

**HOUSE OF REPRESENTATIVES
FEDERAL REPUBLIC OF NIGERIA**

Wednesday, 9th December 2009

The House met at 2.40 p.m.

PRAYERS

(The Speaker in the Chair)

VOTES AND PROCEEDING

The Speaker: Hon. Members, the House is called to order. I have examined and approved the Votes and Proceedings of Tuesday, 8th December, 2009.

ANNOUNCEMENTS

**Meeting of the Deputy Speaker with the House
Leader, Deputy House Leader, Committee
Chairmen and their Deputies**

This is from both the Deputy Speaker and the Leader of the House. There is a meeting going on right now in Room 301 of the New Building between the Deputy Speaker, Leader of the House, the Deputy Leader of the House with all Chairmen and Deputy Chairmen of Committees on the Budget.

If you are one of those, please, proceed to that venue while we carry on with the business of the Plenary. You must be aware that Public Hearings and oversights are going on. So also are other meetings on budgeting but it will not stop our Plenary because of the work that we need to do.

Invitation to Final Burial Ceremony

The family of late National Leader, Chief Tunji Otegbeye and the Government of Ogun State are inviting hon. Members to the final burial ceremony holding on 17th of December, 2009.

**Conferment of Chieftaincy
Title on Pa Itulah Thomas**

The Deputy Speaker: This announcement is from Hon. Friday Itulah. It reads: *The Household of Pa Itulah Are of Ikekhian, Amedokhian Uromi, Esan North Local Government Area, Edo State, request the pleasure of Hon. Speaker and Members of the House of Representatives to the conferment and celebration of chieftaincy title on their Patriarch, Pa Itulah Thomas Are by his Royal Highness, Anslem Oda Oloyi Onoje*

(JP), the Onoje of Uromi Kingdom on Saturday, 12th December 2009 at 11:00 a.m. prompt.

The venue is the Uromi Royal Palace. Reception follows immediately at Itulah Are's Compound.

(Signed)

Hon. Friday O. Itulah (JP)

**Visit of Legislative Officers from
Lagos State House of Assembly**

The Speaker: We have in the Gallery Legislative Officers from Lagos State House of Assembly who are observing today's proceedings. You are welcome.

(Lagos State House of Assembly Legislative Officers stood up for recognition)

PRESENTATION OF PUBLIC PETITIONS

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

Hon. Leonard Okuweh Ogor (Isoko North/Isoko South): Point of Order, Mr. Speaker!

The Speaker: There is a point of Order being raised by Hon. Leonard Okuweh Ogor. I sincerely hope it has nothing to do with Quorum?

MATTER OF URGENT PUBLIC IMPORTANCE

**Guidelines for the Operations of Travel Desks for
the Processing of all approved Local and Foreign
Official Trips**

Hon. Leonard O. Ogor: I do not think so, Mr. Speaker. My Point of Order is Order VIII, Rule 4 of our Standing Orders at page 26 dealing with Matter of Urgent Public Importance.

The subject matter borders on Guidelines for the Operations of Travel Desks for the Processing of all approved Local and Foreign Official Trips. This is a circular that was issued by the Office of the Head of the Civil Service of the Federation.

My very sincere concern is anchored on the provisions of the Constitution of the Federal Republic of Nigeria, 1999 which is the clear power of the National Assembly as it borders on Appropriation. I would anchor this argument on Section 81(2) of the 1999 Constitution which says:

The heads of expenditure contained in the estimates (other than expenditure charged upon the Consolidated Revenue Fund of the Federation by this Constitution) shall be included in a Bill to be known as an Appropriation Bill, providing for the issue from the Consolidated Revenue Fund of the sums necessary to meet that expenditure and the appropriation of those sums for the purposes specified therein.

My worry today here is that when you look at the circular that has been sent, it states very clearly the issue of the funding and it also states very clearly here funding arrangements for each year. It spells out that all travel votes for MDAs shall be aggregated and domiciled in the Office of the Head of the Civil Service of the Federation under a centralised travel vote.

As Parliamentarians, we sit down in this Chamber and we appropriate funds in line with constitutional provision and I sincerely say that we after analysing the budget, it is passed to Mr. President for his assent in line with the provisions of Section 58 of the Constitution.

You can clearly see that this is a directive which is an affront on the Constitution at its subhead has its own approved by the sole authority; that is the National Assembly.

The unfortunate aspect is that when you look at this circular, you need to look clearly at what it is saying in respect of a pilot project. My disagreement is that this project has already started. It therefore means that what you are seeing here is an indirect virement of the appropriation that has been done by Parliament without even the input of Parliament. This is because it is stated very clearly that the issue of a pilot project has already commenced and this pilot project has taken effect from the 1st of December 2009. This was a circular that was sent on the 30th of November, 2009.

My prayer is that we discuss this issue if the hon. Members will accept.

Question put and agreed to.

Resolved: That the matter be considered as one of Urgent Public Importance on the next legislative day.

ORDERS OF THE DAY

MOTION

\$300 Million Loan from the World Bank

The Speaker: The first Order of the Day is a Motion on \$300 million loan from the World Bank standing in the name of Hon. Dino Melaye.

Hon. Melaye, please proceed.

Hon. Dino Daniel Melaye (Kabba/Bunu/Ijumu): Mr. Speaker, I move that this House:

The House:

Notes that the Federal Executive Council in their meeting of 11th November, 2009 ratified the loan of US\$300 million from International Development Association, an organ of the World Bank;

Further notes that the project implementation period of the said loan is 5 years commencing from 24th November 2009 to 23rd November 2014 and the loan has a moratorium of 10 years and repayment period of 40 years;

Worried that the President and indeed the Federal Executive Council has resolved that the Minister of Finance should go ahead and implement the financial agreement with World Bank;

Further worried that the Debt Management Act as passed by the National Assembly clearly stipulated that all loans by the Federal Government must be ratified by the National Assembly;

Concerned that the meetings in World Bank Office in both Washington DC and Abuja had in attendance Ministers of Finance, Justice, Power and representative of the Debt Management Office and the Power Holding Company of Nigeria;

Disturbed that the approval of the National Assembly was neither sought nor obtained as required by the Debt Management Office (Establishment) Act;

Resolves to:

- (i) declare the \$300 million (USD) loan as null and void;
- (ii) Urge Mr. President to follow due process if Nigeria is still interested in taking the loan.

I so move.

Hon. Aliyu Ahmed Wadada Danyaya (Keffi/Karu/Kokona): I rise to second the Motion as moved by Hon. Dino Melaye.

The Speaker: Hon. Melaye, please lead the debate.

Hon. Dino Daniel Melaye: Mr. Speaker, this US\$300 million loan by the Federal Republic of Nigeria from the World Bank is broken into two parts. \$200 million is supposed to be proposed for Electricity and Gas improvement projects while \$100 million is for risk guarantee for Gas supply.

The reason adduced for taking this loan is to have the benefit of reducing greenhouse gas emission through substitution of captive generation with clear gold based generation. The project implementation period of this loan is five years and it kicked off on the 23rd of November 2009 and it will run through 23rd of November 2014.

As I speak to you the project has been implemented. The Federal Executive Council in their meeting of 11th November, 2009 ratified the loan and instructed the Minister of Finance to go ahead and implement the financial conditions of this loan without recourse to the National Assembly.

This is a democratic government. We are all aware that the President of the Federal Republic of Nigeria is the apostle of due process and the rule of law.

Granted the sincerity of purpose of the commitment of Mr. President in governing this country transparently. However, there are people that work with the President that are supposed to advise him on the day-to-day running of this country. A typical example is the Minister of Justice who was in the Chamber in the Villa the day this decision was taken and he did not advise Mr. President that they cannot take that kind of decision without recourse to the National Assembly because the powers of the National Assembly is sacrosanct when it comes to public finance.

Mr. Speaker, if I have your permission, I want to draw inspiration from Chapter 21 of the Debt Management Act. It reads thus:

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

Chapter 22(3) of the same Act stipulates clearly as follows:

The Minister shall not guarantee loans except it has been laid on the Floor of the House and approved by the resolution of the same House in Plenary.

There was no time in this Chamber that the consent of this House was sought and obtained for this loan.

A meeting between officials of the Federal Ministry of Justice, Federal Ministry of Finance, Ministry of Power, the Power Holding Company of Nigeria, the Debt Management Office and representatives of the World Bank took place and a condition was reached. They took the same meeting again to Washington DC; held this meeting on behalf of the National Assembly because it is only the National Assembly that has the power to approve the conditions of loan but these people met on our behalf without a mace; they took resolutions, ratified these resolutions and have started implementing the resolutions without the prior consent of the National Assembly.

This loan attracts a service charge of 0.75 *per cent*. It also attracts a commitment fee of 0.50 *per cent* for yet to be drawn credit balance, that is to say whether we draw from that money or not we are going to pay interest per annum.

A few years ago, we celebrated with pomp and pageantry our exit from Paris and London Club debts and today we are already initiating another move that will make us one of the highly indebted nations of the world. It was not in my generation that the money was taken but my generation was paying for that money and through anointing and the grace of God we were able to exit from these debts. Today we are making another attempt to take us back.

We have been told that we will pay this loan back in forty years. My question is has God sent us a message that our oil will last for forty years? Do we have the confirmation that the crude oil we are enjoying now which is supposed to be the basis for repayment will last another forty years? I am not even contesting the veracity or the utilisation of the loan but what we are saying is that due process must be respected.

Once the National Assembly becomes rubbished, then the entire nation has been rubbished. A sum of US \$300 million is equal to ~~N~~45 billion. Suffice it to say that a single Nigerian, a stock broker in this country, generated a loan of ~~N~~200 billion from Nigerian banks yet they are appealing to him and he is getting waivers that he should come and service the

loan he took. If a single Nigerian got a loan of ₦200 billion then why should the Federal Republic of Nigeria go ahead to borrow ₦45 billion? With these stringent conditions in place, in another ten to twenty years this money will become trillions of Naira.

As the conscience of the nation, as the last democratic bus stop of the masses of this country, I rise this day to say that this undemocratic behaviour must stop and serve as an impediment. It is not only imperative, it is mandatory and a bitter necessity that we do the right thing the right way.

I know that the Speaker of the House of Representatives, Rt. Hon. Dimeji Bankole, is a man of Due Process and the President of the Federal Republic of Nigeria is the apostle and evangelist of the rule of law. This time around we want to respect the rule of law and due process. We want to do the right thing by making sure that this honourable House declare this loan as null and void.

If the President is still of the view that he is interested in this loan, then he now needs to furnish this House with the terms and conditions of this loan that will be debated on this Floor and if this House so deem it fit, then an action can be taken.

The Speaker: Does any Member wish to speak against this Motion?

Hon. John Halims Agoda (Ethiope East/Ethiope West): I am not against the Motion; I am in full support of it.

It was on the Floor of this great Chamber that I also raised a pertinent issue regarding the US\$97 million loan which the Health Ministry took under the guise of fighting malaria and that issue was committed to the Debt Management Committee over two or three months ago. So where are we? We need to get deep into what we are doing.

That Committee should tell us whether or not that Committee was able to investigate that matter properly and bring the necessary information to the House so that the House on the basis of that can take a decision that will serve as a guide.

The Speaker: Is the Chairman of the Debt Management Committee or his Deputy here? (*No response*)

Is any Member of that Committee here? I know there are twenty five Members of the Committee or are they on oversight? (*No response*)

Hon. Mustapha Ahmed (Bauchi): Mr. Speaker, on the surface, this Motion appears to be tangible but when you go deeply, you will find that it is a Motion that is not backed by critical evidence to show that this loan was obtained. Assuming it is so, there is the issue of the Right of Fair Hearing; let us hear the other side. If it is so, as a Parliament, we cannot pass judgment except through our Committee.

Therefore, I am urging Mr. Speaker to pass this matter to the appropriate Committee for investigation.

Hon. Olufemi Gbajabiamila (Surulere I): With reference to the last speaker, we have gone beyond that in this House. If you could recall when this issue came up a couple of weeks ago, the Chairman of the Committee on Rules and Business read out a letter, which states that the persons involved had even apologised for what they had done. When you have an admission from the Government, then the issue of fair hearing does not even arise.

But by way of emphasis, I may just add one or two things to what Hon. Dino Melaye has said. Even though it is relevant, I am not particularly interested in the terms of the loan. When something is illegal *ab initio*, it is illegal *ab initio*. I am interested in the legality so that we can preserve this institution.

Hon. Agoda has just referred to another loan that had earlier been discussed on the Floor of this House. It is not surprising that if I keep infringing on your rights and you are quiet about it, it is human nature that if I feel I will get away with it, I will continue to do that.

What makes this more egregious is that this is a loan that was more or less approved by the Federal Executive Council. Let me use this opportunity to repeat like I have always said that the Federal Executive Council though recognised in a particular Section, is not a creation of the Constitution.

The Executive bodies that are created by the Constitution can be found in Section 155. There are 14 of them of which the Federal Executive Council is not one of them. So, where do they then get the authority to even sit, discuss, negotiate and commit Nigeria into this kind of transaction?

I do not think that the Debt Management Act referred to by Hon. Dino Melaye only repeats what is already in the Constitution; the Debt Management Act is for the purpose of emphasis. When you read Sections 59 and 80 of the Constitution, you will find it abundantly clear that the operation of monies lies in the

hands of the National Assembly. Even when you take this loan, by operation of law, it automatically becomes public fund and it is only this House that can authorise its spending.

It is also important to understand why this provision is there. It is not enough for us to say that Section 59 of the Constitution says it is only in the House. Why is it there? It is there because this is representative democracy; we are the custodian of the people's money. More importantly, we have read a report that we have in our Federal Reserve about US\$50 billion. Again, by common sense approach; why should we have US\$50 billion and go begging for US\$300 million?

Hon. Umaru Ibrahim Kurfi (Dutsin-Ma/Kurfi): I want to draw the attention of this House to the fact that Section 36 is very clear. There must be fair hearing in any type of situation we are in. Therefore, I am suggesting that we hear the other side, that is, the Executive so that we can establish whether this is true or not. We do not have concrete evidence to back up what Hon. Dino Melaye has stated. Therefore, the Executive should be given time to defend itself.

Question put and agreed to.

Main Question put and agreed to.

The House:

Noted that the Federal Executive Council in their meeting of 11th November, 2009 ratified the loan of US\$300 million from International Development Association, an organ of the World Bank;

Further noted that the project implementation period of the said loan is 5 years commencing from 24th November 2009 to 23rd November 2014 and the loan has a moratorium of 10 years and repayment period of 40 years;

Worried that the President and indeed the Federal Executive Council has resolved that the Minister of Finance should go ahead and implement the financial Agreement with World Bank;

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of the Debt Management Office and the Power Holding Company of Nigeria;

Disturbed that the approval of the National Assembly was neither sought nor obtained as required by the Debt Management Office (Establishment) Act;

Resolved to:

- (i) declare the \$300 million (USD) loan as null and void;
- (ii) Urge Mr. President to follow due process if Nigeria is still interested in taking the loan.

Recruitment Drive by the Federal Ministry of Education to Send Qualified Mathematics and Science Teachers to South Africa

The Speaker: The next Order of the Day is a Motion on Recruitment Drive by the Federal Ministry of Education to Send Qualified Mathematics and Science Teachers to South Africa.

Hon. Sani Saleh Minjibir (Minjibir/ Ungogo): Mr. Speaker, the House:

Notes the recent headline of *Business Day* of Wednesday, 21st October, 2009 entitled: *FG Promotes Brain Drain* and an advertorial by the Federal Ministry of Education, Abuja in the *Daily Trust* newspaper of 22nd October 2009 entitled: *Recruitment Drive by the Federal Ministry of Education to send qualified Mathematics and Science teachers to South Africa*;

Concerned that the headline story centres on how the Federal Ministry of Education has been commissioned to recruit Mathematics and Science Teachers to teach in South Africa;

Worried that such a move will have a negative effect on the quality of science education in Nigeria;

Further worried that such a move at this time when we do not have enough Science Education and Mathematics teachers in our own schools will contribute to the falling standard in the Education Sector;

Resolves to:

Mandate the Committee on Education to investigate this matter in all its ramifications and report back to the House within seven Legislative Days.

I so move.

Hon. Abubakar Mahmud Wambai (Miaha/Mubi North/Mubi South): Mr. Speaker, I rise to second the Motion as moved by Hon Minjibir.

Hon. Sani Saleh Minjibir: My main concern with this issue when I first saw it is the fact that all the indices point to the fact that we do not have enough Science and Mathematics teachers in this country at the moment.

In my own Constituency and in several other Constituencies, I have asked the Members who appended their signatures on this Motion as to whether they do have enough Mathematics and Science teachers.

I have also investigated as to whether this is a kind of Technical Aid Corps programme but it is not. An advertorial was placed in the newspaper urging anybody so qualified to come forward to be recruited and be sent to South Africa.

My main concern is that we should be making the necessary investment to make sure that we keep these Science and Mathematics teachers within our shores for the simple reason that priority must be given to education as the bedrock of all our developments. Any country that decides to do away with the development of Mathematics and Science Education in its policy is directly saying that it does not want the required technological takeoff.

I would like to quote here extensively, a quotation by Dr. Hendrik Verwoerd who was South Africa Minister for Native Affairs and Prime Minister of South Africa from 1958 to 1966 where he had this Bantu Education initiative and I quote:

There is no place in the Community above the levels of certain forms of labour. What is the use of teaching the Bantu child the derogatory term they used in referring to blacks during apartheid. What is the use of teaching the Bantu child Mathematics when it cannot use it in practice?

That is quite absurd; Education must train people in accordance with their opportunities in life according to the sphere in which they live.

This initiative by the Federal Ministry of Education is tacitly implying that in a country like Nigeria we are going back and borrowing something from the evil era of apartheid where we are now overtly or covertly endorsing a situation where we deliberately sideline certain children who cannot afford the high cost of private education in this country.

This is a very straightforward Motion.

The Speaker: Before we proceed, I want to ask a question. Chairman, Rules and Business, apart from Members of the House of Representatives and Members of the Sergeant-at-Arms team and, of course, members of Management that are here, is anyone else allowed in the Chamber of the House of Representatives?

Hon. Ita Enang (Itu/Ibiono Ibom): No, Sir, except the Staff of the Sergeant-at-Arms and the Secretariat staff - *(Interruptions)*

The Speaker: Can you, please, read the Section of our Rules that you are referring to?

Hon. Ita Enang: It is Privileges of the Floor.

The Speaker: Are aides of Members of the House allowed on the Floor of the House?

Hon. Ita Enang: No, Sir.

The Speaker: I will advise Members to, please, keep our aides outside the Chamber. If you want to communicate, please, use the Sergeant-at-Arms team.

Hon. Uzoma Nkem Abonta (Ukwa East/Ukwa West): Point of Order, Mr. Speaker?

The Speaker: Which Point of Order?

Hon. Uzoma Nkem Abonta: It is with respect to the clarification you have just sought from the Chairman, Committee on Rules and Business.

On page 76 of the Rules, it says: *Legislative aides to Members when in actual discharge of their official duties can be admitted on the Floor.*

Hon. Ita Enang: I do not know the question, Sir.

The Speaker: This simply proves that the Chairman, Committee on Rules and Business is also a human being.

Hon. Ita Enang: It says: *Legislative Aides to Members when they are in the actual discharge of their official duties.* When the House is in session, it will be difficult to agree that a Legislative aide is part of the people that should seat on the Floor of this House. Passing a document to a member has to come through a staff. It will be wrong if we interpret that to mean that a legislative aide can come in; it means that there will be two seats for each constituency.

Hon. Olufemi Gbajabiamila: Mr. Speaker, unfortunately, there has been a misread of that Rule. Even though the Rule mentioned Legislative aides as some of those that can be allowed here, it still has to be with the consent of the House. If you go to the beginning of Order IX, Rule (1) it says:

No person shall be admitted to the Lobby or the Floor of the House while in session except the following and only by consent of the House.

Exactly what we did with the Special Adviser to the President is what affects the Legislative aides. That is what the Rule says.

The Speaker: Hon. Sada Soli Jibia, are you opposed to this?

Hon. Sada Soli Jibia (Jibia/Kaita): Mr. Speaker, he is talking of Privileges on the Floor of the House.

The Speaker: That is what we are talking about.

Hon. Sada Soli Jibia: *No person shall be admitted to the Lobby or the Floor of the House while in Session except the following and only by the consent of the House.*

So, if we for any reason we admit our aides, it is by the consent of the House from the provisions of this Rule.

The Speaker: Which means Legislative Aides cannot come in here without the consent of the House? So, please keep our Aides out of the Chamber.

Hon. Abonta, proceed please.

Hon. Uzoma Nkem Abonta: Mr. Speaker, I rise to speak against the Motion. Having looked at the situation holistically and having asked myself a lot of questions I will hereafter canvass reasons why we should not entertain this Motion.

The mover of the Motion is seeking the leave of the House to stop what he termed brain drain being encouraged by Nigerians. Universities of Science and Technology abound in Nigeria turning out a lot of graduates yearly. All over Nigeria we have graduates who are not employed notwithstanding that they have excelled in Mathematics and there are fine graduates in science and they are roaming in the streets in search of job.

From my State alone, Abia State University last year turned out one thousand Science teachers and

mathematicians; where will they go to? We are talking of creating employment for our teeming graduates. Why do we now want to stop this opening? What is the thrust of our foreign policy?

Nigeria in recent time has been sending people to our Africa brothers; they call it Technical Aid Corps.

They are also being posted to Member States of the African Union and beyond. There is no Member here who cannot produce from his drawer Curriculum Vitae of science graduates all over. I personally have over 50 CVs.

What the Federal Government is trying to do now is to organise the persons and send them to South Africa if they so wish. It is a thing we should encourage. Do we have employment for them?

We have not been presented with any statistics here to us to show that schools lack Mathematics and Science teachers. From where I come from, Abia State, we have surplus teachers that are unemployed; they are all there. How can we now say we should not allow people to go there? I do not think we are encouraging apartheid; far from it. As a student I contributed money for the abolition of apartheid.

So, if we are also extending our goodwill that they be educated and gainfully employed, if they are able to recruit 1,000 science teachers in Nigeria today, I am sure that we are capable of giving them that without losing anything. For the past months people have been applying to teach; these are qualified graduates and we are not trying to condemn an act. Are we approbating or reprobating? Are we really encouraging the government to create jobs?

We should formalise what the Federal Government is doing; it is not brain drain.

Hon. Independence Ogunewe (Ahiazu Mbaise/Ezinihitte): Mr. Speaker, on the day I read the said advert, my comment was *Cry the Beloved Country*. There was a novel we read and were taught when we were in secondary school. It is titled: *Cry the Beloved Country*. Ironically the author of that book is from the southern part of Africa.

Let us not make any mistake about it; we are talking about reality. The issue remains that as at today by all indices of measuring technological advancements, South Africa is rated amongst the technologically advanced nations, particularly from the point of view of Africa.

Now if such a country would go out to poach Science teachers particularly Mathematics and Physics, it tells and paints the picture of a country that understands what they want and knows exactly where they are going and they have already determined exactly how to get there.

I want to tell you that as I stand and speak with you if you should go to our institutions of higher education, for example, the Department of Mathematics, you may not find about ten people being graduated from that department on a yearly basis.

There is mathematics centres here in Abuja on your way to Gwagwalada; you will find out the reality if you go there. That accounts for the poor performance and outing of our students in science related subjects in their NECO, WAEC and Degree examinations.

It may surprise you to note that as I speak with you today if you graduated from any university in Nigeria in Medicine and you went to the United State of America you will be required to go through further examination to qualify you to practice there.

Now, how do you explain this paradox that you are now moving science teachers particularly Mathematics from Nigeria to South Africa where this subject is needed most? They are even more advanced than ourselves. It is shameful and shocking to find that it is the Ministry of Education that has been hired to do this.

If the Government of South Africa had come in here and engaged a recruiting agency to do the work, that would be understood but for an agency of government to come out to recruit for another country staff in an area where we are in shortfall is the height of sabotage.

I am saying that any man in the Ministry of Education involved in this should be tried. In all our universities, that is why I encourage the prayer that say we should investigate.

If we should agree and vote that this matter be investigated, I want to tell my Colleagues that even in our secondary school systems rarely will you find qualified Mathematics teachers. People graduate from bio-chemistry, *et cetera* and they are drafted to teach Mathematics in secondary schools and that is the bane of the problem. This is the bane of the problem; we do not have them.

The Speaker: I will give the Floor to Members who are speaking in favour of the Motion.

Hon. Chiedu Godswill Eluemunoh (Anyamelum/Oyi): I find this argument very funny because I know that in my own constituency alone, I have more than two hundred Mathematicians roaming the streets.

First of all, I have to appeal that you, please, give me the opportunity to produce all the one thousand Mathematics teachers. I do not want us to have another issue of Anambra State being a reserved oil State when we are not getting compensation for that.

Now we are talking about South Africa poaching. How can they poach? People are roaming the streets without gainfully employed. If they roam the streets and there are no jobs to do, they resort to kidnapping. This is a very serious issue; it is not a laughing matter.

We have just conducted a Public Hearing where a number of culprits were alleged to have committed one offence or the other; rape or armed robbery *et cetera*. These are our young graduates. Now, you are talking about a Mathematician databank; no compensation, no salary, nothing. That would be the greatest disservice we would do to this country.

Hon. Kayode Idowu (Odo Otin/ Ifelodun/Boripe): When you do special assessment and analysis of this Motion, you will find that there is a lot to say about it. Formerly, I was teaching in higher institution. I understand the motive of the mover of this Motion as regards the issue of Mathematics and Science teachers in this country. I agree totally with what people are saying regarding the number of people as regards graduates in Mathematics and Science subjects today in the country.

One has to be very careful. Why will people travel to South Africa from Nigeria to go and teach? This is a pertinent question. If that is the case, we have to actually mandate the Committee on Education to investigate if there is any reason why people may not actually be employed in the country.

The Speaker: He has told you that unemployment is the cause.

Hon. Kayode Idowu: No, what are the reasons for it? If they do proper analysis of it very well, you will find out that some of these people are unemployed because their States imposed embargo on employment in certain discipline. Some States have more than enough graduates in some discipline. That means that the Science teachers are not adequately catered for in those States.

We have to look into such things and explore the possibility of employing Science teachers which we have in this country. I believe that is an area which the mover of this Motion is trying to actually see the possibility of solving.

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

The Speaker: What is your Point of Order, Hon. Gbajabiamila?

Hon. Olufemi Gbajabiamila: My Point of Order is Section 18(2) of the Constitution. It will enable us to understand this Motion. It says: *Government shall promote Science and Technology.*

When you export teachers in this area, you are not promoting science and technology. It is an obligation and a constitutional matter.

The Speaker: I am going to rule on that. Obviously, if we have more than enough Science teachers, for example, then we would not be flouting the Constitution if anyone leaves the country on account of it.

Hon. Kayode Idowu: It is important for us to understand the reasons why people are not being employed when there is need for them within the country. That is why I would prefer a situation whereby the Committee on Education would be mandated to do the investigation. I am in support of this Motion that the Committee on Education should actually investigate what is happening in the Education Sector.

The Speaker: The last Speaker that will speak against the Motion is Hon. Mohammed Sani Abdu from Bauchi State.

Hon. Mohammed Sani Abdu (Alkaleri/Kirfi): I stand to oppose this Motion based on natural conviction to the realities of our nation. We have been producing all sorts of graduates in Nigeria including students of Mathematics and Science. Whether they are quarter-baked, half-baked or whatever, we are producing them. This statistic is better known by the Federal Ministry of Education which controls that.

Secondly, our students have been going out of the shores of this country in various ways. Some of them die in high seas, in the gulf and in desert in the course of looking for greener pastures. Many of them have degrees in Mathematics, Physics and other Sciences.

Now, the Ministry is saying that it intends to recruit such unemployed students and send them through our South Africa/Nigeria Bi-Commission as part of our bilateral relationship. We should commend them because we know exactly the number of people that are going to South Africa under a bilateral agreement. In the course of their service they will pick up those few things those of us that were once in Diaspora had done in the past.

Therefore, I am against this Motion. We should commend the Ministry and do the right thing.

The Speaker: I will now put the question in favour of the Motion.

Question put and negatived.

The Speaker: Is the Chairman, Committee on House Services and is deputy here? *(No response)*

Is any Member of the Committee on House Services here? *(No response)* We have instructed and financed the repair of this scoreboard. When is it going to be ready? We have Constitutional Amendment coming up.

I am going to put the question again. I am going to do something a bit unusual for those of us who have not made up their minds because it is so close. I am not going to divide the House.

Question again put and negatived.

(The Deputy Speaker in the Chair)

Need to Stop the Indiscriminate Siting of Petroleum Tank farms near the Nation's Ports, Army Barracks, Oil Terminals and Residential Areas

The Deputy Speaker: The Third Order of the Day is a Motion on the Need to Stop the Indiscriminate Siting of Petroleum Tank farms near the Nation's Ports, Army Barracks, Oil Terminals and Residential Areas standing in the name of Hon. Beni Lar.

Hon. Beni Lar is invited to move her Motion.

Hon. Beni Lar (Langtang North/South): Mr. Speaker, I wish to move a Motion on the Need to Stop the Indiscriminate Siting of Petroleum Tank Farms near the nation's Ports, Army Barracks, Oil Terminals and Residential Areas.

The House:

Notes that the Federal Government as part of its deregulation policy in the Petroleum Sector, allowed some oil companies to import petroleum products;

Aware that many of these Oil Companies have constructed Petroleum Tank farms in order to store petroleum products;

Concerned that some of these Petroleum Tank farms are indiscriminately sited near the Nation's Port, Army/Police Barracks, Oil Terminals and Residential areas;

Disturbed that some of these Oil Companies violated specific rules and regulations regarding erection of Petroleum Tanks Farms, thereby making the nearby structures highly vulnerable to fire outbreaks;

Regrets that some regulatory bodies and agencies have compromised the stringent standards for the setting up of these Petroleum Tank farms;

Further concerned that Nigeria and the Nation's vital installations may be at the risk of environmental time bomb as a result of the indiscriminate siting of Petroleum Tank farms by Oil Companies;

Resolves to:

- (i) urge the Federal Ministries of Petroleum and Environment to ensure that the due process is followed in the siting of Petroleum Tank farms taking into consideration residential and sensitive locations;
- (ii) mandate the Committee on Petroleum Resources (Downstream) to investigate and/or inspect Petroleum Tank farms indiscriminately sited near residential and sensitive areas in Nigeria and make recommendations to the House.

Hon. Umaru Ibrahim Kurfi (Dutsin Ma/Kurfi):
I rise to second the Motion moved by Hon. Beni Lar.

Hon. Beni Lar: Mr. Speaker, Nigeria is the largest producer of oil only after Angola on the Africa continent. As a result of the deregulation in the oil industry, the Federal Government has granted licences to some oil firms and this has necessitated an increase in the number of petroleum tank farms in this country.

My investigation revealed that it is common practice for oil companies to build petroleum tank farms for the storage of petroleum products near the

nation's ports, terminals, military barracks and other residential areas. However, this goes against the rules and regulations set up by the Department of Petroleum Resources, the Ministry of Petroleum and the Environmental Protection Act. The Act stipulates that before a petroleum tank farm is sited in a community the host community should be consulted and the stakeholders concerned should give their consent.

When you look at a place like Apapa, for instance, it has a lot of petroleum tank farms sited near residential areas and this poses environmental risks and health hazards to the lives and property of Nigerians in those areas.

In July 2002, there was a huge fire outbreak in Escravos. Escravos is in the creek of the Niger Delta. A tank farm struck fire at sea level and the fire spread to other tank farms in Escravos causing immense damage to property. It took days for the fire outbreak to be put out. Fortunately Escravos is in the creeks and there was no loss of human lives but you can imagine if there is a fire outbreak in any of these tank farms that are sited near residential areas as is common practice today; that should be a huge and monumental loss to Nigeria.

In 2002 at the Ikeja Military Cantonment, there were bombs stored in underground Military Cantonment facility and due to heat combustion, these bombs exploded and killed hundreds of Nigerians and caused a lot of damage to properties. A similar incident can occur if any thing goes wrong with any of these Petroleum Tank farms sited near residential areas and key Government installations.

Let me also say that it poses serious health risk. A lot of chemical releases and pollutants into the air are emitted by gases from these tank farms and the fact that they are sited in residential areas increases the risk of cancer and many other diseases to Nigerians.

My prayer is for the House Committee to investigate violations of the Environmental Impact Assessment Act No. 82 of 1992 which states that for all new major developments to be carried out by oil companies, they are to assess and discuss any project with stakeholders before starting construction work. However, the oil companies violate this stipulation and they go ahead and site their tank farms without consulting with the host communities.

Also, there is a National Fire Protection Act that stipulates that there should be water hydrants and fire-fighters in each of the tank farms. In most cases, this is

violated. The oil companies do not have such provision at the tank farms.

Mr. Speaker, my Prayer is that the House Committee should investigate this matter.

The Deputy Speaker: The Prayer is already written there.

Hon. Beni Lar: There are some other prayers that are not included, that is, to mete out stiffer penalties to oil companies that breach the regulations as it is stipulated.

The Deputy Speaker: I will give the Floor to those who want to speak in favour of the Motion.

Hon. Sokonte Davies (Degema/Bonny): Mr. Speaker, this Motion is very timely and important. It is observed that the resolutions made in this Motion are appropriate and correct.

The practice of companies importing petroleum products to site their tank farms at the nation's port, residential areas and all sorts of places is just a lazy way of reducing their cost. In other countries, you will find out that such tank farms are sited in isolated areas because they know the environmental effect and the consequence of siting them there. They also know the possibility of wastage of human lives if there is any accident. Therefore, they are sited in places that are safe in the event of accident. This is because these tank farms operate under high pressure and any thing can happen.

As Hon. Beni Lar said, we saw what happened in Ikeja Cantonment when bombs that were kept in barracks exploded resulting in loss of lives and we cannot replace those lives. Therefore, it is important for these tank farms to be sited in isolated areas.

What is happening is either a policy laxity or monitoring failure because laws should be there to state where such tank farms should be sited and where they should not be sited especially at this time that the petroleum industry is slated for deregulated. Otherwise, everybody will just site tank farms any where he likes.

This Motion is important and I urge all Members to give it the desired support.

Hon. Ita Enang: I speak in support of this Motion and I am praying the House that we expand the prayers of this Motion to include the siting of Petrol Stations. I say so because I have a special complaint

against an institution in my State; Akwa Ibom State High.

In Akwa Ibom State High Court, there is a petrol dump inside the Court premises where there are about eight Courts.

The Deputy Speaker: Who was there first? Is it the Court or the petrol dump?

Hon. Ita Enang: It is the Court that was there first.

The Deputy Speaker: Did the Court allow the petrol dump?

Hon. Ita Enang: Who do we complain to? I am sorry to say that I have raised this issue with the Administration of the Judiciary that you cannot site a petrol station within the premises of a Court; it is wrong.

When we pass this Motion and mandate a Committee, I pray that they visit Akwa Ibom State High Court premises. It is my State but what is wrong is wrong.

Mr. Speaker, I also want to say that we should extend this because if you go to most of the Highways, you will see a situation where you have a Filling Station and in the Filling Station, you will see a big Shopping Complex where people are. Under the law, it is wrong. It is wrong because people are supposed to be secluded. It is not supposed to be where you have a Shopping Complex around. A Petrol Station is supposed to be a little secluded in case there is danger.

Hon. Samson Osagie (Orhionmwon Uhumwode): Point of Order, Mr. Speaker! I want to rely on the provisions of Order IX, Rule 1(4) of our Standing Orders at page 31. It says:

A Member must confine his contributions to the subject under discussion and may not introduce matters irrelevant thereto.

The subject matter has to do with the siting of tank farms near ports, Police Stations and Army Barracks, not Petrol Stations. There is a world of difference between the siting of Petrol Stations and the establishment of tank farms.

The Deputy Speaker: Hon. Ita Enang said he was just proposing an amendment which is allowed. You are ruled out of Order, Hon. Osagie.

Hon. Ita Enang, please proceed.

Hon. Ita Enang: In conclusion, I want us to ensure that in situations like that that this House do take very serious note of it and we should. This is because this House will have a constitutional problem; problem of Town Planning for which the jurisdiction is invested in the State but as much as we can, we should extend it because all the people belong to us.

Hon. Leonard Okuweh Ogor (Isoko North/Isoko South): Mr. Speaker, I am supporting this Motion based on the fact that as lawmakers Section 4 of the Constitution of the Federal Republic of Nigeria, 1999 has given us very specific responsibilities. I say this because you will agree with me that the issue of residential areas especially when you compare what a tank farm is with the product that is inside; the danger it poses to the citizens that lives around that area is immeasurable. I believe that the wealth of a nation definitely must be seen in respect of the people and their planning.

My interest in this Motion is purely based on security issues. As a nation, it is important that we call a spade a spade and do the right things. If for any reason there are violations, my appeal is that we allow the Committee to carry out this particular investigation and in the process we would take a holistic analysis of the Reports.

The information that would be provided to us would be of immense benefit to the people that we represent and also to us as parliamentarians. It would give us the privilege and the opportunity to set out perfect guidelines in respect of how tank farms are sited in our own country.

I think it is a Motion that I will appeal that we, please, give an opportunity for us to really look at the challenges that they have in Lagos and in the ports.

Hon. Samson Osagie: I want to appreciate the passion the proponent of this Motion has for the security of life and property. I want to speak from the point of knowledge of the very ingredients of this Motion.

In any case, I believe that the reasons why the proponent of this Motion is seeking for the stoppage of the siting of tank farms near port authorities and Army barracks are the very reasons too why they should be so established in those locations.

What are we talking about? We are in an era where we have not been able to refine our products locally. So, people import and these products come through the high seas and when they come through the

high seas, they have to berth in order to discharge into these very tank farms.

You cannot relocate tank farms into the bush and expect that these products would be discharged so easily in a manner that it can be easily distributed.

In any case, we are not unaware of the several attacks that have been unleashed on several tank farms. That of Atlas Cove happened recently and we know that there is security implication when tank farms and oil product installations are not properly monitored. I also believe that if they are sited near security formations, it can provide security for these products.

Apart from that the Motion has not told us the relevant rules under the existing or extant laws that have been breached by the siting of these installations in the various locations. We have not been told what rules, guidelines or sections of the Petroleum Downstream law that have been breached by the establishment of these tank farms. It is not enough to make a blanket allegation that they have violated specific rules and regulations. What are those specific rules? Under what laws and regulation and who made them? Is it the Ministry of Petroleum Resources or its Departments?

In any case, I want to say that no tank farm or oil installation can be put in place without the DPR and the Ministry of Petroleum Resources carrying out the necessary inspection that can lead to the approval of such tank farms. It is not a small venture and as such I believe that this Motion though well conceived but I believe that it does not hold any water.

Hon Agoro Lanre Adeniran (Irepo/ Orelope/ Olorunsogo): I stand to oppose this Motion because by the special privilege conferred on the House, I happened to be a Member of the House Committee on Marine Transport.

One of those several legs of the Report touched on Ports. As Hon. Samson Osagie said, the Petroleum products come to the country through the sea and big vessels bringing petroleum products do berth at our ports and we only have two or three main ports.

We have Apapa Ports where these products are being discharged. The other ones are Port Harcourt and Calabar Ports. The channel of the Calabar is already silted up. So, vessels do not go to Calabar to berth and discharge.

The Deputy Speaker: What is the problem with Calabar Port?

Hon. Agoro L. Adeniran: The distance from the sea to the port is approximately 84 nautical miles. The contract for the channelisation of Calabar was awarded some few years back but when dredge it is done in volumes, not in distance and when they dredge in volume it is in cubic metres.

The moment the two contractors dredged to the tune of which they were paid they stopped and they did not move forward and the siltation continued on yearly basis; that is why vessels do not berth at Calabar Port.

The Deputy Speaker: That is a very bad planning of Budget.

Hon Agoro L. Adeniran: Yes but they are trying to do it but they need proper consultancy. The consultants must be able to appraise this particular channel and immediately the appraisal is done, the contract is awarded but if we delay it again, the volume will continue to mount and on the basis of that, they will only dredge to the tune of their award; that is by the way.

The Deputy Speaker: I know it is by the way but it is very important that Calabar Port be dredged and that the dredging be done on a continuous basis. It is better if we insert the appropriate figure for that dredging in the NPA 2010 budget. They have a lot of money. I think that they can do that because it is a very important project.

As a Member of the Committee, please do something.

Hon Agoro L. Adeniran: Now that we know the direction in which the Leadership of the House is thinking, the Committee will surely do something to ensure that that port is dredged.

As I was saying, the Petroleum products come to Nigeria through the sea and the mode of transporting this petroleum product is through pipeline. Year-in-year-out, people rip open the pipes, siphon enough fuel and set them ablaze again.

We have debated on the Floor of this House those emergencies that were occasioned by the vandalisation of pipelines resulted in the fire. It is as a result of this that these farm tanks are now established very close to the ports.

When tanks are to be built, the procedure is that the DPR will come in as the ones regulating the Petroleum industry. Then the NPA will come in as the

landlord because what we operate in Nigeria is landlord model of Ports operation. The Nigeria Port Authority is the landlord. The land must be given by the Nigeria Ports Authority. Then the Nigerian Ports Authority will also take into consideration the totality of the investment in the port's area.

How do they come in? You cannot do hot welding or cold welding without putting in place all those apparatus that will ensure that in the event of fire outbreak they will be able to put off the fire immediately so as not to caused havoc. These are the things we need to look into.

There was a case at hand referred by the House to the Committee. We had to visit Nigerian Ports. When we got to Ibru Jetty, which is the only jetty handling the discharge of 75 *per cent* of the petroleum products that come into the country, we had to ensure through our own instrumentality of office as Committee, that all those things going on, there is not going to be any shenanigan without compromise. The compromise can only come from DPR. I agree with the leg of the prayer that says DPR should do what it ought to do but the siting of the tank farms in the ports cannot be ruled out.

It is there in the Netherlands. I had the opportunity of visiting Netherlands. It is also there in China; it is always sited within the port premises.

Hon. Andrew Uchendu. (Ikwerre/ Emohua): In recent times many of us are beginning to parade our titles and all that. I am elated to announce that I am an officer of the Federal Republic.

As Hon. Agoro said, the main reason why this Motion is raised is to find out the reason why tank farms should be located in the places that they are located. There are strategic security reasons because of the volatility and inflammability of these products at the air ports, sea ports and Army barracks where there will be twenty four hours security checks on this very issue. So if they are taken away and sited in areas where our people cannot easily police them, we will ruin the entire system.

Secondly, the common essence of location of industries near sources of raw material or near markets is essentially why these farms are where they are. If this Motion were to be talking of strictly residential areas, then it will attract my sympathy. There is no reason why we will argue in favour of this. Therefore,

I will just support the view that my Colleagues have already expressed that it is important to relocate

these things at the ports, barracks and the seaports because these are the areas of major use and really taking them away to the hinterland creates another security problem for the nation. Therefore, I would suggest that our respected young lady should look for a way of re-presenting this Motion and strictly confine it to residential areas.

Hon. Beni Lar: Point of Order, Mr. Speaker!

The Deputy Speaker: What is the Point of Order?

Hon. Beni Lar: It is Order IX, Rule 11 of our Standing Orders. It reads:

No member shall speak more than once on the same question without leave of the House unless he be the mover, proposer, or sponsor of the matter pending in which case he shall be permitted to speak in reply but not until those chosen to speak shall have spoken.

I believe I am in order?

The Deputy Speaker: Your Point of Order is sustained. Go ahead.

Hon. Beni Lar: My observation is on the points raised by Hon. Osagie that laws were not sited. The Prayer in this Motion is that the Federal Government should through the Federal Ministry of Petroleum Resources, Department of Petroleum Resources and Environment ensure that Due Process is followed in the siting of Petroleum Tank Farms.

The Environmental Impact Assessment Act No. 86 of 1992 stipulates that Petroleum Tanks Farms must not be sited in densely populated and sensitive areas without consulting the host community. The Federal Environmental Protection Act of 1988 has a similar provision.

The second Prayer is for the House Committee to investigate areas where these tank farms are indiscriminately sited, that is, near residential and sensitive areas and to make recommendations to the House. I do not think that any Member had argued contrary to this point.

The Prayers are for investigation and for the due process to be followed because some of the companies are not abiding by the regulations of the DPR.

Hon. Ita Enang: I just want to add the words *Petrol Stations* in Prayer (i) to read thus:

Urge the Federal Ministries of Petroleum and Environment to ensure that due process is followed in the siting of Petroleum Tanks Farms and Petrol Stations.

Hon. David Onobi Idoko (Ado/ Ogbadibo/ Okpokwu): Mr. Speaker, I second the Amendment as proposed by Hon. Ita Enang.

Amendment put and agreed to.

Main Motion as amended put and agreed to.

The House:

Noted that the Federal Government, as part of its deregulation policy in the Petroleum Sector, allowed some oil companies to import petroleum products;

Aware that many of these Oil Companies have constructed Petroleum Tank farms in order to store petroleum products;

Concerned that some of these Petroleum Tank farms are indiscriminately sited near the Nation's Port, Army/Police Barracks, Oil Terminals and Residential areas;

Disturbed that some of these Oil Companies violated specific rules and regulations regarding erection of Petroleum Tanks Farms, thereby making the nearby structures highly vulnerable to fire outbreaks;

Regrets that some regulatory bodies and agencies have compromised the stringent standards for the setting up of these Petroleum Tank farms;

Further concerned that Nigeria and the Nation's vital installations may be at the risk of environmental time bomb as a result of the indiscriminate siting of Petroleum Tank farms by Oil Companies;

Resolves to:

- (i) Urge the Federal Ministries of Petroleum and Environment to ensure that the due process is followed in the siting of Petroleum Tank Farms and Petrol Stations taking into consideration residential and sensitive locations;
- (ii) Mandate the Committee on Petroleum Resources (Downstream) to investigate and/or inspect

Petroleum Tank Farms and petrol stations indiscriminately sited near residential and sensitive areas in Nigeria and make recommendations to the House.

CONSIDERATION OF BILL

NIGERIANS IN DIASPORA COMMISSION (ESTABLISHMENT) BILL, 2009

A Bill for an Act to Establish the Nigerians in Diaspora Commission, Provide for the Engagement of Nigerians in Diaspora in the Policies, Projects and Participation in the Development of Nigeria and for the Purpose of Utilising the Human, Capital and Material Resources of Nigerians in Diaspora towards the overall Socio-economic, Cultural and Political Development of Nigeria; and for Matters Related Thereto, 2009 -

Order for Second Reading.

The Deputy Speaker: Hon. Colleagues, the fourth Order of the Day is commencement of debate on the general principles of a Bill for an Act to Establish the Nigerians in Diaspora Commission, Provide for the Engagement of Nigerians in Diaspora in the Policies, Projects and Participation in the Development of Nigeria and for the Purpose of Utilising the Human, Capital and Material Resources of Nigerians in Diaspora towards the overall Socio-economic, Cultural and Political Development of Nigeria; and for Matters Related Thereto, 2009. Hon. Members would recall that the Bill was read for the First Time on 20th October, 2009.

I now invite Hon. Abike Dabiri-Erewa to move that the Bill be now read the Second Time. I believe this Bill will not attract any controversy.

Hon. Abike Dabiri Erewa (Ikorodu): I move that a Bill for an Act to Establish the Nigerians in the Diaspora Commission, Provide for the Engagement of Nigerians in Diaspora in the Policies, Projects and Participation in the Development of Nigeria and for the Purpose of Utilising the Human, Capital and Material Resources of Nigerians in Diaspora towards the overall Socio-economic, Cultural and Political Development of Nigeria; and for Matters related Thereto, be read the Second Time.

Hon. James Joseph Idachaba (Idah/ Ibaji/ Igalamela/Ofu): I rise to second the Bill ably moved by my sister, Hon. Abike Dabiri-Erewa.

Question proposed.

Hon. Abike Dabiri Erewa: Mr. Speaker, I must start by saying that in my fifteen years of journalism and six years in politics, I never ever imagined that we have such a large number of Nigerians in the Diaspora doing great things.

In your wisdom, Sir, the leadership of this House decided to set up a Committee on Diaspora and we got working and started by engaging Nigerians abroad.

I must say that as a Committee we were so proud to share the same ideas with so many Nigerians doing great things all over the world. In fact, let me start with somebody from Hon. Tambuwal's Constituency. Jalali Aliyu from Tambuwal Constituency has designed what is described today as an American revolution in the automobile industry and the future of General Motors is going to rely on this design; he is a Nigerian. He left Sokoto for America on scholarship.

The best architect in Las Vegas is a Nigerian. In Canada, the best person in rail technology is a Nigerian. In fact, he is developing the mono rail. All over the world, Nigerians are doing wonderful things that we are all very proud of.

A particular hospital in Trinidad and Tobago had to close down because all the doctors and nurses had to go for some certification at the Embassy and because 70 *per cent* of them are Nigerians, the hospital had to close down for them to do this. Everywhere in the world, we have Nigerians excelling in great things all over the world, be it in medicine, arts or architecture.

We felt as a Committee that it is important to have a body to tap into this enormous human resources, engage them and come up with plans and policies at our Diaspora achievements. We are talking about fifteen million Nigerians all over the world.

The statistics are not too reliable because we do not have a database which should be part of the job of this Commission when it becomes functional and Nigerians all over the world remit 70 *per cent* of the total remittances to Africa. This year alone, according to the World Bank, Nigerians abroad remitted at least \$15 billion back to the country and it amounts to 70 *per cent* of total remittances to Africa. We believe that we should have a Commission or an Agency to assist these Nigerians to come up with plans and policies for the overall development of the Nigerian nation.

We circulated a document where we have highlighted fifteen countries that have established Ministries of the Diaspora. India is a good example.

India has a very strong Ministry of Diaspora and India's development today cannot be complete without mentioning the achievements of their citizens in the Diaspora. Apart from having this Ministry at the national level, they also have at the State and the Local Government levels. India has about nine million emigrants. The top destination is the UAE but we have about 15 million Nigerians all over the world. Half of that number are in the United States. Again, we need to build a strong database of these Nigerians which is one of the jobs of this Commission.

If we say why do we need a Commission? We do need this Commission to be a parastatal under the Ministry of Foreign Affairs just as we have in Health, Education, Agriculture and all that. We do need this Commission under the Ministry of Foreign Affairs to do all these jobs.

Even this Local Content Bill, you will hear some say; we need Nigerians but we do not have them. We do have them everywhere in the world.

We should support the creation of this Commission because we are dealing with our greatest asset. Our greatest asset is not our oil or gas; it is our human resources which we have in abundance.

That is the upside; we do have the downside. We have had some Nigerians getting into trouble. This Committee recently intervened in a case in Libya where twenty-one Nigerians were to be executed; we got them saved and they are back in the country.

As I am talking to you now, one hundred and sixty Nigerians were deported yesterday from Libya. At least, with the intervention of the House Committee on Diaspora, we got the Libyan authorities to deport them rather than kill and torture them there.

I just ask you to support this initiative of the House Committee on Diaspora to have a Commission to harness our enormous human resources that abound all over the world.

The Deputy Speaker: Hon. Abike Dabiri Erewa is seeking the support of Members for this Bill to be read the Second Time.

I will take a maximum of two speakers from each row. Hon. Halims, do you want to clarify something?

Hon. John Halims Agoda (Ethiope East/Ethiope West): I would like Hon. Members to address the following:

First, where will the Headquarters of this said Commission be since you have many Nigerians in various countries? Two, the Schedule of responsibilities. Three, if it is a Commission, a Commission is said to be independent such that the Chairman and all Members will not be responsible to the Ministry of Foreign Affairs. If it is not going to be under the Ministry of Foreign Affairs, what is the relationship between the Commission and the Ministry of Foreign Affairs in terms of managing the affairs of Nigerians outside this country?

Hon. Friday Itulah (Esan North East/Esan South East): I thank the sponsors of this laudable Bill for their oversight and foresight in proposing this Bill.

If we look at Part 1 of this Bill, particularly Part 2(1)(a) it says:

The Commission shall be under the Federal Ministry of Foreign Affairs and it shall be constituted in accordance with and have such powers and functions as conferred on it by the Bill.

I am sure that has *ab initio* answered the enquiry made by our hon. Colleague as to where this Commission shall be situated. It is going to be under the supervision of the Ministry of Foreign Affairs.

Like other Commissions that are created by our Bills, they are always located in their parent Ministries. So, I do believe that this one will not be any exception. If we look at this Bill critically, you will see that the responsibility that is assigned to it is one that will assist all of us in harnessing the potentials of these Nigerians who find themselves in the Diaspora.

As the lead Sponsor did say, we have very many Nigerians out there who are experts in various fields but because there is this lack of a proper body to coordinate them we are unable to utilise the potentials that they possess within.

If I may seek your indulgence you can see the intentment from Part 1(d) which says that *the Commission shall be charged with the responsibility of coordinating and providing an organised system of collaborations of Nigerians in Diaspora for their contributions by identifying, preserving, mobilising the human, capital and material resources and expertise to the general development of Nigeria.*

We do know that apart from Nigeria where we are now proposing this Commission there are other countries particularly in Africa that are already doing this and by virtue of what they are doing, their

countries are already reaping the benefit of this coordination of the activities of their nationals outside their homeland.

If we are able to put this commission together, the relationship as to the questions that he has raised are already identified in the Bill. What is important is that we charter it as it were by the passage and once that is done, soon I am sure we are going to be seeing the advantages of having this Commission today.

You will also recall Mr. Speaker that before now we were not having a Committee in the Diaspora. All that we had was simply a Committee on Foreign Affairs. But since this Committee came in place I am sure we have been able to see the activities that this Committee has been able to carry out in respect of our Nigerians who are outside this country.

What our people are able to do there will depend on how they are organised together. In my State, Edo, for example, if we talk about those who are in the Diaspora we are first in number. This is the opportunity we have been looking for where we have a body that will coordinate all these people together with a view to contributing to their motherland.

We should support the creation of this Commission and all of us who are here at the end of the day will see that we have taken the right step in the right direction.

Hon. Joseph James Idachaba: I rise to support the mover of this Bill, Hon. Abike Dabiri-Erewa for bringing this Bill to the Floor of this House.

It is commendable because citing the example of India she has just given to us in her analysis, Indians are all over the place in the Diaspora and they developed that attitude of creating a connect between them and their home country.

If you could recollect during Buhari regime, a lot of Indians ran away from this country because of the government policy at that time. These are sets of people that even embarked on repatriating a percentage of what they earn in another country to their own country as support for the development purposes of that country.

This Bill has come at the right time. We have a lot of our people in the Diaspora that are scientists and business guru that can repatriate their knowledge and their technological expertise back home to help in the development of this country.

I have a brother; I call him a brother because we hail from the same town. He has just invested something in Aeronautic Engineering. He is a big stuff in the United States today; he has once come home. Hon. Matazu is a witness. These are the sort of people in Diaspora that we need to encourage to come back home to assist.

I believe this Bill deserves being read the Second Time.

Hon. Elizabeth Ogbaga (Ohaukwu/ Ebonyi): First of all, why I think this Bill is necessary is that there is nothing to lure our people in the Diaspora back home. The condition in Nigeria is so bad that some of them feel that there is no need coming back home. We should look into their problem, bring them back home and involve them in policy making in Nigeria especially those of them that are already experts in one field or the other.

You will find out that many of our Medical Doctors that go there to specialise do not come back to Nigeria to practice what they have gone there to specialise but if a Commission is established to take proper care of them taking into consideration the conditions that they enjoy that make them to stay there it will encourage them to come back home.

Secondly, the development of our country, Nigeria should rest only on the shoulders of those residents in Nigeria; all Nigerians should partake actively in the development of the country. Nigeria being a global world, we should mix up the diverse cultures, policies, experiences.

Once this Commission is established, the government economic problems that we are still battling with in Nigeria will be successfully tackled. It is necessary for this Bill to be read the Second Time.

Hon. Ita Enang: I speak in support of this Bill and I want to remind this House that in the last tenure of this House, there was a Bill that was introduced by Mr. President seeking to give protection and encouragement to Nigerians abroad to come back and serve this country. Part of the provisions of that Bill was to ensure that those who are professors and experts in different fields would be encouraged to return to Nigeria and contribute to the development of Nigeria.

Part of the other one was to encourage those who have heavy investments in industries and technology to also come in and invest in Nigeria and part of what they needed was a Commission of this nature. Some provisions of that Bill gave that Bill a problem on the Floor of this House. That Bill was promoted by the

Office of the Secretary to the Government of the Federation at that time.

I pray my Colleagues and this House that this Bill do pass to the Second Reading and when we are considering this Bill, we should lift some of the provisions of that former Bill. Although, it is not before the House properly so-called but it is part of the literature that would be considered when a Public Hearing is held on this Bill.

I speak in support and pray that this Bill do pass.

Hon. Sada Soli Jibia (Jibia/Kaita): This Bill is in line with the Citizen Diplomacy that the Ministry of Foreign Affairs is advocating today. This Bill will reverse the negative perception that was generating with respect to brain drain. I agree that our brains drain to the West. We should follow that brain drain, organise it and make it attractive; that is one of the catchments of this Bill.

We cannot run away from the global village. For obvious reason Nigeria is a plot on the global village. We have so much human resources outside but it is not organised; that is what this Bill seeks to do; organise these resources.

You can imagine the new entrants into the EU are small countries. They are organising their Diaspora resources and it is becoming a hot cake. We do not want our Diaspora resources to come back home. This Bill is not asking them to come back home. We are trying to look for a way to organise them, make them attractive, respectable and productive outside so that they can generate wealth and invest that wealth back home.

Hon. Abdul Ningi (Ningi/Warji): Let me from the beginning commend the architect of this Bill. It delights me that this honourable House is a forward-looking House. The objective of this Bill is to construct a road that connects home based Nigerians with Nigerians in the Diaspora.

From the submission of experts, there are more than fifteen million Nigerians living outside the shores of this country. What that presupposes is that if you take a census of countries in West Africa and Africa as a whole the population of foreign based Nigerians can constitute the population of two or three African countries put together. What that means is that the greatest gift that God has given to this country is not our natural resources - petroleum and agriculture - it is our manpower. Unfortunately, it has been tragic for the

last couple of decades that we have not been able to exploit these resources.

What this Bill is trying to do is what has been done in countries like Philippines, Mexico, India, Pakistan and Thailand where their nationals in the Diaspora were officially recognised such that these countries know what they are doing and what is happening to them outside the shores. In that vein, countries like Philippines and Mexico have been able to tabulate their GDP taking into account the contribution of their citizens in the Diaspora.

For example, the GDP from the Philippines in the Diaspora accounts for between 60 to 70 *per cent*. In Mexico, their GDP from Diaspora accounts for about 30 *per cent* and in India, their GDP from Diaspora is between 20 and 25 *per cent*.

What we hope to achieve by this Bill is for the government to officially recognise the bridge. Who are those in the United States and what are they doing? Who are in the UK and what are they doing? By doing that, we would be able to know how Nigerians in the Diaspora are contributing to the Nigerian economy through transfers of money and other resources and through coordination with home based Nigerians to create an economic climate and to give Nigeria the much needed attention within the global village.

This is naturally a good Bill and it comes from a very thoughtful person. We must give this Bill the much needed requirement and panel beating to be able to capture not only the imagination of the sponsor of this Bill but also the imagination of all of us. I believe that once this Bill passes through the Second Reading, it would bring about a lot of ideas that will be in the final interest of Nigerians within and outside and Nigerians yet unborn.

The Deputy Speaker: Hon. Abike Dabiri, you can see that this Bill is unlike the one that is with the Committee. I believe everybody will accept this Bill including your Colleagues; journalists. It is not a controversial Bill.

Question put and agreed to.

Bill read a Second Time and referred to the Joint Committee on Diaspora and Foreign Affairs.

CONSIDERATION OF REPORT

Report of the Committee on Finance on the Investigation into Revenue Generation and Non-Remittance by Government Ministries, Department

and Agencies and Statutory Corporations into the Federation Account

The Deputy Speaker: The fifth Order of the Day is Consideration of the Report of the Committee on Finance on the Investigation into Revenue Generation and Non-Remittance by Government Ministries, Department and Agencies and Statutory Corporations into the Federation Account. Members would recall that the Report was laid on Thursday, 5th March 2009.

Hon. John Owan Enoh will now move for the consideration of the Report.

Hon John Owan Enoh (Obubra/Etung): I move that this House do consider the Report of the Committee on Finance on the Investigation into Revenue Generation and Non-Remittance by Government Ministries, Departments and Agencies and Statutory Corporations into the Federation Account and approve the Recommendations therein.

Hon. Hassan Adamu Shekarau (Birinin Gwari/Giwa): I rise to second the Motion as moved by Hon. John Enoh, Chairman of the Committee on Finance.

Question put and agreed to.

Resolved: That the House do consider the Report of the Committee on Finance on the Investigation into Revenue Generation and Non-Remittance by Government Ministries, Department and Agencies and Statutory Corporations into the Federation Account.

Hon. Aminu Waziri Tambunwal (Kebbe/Tambunwal): Mr. Speaker, I move that this House do resolve into Committee of the Whole to consider this Report.

Hon. Ita Enang: I do second the Motion that the House do resolve into Committee of the Whole to consider the Report.

Question put and agreed to.

Report of the Committee on Finance on the Investigation into Revenue Generation and Non-Remittance by Government Ministries, Departments and Agencies and Statutory Corporations into the Federation Account – CONSIDERED IN THE COMMITTEE OF THE WHOLE.

(The Deputy Speaker in the Chair)

The Chairman: Hon. John Enoh, I understand that this Report is very important and very dear to hon. Members because of revenue generation.

Can you brief the House on the findings of the Committee before we start considering the Report Clause-by-Clause?

Hon John O. Enoh: Mr. Chairman, as you rightly pointed out, this Report is one of the very critical Reports that I believe that this House has had cause to consider. For about six months of last year, the Committee on Finance actually undertook some investigative hearings based on the adoption of a Motion calling attention to the fact that there were some infractions of the constitutional provision which required that all revenues that are generated by whatever Agencies of Government needed to be remitted into Government Accounts, whether the Federation Account or the Consolidated Revenue Account of the Federal Government.

I would like to point out that even ahead of the adoption of the Recommendations of this Report the 2008 Budget that was tabled before this House and passed had a figure that essentially captures independent revenue of the Government which is a class of the Revenue that defines internally generated revenue. It is to the tune of ₦100 billion but in the course of our work in 2008, while the Executive was putting together the estimate for 2009 Budget, that figure had risen to about ₦300 billion. That in itself was a fallout on what the Ministry of Finance had indicated; a few discoveries based on their following investigations that was going on by the Committee on Finance.

I am also aware that there have been quite some concerns even within the Executives. I recall the meeting that was held with the President trying to discuss issues related to 2010 Budget that the issue of Internally Generated Revenue which the Committee has noted that in some countries, it is even the main revenue that is used to fund Budget and all that is an issue that we need to take to a centre stage.

We found out as a Committee that there exist a lot of laws that had been passed by Parliament or that were military enactments that have become laws of the Federation that have given Agencies of Government the leeway to actually generate money and spend.

What the Committees is saying is that these laws as they are although they would need to be reviewed or amended, the Constitutional provisions are supposed to be upper most and supreme. So, what the Committee

did was that out of about one hundred Agencies that appeared before it, we found out, looking at the totality of all monies that were generated between 2003 and March 2008, that a little bit more than ₦3 trillion was actually not remitted to Government coffers. We have, as part of our attachments, a comprehensive listing of all the Agencies and what they did not remit, which actually summaries and gives the picture in totality of more than ₦3 trillion.

It is the hope of our Committee that beyond the recommendations which we hope are going to be adopted, that this House, led by the Hon. Speaker who actually was the first individual that called attention to this subject matter would continue and would keep pursuing the matter and get to a point in which we can get all Revenues of the Government remitted. Unless the Revenues were remitted, we do not have a way of determining how much the totality of the revenues of this Federation are in the course of the fiscal year.

It is our hope and we call on Members to actually approve the recommendations as contained in our Report.

Hon. Abdul Ningi: I am not going to comment on the Report but let me try to capture its essence. This Report has been an issue in the nation and it is a Report that we have all expected. We have just been given the details of this Report but that is by the way. The most important thing is that we are here to connect with Nigerians. Considering the importance of this Report, I would have wished that this Report is considered first thing tomorrow live because of its very important nature. This Report is what summaries our tragedies in the past and it will lay the foundation for good governance in this country.

However, using your office as the Chairman, we would have taken time to read the Report overnight and tomorrow, we should put aside any Motion and let us consider the Report first thing in the morning live on Television and it will capture us and connect us with the Nigerian people.

The Chairman: This is a very good observation that has been made by the former Leader of the House, Hon. Abdul Ningi but it may be appropriate to allow Members to study the Report, not the recommendations. We have the Report which he said was circulated only today. I do not know whether or not it had earlier been circulated. What it means is that some Members are getting it today for the first time.

For those who are just getting it today for the first time, please, go and study it. We may consider it on

Thursday next Week. I agreed with him *in toto* that if we are able to correct the anomalies in revenue generation, most of these problems that we have been having with our Budget may disappear. That is why from the beginning I said this is a very dear report to our Members.

Question put and agreed to.

Consideration of report, with the leave of the House, deferred till Thursday, 17th December 2009.

Hon. Aminu Waziri Tambunwal: Mr. Chairman, I move that the House do revert to Plenary.

Hon. Mohammed Sani Abdu (Alkaleri/ Kirfi): I do second the Motion that the House do revert to Plenary.

Question put and agreed to.

Resolved: That the House do revert to 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 Finance on the Investigation into Revenue Generation and Non-Remittance by Government Ministries, Department and Agencies and Statutory Corporations into the Federation Account and deferred consideration till Thursday next week live on television.

Adoption of Report

Hon. Aminu Waziri Tambunwal: Mr. Speaker, I move that this House do adopt the Report of the Committee of the Whole.

Hon. Mohammed Sani Abdu (Alkaleri/ Kirfi): I do second the Motion ably moved by the Acting Leader of the House that we adopt the Report.

Question put and agreed to.

Resolved: That the House do adopt the Report of the Committee of the Whole.

ADJOURNMENT

Hon. Aminu Waziri Tambunwal: Mr. Speaker, I move that this House do adjourn till tomorrow Thursday, 10th December 2009 at 10.00 a.m.

Hon. Halims Agoda: With due humility I rise to second the Motion ably moved by the Acting Leader of this House.

tomorrow, Thursday, 10th December, 2009 at 10:00 a.m.

Resolved: That the House do stand adjourned till

The House adjourned accordingly at 5:10 p.m.