

HOUSE OF REPRESENTATIVES

FEDERAL REPUBLIC OF NIGERIA

Tuesday, 24th November 2009

The House met at 10.50 a.m.

PRAYERS

(The Speaker in the Chair)

VOTES AND PROCEEDINGS

The Speaker: Hon. Members, I have examined and approved the Votes and Proceedings of Thursday 19th November, 2009.

Hon. Colleagues, can we please move into Executive Session?

Hon. Tunde Akogun (Akoko-Edo): I move that the House do resolve into Executive Session.

Hon. Ita Enang (Itu/Ibiono/Ibom): Mr. Speaker, I do second the Motion that the House do resolve into Executive Session.

Question put and agreed to.

Resolved: That the House do resolve into Executive Session.

Sitting Suspended: 10.55 a.m.

EXECUTIVE SESSION

Sitting Resumed: 12.00 p.m.

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

The Speaker: Please listen to the following announcements. This is from the President. It is on the Presentation of the 2010 Appropriation Bill. It reads thus:

November 23, 2009

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

**PRESENTATION OF THE 2010
APPROPRIATION BILL**

In compliance with Section 81(1) of the 1999 Constitution of the Federal Republic of Nigeria, I hereby forward the 2010 Appropriation Bill and associated attachments to you for the kind consideration of the Honourable House of Representatives of the Federal Republic of Nigeria.

Considering the imperative for expeditious consideration of the Bill, I hereby authorise Senator Mohammed Abba Aji, my Special Adviser on National Assembly Matters, to lay before the House, the Appropriation Bill on Tuesday, the 24th of November 2009.

While I thank the honourable Members of the House of Representatives of the Federal Republic of Nigeria for the constancy of your cooperation and understanding, please accept, Hon. Speaker, the assurances of my highest consideration.

Yours sincerely,

(Signed)

**UMARU MUSA YAR'ADUA
PRESIDENT**

Hon. Habeeb A. B. Fasinro (Eti-Osa): Mr. Speaker, I would like to draw your attention to the comments that were made earlier on that the Chairman, Business and Rules of the House would move a Motion to suspend our Rules for us to be able to accept the Special Adviser into this Chamber to lay the Budget on the Table. May I draw your attention to Order XV 9(1). What I am trying to say is that there is no need for us to suspend the Rules to that because it says Privileges of the Floor which says;

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

It further says: the President, the Vice President, former President and former Vice President of the Country of Nigeria, former Senators and Senators elect.

The Speaker: How do we get the consent of the House?

Hon. Habeeb A. B. Fasinro: We move a Motion by getting the consent of the House and not suspending the Rules. That is basically what I am trying to say.

The Speaker: Hon. Colleagues, I now invite the House Leader to move the Motion to admit the Special Adviser to the President of the Federal Republic of Nigeria on National Assembly Matters for the purpose of laying the 2010 Budget Estimates.

Hon. Tunde Akogun: I rely on our Order XV Rule 9 (1) and I hereby move that the House do admit into the Chamber, the Special Adviser to Mr. President of the Federal Republic of Nigeria on National Assembly Matters, for the purpose of laying the 2010 Budget Estimates.

Hon. Ihedioha Emeka Nkem (Aboh Mbaise/Ngor Okpala): I rise to second the Motion as ably moved by the Leader of the House for us to allow the Special Adviser to the President on National Assembly Matters to come into this Chamber and lay the 2010 Appropriation Bill.

Question put and agreed to.

Resolved: That the House do admit into the Chamber, the Special Adviser to Mr. President of Federal Republic of Nigeria on National Assembly Matters, for the purpose of laying the 2010 Budget Estimates.

Hon. Zakari Yau Galadima (Bade/Jakusko): Point of Order, Mr. Speaker!

The Speaker: Yes Order what?

PERSONAL EXPLANATION

Mix-Up in the Votes and Proceedings

Hon. Zakari Yau Galadima (Bade/Jakusko): Mr. Speaker, my Point of Order is Order VIII Rule 5. In the Votes and Proceedings of today, there are some mix-ups there. Item No. 5(ii), which reads; *Mr. Speaker announced with regret the death of the wife of Hon. Zakari Galadima*. It is not the wife of Hon. Zakari Galadima but the wife of Hon Babagi Shuari while Hon. Zakari Yau Galadima was the announcer.

I hope that the correction would be effected, please.

The Speaker: All right. Hon Galadima wishes to inform the House especially for the Votes of Proceedings that his wife is not dead; he was merely the announcer. The Secretariat should please take correction.

PRESENTATION OF BILL

Presentation of the 2010 Appropriation Bill

The Speaker: Hon. Members the only business of the day is presentation of the 2010 Appropriation Bill.

Hon. Olufemi Gbajabiamila (Surulere I): Mr. Speaker, I have a Point of Order. It is Order XV Rule 9 on page 75 which reads:

I just wanted a clarification on the Motion that has just been moved by this House and I think we should restrict and stick very strictly to the contents and the language of the Motion which was, if my understanding is correct, that because of the sacrosanct nature of this House we moved a Motion for the Special Adviser to Mr. President only because of his position as a former Senator as required in our Rules to come and lay the proposals by Mr. President on the Table. But I am seeing a number of people whom we have not moved a Motion to allow into this Chambers.

Mr. Speaker, if you wish to amend the Motion to allow the individual members by name, I am not opposed to that; but as far as the Motion we moved, it was for the Adviser to Mr. President to come and lay 2010 Appropriation Bill on the Table.

The Speaker: Hon Leo Ogor, do you want to make a comment on this Order before I rule?

Hon. Leonard Okuweh Ogor (Isoko North/Isoko South): No, Mr. Speaker.

The Speaker: All right, I am going to rule on this particular Order. I believe the Leader of the Action Congress is correct on this issue. The House accepted by Motion that only the Special Adviser be admitted; therefore, if you are not a Special Adviser, you are not meant to be here.

However, Leader of the House?

Hon. Akogun Tunde (Akoko-Edo): As the Special Adviser to Mr. President on National Assembly Matters, of course as a former Senator, is accompanied by a former Member of this House. So I now move that we suspend the provisions of Order XV (9) (1) to allow other members of the Special Advisers entourage to be seated in the Chamber.

Hon. Leonard Okuweh Ogor: Mr. Speaker, may I with due humility second the Motion ably moved by the Leader that we admit the Representative of the President here who is the man that suppose to present the Budget and his entourage to the House.

Question put and agreed to

Hon. Olufemi Gbajabiamila (Surulere I): I have a Point of Order Mr. Speaker.

The Speaker: Which Point of Order?

Hon. Olufemi Gbajabiamila: Mr. Speaker, I want to refer you again.

The Speaker: Will you refer me to something I have ruled upon or the House has taken a decision on?

Hon. Femi Gbajabiamila: Mr. Speaker, you were ruling upon Order XV, Rule 9.

The Speaker: I have ruled on that. Now we have taken a Motion, is your Order on something we have already ruled and taken a Motion on?

Hon. Femi Gbajabiamila: No, it is another point.

The Speaker: What is the other point?

Hon. Femi Gbajabiamila: It is based on Order XV (9); the list of people who can be allowed is already listed.

The Speaker: Fine, it is all right. You are ruled out of Order.

Hon. Colleagues, you know the Minority will always have their say. I believe we have serious business now. Basically, what we are just going to do now is to call on the Special Adviser to Mr. President to lay the Budget.

I now invite the Leader of the House to move for the reception of the Budget, please?

Hon. Tunde Akogun: Hon. Speaker, I move that the House do now receive from the Special Adviser to Mr. President, Commander in Chief of the Federal Republic of Nigeria, the 2010 Appropriation Bill.

Hon. Ike Chinwo (Obio/Akpor): Mr. Speaker, it is my singular pleasure to support the Motion as ably moved by the House Leader.

Question put and agreed to.

Resolved: That the House, do receive the 2010 Appropriation Bill.

(Appropriation Bill laid on the Table)

The Speaker: Hon. Colleagues, I think a record was made today. And if you want to join that record please do.

Hon. Chairman Rules and Business you have the Floor please.

Hon. Ita Enang (Itu/Ibiono Ibom): Mr. Speaker, having received the Appropriation Bill from the Special Adviser to the President on National Assembly Affairs, on behalf of the President, I pray that we do take the First Reading of the Bill today by suspending our Orders so that the short title of the Bill be read and we can take a Second Reading tomorrow.

I so move.

Hon. Daemi Kunaiyi Akpanaha (Akuku-Toru/Asari-Toru): I second the Motion ably moved by Hon. Ita Enang.

Question put and agreed.

Appropriation Bill 2010

Appropriation Bill 2010 - Read the First Time

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

The Speaker: Could you approach the Chair, please? (*Hon. Gbenga Gbajabiamila confers with the Hon. Speaker*)

Honourable Colleagues, the Minority Leader has been informed, there is no need for his Order. Copies of the Appropriation Bill must be made available to all the Members before the end of today.

ANNOUNCEMENTS

The Speaker: I have the following announcements to make, please.

Second Reading of the 2010 Appropriation Bill

All members are please informed that the 2010 Appropriation Bill would be read for the Second Time, tomorrow Wednesday, 25th November 2009. Copies of the Bill and the accompanying address would be circulated today.

Please be guided accordingly.

Signed
Hon. Ita Enang

Sitting of the House on Wednesday, 25th November, 2009

Honourable Members are further informed that the sitting of the House on Wednesday, 25th November 2009 would be at 10.00 in the morning in view of the volume of work pending; and the *Sallah* Holiday which

runs from Thursday, 26th November to 7th December 2009.

Signed
Hon. Ita Enang

Our work is already cut out for us and we need to attend to them in a very expeditious manner.

MATTER OF URGENT PUBLIC IMPORTANCE

Destruction of property and allegation of rape of female students at the University of Port Harcourt by Ex-militants

Hon. Betty Apiafi (Ahoada/Abua/Odual): Mr. Speaker, there is a Matter of Urgent Public Importance!

The Speaker: Yes, but we have something that is of urgent public importance as well. I will allow her to take the Floor. Please, go ahead.

Hon. Betty Apiafi: I am reading from Order VIII, Rule 4 on *Matter of Urgent Public Importance*.

The matter of Urgent Public Importance is about the unfortunate incident that happened on the 26th November at the University of Port Harcourt. We are all aware that one of the post-Amnesty programmes was to open Rehabilitation Centres in various States of the Niger Delta.

A Rehabilitation Centre was opened at Alo, a community within where the students of the University of Port Harcourt reside and unfortunately there was an incident where the youths felt that they were not paid their allowances and went on rampage. There was a lot of destructions and allegations of raping of female students in the University.

This House has graciously approved every demand made by the Presidential Committee on Amnesty for the proper rehabilitation and provision for the ex-militants.

Mr. Speaker, if approved, I would like to take this as a Motion tomorrow.

The Speaker: Honourable Colleagues, we have a situation whereby female students were alleged to have been raped and allegations of all sorts.

Question put and agreed to.

Resolved: That the destruction of property and allegation of rape of female student at the University of Port Harcourt by Ex-militants be considered a matter of Urgent Public Importance to be debated at the next legislative day

US \$300 Million Loan by the Federal Government

Hon. Ita Enang (Itu/Ibiono Ibom): On Wednesday and Thursday last week, a matter was raised by my colleague, Hon. Dino Melaye and the honourable House directed that the Chairman of Committee on Finance, Loans, Aids and Debts and I, should meet the appropriate authorities in the Minister of Finance and Debts Management Office for clarifications on it.

Yesterday Hon. Dino Melaye, some of our colleagues, the Minister of Finance, Director-General of Debts Management Office, the Permanent Secretary of the Ministry of Finance and I, held a meeting on the issue of the US\$300 million loan by the Federal Government.

The honourable Minister briefed us and gave a written Memorandum, which I would seek the leave of the House to lay on the Table appropriately.

In paragraph 5 of the letter, which is like the summary, the honourable Minister stated that:

The Federal Executive Council Memorandum of Wednesday, November 11, 2009 was also only seeking a ratification of Mr. President's anticipatory approval and did not constitute a request for approval of a new loan.

It should also be stressed that the project and financing agreement are yet to be signed; indicating that there was no commitment on our part at this point in time.

In consonance with the House Resolution, no new loan has been initiated.

Mr. Speaker, this is what the honourable Minister wrote in his letter.

Therefore, the House may be disposed to hear honourable Dino Melaye on his application. This is not part of the US\$500 million loan request for ratification, which was placed on the House.

I seek your leave to lay it on the Table.

The Speaker: Hon. Dino, please.

Hon. Dino Melaye (Kabba/Bunu/Ijumu): Hon. Ita Enang is right to the extent that we met yesterday. During our meeting the Minister of Finance categorically cleared the air that the US \$300 million has no relationship at all with the US\$500 million.

He apologise on behalf of the Federal Government that they made a mistake because the matter should not have been tabled at the Federal Executive Council in the first instance. I told them yesterday in clear terms that I would still bring up the matter since there was a mistake and that my Motion would come with two prayers. This is because of the existing Constitutional provisions and the Debt Management Act as passed by this House, that the loan be declared null and void. If they are still interested in going ahead to take the loan, they would have to follow the due process by writing to this House, asking for the approval of the conditions for that loan.

I further went ahead to confirm the dates of the meetings with the IMF, the letter from the President and the ratification of the loan by the Federal Executive Council instructing the Minister of Finance to go and implement the agreement. He concurred and agreed absolutely. The Director General of the Debt Management Office equally concurred with my position and they strongly apologised.

On this account, I want to go ahead as agreed by the House to move my Motion in a proper manner, so that the Rule of Law can be respected.

Thank you.

The Speaker: Hon. Ita Enang was raising a Point of Order and I am yet to rule on it. He is asking for the Report to be laid. For the purpose of having the records, Hon. Ita Enang please lay the Report.

(Report laid on the Table)

The Speaker: It has not been considered, it is only a Report.

Hon. Dino Melaye: What of my Motion Mr. Speaker?

The Speaker: Yes I will give him an opportunity to raise that Motion.

Incessant Disobedience of Court Orders

Hon. George E. Daika (Shendam/Mikang/Qua'an/Pan): I beg to present a Motion that has to do with a Matter of Urgent Public Importance.

The Speaker: What is the matter?

Hon. George E. Daika: It has to do with the incessant disobedience of Court Orders, threat to public peace, negation of democratic ideals, principles through denial of *(interruption)*

The Speaker: By whom and from where?

Hon. George E. Daika: By the State Governor of Plateau State.

The Speaker: Plateau again?

Hon. George E. Daika: Yes.

The Speaker: No, just sit down please. Hon. Daika, let us discuss more on this issue, I would like to meet with the Plateau caucus on this matter before you bring it.

I understand the tension in Plateau. However, I would first of all like to see all of you from Plateau State.

ORDERS OF THE DAY

MOTION

Virement Proposal for Some Provisions in the 2009 Appropriation Act for Ministries, Departments and Agencies

The First Order of the Day is a Motion on virement proposal for some provisions in the 2009 Appropriation Act for Ministries, Departments and Agencies. It stands in the name of Hon. Tunde Akogun.

I now call on Hon. Akogun to move his Motion please.

Hon. Tunde Akogun (Akoko-Edo): Mr. Speaker, I move that

The House:

Notes that pursuant to Section 3 of the Appropriation Act 2009 amounts appropriated under the Act can be vired;

Further notes that such virement shall only be effected with the prior approval of the National Assembly.

Resolves:

That Members do debate the virement proposal for Ministries, Departments and Agencies as sent in by Mr. President and thereafter commit them to further legislative input.

I so move.

Hon. Attai I. Ali Usman (Ankpa/Omala/Olamaboro): I rise to second the Motion as move by the House Leader.

Hon. Tunde Akogun: I therefore move that the House do resolve into Committee on Supply to discuss this Virement.

The Speaker: Is that in order?

Hon. Ita Enang: Mr. Speaker, the way the Motion is, it is for Members to discuss and at the end of it, commit it to the Committee on Supply. I pray that we should discuss it first before we take a decision.

The Speaker: Do Members have the copies for discussion.

Hon. Ita Enang: Yes, we have.

The Speaker: Leader of the House, do you want to lead the debate so that we can wrap it up and commit it to the Committee of Supply?

Members who want to contribute may please raise up their hands, otherwise, I would ask the Leader to move for us to commit it to the Committee of Supply. Before he does that, I am going to put the question on the initial Motion for considering the virement.

Question put and agreed to.

Resolved: That the House do consider the Virement Proposal for Some Provisions in the 2009 Appropriation Act for Ministries, Departments and Agencies.

Hon. Tunde Akogun: Mr. Speaker, I move that the House do resolve into the Committee of Supply to enable us discuss and consider the virement.

The Speaker: Since we have decided to take on the virement and it has been committed to the Committee on Appropriation to make their input, then by tomorrow, we would commit it to the Committee of Supply.

CONSIDERATION OF REPORTS

Report of the Committee on Finance on the Investigation into Revenue Generation and non-Remittance by Government Ministries, Departments and Agencies and the Statutory Corporations into the Federation Account

The Speaker: The next 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, Departments and Agencies and Statutory Corporations into the Federation Account.

Members would recall that the Report was laid on Thursday 5th March, 2009. May I call on Hon. John Owan Enoh to move for the consideration of the Report?

Hon. John Owan Enoh (Obubra/Etung): Mr. Speaker, may I move that the Consideration of this Report be stood down till the next Legislative day?

Hon. Emeka Ihedioha: Mr. Speaker, I rise to second the Motion that the Report be stood down till the next Legislative day.

Question put and agreed to.

Resolved: That the Report of the Committee on Finance on the Investigation into Revenue Generation and non-Remittance by Government Ministries, Departments and Agencies and the Statutory Corporations into the Federation Account be stood down till the next Legislative day.

(Report accordingly stood down)

The Speaker: Hon. Colleagues in view of the importance of the virements and contributions from the Appropriation Committee and the fact that we would be taking the Second Reading of 2010 budget by tomorrow, we would suspend all considerations of Reports whilst we go and take on these very two important Bills.

ADJOURNMENT

Hon. Tunde Akogun: Mr. Speaker, I move that the House do adjourn sitting till tomorrow, Wednesday, 25th November 2009 at 10: 00 a. m.

Hon. Emeka Ihedioha: I second the Motion that the House do stand adjourned till tomorrow, Wednesday, 25th November 2009 at 10.00 a.m.

The House according adjourned at 12.43 p. m.