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HOUSE OF REPRESENTATIVES
FEDERAL REPUBLIC OF NIGERIA

Tuesday 20th October, 2009

The House met at 10.25 p.m.

PRAYERS

(The Speaker in the Chair)

VOTES AND PROCEEDINGS

The Speaker: Hon. Members, the House is called to order. I have examined and approved the Votes and Proceedings of Thursday 15th October, 2009.

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

The Speaker: I have a message from the President. It reads:

***Bill for an Act to Provide for Measure to
Combat Terrorism***

I forward herewith for your kind consideration and passage into law the attached Bill to provide for measures to Combat Terrorism.

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

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

Yours sincerely

Umaru Musa Yar'Adua

ANNOUNCEMENTS

**Meeting of Some Members with
the Hon. Speaker**

The Speaker: Could the following Members, please, meet with me immediately after sitting.

Hon. Overah O. Joyce - Delta State
All Chairmen of Geo-political Caucuses
Hon. Yakubu Umaru Barde - Kaduna

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Hon. Clever Ikisikpo, Chairman Committee on Petroleum Downstream;
Hon. Alaba Ojomo, Chairman Committee on Health
Hon. Bello Suleiman, Chairman Committee on Sports
Hon. Bernard A. Udoh - Akwa Ibom State
Hon. Bassey Otu, Chairman, Petroleum Committee Upstream
Hon. Abubakar Abubakar - Gombe State
Chairman, Committee on Aviation
Hon. H. S Dickson - Bayelsa State
Hon. Isa Kwara, Chairman Federal Character Commission
Hon. Daniel Oritse Reyenieju - Delta State
Hon. Sa'ad M.C. Tahir - Adamawa State
Hon. Muktar Betara Aliyu - Borno State
Chairman, Committee on Legislative Compliance
Deputy Chairman, Committee on Legislative Compliance
Any Member of the Committee on Legislative Compliance

Hon. Agoro Lanre Adeniran, could you please tell the House on how far you have gone on Citizen Bash Ali's matter?

Situation Report on Citizen Bash Ali' Situation

Hon. Lanre Adeniran Agoro (Irepo/Orelope/Olorunsogo): Mr. Speaker, we were supposed to have met with those concerned as referred to in the Matter of Urgent Public Importance but right now I am leaving the Chamber. I just came to the Chamber to fulfil all righteousness. We are leaving the Chamber to proceed to the Chairman's Office to meet with these people and we will report back to the House.

PRESENTATION OF PUBLIC PETITIONS

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

**Mrs. Marina Bala Clement: dismissal
inconsistent with the Rules**

Hon. Bitrus B. Kaze (Jos South/Jos East): Mr. Speaker, I have with me a Petition written by one Mrs. Marina Bala Clement who used to work with the Corporate Affairs Commission.

Mrs. Marina was dismissed from service although she believes that she was dismissed in a manner that was not consistent with the rules. For example, she was suspended on 28th March, 2006. After her suspension she was issued a query on the next day, which was 29th

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March. She has made presentation; unfortunately her representations have not been taken into consideration. She believes that this House is where she can get justice. That informed her decision to Petition this honourable House.

With your kind permission may I lay the Petition on the Table?

Petition laid.

The Speaker: Is there any other Petition? (*No response*) The Petition is referred to the Committee on Public Petitions.

Petition accordingly referred to the Committee on Public Petitions.

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

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

MATTERS OF URGENT PUBLIC IMPORTANCE

Aliero's Bumps in Abuja

Hon. Daniel Dino Melaye: I draw my Order from Order VIII, Rule 4 of our Standing Orders dealing with Matters of Urgent Public Importance. We in the House of Representatives are true representatives of the Nigerian people. We are voice of the voiceless and we are here to elucidate lucidly on complaints of Nigerians out there.

This morning I rise to bring before you the complaint on what I call Aliero's bumps in Abuja. (*Interruption*)

The Speaker: Hon. Dino, if it is a complaint, it should come in form of a Petition. You are seeking something that is of urgent public importance?

Hon. Daniel Dino Melaye: Yes, Mr. Speaker. All I am saying is that it is urgent as a result of complaints I have personally received. In the 21st century in this very civilised era I have not seen anywhere in the world where bumps are provided in junctions and the essence of providing these bumps is actually to reduce accident but from my personal observation instead of ameliorating the situation it has aggravated the situation because most people who are driving in Abuja for the first time and who are not aware of these bumps suddenly apply their break when

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they get to these bumps and there is always a negative concomitant effect.

As I speak, Mr. Speaker, the bolts, tyres and engine seats of many cars get removed on motion. The cars are getting weakened and shock absorbers are getting weak on daily basis.

The reason why these bumps are provided is shameful. This is because our traffic light are not working and I do expect that even if it is through counterpart funding that these bumps are being provided for, I expected that what the FCT should have done is to provide solar panels on all the traffic light in Abuja so that these traffic lights will be functional.

The provision of these bumps is analogue, colloquial and it is Mungo Park in nature; it is setting us back to the days of Homo sapiens and Homo erectus. If I have the permission of this House, I will bring a substantive Motion tomorrow to buttress and elucidate this matter.

The Speaker: Hon, Colleagues, I will put the Question that the matter brought by Hon. Dino Melaye be considered as a Matter of Urgent Public Importance to be considered on the next Legislative Day.

Question put and agreed to.

Resolved: That the House do consider this matter as a Matter of Urgent Public Importance to be considered on the next Legislative Day.

PRESENTATION OF BILLS

The Speaker: The first Business of the day is the presentation of three Bills. The Clerk is invited to read the Short Titles of the Bills.

Civil Forfeiture of Proceeds and Instrumentalities Of Unlawful Activity Bill, 2009

Civil Forfeiture of Proceeds and Instrumentalities of Unlawful Activity Bill, 2009 (HB. 299) - (Executive); *read the First Time.*

Nigerians in Diaspora Commission (Establishment) Bill, 2009

Nigerians in Diaspora (Establishment) Commission Bill, 2009 (HB.294) – presented by Hon. Abike Dabiri-Erewa and 16 Others; *read the First Time.*

Nigerian Free Trade Zone Commission (Establishment, etc.) Bill, 2009

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Nigerian Free Trade Zone Commission (Establishment, etc.) Bill, 2009 (HB.296) – presented by Hon. Bassey Etim; *read the First Time*.

ORDERS OF THE DAY

MOTION

The Role of the Central Bank of Nigeria and Other Regulatory Authorities, if any, on the Financial Crises in the Banking Sector and the Stand of the Current Central Bank, Other Matters and Issues Arising from the Current Bank Reforms

The Speaker: My dear Colleagues, the first Order of the Day is a Motion on the Role of the Central Bank of Nigeria and Other Regulatory Authorities, if any, on the Financial Crises in the Banking Sector and the Stand of the Current Central Bank, Other Matters and Issues Arising from the Current Bank Reforms standing in the name of Hon. John Halims O. Agoda and 46 Others.

Hon. Halims Agoda is invited to move his Motion.

Hon. John Halims Agoda (Ethiope East/Ethiope West): Mr. Speaker, with due humility and the inherent powers of this honourable House, may I move my Motion. My Motion reads thus:

The House:

Aware of the pivotal role of the Central Bank of any Country, as the live-wire of the financial system; acting as the Government Banks, Bankers' Bank, Microeconomic Manager and partner in the entire government planning and financial processes and policies;

Further aware that the Central Bank of Nigeria in recent times has been grappling with the issues of reforms in the Banking industry following years of bastardisation and unethical practices;

Worried on the alleged brazen cases of corruption, money laundering, racketeering, reckless spending of banks funds, dishing out of non-performing loans and Capital Market manipulation by Chief Executive of some Banks;

Piqued by the understanding that this alleged rot had been on, even when the Central Bank was repeatedly assuring Nigerians that all was well with the nation's banks, and conscious of the need to ascertain the roles of the leadership of the Central Bank at the time, and other regulatory authorities, including the Nigerian Deposit Insurance Corporation (NDIC);

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Acknowledge the disposition of the present leadership of the Central Bank of Nigeria (CNB) in bringing to the knowledge of Nigerians the alleged decay in these Banks and even exposing the reported perpetrators, and subsequent prosecution;

Further worried by the claims and counterclaims by Banks' major stakeholders and other interest on the veracity or otherwise of these revelations on the operations of these Banks as well as the honesty, sincerity and fairness of the Central Bank in its actions;

Concerned on the need for the exercise to be guided by extant laws, regulations and guidelines, in view of the due process mantra of the government and also on the basis of the action already taken by the Central Bank, and further plan for outright sale or takeover of these Banks;

Disturbed that as mind burling as these revelations may be with widespread observations by those who are in the know in the operations of these Banks that the magnitude of non-performing loans in the Central Bank and other Banks is in the range of ₦900 billion to ₦1.7 trillion;

Further disturbed on the injection of ₦620 billion as bail-out funds or loans, as the case may be, to these Banks and sustainability of such action, in terms of its constitutionality or otherwise and the roles of the legislature, if any, in the authorisation of such funds; and the propriety of Central Bank of Nigeria (CBN) or otherwise in issuing such funds;

Further concerned on the perception and implications which these revelations and subsequent actions taken by Central Bank of Nigeria (CBN), have on the Banking system and the nation economy rating by the International Community, and the understanding that there is a link between a lending boom, assets price cycles and financial crisis, and consequent need for a strong banking regulatory system.

Resolved to:

Mandate the relevant Committees of the House to conduct immediate and in-depth investigations as they relate to:

- (i) the veracity or otherwise of the alleged rot and corruption in the banking sector with regard to the issue of non-performing loans, Capital Market manipulations, reckless spending of Banks' funds and allegations of money laundering;

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- (ii) investigate and determine the roles played by the former leadership of the Central Bank of Nigeria and the leadership of other regulatory authorities and financial institutions, their level of complicity, as it relates to their actions and indeed inaction in the alleged decay and rot in the banking system;
- (iii) ascertain whether the Central Bank of Nigeria (CBN) in taking its actions followed due process, including giving fair hearings to the alleged perpetrators of the said rot in the banks, as well as applying international best practices in the process;
- (iv) determine whether the accused, by the alleged conduct and actions, breached any existing laws;
- (v) determine whether the Central Bank of Nigeria (CBN) has the power or authority to take over the Banks or authorise an outright sale of same, just as the House also needs to verify the total indebtedness of the Federal Government of Nigeria to these banks and recovering such debts from the Federal Government, if any;
- (vi) determine the credibility of the new Chief Executive of Commercial Banks recently appointed by the Central Bank of Nigeria (CBN) as to whether or not they are fit and proper persons by qualifications, professional skills and strength of character to occupy the offices;
- (vii) determine the propriety or otherwise of the Central Bank of Nigeria (CBN) to print and inject ₦620 billion into these banks or any other amount of money which may have been printed and injected into any bank in Nigeria without legislative authorisation, and which has been publicly not disclosed up till date;
- (viii) ascertain the veracity or otherwise of the widely reported claims in local and international media that a Company called Security is believed to have paid millions of dollars in bribe money to Nigerian officials to secure the contract to print Nigeria's new currency notes particularly in 2006;
- (ix) Verify the total cost spent by the Central Bank of Nigeria on the re-capitalisation of banks, and ascertain whether such expenditure was approved by Parliament including the genuineness of such expenditure;

- (x) determine the appropriateness or otherwise of the existing controls, procedures, processes and accountability for contracting, printing, taking custody of, and disbursement/circulation of such Banks notes in Nigeria;

- (xi) to consider other matters and issues that are incidental thereto.

Mr. Speaker, I beg to move.

Hon. Gbenga Oduwaiye (Ijebu-Ode North East/Odogbolu): I humbly second this important Motion as move by Hon. Halims Agoda.

Question Proposed.

Hon. Halims Agoda: I will today not say much on this Motion because the request to this Chambers is for thorough investigation. In the life of a nation and any society, there is bound to be challenges; challenges of economic, social or political development. When we are confronted with this scenario, the leaders of that country such as the Parliament today is called upon to have an open mind and examine the reason where we are coming from, where we are currently and perhaps use this two principles to project into the future.

The emergence of the crisis in the Banking sector has no doubt led to uncertainty; it has created crisis of confidence in members of the public and it has also created a potential danger of instability not only to our economy but also to democracy as we are practicing in our country.

The macro economic state already created has generated the issue of unemployment and it is likely to lead to the issue of inflation and low international credit rating that may no doubt affect our foreign reserve which may arise on the devaluation of our currency.

I want to place on record that the Central Bank of Nigeria and its leadership are our people; it is our right to protect them. The depositors of the money in the various banks are Nigeria citizens; this House also needs to protect them. Even the former Chief Executives of the Banks that are now accused also need protection by this honourable House. How we go about that? It is for this House to look at our records and our existing Acts and determine whether or not the Acts as they are today meet the international requirements. Is it as a result of lack of necessary provisions or is it problem of management?

The summary of this is that we cannot strengthen

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the Banking sector with Ad-hoc nature that we put together but we need to put in place a permanent solution that would allow us to reflect back into what we have done and to consider where we are going. I call on this Parliament this morning that when the Committee finally investigates all the issues raised, then we may have a concrete definite direction to go. Today, when you watch the programme *Focus Nigeria* on AIT, credible Nigerian citizens such as the former Minister of Information, Mr. Frank Nweke (Jnr.) and others who were members of the Panel were saying that we need to really reflect back; what has happened in the past; what kind of assurances have we been given in the past. Why are we where we are today? It is when the totality of these issues are put together that we can face the future. Otherwise whatever step we are taking currently, we are also bound to make mistake.

I urge this honourable House to allow the relevant Committee to look at these critical issues of State so that when we take decision even as Parliament or the Central Bank or Mr. President and his team, we will know that we are taking the right direction that will take this country to the next level of development.

Hon. Mohammed Ali Ndume (Damboa/Gwarzo/Chibok): Mr. Speaker, I rise to humbly support this Motion because of its importance and timeliness.

As the sponsor of the Motion earlier said, we are the representatives of Nigerians drawn from three hundred and sixty constituencies to protect and defend the interests of the people. We all know that the Banking sector is a very important livewire in our economic system and the Constitution clearly states this in the Legislative Powers; specifically Part 1 of the Second Schedule under the Exclusive Legislative List.

I just want to read them out to remind our hon. Colleagues that in that Exclusive Legislative List, we have:

No. 5 - *Bankruptcy and Insolvency,*

No. 6 - *Banks, Banking, Bill of Exchange and Promissory Note;*

No. 7- *Borrowing of Monies within and outside Nigeria for the purpose of the Federation of any State*

No. 15 - *Currency; Coinage and Legal Tender*

We all know what is happening in our Financial Sector, particularly the Banking Sector. I do remember

that Members of this honourable House, when the global crisis started, expressed concern to the extent of consulting Financial Sectors leadership to ascertain the extent to which Nigeria is exposed to the global financial crisis. We were so assured that all Nigerians who have their monies in banks could not only sleep at night but also go to sleep in the afternoon only for us to discover that most of our so-called *consolidated and strong banks*, now made Nigerians to pay over ₦900 billion in order to save these Banks. God knows the extent of psychological trauma that various individuals go through as a result of this recklessness.

We have in place a regulatory body that is not only charged with the responsibilities but are also paid to keep an eye on these banks to ensure that they are not only operating properly but that investors or depositors' funds are safe. Now, the story is different. As I said earlier, the Chairman, Committee on Banking and Currency who is right here, had cause, several times, to invite the leadership of the Central Bank of Nigeria (CBN) to come and answer questions as to how safe are our banks. The assurance was that these banks were safe! But we now find ourselves in this situation.

The most disheartening thing is that while some Nigerians as we all know are suffering in this economic hardship, hardly earning what to eat per day, some individuals take the advantage of their position and influence in the society to take peoples' money knowing that they can only spend one week in the Economic and Financial Crime Commission (EFCC) custody and when the case is mentioned in the court, they would be transferred to Kuje Prison or wherever for two weeks and that ends the matter.

What is most disheartening is that somebody will take over ₦100 billion which some of them gave to their house girls and just walk the streets freely. What do they pay for it? Nothing, because somebody could take ₦100 billion for instance and the bail requirement would be just one million Naira.

So, it is good business. If somebody has the opportunity of taking ₦100 billion and simply parts with one million Naira out of these and walks freely on the streets just as he is later called to the High Table during occasions, then I do not understand it.

We, as a responsible House, have to do something about this because this is not fair on our citizens and the people that we represent. The importance of this House, after putting this Committee in place, is to put on check the authorities responsible for this investigation to ensure that the *Givers* or *Takers* including the Regulatory Body are actually brought to book.

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In view of this, the Motion brought by Hon. Halims Agoda is very comprehensive and it covers the Terms of Reference which clearly spells out the roles and responsibilities of the Committee.

Therefore, I urge my Colleagues to fully support this Motion.

The Speaker: Is there any Member who wishes to speak against this Motion?

Hon. Emmanuel Jime (Makurdi/Guma): Mr. Speaker, first, with due sense of responsibility, I salute the Rt. Hon. Halim Agoda, and indeed, all those who have co-sponsored this Motion for having courage on that conviction. I particularly thank Hon. Halims Agoda for his untiring efforts at enthrone Due Process and the Rule of Law in the conduct of public affairs in our nation.

This Motion as it stands has its merit and demerits but I think that our responsibility as a Parliament is to have a very robust discussion on this Motion so that we can take the merits of the Motion and at the same time take a look at the demerits and do justice to them.

The first issue that I would like to raise is to invite this august assembly to look at all the Prayers to enable us determine one way or the other as to where there are merits and demerits.

The first Prayer that I quarrel with is Prayer (iii) and with your kind permission I read:

Mandate the relevant Committees of the House to ascertain whether the Central Bank of Nigeria (CBN) in taking its actions followed due process, including giving fair hearing to the alleged perpetrators of the said rot in the banks as well as applying international best practices to the process.

Now, on the surface that might appear to be a very beautiful intention but I say with the greatest respect, that in this Parliament of ours and by our own very Rules, we have circumscribed debates on matters that are already before the law Courts and certainly, when you are talking about ascertaining whether Due Process has been undertaken by an institution of Government or that indeed, Fair Hearing has been offered to anyone, I say that this is not, in my view, a matter that comes within the confines of the powers of the Parliament.

I know, and I believe that all of us in this Chamber agreed, that when you talk about Fair Hearing and Due Process and when you also are aware that these matters

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are already, as at today, being challenged in the law Courts, then I will believe, with greatest respect one more time, that the best place for determining whether or not an action has been conducted in line with law and with due process is certainly in the law court. That is the only where a determination that can be enforced with law would be taken and that I believe is already being done.

Therefore, I think this Parliament need not to be asked to embark on a journey that ultimately would lead us to difficulties as to how we could enforce the decisions that we take on this Floor when, already, the doctrine of Separation of Powers says that there is an institution - the Judiciary - that has the responsibility for making those kinds of determination.

The next issue that I would like us to look at very critically is Prayer (iv) which says we should determine whether the accused, by their alleged conduct and actions breached any existing laws. I do not think that is the function of the Parliament. Issues had already been raised and the Judiciary is already as at this moment examining whether the conduct that were alleged were proper allegations or indeed whether anybody had committed a breach. I would suggest that is an area that I do not think a Parliament needs to bother itself with.

Also Prayer (v) which says that we should determine whether the Central Bank of Nigeria (CBN) has the power or authority to take over the banks or authorise an outright sale of same. I do not think we need to go too far. All you need to do is to look at the banking and other financial institutions law which is the law that has been passed by this particular Parliament. Therein lies the answer to this particular proposition which is that the Central Bank indeed really do have the authority supported by law which was passed by this National Assembly to remove Banks Executives in banks that had been adjudged to be failed banks. Once again, I do not think that is the kind of things that this Parliament should be asked to indulge in.

Further, there is this question that we should determine the credibility of the new Chief Executives of Commercial Banks. We have already passed a law in this Parliament that allows the Central Bank (CBN) to exercise certain amount of responsibility with regard to the Commercial Banks one of which is to be able to remove Chief Executives of banks that failed and to replace them. We are now saying that having given them those powers, at the same time we should remove those powers from them and bring them back to the Floor of this Parliament. What is the essence of delegated legislation? That is what we have done by passing the Banking and other Financial Institution Act

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which is, of course, an Act of this Parliament which has authorised the Central Bank of Nigeria (CBN) to go ahead and do what they have done.

Finally, if there is any merit, what we should be doing and by way of an amendment to this Motion, we need to commend the CBN Governor and I propose an Amendment of this Motion to read; that this House resolves to commend Governor Sanusi for the work that he is doing in bringing sanity to the banking sector.

The second Amendment that I will propose, I believe is consistent with the prayer they have asked. However, I would like to further enhance by amending to read as follows:

That the House Committee on Banking be mandated to investigate the tenure of Professor Soludo as to determine if there was any complicity - (Interruptions)

Some hon. Members: No! No!! *(Interruptions)*

The Speaker: Hon. Jime, you will be allowed to move for Amendment when you are called upon for that. Have you finished your submission?

Hon. Jime: I have one more submission to make but in doing so let me also yield to the voices of reason.

The Speaker: Hon. Jime, could you please complete your submission.

Hon. Jime: There is an issue that has been raised by the prayers on this Motion which is to question the capacity and the ability of the CBN to inject funds in the manner that it has done. My submission, with the greatest respect, is that it is within the capacity of the Central Bank of Nigeria to do that which it has done. That can be found in all the extant laws that govern the functions of the Central Bank of Nigeria.

The Speaker: Hon. Jime I think you have five seconds to go.

Hon. Jime: I want to also refer very quickly to Section 2(c) of the Central Bank of Nigeria Act and also Section 80(3) and (4) of the 1999 Constitution. If you take a close look at all the extant laws and these particular provisions that I have cited for reference, you will come to only one conclusion that the CBN was on all fours and was supported by law in going ahead to inject the funds that it did.

The Speaker: Hon. Colleagues, I am sure we all

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have a lot to say on this matter but what I would want us to do is to put possible Amendments forward now. I will start with Hon. Jakada Kiru first.

Hon. Ubale Jakada Kiru (Bebeji/Kiru): Mr. Speaker, I have five Amendments.

The Speaker: Could you take one please?

Hon. Ubale Jakada Kiru: They are very important. If you permit me to mention them you will see how important they are.

The Speaker: Every single Member here is also important.

Hon. Ubale Jakada Kiru: It is all right. Some of these issues raised in the prayers are already before the court of law. Therefore, we need not include them in our prayers.

The Speaker: It is all right. So you are moving for us to delete those issues that have to do with the court of law? That is your amendment?

Hon. Jakada Kiru: That is good. In particular, I am proposing that we delete Prayer (iv): *determine whether the accused, by their alleged conducts and actions, breached any existing laws* since almost all the banks Directors that are accused in this matter are before the Federal High Court which is a competence court of jurisdiction.

The Speaker: Is there any other amendment, please?

Hon. Jakada Kiru: Yes, Mr. Speaker. Prayer (v) says:

determine whether the Central Bank of Nigeria has the power or authority to take over the banks or authorise an outright sale of same just as the House also needs to verify the total indebtedness of the Federal Government of Nigeria to these bank and recovering such debts from the Federal Government.

We can leave out the first part of that prayer and start from the remaining part as stated hereunder:

Verify the total indebtedness of the Federal Government of Nigeria to these banks and recover such debts from the Federal Government.

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I would also like to delete Prayer (vi) which reads thus:

Determine the credibility of the new Chief Executives of Commercial Banks recently appointed by the Central Bank of Nigeria as to whether or not they are fit and proper persons by qualifications, professional skills and strength of character to occupy the offices

I feel this is not supposed to be there.

Prayer (viii): *ascertain the veracity or*

otherwise of the widely reported claims in local and international media that a company called 'Securrency' is believed to have paid millions of dollars in bribe money to Nigerian officials to secure the contract to print Nigeria's new bank notes;

is simply a matter of speculation. Parliament is not supposed to be seen to be deliberating on speculation. I do not believe we should engage ourselves in talking about this here.

Finally, I propose the deletion of Prayer (ix) which provides as follows: *verify the total cost spent by the CBN on the recapitalisation of Banks.* Which recapitalization? Is it the recapitalisation of banks carried out in 2004?

The Speaker: Hon. Jakada Kiru, can you now tell us your proposal in just one sentence, please?

Hon. Ubale Jakada Kiru: I am proposing:

- (i) The deletion of Prayer (ix). Otherwise, we have to specify which re-capitalisation that prayer is talking about.
- (ii) Amend Prayer (v) by deleting the first line up to the word *needs to* and start from *verify the total indebtedness of the Federal Government to these banks recovering such debts from the Federal Government.*
- (iii) Delete Prayer (vi): *determine the credibility of the new Chief Executives of Commercial Banks recently appointed by the Central Bank of Nigeria as to whether or not they are fit and proper persons by qualifications,*

professional skills and strength of character to occupy the offices and

- (iv) Delete Prayer (iv): *determine whether the accused, by their alleged conducts and actions, breached any existing laws since most of the banks directors are accused before the Federal High Court which is a superior court of record.*

The Speaker: Hon. Colleagues, Hon. Jakada Kiru is seeking to amend the prayers of this Motion by deleting Prayers (iv), (vi) and (ix) and part of Prayer (v). Is there any Seconder please?

Hon. Saudatu A. Sani (Lere): Mr. Speaker, in seconding the Motion moved by Hon. Jakada Kiru, can I just make my own contribution?

The Speaker: You are only seconding. Are you seconding for deleting Prayers (iv), (vi) and (ix) and part of Prayer (v)?

Hon. Saudatu A. Sani: Yes. I second the amendment that we delete Prayers (iv), (vi) and (ix) and part of Prayer (v).

Question put -

The Speaker: Hon. Colleagues, we cannot start like this, please. All right, let us take it one after the other?

Several hon. Members: Yes.

The Speaker: I will put the Amendment that we delete Prayer (iv).

Amendment put and agreed to.

Prayer (iv) – deleted.

Amendment put and agreed to.

Prayer (vi) – deleted.

Amendment put and agreed to.

Prayer (ix) – deleted.

The Speaker: I will put the question that Prayer (v) be amended to read: *verify the total indebtedness of the Federal Government to these banks recovering such debts from the Federal Government.*

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Amendment put and agreed to.

Hon. Emmanuel Jime: Mr. Speaker, the Amendment I propose is that this honourable House do resolve to commend the CBN Governor for the work that he has done in bringing sanity to the Banking industry.

Hon. Abdullahi Shuaibu Hashimu (Awe/Doma/Keana): I rise to second the Amendment proposed by Hon. Emmanuel Jime.

The Speaker: Hon. Colleagues, one of us is seeking to commend what seems to be a populist move in the nation; that is all that I am advising you.

Some hon. Members: Yes!

Some hon. Members: No!

The Speaker: I will now put the question on Hon. Emmanuel Jime's Amendment.

Amendment put and negatived.

The Speaker: Hon. C.I.D. Maduabum, do you want to put that Amendment in a slightly different way?

Hon. C.I.D. Maduabum: My Amendment is that the House do resolve to mandate the Committees on Banking and Currency and Justice because there are legal issues involved to conduct this investigation.

The issue of commendation, of course, will be raised after this investigation, not before the investigation.

The Speaker: Hon. C.I.D. Maduabum is proposing an Amendment for us to mandate the Committees of Banking and Currency and Justice to conduct this investigation.

Hon. Gbenga A. Oduwaiye (Ijebu North/Ijebu East/Ogun Waterside): I rise to second that Amendment because it is not safe to leave it open and refer it to any Committee of the House.

Question put and agreed to.

Resolved: That the House do mandate the Committees on Banking, Currency and Justice to conduct an investigation on the role of CBN and other Regulatory Authorities.

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Hon. Labaran Y. Dambatta (Dambatta/Makoda): Mr. Speaker, my Amendment is that we should delete items 7 and 10.

Hon. Musa Garba Gulma (Argungu/Augie): I second the Amendment as proposed by Hon. Labaran Dambatta.

Amendment put and negatived.

Hon. Shehu Garba Matazu (Matazu/Musawa): My Prayer is to add another Prayer that this House do resolve to invite the Central Bank Governor to come and brief the House at Plenary.

The Speaker: I thought that is only reserved for Presidents and Prime Ministers. We have a Committee and any Member who wishes to know more should meet them. I am opposing it from the Chair.

Anyway, is any Member seconding the Amendment?

Hon. Kalu Nnanna Uzor (Abia North/Abia South): I hereby second the Amendment as proposed by Hon. Matazu.

Amendment put and negatived.

Hon. Betty O. Apiafi (Ahoada East/Abua/Odual): Mr. Speaker, I have two Amendments. I want to modify one of them a little.

The Banking Supervision Department of the Central Bank should actually be on the focus in the investigation because it is the Department that is responsible for the supervision of banks, to a large extent.

My Amendment is that the Banking Supervision Department of the CBN should also be investigated as a Department so that the National Assembly should be able to know whether the laws we have for that department is enough.

The Speaker: That will come under the CBN investigation.

Hon. Betty O. Apiafi: Yes, it will come under it but the tendency is that we may focus on the leadership rather than the department directly responsible for supervising banks. So my amendment is that that department should be on focus.

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Secondly, the Banking and Other Financial Institutions (BOFIA) Act is currently with the Banking and Currency Committee for the purpose of conducting Public Hearing on its Amendment. Let me say that the Act is actually outdated.

The Speaker: What is the Amendment, Hon. Betty Apiafi?

Hon. Betty Apiafi: The House should work faster on the Amendment of that law because the Amendment of that law will assist the regulation of the Banking Industry.

Hon. Gilbert E. Nnaji (Enugu East/Isi-Uzo): I stand to second the Motion as moved by Hon. Betty Apiafi.

Amendment put and negatived.

The Speaker: Hon. Colleagues, all other Amendments I have here have either been passed or not passed. However, I have this last one which is from the Minority Leader.

Can you make your Amendment, Hon. Ali Ndume?

Hon. Mohammed Ali Ndume: Mr. Speaker, honourable Colleagues, my Amendment is that this House do resolve to set up an *Ad-Hoc* Committee of the House to conduct immediate and in-depth investigation as they relate to the prayers.

The Speaker: Hon. Ali Ndume that has already been done.

Hon. Ali Ndume: Yes, Sir. I just want to explain something; I have a reason for doing that as a leader in the House.

The Speaker: We need to clear this; we have all adopted the Committee's prayers.

Hon. Ali Ndume: We can amend an Amendment. There is no rule in the House that says we cannot do so.

The Speaker: That is all right. Can you advise me, please?

Hon. Ali Ndume: I want to come under Personal Explanation but if it is the wish of the House, I will sit down.

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The Speaker: No, we need to be educated about this. Can we amend something that has already been amended?

Hon. Ali Ndume: Yes. My reason for asking for an Ad-hoc Committee is this; in view of the fact that the Chairman, Committee on Banking and Currency comes from the same place with those that are like to be investigated on this – (*Interruptions*)

The Speaker: No, I am sorry. My dear Minority Leader, we do not take decisions here on the basis of ethnicity. With all due respect, every one of us here swore to uphold the Constitution of the Federal Republic of Nigeria. What we are getting now is that we cannot amend what we have already amended.

Hon. Makanjuola, I can see your Amendment here. What is the new prayer?

Hon. Gbenga Peter Makanjuola (Ekiti/Isin/Irepodun/Oke-Ero): Mr. Speaker, my new prayer is, without prejudice to the foregoing prayers as amended and all the litigations in court, that this House do invite the CBN Governor to an Executive Session before the House so that we can have firsthand information.

The Speaker: I am sorry; that is dead. Hon. Bitrus is there any difference in the Motion you are about to propose?

Hon. Bitrus B. Kaze (Jos South/Jos East): Mr. Speaker, my Amendment is with respect to the Title. The Title reads: *The stand of the current Central Bank and Order Matters*. There cannot be *current* and *former Central Bank*.

I believe the mover of the Motion intended to say; *current leadership of the Central Bank of Nigeria*. That is my amendment.

The Speaker: I am sure that is what that implies.

Hon. Austin Nwachukwu (Ehime Mbano/IhitteUboma/Obowo): Mr. Speaker, I rise to second the Amendment as proposed by Hon. Bitrus.

Amendment put and negatived.

Main Motion as amended put and agreed to.

The House:

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Aware of the pivotal role of the Central Bank of any country, as the livewire of the financial system; acting as the Government Banks, Bankers' Bank, Microeconomic Manager and partner in the entire government planning and financial processes and policies;

Further aware that the Central Bank of Nigeria in recent times has been grappling with the issues of reforms in the Banking industry following years of bastardisation and unethical practices;

Worried on the alleged brazen cases of corruption, money laundering, racketeering, reckless spending of banks funds, dishing out of non-performing loans and Capital Market manipulation by Chief Executive of some Banks;

Piqued by the understanding that this alleged rot had been on even when the Central Bank was repeatedly assuring Nigerians that all was well with the nation's banks and conscious of the need to ascertain the roles of the leadership of the Central Bank at the time and other regulatory authorities, including the Nigerian Deposit Insurance Corporation (NDIC);

Acknowledged the disposition of the present leadership of the Central Bank of Nigeria (CNB) in bringing to the knowledge of Nigerians the alleged decay in these Banks and even exposing the reported perpetrators, and subsequent prosecution;

Further worried by the claims and counterclaims by Banks' major Stakeholders and other interest on the veracity or otherwise of these revelations on the operations of these Banks as well as the honesty, sincerity and fairness of the Central Bank in its actions;

Concerned on the need for the exercise to be guided by extant laws, regulations and guidelines, in view of the due process mantra of the government and also on the basis of the action already taken by the Central Bank, and further plan for outright sale or takeover of these Banks;

Disturbed that as mind burling as these revelations may be with widespread observations by those who are in the know in the operations of these Banks that the magnitude of non-performing loans in the Central Bank and other Banks is in the range of ₦900 billion to ₦1.7 trillion;

Further disturbed on the injection of ₦620 billion as bail-out funds or loans, as the case may be, to these Banks and sustainability of such action in terms of its constitutionality or otherwise and the roles of the legislature, if any, in the authorisation of such funds;

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and the propriety of Central Bank of Nigeria (CBN) or otherwise in issuing such funds;

Further concerned on the perception and implications which these revelations and subsequent actions taken by Central Bank of Nigeria (CBN), have on the Banking system and the nation economy rating by the International Community, and the understanding that there is a link between a lending boom, assets price cycles and financial crisis, and consequent need for a strong banking regulatory system.

Resolved to:

Mandate the relevant Committees of the House to conduct immediate and in-depth investigations as they relate to:

- (i) the veracity or otherwise of the alleged rot and corruption in the Banking sector with regard to the issue of non-performing loans, Capital Market manipulations, reckless spending of Banks' funds and allegations of money laundering;
- (ii) investigate and determine the roles played by the former leadership of the Central Bank of Nigeria and the leadership of other regulatory authorities and financial institutions, their level of complicity as it relates to their actions and indeed inaction in the alleged decay and rot in the banking system;
- (iii) ascertain whether the Central Bank of Nigeria (CBN) in taking its actions followed due process, including giving fair hearings to the alleged perpetrators of the said rot in the banks, as well as applying international best practices in the process;
- (iv) verify the total indebtedness of the Federal Government of Nigeria to these banks and recover such debts from the Federal Government;
- (v) determine the propriety or otherwise of the Central Bank of Nigeria (CBN) to print and inject ₦620 billion into these banks or any other amount of money which may have been printed and injected into any bank in Nigeria without legislative authorisation and which has not been publicly disclosed up till date;
- (vi) ascertain the veracity or otherwise of the widely reported claims in local and

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international media that a Company called 'Securrency' is believed to have paid millions of dollars in bribe money to Nigerian officials to secure the contract to print Nigeria's new bank notes;

- (vii) determine the appropriateness or otherwise of the existing controls, procedures, processes and accountability for contracting, printing, taking custody of, and disbursement/circulation of such Banks notes in Nigeria;
- (viii) Mandate the Joint Committee on Banking and Currency and Justice to conduct an investigation on the role of the CBN and other Regulatory Authorities and to consider other issues, facts and matters incidental to the matter and report to the House within one month. (HR. 60/2009)

CONSIDERATION OF BILLS

Nigeria Institute of Credit Administration (Establishment) Bill, 2009

A Bill for an Act to Establish the Nigeria Institute of Credit Administration and for Matters Connected Therewith, 2009 (HB. 135).

Order for Third Reading.

The Speaker: The next Order of the Day is the Third Reading of a Bill for an Act to Establish the Nigeria Institute of Credit Administration and for Matters Connected Therewith, 2009.

Members would recall that the House adopted the Report of the Committee of Whole on this Bill on Tuesday, 28th July, 2009. Clean copies have been circulated to all Members so that we can peruse the contents of it.

I therefore call on the Deputy Leader of the House to move that the Bill be now read the Third Time.

Hon. Shehu Baba Agaie (Agaie/Lapai): Mr. Speaker, I rise to move that a Bill for an Act to Establish the Nigeria Institute of Credit Administration and for Matters Connected Therewith, 2009 be now read the Third Time.

Hon. Olaka J. Nwogu (Eleme/Oyigbo/Tai): Mr. Speaker, I second the Motion as moved by the Deputy Leader, Hon. Shehu Agaie.

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Question put and agreed to.

Bill read the Third Time and passed.

The Speaker: My dear Colleagues, I do apologise; the last Motion was referred to the Committee on Banking and Currency as well as Justice. I also have the opinion that the Capital Market Committee should be involved as well.

Small and Medium Scale Enterprises Development Agency (Establishment etc.) Act 2003 (Amendment) Bill, 2009

A Bill for an Act to Amend the Small and Medium Scale Enterprises Development Agency (Establishment, etc) Act, 2003; 2009.

Order for Second Reading.

The Speaker: Is Hon. Godfrey Gaiya here. (*No response*) It seems he is not here. The next debate is on a Bill that he is sponsoring. Chairman Rules and Business, what is happening?

Hon. Shuaibu Hashimu Abdullahi (Awe/Doma/Keana): Mr. Speaker, we appeal that the Bill be stood down since Hon. Gaiya is not available now.

The Speaker: This Bill is stood down.

Bill with the leave of the House stood down.

Public-Private Partnership Contracts between Public Partner and Private Partner (Implementation) Bill, 2009

A Bill for an Act to Provide for the Implementation of Public-Private Partnership Contracts between Public Partner and Private Partner and to Establish a Set of Rules Governing Public Partnership Contract, 2009 (HB. 270) -

Order for Second Reading.

The Speaker: Chairman, Rules and Business Committee, please?

Hon. Shuaibu Abdullahi: Mr. Speaker, you will recall that you directed Hon. Agoro - (*Interruptions*)

The Speaker: I did not direct; I sought his opinion.

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Hon. Shuaibu Abdullahi: It is all right. He said that if he is back before the sitting adjourns, he will be ready to present his Bill.

The Speaker: Could you send for him while we carry one?

Hon. Shuaibu Abdullahi: It is all right, Sir.

The Speaker: The Bill is stood down.

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

**Protection of the Privacy of Individuals and
Right of Access to Personal Information
(Provision) Bill, 2009**

A Bill for an Act to Provide for the Protection of the Privacy of Individuals and to Provide Individuals with a Right of Access to Personal Information about Themselves and for Related Matters, 2009 (HB. 240) -

Order for Second Reading.

The Speaker: The next Order of the Day is commencement of debate on the general principles of a Bill for an Act to provide for the Protection of the Privacy of Individuals and to Provide Individuals with a Right of Access to Personal Information about Themselves and for Related Matters.

Members would recall that the Bill was read for the First Time on Tuesday, 21st July 2009. Hon. Uzoma Nkem Abonta will now move for the Bill to be read the Second Time.

Hon. Uzoma Nkem Abonta (Ukwa East/Ukwa West): I move that a Bill for an Act to Provide for the Protection of the Privacy of Individuals and to Provide Individuals with a Right of Access to Personal Information about Themselves and for Related Matters be read the Second Time.

Hon. Olaka J. Nwogu (Eleme/Oyigbo/Tai): Mr. Speaker, I second the Motion.

Question proposed.

The Speaker: Hon. Abonta, you can lead the debate.

Hon. Uzoma Abonta: The Title of my Bill may be misleading but do not misunderstand the Bill as presented but my argument will let you understand what I am saying.

Ministries, Departments and Security Agencies, in the course of interaction with individuals obtain and extract information concerning us and about us. The Bill is seeking to give access to persons to have such information about you when you need them. For example, we are subject to SSS screening and the giving of data. It is your right to ask for such information they have about you so that you will be in a position to put them right or otherwise.

There are increasing calls for openness and transparency in governance in the light of these growing calls. Does it mean that personal information collected by agencies should be displayed at public use? It may be misused. What we are asking is for a legal framework to establish the collection and safekeeping of information and how they will be used. It is not about information; it is about preserving and using adequately what you collect from people.

In the past, Freedom of Information Bill had been presented here. For one reason or the other; for fear of abuse of information and how they are going to be managed - *(Interruptions)*

The Speaker: Hold on. Freedom of Information Bill is still in the process.

Hon. Uzoma Abonta: Yes. For fear of the management of information there is misgivings about what could happen but this Bill is trying to strengthen, regularise and maintain in a way that when such information are collected, they can be properly used and made available to the person concerned.

It is interesting to note that globally legislative provisions granting free access to information does not stand alone. Whenever and wherever access to information is granted by law there is often enough legislative provision to guard and protect such personal information.

The aim of this Bill is the preservation of information extracted from individuals where they work, in the course of their business so that persons concerned can also have access to it such that when it gets to the public domain, it will not be abused and used unnecessarily against the maker.

It is expected that the passage of this Bill will enhance private (personal) information and access to information held against them by public agencies. It will also enhance the implementation of any access of information legislation that may be put in place hereafter.

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In effect, what I am asking for is a legal framework and regime that will guide the collection of information about individuals; how they are placed and most importantly, make it available to the individual upon request. For example, if people resort to petition against you, you may be informed without necessarily having it. It should be as a matter of right as it obtains in other parts of the globe to ask, for example, a department to release the dossier that they have on you. It is my right to know and my right to be able to say that paragraph one, two or three are correct or not.

But in a situation where there is no legal backing giving me the right to ask for what people have against me, it is not proper. In the recent past, people would be blackmailed as a security risk without letting you know the risk upon which they are labelled as security risk. The Bill is trying to strengthen how individuals obtain information.

I urge you to look at the Bill properly and give support for the Second Reading.

The Speaker: Hon. Abonta, to my knowledge, is seeking for legal framework to protect politicians from politicians. Is any Member wishing to speak against this Bill? (*No response*)

I will put the Question that the Bill be read the Second Time.

Question put and negatived.

The Speaker: Hon. Colleagues, based on the advice of the Rules and Business Committee, this Bill is stood down.

Bill, with the leave of the House stood down.

The Speaker: Hon. Colleagues, in order not to be seen flouting any rules, the Clerk has advised me that once the question has been put, I must rule on that.

I have to rule on that.

Hon. Olaka J. Nwogu: Mr. Speaker, Hon. Uzoma Nkem-Abonta spent quite some time putting this Bill together. By his own admission, the content of the Bill is a little skewed from the title. We know that you do not judge a book from its cover. Unattractive as the title may look, listening to him we began to find that there was some sense in what he was trying to deal with.

In order to encourage Members to come up with Bills and do their work and where they have difficulties, have a chance to do it better, I move that Hon. Abonta

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be allowed to stand this Bill down, put his thoughts correctly, research and talk with Members, better situate the ideas, get other sponsors who may wish to support him, and at the end of the day present it again.

The Speaker: Hon. Olaka Nwogu, I just need to be guided accordingly. All I am saying is that the Clerk has advised that once I put the question, I have to rule.

Several hon. Members: Yes.

The Speaker: That is what I am seeking to do now. I was also trying to give the opportunity to our Colleague here so that if it is within our Rules for him to withdraw his Bill he can do so. If it is not, then I have to rule; that is all.

I will take the advice of the Clerk. You can always present your Bill some other time but I will put the question again for clarity.

Question put and negatived.

Nigerian Institute of Agriculturists (Establishment) Bill, 2009

A Bill for an Act to Regulate the Profession of Agriculture and to Make Provisions for the Establishment, Functions and Administration of Nigerian Institute of Agriculturists and for Related Matters, 2009 (HB. 268) -

Order for Second Reading.

The Speaker: The next Order of the Day is commencement of debate on the general principles of a Bill for an Act to Regulate the Profession of Agriculture and to make Provisions for the Establishment, Functions and Administration of Nigerian Institute of Agriculturists and for Related Matters, 2009.

The Bill was read the First Time on the 21st Mar 2009. Hon. Makanjuola Gbenga is invited to move that the Bill be read the Second Time.

Hon. Gbenga Peter Makanjuola (Ekiti/Isin/Irepodun/Oke-Ero): Mr. Speaker, I rise to move that a Bill for an Act to Regulate the Profession of Agriculture and to make Provisions for the Establishment, Functions and Administration of Nigerian Institute of Agriculturists and for Related Matters, 2009, be read the Second Time.

Hon Zakari Yau Galadima (Bade/Jakusko): Mr. Speaker, I second the Motion as moved by my Chairman, Hon. Gbenga Peter Makanjuola.

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Question proposed.

Hon. Peter Makanjuola: Mr. Speaker, agriculture is a profession. It is a business and it must be seen in that light. Farmers are businessmen no matter how poor they are. Therefore; this Bill seeks to register agriculture as a profession through the Establishment of an Institute to be known as the Nigerian Institute of Agriculturists.

The registration of this profession is long overdue because it is not less important in all ramifications or lower status than other applied registered professions, such as Law, Accountancy, Medicine, Engineering and so on, which has been registered and certified in Nigeria by this Parliament.

From experience, registration of any profession, usually encourages its development, ensures maintenance of high professional standard both in training and services to humanity. It also establishes code of conduct and ethics for the practitioners who are equally empowered to serve as expert witness in Court of law. All these are what this all-important Bill intends to achieve for the profession of agriculture.

This Bill seeks to, among other things, encourage and promote among farmers the utilisation and applications of the findings of agricultural research and other studies for increased food production and food security in Nigeria;

To promote and coordinate the farming system, production types and technological innovations as well as food security, agricultural services and agro-processing activities and for the advancement of all aspects and branches of agriculture;

To also establish a national network for the dissemination of information relating to packages on agricultural production and methodologies arising from new discoveries and modern agricultural skills and techniques;

Hon. Colleagues, to the larger society, it is believed that registration of agriculture as a profession will be a positive step towards addressing the numerous agricultural developmental problems in Nigeria

The professional in this field of career will be challenged to assist the government in addressing the perennial problems of food security in Nigeria if they can be registered as a body of agriculturists. No doubt the interest of our youth today in studying and practising agriculture is presently on the decline. If the profession is registered and certified under law by this

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Parliament, it will serve as a motivational factor that will rekindle the interest of our youths in agriculture.

Despite the importance attached to petroleum in the Nigerian economy, agriculture sector still plays a vital role in the economy of this nation. The fact remains that this sector provides employment for over 65 *per cent* of Nigerians and contributes about 40 *per cent* of our national Gross Domestic Product (GDP). This fact explains the importance of agricultural sector to our national growth and development.

I am aware that most of my Colleagues are practising farmers and once this profession is registered, I believe most of our Colleagues will belong to that profession of agriculturists.

The Speaker: Can you give us examples of countries where these things are done?

Hon. Peter Makanjuola: Mr. Speaker, they are all over the world.

The Speaker: Name them.

Hon. Peter Makanjuola: You have them in the United States of America, South Africa and even in Botswana.

The Speaker: As a registered profession?

Hon. Peter Makanjuola: Yes, as a profession. Therefore, I urge my Colleagues on the premise of the above values and consideration to support this Bill. It is a straightforward Bill. As I said, it adds no cost on the profile of the Federal Government. It is an Institute to be managed by practising farmers to come together as professionals under one Institute whereby they can monitor the activities of the Federal Government in the area of agriculture and at the same time they have their ethics of professions in terms of disciplining themselves and ensuring that the practice of agriculture is taken seriously as any other profession across the country.

I urge my Colleagues to, please, give the Bill accelerated hearing by allowing it to go for Second Reading.

Question put and agreed to.

Bill read a Second Time and referred to the Joint Committees on Agriculture and Commerce.

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

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The Speaker: What Point of Order, Minority Leader?

Hon. Mohammed Ali Ndume: Mr. Speaker, my point of Order is Order VIII Rule 5 of our Standing Orders at page 26.

The Speaker: Go ahead with your explanation.

PERSONAL EXPLANATION

Need to appreciate any Member's Effort

Hon. Mohammed Ali Ndume: I just want to appeal to my Colleagues that when any of us takes his time to prepare a Motion or a Bill, that Motion should be considered in terms of its intentment. The purpose of debate is for us to look at the Motion or the Bill with a view to perfecting it to what we want, not looking at it from the negative or positive side because we are all human beings.

As we prepare these Motions or Bills, we cannot be perfect. The perfection of the Bill or the Motion comes when the individual places the Motion or Bill before us to inject our collective ideas. Definitely, no Member will just sit down there and prepare a Bill that is frivolous; that has no objective and has nothing to achieve.

Therefore, I am appealing to our Colleagues that once our Member presents a Motion or a Bill we should look at it positively with the aim of identifying the loopholes and proffering suggestions to it so that it can be made better.

National Regulatory Agency for the Production, Trade and Application of Building Materials (Establishment) Bill, 2009

A Bill for an Act to Establish the National Regulatory Agency for the Production, Trade and Application of Building Materials Charged with Responsibility for the Regulation and Standardisation of Method, Specification and Production of Building Materials in the Nigerian Building Industries and for Related Matters, 2009 (HB. 275) -

Order for Second Reading.

The Speaker: Hon. Isa Idris Umar, are you here? *(No response)* Hon. Isa Idris Umar's Bill is supposed to be read for the Second Time now but he is not here.

Chairman, Rules and Business Committee, do you have any explanation?

Hon. Shuaibu Hashimu Abdullahi: Mr. Speaker, I am praying this House to stand this Bill down because the Member is not on seat.

The Speaker: The Bill is stood down.

Bill with the leave of the House stood down.

National Health Insurance Scheme Act, Cap. N42 LFN, 2004 (Amendment) Bill, 2009

A Bill for an Act to Amend the National Health Insurance Scheme Act, Cap. N42 Laws of the Federation, 2004 to Establish a Health Fund to Ensure Access to Good Healthcare for Every Nigerian and for Other Matters Connected Thereto, 2009 (HB. 276) -
Order for Second Reading.

The Speaker: The last Order of the Day is commencement of debate on the general principles of a Bill for an Act to Amend the National Health Insurance Scheme Act, Cap. N42 Laws of the Federation, 2004, to Establish a Health Fund to Ensure Access to Good Healthcare for Every Nigerian and for Other Matters Connected Thereto, 2009 (HB 276).

The Bill was read for the First Time on Wednesday, 7th October, 2009. Hon. Chris Eta, is invited to move for the Bill to be read the Second Time.

Hon. Christopher Eta (Boki/Ikom): Mr. Speaker, I move that a Bill for an Act to Amend the National Health Insurance Scheme Act, Cap. N42 Laws of the Federation, 2004, to Establish a Health Fund to Ensure Access to Good Healthcare for Every Nigerian and for Other Matters Connected Thereto, 2009 (HB 276) be read the Second Time.

Hon. Friday Itulah (Esan North East/South East): Mr. Speaker, I rise to second this very important Motion moved by my Colleague, Hon.

Question proposed.

Hon. Christopher Eta: This is a very simple Bill. If we look at the National Health Insurance Scheme when it was set up, the intentment was for us to have good healthcare and at the same time, it provided for free healthcare services for children under five years, disabled persons and indigent persons.

Unfortunately, it has been very difficult for the government to actualise that aspect of the National Health Insurance Scheme in the sense that it is difficult for government to muster sufficient resources for her to achieve that purpose.

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The intendment of my Bill is to see how we can assist the government in meeting this objective without government necessarily seeking for more funds in order to achieve it. That is why I have come here asking for the establishment of the Health Act and the Act is going to carry the form and manner of the VAT that we all pay but it is going to be completely separate and different from the Value Added Tax. It will be applied to every luxury item that any Nigerian buys, which means even the beneficiary himself, will pay for this tax. It is so simple; if we look at the volume of alcohol we consume everyday, we should have a health tax that will be tied to the consumption of alcohol. So also is the phone credit card that we buy everyday; we should have a head tax attached to phone credit. This should also apply to other luxury things that we do.

If we can have health tax that takes 1, 2 or 3 *per cent* of some of these luxury things we buy everyday, we can use it sufficiently; share amongst the State and they can fund healthcare for children under five years, the indigent and for disabled without necessarily putting ourselves under too much pressure in looking for money or resources to fund these things.

We need to support them; it is our social responsibility and if it means having to pay a token of tax in all luxury things that we do, I believe that it will be a good sacrifice for us to help those who cannot help themselves in achieving healthcare.

This is the intendment of this Bill.

Friday Itulah (Esan North East/South East): Mr. Speaker, as I mentioned during the Motion for the Second Reading of this Bill, the Bill is quite laudable. We know that when the National Health Insurance Scheme was set up, there was no Fund as such in any of the sections that my Colleagues have observed. I decided to bring a formal Bill to amend that scheme in order to set up this Fund.

We know what the Education Fund is doing for our educational sector today since its establishment and other Funds that have been established by government is doing just the purpose for which they have been established.

Now there is this problem with the Health sector and as you all know, health is wealth and it is one of the most important aspects of all human endeavours. If we have this Fund in place, I can assure you that the level to which the Health sector has deteriorated, to a very large extent, will be upgraded because we know that

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there are contributions that we make in every taxation but none has been directed to the Health sector.

I am convinced that all of us have this in mind hence we decided to institute a Fund simply to assist the National Health Insurance Scheme. If all of us put our hands to it and this Amendment to the scheme is passed, we all will be the beneficiaries.

Therefore, I urge my Colleagues to support the Bill without any dissension.

The Speaker: Hon. Colleagues, I will now put the question that the Bill be read the Second time.

Question put and agreed to.

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

ANNOUNCEMENTS

Meeting of the Committee on Steel

The Speaker: There is going to be a meeting of the Committee on Steel in Room 312 with the Hon. Minister of Mines and Steel today at 2.00 p.m.

(Signed)
Hon. Aminu Shehu Shagari

Meeting with the Chairman, Committee on Agriculture

The Speaker: The following hon. Members should, please, meet with Hon. Gbenga Makanjuola

Chairman, Committee on Agriculture immediately after sitting:

- 1) Hon. Chima Ugo Innocent
- 2) Hon. Jibo Mohammed
- 3) Hon. Agoro Lanre Adeniran
- 4) Hon. Bitrus Bulus Kazai
- 5) Hon. Sabo Usman Ibrahim

Committee on Sports Meeting

The Speaker: There is an urgent meeting of the Committee on Sports immediately after sitting in the Chairman's Office, Room 205.

(Signed)
Hon. Bello Suleiman

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ADJOURNMENT

Hon. Baba Shehu Agaie (Agaie/Lapai): Mr. Speaker, I rise to move that this House do adjourn till tomorrow, Wednesday 21st October, 2009 at 2.00 p.m.

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Hon. Shuaibu Hamisu Abdullahi (Awe/Doma/Keana): I hereby second the Motion moved by the Leader that this House do adjourn till Wednesday, 21st October 2009 at 2.00 p.m.

The House adjourned accordingly at 12.25 p.m.