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HOUSE OF REPRESENTATIVES
FEDERAL REPUBLIC OF NIGERIA

Wednesday, 4th November 2009

The House met at 2.55 p.m.

PRAYERS

(The Speaker in the Chair)

VOTES AND PROCEEDINGS

The Speaker: Hon. Members, I have examined and approved the Votes and Proceedings of Tuesday 3rd November 2009.

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

The Speaker: Please listen to these announcements.

October, 29th 2009

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

Dear brother,

**A BILL FOR AN ACT TO REPEAL THE
IMMIGRATION ACT 1963 AND ENACT THE
IMMIGRATION ACT, 2009**

I forward herewith for your kind consideration and passage into law the attached draft Bill for an Act to Repeal the Immigration Act 1963 and Enact Immigration Act 2009.

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

It is my hope that the honourable Members will consider and pass the amendment Bill in your usual expeditious manner.

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

Yours sincerely

(Sgd)

UMARU MUSA YAR'ADUA, GCFR

The Speaker: The second letter is also from Mr. President.

October, 26th 2009

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

Dear brother,

**BILLS FROM THE FEDERAL CAPITAL
ADMINISTRATION**

I forward herewith for your kind consideration and passage into law the under listed bills:

- i. Bill for Property Tax;*
- ii. Bill for FCT Hospitals Management Board;*
- iii. Bill for Prohibition of Use of Motor-Cycle for commercial purpose;*
- iv. Bill for FCT Agency for Mass Education;*
- v. Bill for FCT College of Education, Zuba;*
- vi. Bill for Abuja Metropolitan Management Council;*
- vii. Bill for FCT Directorate of Road Traffic Service; and*
- viii. Bill for Federal Capital Territory Internal Revenue Service.*

It is my hope that the honourable Members of House of Representatives of the Federal Republic of Nigeria will consider and pass these bills in your usual expeditious manner.

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

Yours sincerely

(Sgd)

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UMARU MUSA YAR'ADUA, GCFR

The Speaker: My dear Colleagues, the third letter to the House of Representatives is also from Mr. President.

November 3rd, 2009

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

Dear brother,

**REQUEST FOR ENDORSEMENT OF
SUPPLEMENTARY APPROPRIATION**

I write to request for the kind support of the House of Representatives in endorsing Supplementary Appropriation and the associated financing items occasioned by a number of factors, including the urgency of consolidating and sustaining peace in the Niger Delta; the need to put in place strategic interventions geared towards addressing the transitional costs which would accompany envisaged reforms in the downstream petroleum sector as well as meeting additional expenditure needs that have emerged. Details of expenditure items as well as sources of financing are attached to this letter for your kind consideration and endorsement.

In relation to the Niger Delta, you would agree with me, Honourable Speaker, that it is extremely important that we embark on projects which would help deepen and consolidated peace as well as lay foundations for sustainable development. This is crucial to rebuilding confidence and trust in the amnesty initiative, enhancing production and improving revenue flow to the federation accounts, mitigating investment risks as well as boosting full realisation of the nation's economic potential.

Details of the expenditures and the Niger Delta Amnesty Programme are being worked out, based on close consultations with key stakeholders. Areas of focus include East-West Highway (currently under construction); Coastal road/highway, East-West Rail line, Inland Water way transportation infrastructure; reclamation to link all communities; dredging of canals; housing and land reclamation projects for oil producing communities; and environmental clean-up activities. The money being appropriated will be ring-

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fenced under a similar arrangement that has been made in respect of funding of the National Integrated Power Projects and appropriate mechanisms of accountability, control and reporting will be put in place.

In addition to the Amnesty programme-related expenditure, we are seeking to invest in programmes and projects that would address the transition costs of envisaged reforms in the downstream petroleum sector. In this context, the government is proposing additional interventions in the railway transportation sectors as well as emergency road rehabilitation. These are being complemented with measures to facilitate access to low-income housing for workers as well as support to the real sector through development finance institutions. The overall thrust of these envisaged policy measures are to reduce the cost of transportation and make available alternative sources of transportation, seek avenues to reducing the cost of living as well as generate employment opportunities.

We also seek the endorsement of the House of Representatives to financing strategic interventions aimed at addressing supply constraints and unemployment in the context of global economic meltdown. Some of the expenditure items in the supplementary appropriation will be utilised to offset outstanding government obligations (including pension arrears), meet funding shortfall, and provide for counterpart funding.

Honourable Speaker, approving these expenditure items would help in alleviating the adverse impact of the global economic crisis and the most vulnerable segment of the population as well as ensuring effective day to day operations of some MDAs

The proposed expenditure items above will be financed from Federal Government's portion of the sharing from the Excess Crude Account, proceeds of the soft loan from the World Bank (as communicated in my letter dated July 27th 2009) and the use of existing issuance of FGN Bonds by the Debt Management Office, as well as balance of unspent funds from the 2009 Appropriation.

Right Honourable Speaker, I trust that these key interventions will receive the traditional expeditious kind consideration of the honourable House of Representatives of the Federal Republic of Nigeria.

Yours sincerely,

(Sgd)

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UMARU MUSA YAR'ADUA.

ANNOUNCEMENTS

Visitors at the Gallery

The Speaker: We have in the gallery Party Leaders of the Action Congress of Lagos State as well as Legislators at the Local Government level on a capacity building visit to the National Assembly.

Can you stand up for recognition, please? (*Visiting Party Members stood up*) (*Applause*)

Visit of Students from Evergreen Family School, Zuba

The Speaker: Also, we have students from Evergreen Family School, Zuba.

Student, could you please stand up for recognition?

(*Students stood up for recognition*) (*Applause*)

PRESENTATION OF PUBLIC PETITIONS

The Speaker: My dear colleagues, any member who has a Petition to present to the Floor may please rise to do so now.

Refusal to Pay Pension Benefit to Mr. Romeo by the Nigeria Police Force and CBN

Hon. Clever M. Ikisikpo (Ogbia); This Petition is from one Mr. Romeo Arukpeteise. He worked with the Nigeria Police Force and later joined the Apex Bank, Central Bank of Nigeria. His complain is that the duo have refused him pension benefits. He is, therefore, appealing to Mr. Speaker and this honourable House to look into his case and help him out.

May I lay this Petition on the Table?

The Speaker: Please proceed.

Petition laid.

Wrongful Dismissal from Institute of Triponasomiasis

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Hon. Abike Dabiri Arewa (Ikorodu): This petition is from Mr. Abubakar Aliyu who believed that he was victimized. He lost his job at the Institute of Triponasomiasis because he was a witness in an ICPC case against the Institution. He is asking this House to seek the redress to intervene.

Mr. Speaker may lay the Petition on the Table?

The Speaker: Go ahead please.

Petition laid.

Illegal Dismissal from the services of NIPOST, Owerri

Hon. Mayor Chukwudi Eze (Orlu/Orsu/Oru East): This is a Petition from Mr. Celestine Njoku on the unlawful dismissal from the services of NIPOST Owerri. Even when they found out that he was illegally dismissed they refused to convert it to retirement. He is pleading this House to intervene to see that justice is done.

With your kind permission please let me lay it.

The Speaker: Please go ahead.

Report laid on the Table.

The Speaker: Are there any more petitions? (*No response*) Honourable colleagues, all Petitions are referred to the Committee on Public Petitions.

All petitions accordingly referred to the Committee on Public Petitions.

MATTER OF URGENT PUBLIC IMPORTANCE

Wanton Killings, Destruction of Properties, Illegal Confiscation of Items and Arrest of Citizens by the Police

Hon. Aliyu Ahmed Wadada (Keffi/Karu/Kokona): Point of Order, Mr. Speaker.

The Speaker What is your Point of Order?

Hon. Aliyu Ahmed Wadada: My Point of Order is Order VIII Rule 4; Matter of Urgent Public Importance which says:

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4 (1) *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.*

(2) *The Text of the matter shall be submitted to the Speaker prior to the sitting of the House.*

(3) *If the claim is allowed by the Speaker, and the leave of the House is given, by majority of the all members present, the matter shall stand over till the next legislative day.*

(4) *Not more than one such motion may be made in the same sitting.*

I want to seek the kind permission of the Hon. Speaker and my colleagues to suspend this Order so that I can take the matter I have, under Matter of Urgent Public Importance that has got to do with livelihood and peace. This had happened and is now re-brewing in my Constituency.

The Speaker: You would need to tell us what the matter is first so that we can put the question whether it is urgent enough.

Hon. Aliyu Ahmed Wadada: The issue is about wanton killings, destruction of properties, illegal confiscation of items and also illegal arrest of citizens by the Police. This had happened on the 19th of October, 2009 in Garaku town of my Constituency. Garaku is a linear settlement on your way from Abuja-Keffi-Akwanga road and Garaku is the Headquarters of Kokona Local Government of my Constituency.

The Speaker: It is alright honourable, take your sit and put your microphone off please.

Hon. Wadada has a Matter of Urgent Public Importance. Hon. Colleagues, the question is that we consider this as an Urgent Public Importance.

Question put and agreed to.

The Speaker: Hold on Hon. Dino Melaye. Hon. Wadada, you are seeking to suspend the relevant rules so that we can take it today. Do you want to move your Motion?

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Hon. Aliyu Ahmed Wadada: I seek that the relevant provisions of the Order be suspended so that I can take this Motion now.

Hon. Atai A. Ali (Ankpa/Omala/Olamaboro): I rise to second the Motion that we suspend the relevant Rules so that we can take Hon. Wadada's Motion.

Question put and agreed to.

Resolved: That the relevant provisions of the Order be suspended so that the Motion on a Matter of Urgent Public Importance could be take now.

Hon. Aliyu Ahmed Wadada: Thank you very much Hon. Speaker, Hon. Colleagues for your understanding.

On the 19th of October, 2009 the youths in Garaku town of Kokona Local Government of Nasarawa State sought from the relevant authorities, the Local Police and the State Security Service, approval to conduct peaceful demonstration which had to do with the persistent killings by motorists who drive across Garaku Town.

Prior to this date I had cause to visit Garaku as a result of the various incidences that had occurred and as a result of my visit there, in order to discharge my responsibility I took it upon myself from my good responsible office and wrote a letter to the Ministry of Works and Housing calling on the Ministry to construct Speed Bumps across the highway. This letter was written five or six months ago but because nothing has happened as requested by the content of my letter, two incidences occurred before the 19th of October and the youths deemed it fit to carry out a peaceful demonstration drawing the attention of the Government and all the relevant Authorities.

As a result of that, after being granted the permission to do what they sought to do, from the blues, which unless and until investigation is conducted, nobody is in a position to say how it happened, the Mobile Command in Akwanga Local Government came into Garaku Town; this peaceful demonstration which was being carried on by the road side in the Town, the Mobile Police Command on arriving Garaku opened fire indiscriminately on these innocent citizens of my Constituency who were carrying out lawful actions, which had been approved by the Security operatives in that Local Government or in that Town.

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This led to the loss of eight lives. Some of the citizens are still in the Hospital. I have an Album here, which carries the pictures of some of these citizens that are still hospitalized. Not only were lives lost, the Police took it upon themselves to go into houses within the town, to the extent of going into matrimonial rooms, confiscating mobile phones, collecting monies and shooting people even those that were hiding under their beds. At the end of their exercise, they collected as much motor cycles as they could, which are at the moment under the custody of the Police in Akwanga.

We had before now done the best we could to ensure that this situation is handled peacefully and amicably. Because of these illegal seizures which I said had to do with lives and livelihood, most of these motor cycles that are under the custody of the Police serve as means of livelihood for the citizens of this town. As a result of that the issue is now re-brewing and for fear of re-occurrence of what had happened and for it not to go beyond where it is at the moment, I feel I should, as a

Matter of Urgent Public Importance, not only bring up this Motion but seek the support of my Colleagues for this House to:

- (i) Direct the Inspector General of Police to, as a matter of urgency, commence investigation into this ugly act that led to loss of lives and properties.

Hon. Speaker, I so submit.

The Speaker: I think I should just put the Question because the matter appears straightforward.

Question put and agreed to.

Resolved: To direct the Inspector General of Police to, as a matter of urgency, commence investigation into this ugly act that led to loss of lives and properties

MDG Projects in our various constituencies

Hon. Dino Melaye (Kabba/Bunu/Ijumu): Hon. Speaker, I draw my Order from Order VIII Rule (4) Matter of Urgent Public Importance. As true Representatives of our people, we were consulted and we all contacted our Constituencies (*interruption*).

The Speaker: Which Order are you seeking Hon. Melaye?

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Hon. Dino Melaye: I have mentioned it before; I said Order VIII Rule (4).

The Speaker: Could you tell the Members what is it for; is it a Matter of Urgent Public Importance? If it is, what is the matter?

Hon. Dino Melaye: The matter is on our MDG Projects. Having informed our Constituencies that certain Projects would be sited in different areas of our Federal Constituencies and today is the 4th of November 2009, the 2008 MDG Quick Projects are yet to be completed. Some have not even started and we have also informed them about that of 2009. As a Representative of the people the masses are looking up to us that this is what they can get through the Federal Republic of Nigeria.

If we do not take this matter up, definitely, the year may roll out, monies may be returned, these Projects will never be sited, and the true dividends of democracy will elude our Constituents and the masses of our various Federal Constituencies.

I am now calling on this House that if you so permit we will bring a substantive Motion tomorrow that by a resolution will make the MDG Office in the Presidency to quickly re-act to these Projects.

Hon. Andrew. I. Uchendu (Ikwerre/Emohua): There is no provision for another Matter of Urgent National Importance in our Standing Orders.

The Speaker: You need to take a second look at the provisions of our Standing Order, please hon. Colleagues.

Chairman Rules and Business, Hon. Uchendu is making a point that we cannot take more than one Matter of Urgent National Importance today. Could you authenticate this, please?

Hon. Ita Enang: (Itu/Ibiono Ibom): The Standing Order says not more than one *may* be taken. The discretion lies on the Speaker to allow more than one.

The Speaker: All right, the word is not *shall*, but *may*. Hon. Dino Melaye is seeking for us to consider as a Matter of Urgent Importance Projects that has to do with MDGs, but I must also give you this formation Hon. Dino because you made the request before the letter of the President was read.

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In the Supplementary Appropriation, adequate funds have been put aside for the execution of these MDGs. However, that information is for the Floor but I will still have to put the question.

Question put and agreed to.

Resolved: That a substantive Motion on quick completion of MDG projects by the Presidency be brought before the House for consideration at the next legislative day.

The Speaker: Hon. Chairman and the Deputy Chairman of the Committee on MDGs are not here. If there is any member of the Committee on MDGs here, I pray that you are well prepared for that Motion when it comes to the Floor.

Chairman, Deputy Chairman and Members of the Committee on Constituency Outreach, when we debate this Motion, we sincerely hope we would have accurate facts and figures please.

MOTIONS

Collapse of Access Road to and from Akwa Ibom State, Abia State, Rivers State and Cross River State

The next Order of the Day is a Motion on the Collapse of Access Road to and from Akwa Ibom State, Abia State, Rivers State and Cross River State, standing in the name of Hon. Ita Enang. The access roads to all these States have all collapsed such that we cannot get to any of these States?

Hon. Ita Enang: You cannot access from Abia to Akwa Ibom and from Akwa Ibom to Cross River.

The Speaker: Hon. Ita Enang, your Motion says; the Collapse of Access Road to and from Akwa Ibom State, Abia State, Rivers State and Cross River State.

Hon. Ita Enang: Yes, Mr. Speaker.

The Speaker: So nobody can get to these States by road now?

Hon. Ita Enang: You can, but in difficulty.

The Speaker: That means it has not collapsed then.

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Hon. Ita Enang: But they are collapsing, Sir.

The Speaker: All right. This Motion is standing in the name of Hon. Ita Enang. Hon. Enang please move your Motion.

Hon. Ita Enang: Mr. Speaker, I take the leave of the Speaker and the Floor to please plead with my Colleagues who signed on this Motion but in the course of printing it out the names were deleted. I sincerely apologise and I said that you are all Co-Sponsors to this Motion.

The House:

Notes that the Uyo-Itu-Calabar Highway is the only and exclusive road leading between Akwa Ibom and Cross River States and the Calabar-Ikom-Ogoja-Katsina-Ala/Makurdi Highway is the Northern access from and to the Northern part of Nigeria;

Further notes that the Ikot Ekpene-Umuahia road, Aba-Ikot Ekpene road and Etim Ekpo-Ngwa and the Ekparakwa-Ukanafun-Ngwa Roads are the only access roads linking Akwa Ibom to Abia and Rivers State;

Aware that the Calabar Itu-Uyo-Ikot-Ekpene Road constructed in 1976 have completely collapsed and for two or three days in each week, and for the last five months access to traffic to and from Cross River, Akwa Ibom and other States have completely broken down and access to and from Abia and Rivers State completely shut down;

Further aware that there have been promises by the Federal Government for the reconstruction of these roads;

I therefore, pray that this House do

Resolve to:

- (i) Urge the Federal Ministry of Works and the Federal Roads Maintenance Agency to urgently reconstruct these roads to restore access to, from and between Akwa Ibom, Cross River, Abia, Rivers State and other States of the Federation;
- (ii) Further urge the Federal Government to expedite action to award contract for the reconstruction of these roads; and

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- (iii) Mandate the House Committee on Works to inspect the above roads and report to the House within two weeks.

I so move.

Hon. Nkiruka Onyejeocha (Isuikwuato/Umunneochi): I rise to second the Motion as moved by Hon. Ita Enang.

Question proposed.

Hon. Ita Enang: This is a passionate appeal to all of you on these roads. We are all victims of situation like this. Several days for the past five weeks, when you go to Calabar for instance, either by air or by road, returns to or from Akwa Ibom sometimes takes two days to get home. This is because of the state of the road, heavy trucks, vehicles, tippers, trailers collapse and break down; some fall into ditches, some fall on top of each others in the course of trying to pass each other because the roads have collapsed. When this happens, no traffic can come from this end or from the other end. Sometime, these roads get blocked for up to two days and it would take emergency situation from either the Cross Rivers State Government or the Akwa-Ibom State Government to come and evacuate this before people can pass.

In fact, sometimes you may, if you are in a hurry to catch an appointment to leave your car and then mount a motorcycle that would take you through the bush tracks. Yes, I have done it once. I mounted a motorcycle that took me through bush tracks and passed through fallen vehicles to get to the other side. This should not be in the Federal Republic of Nigeria.

The Speaker: Hon. Ita Enang, you went on Okada through the bush to get to your constituency?

Hon. Ita Enang: Yes, Sir.

The Speaker: Very well, continue.

Hon. Ita Enang: This is why we are bringing this Motion for the support of our Colleagues that these roads be awarded for reconstruction. It is has got so bad that when the heavy Construction Companies that operate in Akwa Ibom State, arrive Calabar Airports, they no longer bother to take the road. It has become fashionable to hire and own helicopter to ferry people from Calabar Airport to Uyo. This should not be

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because it is not every person that can afford helicopter service other than the big companies.

Therefore, I am praying that you all support this Motion. It is a very simple prayer and I ask for your grace.

Several Hon. Members: Put the Question, Mr. Speaker.

The Speaker: I think I should put the Question straightaway.

Question put and agreed to.

The House:

Noted that the Uyo-Itu-Calabar Highway is the only and exclusive road leading between Akwa Ibom and Cross River States and the Calabar-Ikom-Ogoja-Katsina-Ala/Makurdi Highway is the Northern access from and to the Northern part of Nigeria;

Further noted that the Ikot Ekpene-Umuahia road, Aba-Ikot Ekpene road and Etim Ekpo-Ngwa and the Ekparakwa-Ukanafun-Ngwa Roads are the only access roads linking Akwa Ibom to Abia and Rivers State;

Aware that the Calabar Itu-Uyo-Ikot-Ekpene Road constructed in 1976 have completely collapsed and for two or three days in each week, and for the last five

months access to traffic to and from Cross River, Akwa Ibom and other States have completely broken down and access to and from Abia and Rivers State completely shut down;

Further aware that there have been promises by the Federal Government for the reconstruction of these roads;

Resolved to:

- (i) Urge the Federal Ministry of Works and the Federal Roads Maintenance Agency to urgently reconstruct these roads to restore access to, from and between Akwa Ibom, Cross River, Abia, Rivers State and other States of the Federation;
- (ii) Further urge the Federal Government to expedite action to award contract for the reconstruction of these roads; and

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- (iii) Mandate the House Committee on Works to inspect the above roads and report to the House within two weeks.

Need to Rehabilitate the Benin-Auchi-Okene Expressway Particularly between Iruokpen Junction and Ambrose Ali University

The Speaker: Honourable Colleagues, the next Business of the Day is the Motion on the Need to Rehabilitate the Benin-Auchi-Okene Expressway particularly between Iruokpen Junction and Ambrose Ali University, standing in the name of Hon. Patrick A. Ikhariale.

Hon. Patrick Ikhariale, please, move the Motion.

Hon. Patrick Ikhariale (Esan Central/Esan West/Igueben): My Motion is the need to rehabilitate the Benin-Auchi-Okene Expressway particularly between Iruokpen Junction and Ambrose Ali University.

The House:

Notes that in a few weeks from now, the nation like the rest of the world will be caught in the frenzy mood of the Yuletide and New Year festivities;

Aware that it is the responsibility of the government as in all civilized nations of the world, to ensure that appropriate measures, are taken to prevent road mishaps that tend to characterize such seasons;

Disturbed by the neglect of the Benin-Auchi-Okene Express Road, particularly the segment between Iruokpen Junction and Ambrose Ali University gate, a distance of just about a kilometer, being totally cut off by gully erosion;

Worried that unless very urgent measures are taken to rehabilitate the badly damaged segment of the Express road, the movement of people on this road which will increase in volume and intensity during the Yuletide, will be marred with difficulties of untold proportions;

Resolves to:

- (i) Urge the Federal Road Maintenance Agency (FERMA) and other relevant agencies of government to rehabilitate Benin-Auchi-Okene Expressway;

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- (ii) Urge the Minister of Works to lay before the Committee on Works and Transport, measures being taken to rehabilitate our road-network nationwide.

Hon. David Idoko Onobi (Ado/Ogbadibo/Okpokwu): I do second the Motion as moved by my Colleague.

Question Proposed.

Hon. Patrick Ikhariale: The Motion before us this afternoon is one that I believe bothers virtually every one of us here. The road in question is the link road between Okene-Edo North, Edo Central to Edo South. The position right now is that shortly after the Ambrose Ali University, what we have there now fits into the description that Mr. Speaker from his position try to make us understand is total collapse.

The position right now is that for people moving from Okene to Edo North, Edo Central to Edo South; get to that spot and the only option left for them is to make a U-Turn to either go through some roads that would take them to Delta to access Benin or go back to if possible Okene to take Ibilo to access somewhere outside Benin.

There is no gainsaying that it brings about untold hardship. A journey that ordinarily would last for 45 minutes, for this purpose due to this very bad state of the road that has finally collapsed will now take an average of four to six hours as it is today.

As I did say, we are approaching the end of year and the truth remains that the traffic on this road is heavy. This road was constructed 35 years ago and to be precise, in 1974/1975. Ever since then, we have written applications, made a lot of efforts; even through this same House some time last year over the same road on the need for the Federal Government, particularly the relevant Ministry, to take necessary steps to avert the problem that has come to bare right now.

The facts are very clear; I want to see it as a simple Motion and I plead that every Member present in this House this afternoon should join me in supporting this Motion and let it pass through so that the relevant agencies will take the necessary steps to save as many lives as possible during this season and beyond.

The Speaker: It is a straightforward Motion. I would just put question on it.

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Question put and agreed to.

The House:

Noted that in a few weeks from now, the nation like the rest of the world will be caught in the frenzy mood of the Yuletide and New Year festivities;

Aware that it is the responsibility of the government as in all civilized nations of the world, to ensure that appropriate measures, are taken to prevent road mishaps that tend to characterize such seasons;

Disturbed by the neglect of the Benin-Auchi-Okene Express Road, particularly the segment between Irukepen Junction and Ambrose Ali University gate, a distance of just about a kilometer, being totally cut off by gully erosion;

Worried that unless very urgent measures are taken to rehabilitate the badly damaged segment of the Express road, the movement of people on this road which will increase in volume and intensity during the Yuletide, will be marred with difficulties of untold proportions;

Resolved to:

- (i) Urge the Federal Road Maintenance Agency (FERMA) and other relevant agencies of government to rehabilitate Benin-Auchi-Okene Expressway;
- (ii) Urge the Minister of Works to lay before the Committee on Works and Transport, measures being taken to rehabilitate our road-network nationwide.

CONSIDERATION OF BILLS

Electric Power Sector Reform Act 2005 (Amendment) Bill, 2009

A Bill for an Act to Amend the Electric Power Sector Reform Act 2005 to repeal the Rural Electrification Agency and for Matters Connected thereto, 2009.

Order for Second Reading.

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The Speaker: Chairman Rules and Business, where is the leader of the House standing in for the Bill?

Hon. Ita Enang: He is not here. We may stand down the Bill Sir. I came to know about it later. I appeal to the House that we stand that down the Bill.

(Bill with the leave of the House Stood down)

Electoral Debates Commission (Establishment) Bill, 2009

A Bill for an Act to establish the Electoral Debates Commission, to regulate the Conduct of debates into Elective Office and for Other Matters Connected Therewith, 2009.

Order for Second Reading

The Speaker: The next Order of the Day is the commencement of debate on the general principles of the Bill for an Act to Establish the Electoral Debates Commission, to regulate the Conduct of debates into Elective Office and for Other Matters Connected Therewith, 2009.

This Bill was read for the first time on Wednesday 15th of July, 2009. I now invite Hon. Femi Gbajabiamila to move that the Bill be read the Second Time.

Hon. Olufemi Gbajabiamila (Surulere I): Mr. Speaker, I move that a Bill for an Act to establish the Electoral Debates Commission, to regulate the Conduct of debates into Elective Office and for Other Matters Connected Therewith, 2009 be read the Second Time.

Hon. Nnenna Ijeoma Ukeje (Bende): I do second the Motion as moved by Hon. Femi Gbajabiamila.

Question Proposed.

Hon. F. Gbajabiamila: I stand before you today to move the Bill that when passed would be a milestone in terms of Electoral Reform in this country. The issue of Electoral Reform has been in front burner in Nigeria for sometime now. However, let me dare say that the Electoral Reform goes beyond what many think it is.

The Right to Vote and to have your vote counted

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has other several components and appendages; one such is the right for that vote which you went to the poll to cast and the choice you made, to be an informed choice. You do not go to the polls and vote for the sake of voting. As a matter of fact, you are effectively disenfranchised when you wake up in the morning on the Election Day and all you have to go by are posters and campaign jingles.

Even in our own personal lives, when we want to make critical decisions whether in the family; or to purchase a house; or the school to send your child to; or the need to have a child in the first place, you will analyse critically, based on information and knowledge, ditto when you go to the polls.

When you want to commit your life for the next four years to a President or Vice President, Governor or Deputy Governor, that commitment for the next 4 years should be based from an informed perspective. It is only then that we can say we have a true democracy for the people, of the people and by the people.

The Bill seeks to set up a Commission which is non-partisan and which cuts across the segments of Nigerian society, representatives from NBA, women society and Labour to basically organize and let candidates present to the electorates their positions on issues without a prepared scripts, issues that would affect Nigerians for the next 4 years. It is not a novel thing; it happens in advanced democracies. We all sit up till 4 in the morning to watch debates in the United States, United Kingdom and Germany; why not in Nigeria?

What does the commission and the debates do? All it does is to pitch contestants against each other, to test their knowledge, their articulation, ideas, judgment and even their ability to maintain composure under pressure which would happen in the 4 years when you are in

office. The effect of this Bill when passed is that it would actually compel the parties themselves to put forward their best 11; if you know the candidate you are going to put forward is going to be tested to the rigours and in the front of 150 million Nigerians to sell or market himself, then that party would surely put forward its best 11.

There are examples galore; when Barack Obama came into the scene he was a dark horse, it was not until Americans, Nigerians and the rest of the world saw the first, second and the third debates that they realized that

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they were dealing with a man who knew his onions and that was when he began to catapult into limelight.

Even back home, where I come from, we had a governorship candidate in the last election that more or less a lot of people believed was imposed on the party, by name; Governor Fashola. It was not until a series of debates were organized with him and the rest of the contestants that people began to see him differently because for the state he wanted to govern, he understood its geography, topography, landscape, seascape, problems and he proffered solutions. Those are the effects of what a debate seeks to achieve.

If and when this Bill is passed, what we would be witnessing would not be just an electoral reform but indeed an electoral revolution. I urge my colleagues to please for the sake of our democracy support this Bill and let it go through Second Reading so that at the Committee level we would be able to dot the *I*'s and cross the *T*'s. Thank you.

Hon. Abdul Ningi (Ningi/Warji): I am indeed impressed and delighted by this attempt to deepen our democracy. Before I enumerate the merits of this Bill, let me say in my opinion we actually do not need a commission to do this job. We can amend the Independent Electoral Act to have a department to organize this debate and make it mandatory.

Why it is necessary to begin to deepen our democracy in this way is that this job which we are doing should not be for all comers; it should not be for just people who are not prepared to work. What should obtain nationwide is that, every person should face a fight of his exposure, experience and educational status, to prove that when he comes here he would make a difference. What this means is that you Mr. Speaker, I and all the honourable members are doing a job that anybody from anywhere could do without that person necessarily attaining the level of educational qualification like we have all attained or have the necessary exposure and experience. This is why when

you look across various dimensions of our society, the candor of trying to occupy offices without individuals having to assess themselves is one of the greatest undoing of this democracy.

Therefore this debate would give us, the electorates, some parameters to assess persons. There are three key parameters: the knowledge of the job that you are trying to do. When interviewers ask you

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questions, what do you know about House of Representatives, Legislature, Parliament, you and your job? Electors would now be able to assess the candidate from the way he proffers answers to such question. So the knowledge of the job is very important.

The electorate would also be able to assess you on where you are coming from, what have you done before, who are you, what are you going to Abuja or Bauchi to do, what are your ingredients, history and what do you know? These are very important land mark questions which the electorate would want answers to.

In return to the answers that you would give, the electorate would also be able to understand the environment that you are trying to represent.

Unfortunately we have had, over the last 10 years, some of our members who were never resident in Nigeria but who come to contest and win. They do not actually know the environment, culture, tradition and those things that are actually needed. It is when they come to the House that they begin to learn their environment. Some of us hardly know much about our constituencies. Some members could not even mention ten villages in they area they claim to represent because they do not know!

In addition to this, the English Language should never be the parameter in some debates. If you are contesting for a Local Government Chairman in Ningi, which is my town, the Hausa language, is adequate. If you are contesting as a Member of the House of Representatives, representing Ningi and Warji Federal Constituency, English Language is the key.

Therefore, the various *Lingua Franca* could be used to assess the proper position of a candidate to canvass for certain political office. A lot of people may be very skeptical about it but what we are trying to do is to deepen democracy and begin to look forward. Over the last three Sessions, the rate of turnover has not done anybody any good.

Therefore, we need to look at this Bill with a very clear unambiguous perspective.

Hon Nnenna Ijeoma Ukeje (Bende): It is often taunted that the government is as good as its people and the people will necessarily get the government they deserve. But that is only true when people have full disclosure. Full disclosure comes not from a face that smiles at you from a poster or sometimes from not so

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empty campaign promises on a campaign train but from actually assessing what the candidate has for the people.

Nine out of ten times as we might have noticed, a lot of people go after power just for the sake of going after power. The question is, in every democratic system the people must work as servants to the people that voted us into power. What that means is that we must tell the people the reasons they must go to the polls and vote us rather than vote somebody else. And the only forum that they have for that is when we all come out, put our best foot forward and actually choose the people that will understand the problems that plague them; people who will have clear understanding of the way to go about these problems and hopefully, we can proffer solutions that are workable.

Without taking way from anybody, in the last couple years, Nigeria has gone from the NEEDS 1 document, to the NEEDS 2 document, to Vision 2010 and Vision 2020 documents, to Seven Points Agenda. Unfortunately, the impression that is given is that we make up government as we go along. But if we had debate and the people were to say for instance, that the NEEDS document which we are going to use for the next four years are going to be financed by X, Y, Z; this is what we are going to do about taxation, the intelligentsia, the private sector and the Civil Society Organisations have the opportunity to ask question. Maybe we would probably start to realize that the people who actually put themselves forward for elective positions actually have the grasp of what it is that they are trying to do.

However, I also want to say that ten years on our democracy is no longer nascent. The time has come for us to start to fine-tune our democracy. Electoral Reforms cannot start from the middle; Electoral Reform starts from us choosing the right candidate.

I stand here today to ask that everybody should support this Bill, not only for Presidential or Vice Presidential, or Gubernatorial but even the elective positions into the House Representatives because this is the opportunity for us to show that indeed we have acquired knowledge and will probably be a better be a candidate than everybody else.

Therefore, I would urge my Colleagues to please support this Bill in its entirety.

Hon. Mayor Eze (Orlu/Orsu/Oru East): This Bill is very important especially the third world. In third world democracies, political parties have the penchant

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of choosing which candidates because they always believe that it is somebody they can control. They forget to know that the candidate being elected is going to serve the entire nation, State or Local Government. The problem we are having here again is the absence of public opinion. We intend to forget the impact of public opinion in any democratic environment

In a situation that the candidates or aspirants are subjected to debate, it will be very difficult for a political party to ignore an aspirant that has recorded a lot of points from the public. This is because when that is done, the candidate, if elected, will already know that despite the party's manifesto he has already committed himself to certain things in the public.

We should ask ourselves why is it that people occupy the same position at a particular point in time; one is regarded as powerful the other is regarded as weak. This is because people go to political offices with personal idiosyncrasies. Your character can never be removed from the way and manner you are going to rule. These character traits are going to be discovered during debates.

In Africa, we do not have political ideologies. There is no political party in Nigeria now that would not talk about development, roads, water, and infrastructure. Any political party that does not talk about these basic items is not a political party but elsewhere foreign policies, monetary issues are shaping public opinion and electioneering. In this type of environment where you need a strong and knowledgeable candidate to drive the party, we need to expose the person to the electorates.

Hon. Leonard Okuweh Ogor (Isoko North/Isoko South): Let me first commend the author of this Bill for having this wonderful concept. I see it as a very good message but I tend to disagree with the methods in which this message is being delivered. I say this because I want to be guided with the provisions of Section of 4(2) 1999 Constitution that states clearly that we are to make laws for the good governance of our great nation.

Definitely, this is a good message. In law making, you cannot in anyway expect the Committee essentially when the Bill talks about setting up a Commission to amend this Bill into a situation of even taking it to INEC. I say this because the challenges we have as a nation today in respect of Commission is very glaring and as I much as I agree with my brother and also the message, there are other issues that we need to address as a Parliament. And what are the issues? The issue

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here is that we have a very good message but in referring this Bill to the Committee, it is impossible for us to send something to a Committee and expect the Committee to return something that is almost totally different from the message that we are sending to the Committee.

I will appeal to my brother that it is important that we know that what he is asking for is genuine; it is the interest of democracy and establishing the foundation of democracy so that those people would be able to have that freedom of opinion in deciding whom they want.

We all know that self-interest is constitutionally enshrined in representation and he seeks the right to know. My appeal here goes to Hon. Femi Gbajabiamila to please take a good holistic analysis of this Bill because the concept you have here is a beautiful one and I will do all I can to support it. However, it is important that you look at the possible of withdrawing this Bill, take it into the Electoral Act, bring in about two or three lines amendment in the Electoral Act and before you know it, you will giving to Nigerians one wonderful opportunity to them to debate.

Hon. Bala Ibn Na'Allah (Zuru/Fakai/Sakaba/D/Wasagu): Mr. Speaker, let me say that I am going to painfully try to x-ray the intendment of this Bill so that my Colleagues who I will urge to be sober and have some level of patience to understand the history of our Democracy from where we are coming, where we are, and where we are going. And I will begin by quoting a scenario that was real, that existed by Late Chuba Okadigbo, may his gentle soul rest in perfect peace.

He went to his Constituency for campaign, and for every sentence he made he said: *as a Senator of the Federal Republic of Nigeria, I would ensure that the letters and spirit of the 1999 Constitution is obeyed.* Then some people were standing by his side, one of them turned to the other one whom he thought should know, he said *ah, what is this Constitution?* And the man said well, *it is one book wei dem de read for Abuja.* (Laughter)

You see Mr. Speaker, this shows the level at which we are. And this may validly now put me and I urge my Colleagues to convey or to follow me in this journey to first of all ask; who are the Nigerian Electorate? Because the intendment of the Bill is to ensure that there is enthronement of Democracy in Nigeria. And from my ordinary understanding, which I have always said of Democracy, *it is a recurrent*

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suspicion whereby more than half the people are right, more than half the time. So it has now become valid that we must first of all ask; who are the Nigerian Electorate? Can we in all honesty at this stage of our Democracy accept the fact that by the mere convenience of debate by candidate we can enthrone Democracy in Nigeria; can we in all honesty say this?

Several Members: Yes.

Hon. Bala Ibn Na'Allah: If the answer is yes, in what part of the country, for example, do we conduct this debate? In what language would it be conducted and what are the parameters? And how does it become a substitute for the campaign that we undertake? This is equally a valid question. But let me equally respectfully say that I have been to other Constituency that proudly produced more than 14 Generals in the Nigerian Army. But I do know that up till now, more than 65% of the voters in that Constituency rely on people to show them what is the emblem of PDP or what is the emblem of ANPP or what is the emblem of the other party. So how do you debate in that kind of Community?

Yes the Bill is good, yes it is well intended, but let me respectfully say that we need to be patient with our Democracy. We need not to continue (*interruption*)

Several Members: No!

Hon. Bala Ibn Na'Allah: Well, that is your opinion, but rather than promoting Democracy or enthroning Democracy in Nigeria will deprive the Nigerian voters of their candidates that will come and work for them in the various elective offices.

The Speaker: All right, hon. Colleagues, by my record we have had 3 for and 2 against; we will start again.

Honourable from Lagos State, you have the Floor please.

Hon. Bashiru O. Bolarinwa (Lagos Mainland): Well, as far as I am concerned, introduction of debate tradition as part of our electoral process is a very welcome development. And at this juncture, I want to commend Hon. Femi Gbajabiamila who is the Sponsor of this Bill.

Governance, we must admit at this point in time, is a serious business; it is not a business that should be joked with. It is not a business for the mediocre.

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We know very well that every office, be it the Office of the President, Office of the Governor or Office of the House of Assembly or House of Representatives or that of the Senate has a time limit. As recognized by our Constitution, it is usually a four year term. When provision is made for debates, it will definitely expose those that are vying for the office but do not necessarily have the idea of what the office is all about. Although my dear Colleague, Hon. Ibn Na'Allah did say the other time regarding the language to be adopted, I think that is a matter of details; the President of this country, His Excellency President Yar'Adua, when he addresses the Nation, he addresses us using English as language. And if at the level of contest for Presidential Election, you and I must know the language to be adopted when it comes to issue of carrying out debate, so also at other levels of offices. If at the level of House of Representatives and other offices, well, the language to be adopted will depend on that particular Community.

So for this, when the Bill is referred to Committee level, I want to agree that if the Committee feels that it may not be necessary to adopt or establish a Commission so be it. But I think that on the whole, this is important because in conclusion, it will allow for a high quality representation at all levels of governance. For that, I want to support that this Bill be allowed to go for the Second Reading.

Hon. Danlami Hamza (Fagge): Once more let me join in congratulating Hon. Gbajabiamila for this wonderful piece of legislation. Mr. Speaker, I was convinced just a few minutes ago after the contribution by Hon. Bala Na'Allah because (*interruption*)

The Speaker: You were convinced?

Hon. Danlami Hamza: Yes when he spoke he convinced me because to me it is the same attitude of underestimating the intelligence of our people at the grassroots level. There is absolutely no reason Hon. Bala should stand there and tell me that 65% of his Constituency depends on people to show them emblem they are voting for; I think it is not true.

I would support anything that we can do to deepen Democracy in this country. This is because I cannot even understand how we can end up in this House, voting against anything that will expose what we are to the people whom we were seeking their mandate. We should welcome anything that will strip us of the insulation or the paraphernalia of the party emblem or that will stand us naked before the people to know who

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we are in our bid to contest for political positions. We cannot turn down this Bill. I urge my Colleagues to support the Bill.

Hon. Mustapha Ahmed (Bauchi): Mr. Speaker, I will start by commending the sponsor of this Bill. However on my journey towards agreeing with him I find myself in some potholes.

A Commission connotes a body corporate with a perpetual succession in its corporate name. You will agree with me that we do not have a staggered election in this country. Our important elections are the Presidential, Governorship, National Assembly and State Assembly elections. These are mostly carried out at a particular time within a maximum period of 30 days. If it is so do you need a Commission that you will have a Chairman, Board Members, Secretary and all the retinue of staff in the Secretariat for them to wait for at least one year to conduct a debate?

While the intendment of the Bill is excellent, we do not have to waste tax payers money to establish a Commission that will only serve the people of Nigeria for one year while all the other times they will be doing nothing because there will not be any debates on any election.

Therefore, may I suggest as has earlier been suggested, that this Bill be either modified to go into the Electoral Act or as in other democracies around the world, be handled solely by Journalists.

Hon. Aminu Shehu Shagari (Yabo/Shagari): Mr. Speaker, I support the intendment of this Bill, and I really commend Hon. Gbajabiamila for his foresight in bringing yet another beautiful legislation to the Floor of this House.

However, I wish to say that even in the United States the Commission that organizes Presidential debates was established as late as 1987, and it is an NGO which was formed by the Republican and the Democratic Parties and it is funded by Corporations and Organisations; it is solely an NGO.

Therefore, I wish that my Learned Colleague would take cue from what Hon. Ningi has said, that he should bring it as a form of an amendment to be accommodated in one of our electoral laws such that we have debates only in the important posts such as Presidential, Gubernatorial, Senatorial and House of Representatives seats.

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Hon. Beni Lar (Langtang North/Langtang South): Mr. Speaker, I congratulate and commend Hon. Gbajabiamila for bringing this Bill. We all know that there are key deficiencies in our electoral system,

particularly in the political environment that leads to the election of candidates.

A lot of time the electorate is not able to analyse the ideology behind selecting these candidates. However, I want to join the rest of my Colleagues in saying that the best approach to this will not be in having a Commission. A commission to me will only be necessary if there is a stipulation somewhere in one of the electoral laws that says each candidate must be involved in a minimum number of debates, meaning that this electoral commission will say, to get elected each candidate must participate in a minimum amount of debates, and that is going to be difficult to implement in a country where there are Councilors, Local Government Chairmen and all kinds of elective positions, and no electricity to televise them. *(Laughter)*

One of the key messages in the intendment of this Bill is that the electorates and the candidates should have sufficient political interaction before the election of the candidate. We can use other medium such as the INEC to ensure that educational awareness of the electorate is raised and one of the medium is through debates.

I just want to say this that George Bush warmed up himself to the American electorates through debates but he turned out to be the worst President in the history of the USA. *(Laughter)*

Hon. Patrick Obahiagbon (Oredo): Mr. Speaker, whereas I agree that the act of elocution; whereas I agree that the act of the gift of the gab may not necessarily correlate with integrity, character and vision; whereas I agree that the underdeveloped nature of our democracy has not necessarily made all Nigerians philosopher kings, we must start the journey somehow, somewhere, someday. And that was why the Indian philosopher by the name Rajav Opalakari was quoted as saying that: *jete jete make a journey.* *(Laughter)*

We must lift and up the ante of democracy; we must come to a political T- Junction in this country where we are part and parcel of the global village. The relationship of Nigeria and the global village today is

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one of a dialectical microcosm in a macrocosm and that being so, we must join the global community in this progressive forward, forward political pattern. (Laughter)

I support the fact that we have come to a time that we have to approach a stage in our national life where people who are elected into an elective positions should be able to tell the people what they will be able to do if elected into that position.

The issue of debate as I understand it, is not only about intellectual vibrancy but that you understand the issues of your people and you can deploy your understanding of the issues of your people through your native dialect not necessarily through English language. Although, I do not expect that conducting a debate to the National Assembly will be conducted in the language of Benin or Esan or in Hausa, but for local government election like the former Leader of the House has said, this would become excusable and these are final details for the Committee. I think we must be part and parcel of the global village.

Hon. Andrew I. Uchendu (Ikwerre/Emohua): To borrow the language of Hon. Leonard Okuweh, I think the message is a very important one but what some of us are trying to argue is the vehicle through which this very important message should be carried on. Many Members have observed it and I want to agree completely that we cannot constitute a Commission to discharge this singular responsibility. We can amend the Electoral Act and inject this very important responsibility in the relevant Sections; that would well be taken.

Secondly, I do not think that we would carry it on from the Presidential Election to the Local Government; that would be unnecessary extrapolation. I would therefore, suggest that we limit it for now to the Presidential and the Gubernatorial Elections. It would make sense.

The Speaker: What about the National Assembly?

Hon. Andrew I. Uchendu: That would be too many; 469 Members to face the camera?

The Speaker: This is where the debate is based.

Hon. Andrew I. Uchendu: Mr. Speaker, we would start gradually to learn the process. One important role this very responsibility would serve is to

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weed away a lot of not too serious people. It is our individual rights and we must make ourselves and ambitions available. But you would see so many upstarts coming to the Floor to take on a Presidential ambition and race. It makes the whole thing look ridiculous.

Another important ingredient in this debate is that personality traits would be collected. Majority of our people can access the arrogance, humility, temperament and the conduct in some of us. This is because by the time people are subjected to public debates and they face the cameras, you would see those of us that would lose our temperament and cannot be seen to qualify for public offices. Some of us get into these offices and get disconnected away from those that brought us in. This very important issue should be taken along and let us put it into practice.

Hon. Ahmed D. Aliyu Wadada (Keffi/Karu/Kokona): First and foremost, I would like to start by saying that I associate myself very much with the Bill in question though the vehicle as earlier mentioned, is questionable. As far as my association, subscription and support for this Bill is concerned, I would like to take those of my Colleagues that were part of this Chamber in the last Assembly and those that were not even part of this Chamber but were following events of the Assembly on the presentation of President Olusegun Aremu Matthew Okikiola Obasanjo, in his inauguration speech of the then Assembly. He did mention that the high cost of electioneering campaigns should be looked into. My first presentation on this Floor was on the cost of Electioneering Campaign. I did say that cost of electioneering campaign would continue to grow up until we do the needful.

What is that needful? For we so know that a greater percentage of our electorates are not privileged to be educated but that does not stop them from being enlightened. How can they be enlightened? It is when we that are privileged to be educated communicate much closely to them. That would broaden their scope and the moment their scope is broadened, the first most important thing is that they would know what time it is. Whoever does not know what time it is, is backward. We would start looking at whoever comes in here now and says goodnight or good morning to us to confirm if he is mentally all right at all. That means for whoever does not know what time it is, the first step of his or her endeavour would be wrong.

We need to enlighten the electorates. It is the enlightenment of the electorates that would eradicate

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elections based on money, ethnicity, religion, geo-political zones but rather it would entrench elections based on competence. Anything that would lead us to be relating much more closely to the electorates and would deepen democracy in anyway and form should be embraced by all.

The Speaker: It is time for right of reply now. Are we going to give it to the Leader of the Minority?

Hon. Olufemi Gbajabiamila (Surulere I): Let me just say one or two things that came up during the course of the debate.

The issue of the Commission, like I said, is not a novel thing. Like I said, in the United States, you have a Commission and in fact in UK right now, they are actually compelling the setting up of the Commission for Debates.

Mr. Speaker, we have re-run elections. So, in a way, we do have staggered elections over the course of four years. This is because one of the issues that came up was that the Commission would be redundant but that is not so. As we can see, we have elections coming up in a couple of weeks in this country; even in January and February. So, the work of the Commission even when it comes to bye-elections and re-run elections includes the organization of debates.

The question that begs for an answer from those who say we are not ready and not ripe is; when would Nigeria be ready? That is a question that Hon. Bala needs to answer. I think the time and the moment is now and I think it is time that we address this issue.

The Speaker: My dear Colleagues, I will now put the Question.

Question put and negatived.

CONSIDERATION OF REPORTS

National Boundary Commission (Amendment) Act, 2006 No. 12 (Amendment) Bill 2008

The Speaker: The next Order of the Day is the consideration of the Report of the Committee on Special Duties on a Bill for an Act to Amend the National Boundary Commission (Amendment) Act, 2006 No. 12 so as to make appointment of some members of the Commission to be full-time as Commissioners, 2008 (HB. 153) and approve the Recommendation therein.

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The Report was laid on Thursday 8th of October 2009. Hon. Samson Osagie is not here. Deputy Chairman of the Committee on Special Duties; where are you? *(No response)*.

Is there any Member of the Committee on Special Duties here? *(No response)*.

I can hear an honourable saying that they are on Oversight; May God bless Nigeria.

(Report stood down)

Report of the Joint Committee on Gas Resources and Justice on Associated Gas Re-Injection Act, No. 99 of 1979, Cap. A25 Laws of the Federal of Nigeria 2004, (Amendment) Bill 2008

The Speaker: The next Order of the Day is the consideration of the Report of the Joint Committee on Gas Resources and Justice on a Bill for an Act to Amend the Associated Gas Re-Injection Act, No. 99 of 1979, Cap. A25 Laws of the Federation of Nigeria 2004, 2008 (HB. 112) and approve the Recommendations therein.

The Report was laid on Wednesday, 22nd July 2009. Hon. Igo Aguma is not here. Is the Deputy Chairman of the Committee on Gas Resources here? *(No response)*.

(Report stood down)

Honourable Chairman of the Committee on Science and Technology, are you ready?

Hon. Akinlade Abiodun Isiaq: Yes, Mr. Speaker.

The Speaker: Excellent!

Report of the Committee on Science and Technology on the Investigative Hearing on NIGCOMSAT 1

The Speaker: The next Order of the Day is the consideration of the Report of the Committee on Science and Technology on the Investigative Hearing in NIGCOMSAT 1 and the activities/operations of Nigerian Communications Technology.

That Report was laid on 30th of July 2009. It is now ready for consideration. Hon. Akinlade Abiodun, can you move for the consideration of the Report, please?

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Hon. Akinlade Abiodun Isiaq (Yewa South/Ipokia): I move that this House do consider the Report of the Committee on Science and Technology on the Investigative Hearing in NIGCOMSAT 1 and the activities/operations of the Nigerian Communication Technology and approve the Recommendations therein.

Hon. Friday Itulah (Esan North East/Esan South East): I rise to second the Motion for the consideration

of this all-important Bill as moved by my Colleague.

Hon. Baba Shehu Agaie (Agaie/Lapai): I rise to move that this House do resolve into the Committee of the Whole to consider the Report. I so move.

Hon. James Baitachi (Bosso/Paikoro): I rise to second the Motion as moved by the Deputy House Leader.

Question put and agreed to.

Report of the Committee on Science and Technology on the Investigative Hearing in NIGCOMSAT 1 and the Activities/Operations of the Nigerian Communications Technology and approve the Recommendations therein – CONSIDERED IN THE COMMITTEE OF WHOLE.

(The Chairman in the Chair)

The Chairman: Honourable Colleagues, the only Report we are considering today is the Report of the Committee on Science and Technology on NIGCOMSAT 1. May I call on the Chairman to brief the House on their findings?

Hon. Akinlade Abiodun Isiaq: The House at Plenary gave the assignment to the Committee on Science and Technology to find out what really happened to the NIGCOMSAT 1 that was launched but failed after 18 months.

The Nigeria COMSAT 1 was launched but it failed after 18 months in the Orbit. The Committee conducted a Public Hearing. We also went to China to see the situation of things for ourselves whether due process was followed in the course of the award of the contract and whether the NIGCOMSAT 1 was insured. We also considered the remote causes of the NIGCOMSAT 1.

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We discovered that Due Process was followed in the course of the award of the contract and that the NIGCOMSAT 1 was properly insured and there is a replacement for the failed NIGCOMSAT 1.

In addition, we looked at the viability of the Satellite business. The Committee, from the investigations conducted found out that for Nigeria to meet with the level of development of the other nations of the world we have to invest heavily on space technology. It is the view of the Committee that the House should support the funding of space technology for Nigeria to move to the next level.

The Chairman: **Hon. Ita Enang**, has the Report been circulated to Members?

Hon. Ita Enang (Itu/Ibiono Ibom): Yes, it has been circulated a long time Sir.

The Chairman: All right. The Report has been circulated to Members. The first Recommendation on the Order Paper is:

Recommendation (i) *that Government should divest substantial interest in the company to private and corporate organizations to develop the satellite sector.*

Question put and agreed to.

Recommendation (ii) *that The Company should commence in earnest the building of NIGCOMSAT 3 as a backup if Nigeria should remain in satellite business.*

Hon. David O. Idoko (Ado/Ogbadibo/Okpokwu): Mr. Chairman, I believe this second recommendation is far reaching because of the financial implication. If we have an idea of what it cost to build a Satellite, it will give us an insight of whether to attempt it. I believe that what is important is that we look at the concept of insurance and develop proper insurance policy for our active satellites. That would guarantee that we do not lose out if there is probable any fault in it.

So I suggest that we look at that recommendation.

The Chairman: Committee Chairman what will be the cost of building the backup for NIGCOMSAT 3?

Hon. Akinlade I. Abiodun (Egbado South/Ipokia) Mr. Chairman, the cost cannot be readily

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determined because it depends on the time. However, like what happened to the first one when it failed, we need to have a backup in case there is a problem.

The Chairman: Just like the problem we have now; if you had a backup, then there would be no problem, but this happened because you do not have a back-up now.

Hon. Abdul Ningi: Mr. Chairman, I beg to take the question based on the second recommendation, though it flows from the first recommendation on the substantial divestment.

Nigerian is not an island itself in the business of this Satellite. What other countries of the world have this kind of business that is privately owned; when you say Nigerian should divest interest?

The Chairman: I hope you are not taking us back to Recommendation one?

Hon Abdul Ningi: I am not, because government should commence in earnest the building of NIGCOMSAT because it is also subsumed to say what are the interests then by having this NIGCOMSAT in place and how much in terms of monetary value does this NIGCOMSAT I and II put into the Government coffers? The Government may want to say that it wants to do the third one; what is the financial accrument to Government?

The Chairman: No but Hon. Abdul Ningi he is not saying that the 3rd one should be built by the private; they are recommending that the Government should still go ahead to build the 3rd one as a backup.

Hon. Abdul Ningi: The other one said divest and another one said build another one. Before you build another one, I want to know what would be the financial interest accruing to the Government for the two that are already there.

The Chairman: I understood your argument, but let me say this, Committee Chairman; do you have NIGCOMSAT 1 and 2 now?

Hon. Akinlade Abiodun: No, we do not have any one now?

The Chairman: You do not have any one now;

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but you used to have NIGCOMSAT 1 and 2 before?

Hon. Akinlade Abiodun: The NIGCOMSAT 1 and 2 we had before are bad.

The Chairman: Alright, then the next one will be NIGCOMSAT 3?

Hon. Akinlade Abiodun: Yes.

Hon. Sani Sale Minjibir (Minjibir/Ungogo): My major concern about this whole issue really is that I am sort of confused about the use of this NIGCOMSAT to the furtherance of the interest of our country.

For starters, if these Satellites are put in orbit for National Security reasons then we have no reason whatsoever to have a situation where we are selling off substantial interests to Private hands for the simple reason that the two situations are incompatible. If you go to the United States where they have these kinds of Satellites, they are special satellites that are NSA Satellites; they are for security reasons and they are dedicated to serving the security apparatus of the Government. Now if we are having these for that kind of purpose, then of course we are not going to bring in private sector participation.

Secondly, when you are talking about divesting government shares in it, and then at your recommendations you are urging government to build a backup, and you are telling government to inject more funds to the development of this sector if we are to remain competitive in the Satellite business. This is talking about the government. So the whole thing is confusing; we have to make sure that we articulate our position concerning this issue.

The Chairman: Committee Chairman, please can you answer some of these questions raised by some of our hon. Colleagues?

Hon. Akinlade Abiodun: Mr. Chairman, the NIGCOMSAT is to serve two purposes - Commercial and National interest. So we are also looking at the commercial aspect of it and from the projection of the company it is to generate about ₦60 billion for Nigeria yearly if we should have one; unfortunately, the one we have is not working.

The Chairman: But that is commercial.

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Hon Akinlade Abiodun: We are not only talking about the government injecting funds into it, we are also talking about the technical know how. We have to train

our people on Space Technology which is where the Government has to inject money into for us to be there.

The Chairman: So, had it been that it was working, government may likely generate ₦60 billion per annum. To answer your question, Hon. Abdul Ningi, he is saying that government may likely generate about ₦60 billion.

Hon. Abdul Ningi: How far is the impact?

The Chairman: So far so bad I believe. It is because it is not working. When it was working, there was an arrangement which has not been concluded before it terminated. There was an arrangement I know, but it has not reached to the end and that was why we were not able to get anything out of it. It was when they were negotiating trying to issue some licenses, that it crashed.

Hon. Abdul Ningi: You know very well Sir, that the first one worked for about one and half years before

it crashed, because we are following it. If it worked for one and half years and ordinarily, if it is working (*Interruption*),

The Chairman: Alright, let me ask how they would generate the ₦60 billion. Committee Chairman, what is the NIGCOMSAT expected to do to generate that ₦60 billion?

Hon. Akinlade Abiodun: They will send the band waves through an internet services; they will first of all service it for about 3 months before they start the Satellite (*interruption*)

Hon Dimeji S. Bankole (Abeokuta South): I think Hon. Ningi's question has not been answered. If this NIGCOMSAT worked for one and half years, how much did it generate?

The Chairman: No I was trying to make that explanation Sir.

Hon. Bankole: No the question is not for you; it is for the Committee Chairman to tell us. So, Chairman how much have they generated?

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Hon. Akinlade Abiodun: Mr. Chairman, I do not have the figure here. But for commercial purposes it was in orbit for commercial use only for 3 months

Hon. Dimeji Bankole: It was supposed to general ₦60 billion in 12 months; so we just divide it by 4 it will give us at least ₦15 billion in 3 months. So you need to authenticate your claim, please.

The Chairman: Please is there any figure of revenue like that?

Hon Akinlade Abiodun: Yes, but I do not have the figure here. However, I just want us to recollect that it is a new business in Nigeria

The Chairman: But it has operated for three months and money was generated. The Committee that is responsible to know where the money is does not know where the money is. Yes, you are supposed to know where the money is and how much that was generated. Chairman did you not go on oversight?

Hon. Akinlade Abiodun Isiaq: We do go on oversight. There was revenue generated but I do not have the figures here.

Several Members: Stand it down!

The Chairman: I can hear Hon. Bala saying that he does not have the figure. However, he said he has the figure. Hon. Bala, it is not you that has the Floor but Hon. Akinlade. Please we have rules in this House, if you want to make any contribution you are expected to raise up your hand for recognition.

Hon. Mohammed Ali Ndume (Damboa/Gwoza/Chibok): Mr. Chairman, we are looking at recommendations of the Committee one after the other. I want to move that Recommendations (ii) and (iv) be deleted.

My reason for moving for the deletion of those recommendations is that we are talking of an investment of over ₦400 billion on NIGCOMSAT 1. This is a country that does not have simple communication. This is a country where we do not have transportation and security and we put in \$20 billion and it crashed like that. If you convert that, it is about ₦400 billion.

The Chairman: Please, do not be talking about figures like that because if you say \$20 billion, it is more than one trillion Naira.

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Chairman, the report is that it has recorded a sale of \$98,457,000 million; that is what we have in the Report but you said it was \$20 billion.

Hon. Dimeji Bankole: Mr. Chairman, in order not to get confused here, he is saying that it costs \$20 million which is about ₦300 billion and your Report is saying that they have made sales of \$98 million or ₦98 million?

Hon. Akinlade Abiodun Isiaq: ₦98 million

The Chairman: Chairman, what needs to be done is that you should go back and check with the Commission to know how much has been generated when it worked for the three months that you have mentioned. If it has worked for three months, the expected revenue is ₦15 billion. There may be plus or minus but we want to know how much has been generated in the three months that it had worked; we need to find out that.

Chairman, go and get ready for the challenges that you are now facing. Members are ready to ask you questions. A lot of money has been spent on NIGCOMSAT. Members would not like that money to go like that and you are asking for more funding. If you are asking for more funding, there must be a reason. Members would allow more funding to NIGCOMSAT 3.

What we have seen so far is that there is no reason for any additional funding to NIGCOMSAT. Therefore, you should go and make your records straight so that we can come back here and deliberate. You should be well informed when coming to the House on this type of Report. These are Reports that Members are very much interested. Somebody said that he has not seen the Report; even the Clerks here told me that they are seeing the Report for the first time today.

Hon. Friday Itulah: I want to say while we are asking the Chairman of this Committee to go back and put his house in order, the Report we already have before us is not even pointing to the direction of the reference that he was giving.

This was supposed to be an Investigative Hearing as to why the first NIGCOMSAT is missing in space. He has not told us what happened; what led to the missing of the first experiment we had and he is already making recommendation that while we are trying NIGCOMSAT two, we should have an additional

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NIGCOMSAT three. We know what they are doing in NASA in America. It takes a lot of money to be in orbit; to conquer space and if you are telling Nigerians to make budget or a provision like this, there must be a justification for it.

Let us be aware and be ready to embrace whatever that he is going to do with the assurance that what happened before was an accident and not as a result of lack of scientific work put into it or mere sabotage. I believe that is the very beginning that the Chairman ought to address this House before he begins to ask for additional funding.

Hon. Akinlade, before you ask for more funding, kindly tell us what has happened.

Hon. Ita Enang: (Itu/Ibiono Ibom): Mr. Chairman, I want to please request that the best that should happen to this Report should be a withdrawal because none of the recommendations has touched the subject matter of the referral.

I have read the findings; the recommendations do not relate to the findings. So the Report itself should be withdrawn for a complete rewriting to address the issues which were referred.

Hon. Austin Nwachukwu (Ehime Mbano/Ihite Uboma/Obowo): Mr. Chairman, I want to refer you to page 9 of that particular Report. Item 3 says; the *effective loan that Nigeria took from China to fund the NIGCOMSAT 1, was \$179,890.087*. For God's sake this

is tax payers' money that we are putting by way of loan.

The poor people in my Constituency are going to be heavily taxed to pay this money back by way of tax contribution. And I am saying that, according to Hon. Enang, *the terms of reference have not been addressed*. We were told that the NIGCOMSAT failed; it crashed. Before you begin to cure an illness, you must find out the cause of the illness; whether it was by a snake bite or by mosquito. This is necessary because you might be curing a different illness without even knowing what has happened; here we are talking about injecting more money into a failed project.

The point I am making here is that, let us call a *spade a spade* because if sleep becomes interesting, snoring will be introduced and as such we might look forward to asking an Ad-hoc Committee to look into this issue.

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Hon. Abike Dabiri Arewa (Ikorodu): Mr. Chairman, just in line with what others have said, I just want to go back a bit to remind my hon. Colleagues, that in fact, when this Satellite got missing it was a Nigerian Newspaper that reported it; the Organisation kept quiet for a long time, they said nothing and we were being hounded to come up with the fact to the Nigerian public. I thought that the Committee would also have made reference to that.

Secondly, as we have said here we are talking about lots of money here and I believe that we should go back and do more work on this Report.

Thirdly, the Committee has said that the China Great World Industry Corporation has agreed to replace the Satellite free of charge at no cost to the Nigerian Government as if they are doing us a favour; they are not doing us a favour. And if we paid 20 percent and they paid 80 percent, how much was the actual cost? The 20 percent could probably have covered everything.

Finally, another question to the Chairman is this: they said that they were going to rebuild the Satellite; have they started and what is the time frame?

Hon. Abdul Ahmed Ningi (Ningi/Warji): Mr. Chairman, as Members of this House, as Chairmen and Deputies and as Committee Members, we are all but Ambassadors of the House in our various Committees.

We have sent our Chairman, who is one of us to do a job. If you look at the observations and findings, I think he has done a fantastic job. However, because the

final say does not take place in the Committee, Ambassadors would always report back to the House; he has reported back. And because of the amount of money involved and the implication of the money that was taken as a loan and the Satellite that was there, is no longer there; it behoves on us to say that Hon. Akinlade has done very well. Let the Director General of the Satellite come here and through us inform Nigerians how we can avoid this scandal because that is the only way. This is because if you ask him to go back and do this Report again what else do you want him to do. His findings are very clear. We can only say no to the recommendation because we feel it is watered. But with respect to the findings, he has done a good job.

I believe that there is no collusion between the Committee and the setbacks; the recommendation is not intended to correct the ills. So, why can we not use our

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powers, like we have done before, to invite the Director General here or for the Leadership to invite him, and tell him not to take this matter lightly?

Hon. Akinlade Abiodun (Egbado South/Ipokia): Mr. Chairman, the Committee would like to withdraw the Report and we want to appeal to Members to give us two weeks to represent another Report.

The Chairman: Hon. Akinlade, we have agreed that the Committee has done a good job based on the observations and findings as pointed out by Hon. Ningi. Unfortunately, maybe their clerical officers messed them up in writing the recommendations. Therefore, the Chairman is seeking the leave of the House to go and look at the recommendations once more. Therefore Chairman, you are granted that opportunity.

(Report, with the leave of the House Report withdrawn)

Hon. Baba Shehu Agaie (Agaie/Lapai): I move that this House do revert to Plenary.

Hon. Ita Enang: I second the Motion as moved by Hon. Agaie.

Resolved: That the House do revert to Plenary

House in Plenary

(The Deputy Speaker resumed the Chair)

The Deputy Speaker: The House in the Committee of the Whole considered the Report of the Committee on Science and Technology on the Investigative Hearing on NIGCOMSAT 1 and the activities of the Nigerian Communication Technology and approved the withdrawal of the Report for reconsideration by the Committee.

Adoption of report

Hon. Baba Shehu Agaie: Mr. Speaker, I move that this House do adopt the recommendations in the Committee of Whole; I so moved.

Hon. Ita Enang: Mr. Speaker I second the Motion as moved by the Deputy Leader of the House.

Question put and agreed to.

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ADJOURNMENT

Hon. Baba Shehu Agaie (Agaie/Lapai): Mr. Speaker, I move that this House do stand adjourned till tomorrow Thursday, 5th November 2009 at 10.00 a.m.

Hon. Ita Enang: Mr. Speaker I do second the Motion as moved by Deputy Leader.

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Question put and agreed to.

Resolved: That the House do stand adjourned till tomorrow Thursday, 5th November 2009 at 10.00 a.m.

The House adjourned accordingly at 5.16 p.m.