again, the fact is that within the economy we must strike a balance between what age percentage ratio is more beneficial to the economy against the young and the old. You will agree with me that if a balance is struck from economies of scale, you will find that the larger group of experienced, wise and knowledgeable people against an economy of very young thinkers; certainly, the former scores more marks than the latter.

Hon. Lanre Agoro: Point of Order, Mr. Speaker! My Order is Order IV, Rule 2 of our Standing Orders. With your kind permission, it reads:

A member may only speak from the seat allocated to him; provided that the Speaker may change the allocation from time to time.

The Speaker: Hon. Agidani, are you on the seat allocated to you?

Hon. Solomon Agidani: No.

The Speaker: I will now 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 Committee on Education.

Management of Bio-safety, Bill 2009

A Bill for an Act to Provide for the Management of Bio-safety and for other Related Matters, 2009 (HB. 184) –

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 Management of Bio-safety and for Other Related Matters, 2009. It was read the First Time on Thursday, 19th February 2009.

Hon. Gbenga Makanjuola, please move for the Bill to be read the Second Time.

Hon. Gbenga Peter Makanjuola: Mr. Speaker, I rise to move that a Bill for an Act to Provide for the Management of Bio-safety and for Other Related Matters, 2009 be read the Second Time.

1339

1340

Hon. Yakubu Umaru Barde (Kajuru/Chikun)
Kaduna State: I second the Motion that the National Bio-safety Bill be read the Second Time.

Question proposed.

Hon. Gbenga Peter Mekanjuola: Mr. Speaker, the Bill before us this afternoon is very important and at the same time very simple. In a simple definition, all technology is a scientific innovation which has great potential to improve food production, stimulate industrial growth and ensure better healthcare delivery.

Agricultural bio-technology has been used to develop plants that can survive with less water, less labour, less resources and it is a crop that cannot be affected by pests or diseases. With the use of bio-technology, fruits can stay ripe for longer period without decaying; food can be preserved with increased nutrients and so on.

Nigeria as a developing nation cannot ignore the benefits and advantages of this powerful technology hence the establishment of the National Bio-technology Development Agency in 2001. Despite the benefits derived from the use of bio-technology, there is strong need to ensure its safe and responsive practice through a regulatory mechanism which this Bill is trying to achieve.

About two or three weeks ago, there was an advert on NTA News by NAFDAC warning Nigerians about the recent importation with the use of bio modern technology. Why our borders are so porous for the importation and exportation of this product is because we do not have the law that would regulate the importation and exportation of any modern bio-technology product especially as it relates to agriculture and we are talking about safety to health, environment, *et cetera*.

It is imperative to ensure that the products and applications of bio-technology do not constitute any risk to the environment and human health. This can only be achieved through the enforcement of bio-technology regulation that will ensure strict compliance with laid down procedures and bring violators to justice.

Due to the porous nature of our country's borders no one can be assured of the fact that the products of bio-technology are not presently in Nigeria as a result of unchecked trans-boundary movements. This is another good reason the passage of this Bill becomes timely and necessary to regulate activities so as not to further endanger the lives of our citizens and the environment.

Of course, hon. Colleagues, the development of Bio-Safety Bill in Nigeria is a major milestone in harnessing the benefits of modern bio-technology and its passage into law will not only give impetus to the practice of bio-technology but also the use of its products. If this could be achieved in Nigeria it will translate to a significant growth in our national economy and guarantee food security.

In keeping with the protocol on bio-technology, a number of African countries have already enacted a bio-safety law to ensure the safe conduct of modern bio-technology. They include South Africa, Kenya, Burkina Faso, Mali, Zambia and Uganda. Nigeria, in view of her position within the African continent, must not therefore lag behind in this process.

So without mincing words, as I said, this is a straightforward Bill. It is a Bill to regulate the practice of modern bio-technology to ensure that the practice of modern bio-technology is being done in a safe and responsible manner so that at the end of the day, even despite all its advantages and benefits that can be derived in terms of increased yield in our agricultural produce there is need that this law be put in place.

Hon. Colleagues, the importance of this Bill and its relevance to Nigeria's economy is obvious on account of the reasons given above. I therefore enjoin my Colleagues to give their total support to this Bill for the safety of Nigerians, safety to our health, environment and safety to the plant.

The Speaker: Does any Member wishes to speak against this Bill? (*No response*)

I may as well put the Question on the Second Reading of the Bill.

Question put and agreed to.

Bill Read the Second Time and referred to the Joint Committees on Science and Technology and Agriculture.

ADJOURNMENT

Hon. Tunde Akogun: Mr. Speaker, I move that the House do adjourn till tomorrow, Wednesday, 3rd June, 2009 at 2.00 p.m.

Hon. Baba Shehu Agaie: I rise to second the Motion that this House do adjourn till tomorrow, Wednesday, 3rd June, 2009 at 2:00 p.m.

1341

Question put and agreed to.

Resolved: That the House do stand adjourned till

1342

tomorrow, Wednesday, 3rd June, 2009 at 2.00 p.m.

The House adjourned accordingly at 12.30 p.m.