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HOUSE OF REPRESENTATIVES
FEDERAL REPUBLIC OF NIGERIA

Thursday 25th June, 2008

The House met at 11.10 a.m.

PRAYERS

(The Deputy Speaker in the Chair)

VOTES AND PROCEEDINGS

The Deputy Speaker: Hon. Members, the House is called to order. I have examined and approved the Votes and Proceedings of Wednesday, 24th June, 2009.

ANNOUNCEMENTS

**Revised Standing Orders of the
House of Representatives**

The Deputy Speaker: This is to inform Hon. Colleagues that the Standing Orders of the House of Representatives ordered to be reprinted in the course of the Second Session of the House have been reprinted. Members' copies are in their boxes. For any clerical or other observation, please, draw the attention of the Rules and Business Committee to same in Committee Room 6, White House.

Accordingly, from Tuesday, 30th June 2009, the next Legislative Day, the Business of the Day will be conducted in accordance with the same Standing Orders and reference shall only be made to the Revised Printed edition of the Standing Orders. This announcement is from Hon. Ita Enang.

**Visit of Councillors from BarikinLadi/Riyom/Jos
South Local Government Area Council**

The Deputy Speaker: We have in the Gallery today Councillors from BarikinLadi/Riyom/Jos South Local Government Area Council of Plateau State to observe the legislative proceedings of the House.

Can you, please, rise up for recognition?

(Councillors rose for recognition)

Visit of EN Academy Veterinary Students

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The Deputy Speaker: We also have Students from EN Academy International of Veterinary Road, Federal Housing Estate, Nyanya, P.O. Box 903, Wuse Abuja.

Can you, please, rise up for recognition?

(Student rose for recognition)

**Visit of National Association of Mathematical
Science Students of Nigeria**

The Deputy Speaker: We also have in the Gallery National Association of Mathematical Science Students of Nigeria, Bayero University Chapter.

(Students rose for recognition)

Birthday Invitation

The Deputy Speaker: This announcement is from Hon. Philips Aduda, JP. It reads: Gratitude to Almighty God, I am delighted to invite you to my 40th Birthday celebration activities are as follows:

Special Jumat Prayer on Friday, 26th June, 2009 at Karu Central Mosque;

Reception at International Conference Centre on Saturday, 27th June, 2009 by 3.00 p.m.;

Thanksgiving Service at ECWA Church, Karu, Abuja on Sunday, 28th June, 2009 by 10.00 a.m.

I will be honoured to have your presence at the birthday activities.

(Signed)
Hon. Philip Aduda

PRESENTATION OF PUBLIC PETITIONS

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

**Maltreatment and Termination of
Appointment without Due Process**

Hon. Ibrahim Umar Ballah (Kumbotso): Mr. Speaker, I have a Petition from my constituents, Maikudi Garba, Yakubu Maitama and six others. They

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were until recently staff of Unique Clever Company Limited in Kano, a company owned by foreigners. They claimed that the company used the Police to arrest and lock them up without bail for seven days at Sharata Division of Nigeria Police Force in Kano.

The company went further to terminate their appointments without following the due process. The petitioners, therefore, want this honourable House to intervene in this case and ensure justice.

With your kind permission, I will lay the Petition on the Table.

Petition laid.

**Wrongful Disengagement and
Non-payment of Entitlements**

Hon. Austine Nwachuckwu (Ehime Mbano/Ihite Uboma/Obowo): Mr. Speaker, I have two Petitions from two of my constituents. One of the Petitions is from Mr. Collins Ugochuckwu Osuagwu who was employed by the National Orientation Agency in 1997 and was wrongly disengaged in 2007. My constituent is asking for a relief that the Agency kindly recall and pay him all entitlements that are due to him.

The second Petition is also coming from one of my constituents, Mr. C. N. Iwu, who was employed in 1998 by the former National Electric Power Authority, now Power Holding Company of Nigeria. In the course of carrying out his lawful duty in Benin City, Edo State, he was almost electrocuted and burnt beyond recognition. He was admitted in the hospital and before he could get his himself, PHCN fired him and today my constituent is suffering and languishing in the main hospital in Benin. I attach to this Petition a photograph of my constituent showing how badly injured he was at the time of the incident

He is using this medium to plead to the House to kindly request the PHCN to look into his plight, recall him and defray the cost of his medical bills up to date.

With your permission, Mr. Speaker, I will lay this Petition on the Table.

Petition laid.

**Unjust and Unfair Dismissal
from the Nigerian Army**

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Hon. Raphael Samson Osagie (Orhionmwon/Uhunmwode): Mr. Speaker, I have a

Petition from the Chamber of Mike Ozakhome on behalf of one of my constituents, Staff Sergeant Sunday Aigbevho who was unjustly and unfairly dismissed from the Nigerian Army without being given a Fair Hearing in the charge that was conducted.

My constituent through his solicitor is praying this honourable House to look into his case with a view to reversing the dismissal and getting him compensated for the losses he incurred over the years.

Mr. Speaker, may I have the opportunity and privilege to lay this Petition on the table.

Petition laid.

The Deputy Speaker: All Petitions are referred to the Committee on Public Petitions.

(All Petitions accordingly referred to the Committee on Public Petitions)

Hon. Daniel Oritse G. Reyenieju (Warri North/Warri South/Warri West): Point of Order, Mr. Speaker!

The Deputy Speaker: What point of Order, Hon. Reyenieju?

MATTER OF URGENT PUBLIC IMPORTANCE

**Accidental discharge of Low Pour Fuel Oil
On the creeks of the Warri River**

Hon. Daniel Oritse G. Reyenieju: It is Order VIII, Rule 4 of the New Standing Orders dealing with Matter of Urgent Public Importance. It is on page 25. With your permission, I read:

The matter for discussion shall, if possible, be referred to the Speaker prior to the commencement of the day's sitting and the Speaker shall refuse to allow the claim unless he is satisfied that the matter is definite and urgent.

The text of the matter shall be submitted in writing to the Speaker prior to the sitting of the House.

If the claim is allowed by the Speaker and the leave of the House is given by majority of all Members

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present, the matter shall stand over till the next Legislative Day.

Not more than one such Motion may be made at the same sitting.

The Deputy Speaker: Thank you. You have not discussed the matter with the Speaker, Hon. Reyenieju.

Hon. Daniel Reyenieju: Mr. Speaker, I did.

The Deputy Speaker: When?

Hon. Daniel Reyenieju: Yesterday, Sir.

The Deputy Speaker: All right, go ahead.

Hon. Daniel Reyenieju: Thank you, Mr. Speaker. This is just to recall the consciousness of Parliament to an accident that happened in my constituency a couple of weeks back due to operational error. A vessel, J. S. Amazing conveying LPFO which is Low Pour Fuel Oil to the Warri Refinery Jetty for refining purposes actually accidentally overran the jetty which led to the damage of the tank of that vessel. Unfortunately the entire content of that vessel was discharged on the creeks of the Warri River.

This incident has brought an untold hardship on the entire people leaving in that coastal area. The point is that the people of that area depend on that creek largely for their own survival. They fish and drink from the river. Not only that, they also bath in that River. As I speak, the effect on the ecology; the environment, the swamp, the mangrove is still very much around though the WRPC and other Government Agencies are trying their best to see how it will contain and revamp the environment.

What I am seeking the Parliament to do is to allow me to take a substantive Motion on the next Legislative Day as this matter is very urgent as the people of my constituency are suffering untold hardship as a result of the discharge to that product on the creeks.

The Deputy Speaker: Thank you. I will now put the Question.

Question put and agreed to.

Resolved: That the matter of Accidental discharge of Low Pour Fuel Oil on the creeks of the

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Warri River be considered a Matter of Urgent Public Importance to be taken at the next Legislative Day.

Hon. Yusuf Maitama Tuggar (Gamawa): Point of Order, Mr. Speaker! My point of Order is Order VIII, Rule 5 of our Revised Standing Orders dealing with Personal Explanation at page 26. I would like to refer to the Notice Paper circulated this morning dated 1st day - *(Interruptions)*

The Deputy Speaker: Read the Order, Hon. Tuggar.

PERSONAL EXPLANATION

Immortalisation of Bashorun M. K. O. Abiola as the Winner of June 12, 1993 Presidential Election

Hon. Yusuf Maitama Tuggar: Order VIII, Rule 5 reads:

By the indulgence of the House and the leave of the Speaker, a Member may make a Personal Explanation although there be no question before the House but no controversial matter may be brought forward nor may debate arise upon the explanation. The terms of the proposed statement shall be submitted in extensor to the Speaker when his leave to make it is sought.

The issue I am raising is with regard to the Notice Paper dated Thursday 25th June, 2009 wherein a Motion was proposed and my name was listed as one of the sponsors of that Motion which has to do with the immortalisation of Bashorun M. K. O. Abiola as the winner of June 12, 1993 Presidential Election.

While I have no problem whatsoever about immortalising the late Chief M.K.O. Abiola, I do have reservation about one of the prayers which is that the House resolves to revalidate June 12th and Chief M.K.O. Abiola. I have problem with the way it is raised.

The Deputy Speaker: I did not hear you very well but let us listen to Hon. Ita Enang, Chairman, Committee on Rules and Business.

Hon. Ita Enang (Itu/Ibiono Ibom): Mr. Speaker, I want to please plead with hon. Members and my Colleague, Hon. Tuggar that the Notice came out

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inadvertently and it was not intended to be published. That is why other copies were withdrawn because it had to be cleaned up.

I apologise to you and all Members that that Notice Paper came out inadvertently; it is not meant for the Floor. It is not a matter that is meant for consideration today.

The Deputy Speaker: Are you satisfied, Hon. Tuggar? *(No response)*

A hon. Member: Hon. Tuggar has gone out.

Defect in the Audio System

Hon. Ita Enang: May I please draw the attention of the House to the fact that we have some defects in the microphone and the speaker system. If the House do agree for us to have a clear audio of Member's contributions that we do suspend our Standing Order requiring Members to stand up while addressing the House so that Members can address the House seated and be heard because of the defect in the audio system.

I so move.

Hon. Igo Aguma (Port Harcourt I): I rise to second the Motion moved by the Chairman, Rules and Business Committee.

Question put and agreed to.

Resolved: That the Standing Orders requiring Members to stand up while addressing the House be suspended so that Members can address the House seated and be heard because of the defect in the audio system.

ORDERS OF THE DAY

MOTIONS

Recruitment Exercise by MDAs through Online Registration

The Deputy Speaker: The first Order of the Day is a Motion on Recruitment Exercise by MDAs through Online Registration in the name of Hon. Paul Adah.

Hon. Adah is invited to move his Motion.

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Hon. Paul Adah Andeshi
(Obanliku/Obudu/Bekwarra): The House:

Notes that most Ministries, Departments and Agencies still embark on Registration/Recruitment using their website also known as Online Application, despite the House Resolution of Wednesday, 17th July 2008 which states inter alia: *Urge the Federal Government to direct all Ministries, Departments and Agencies to provide States and Local Governments with hard copies of the recruitment forms available on their website;*

Concerned that many Local Government Areas in

the country do not have access to communication facilities, for example, internet, telephone or newspapers;

Worried that most banks designated for the sale of scratch cards for online registration/application do not exist in most Local Government Areas;

Disturbed that this mode of registration/recruitment does not provide equal opportunities to prospective applicants to participate;

Resolves:

- (i) That the Ministries, Departments and Agencies should designate at least five different banks for online registration/recruitment;
- (ii) That the Federal Government should direct all Ministries, Departments and Agencies to provide States and Local Government Areas with the hard copies of the registration/recruitment forms on their website;
- (iii) Mandate the House Committee on Legislative Compliance to ensure the compliance of the House Resolution HR.37/2008 of Thursday, 17th July, 2008.

I so move.

Hon. Braimah Abasi Ogwime (Etsako East/West Central): I rise to second the Motion as moved by Hon. Paul Adah.

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Question proposed.

Hon. Paul Adah Andeshi: Thank you, Mr. Speaker for this privilege. Yesterday, copies of *Daily Trust* at page 13 of that newspaper carried an advertorial on the National Youth Service Corps calling on applicants to do online pre-registration. The most striking thing in this advert was the fact that applicants were expected to visit only one bank, which is Afribank to do this registration. At the end of the day, the advert stated that *please note that there would be no manual registration at the orientation camps.*

In Cross River State where I come from, Afribank exist only in two Local Governments out of eighteen. This means that applicants from the remaining sixteen Local Government Areas will have to go to these two Local Governments to carry out their registration exercise.

I feel that this is a very cumbersome exercise for our applicants. Apart from the fact that this House had resolved that applicants should be made to carry out the registration of things of this nature free of charge, students who had graduated from schools are made to look for ₦250.00. It is not only the ₦250.00 that is the problem; the transportation cost from their respective homes to where Afribank exist is another challenge. This is very cumbersome exercise and it should be eliminated from our recruitment/registration exercise.

This House on 17th July, 2008 debated a Motion on this matter. One of the Resolutions that this House took was that apart from MDA's providing our States and Local Governments with hard copies of this recruitment forms as provided in their website, they were also supposed to be given free of charge.

On 1st April, 2009, *the Punch* carried a story: *Enlistment, recruitment of professionals into the Nigeria Police Force.* Applicants were made to pay ₦1,000.00. In the same vein, three banks; Access Bank, Bank PHB and Fin Bank were the only banks recognised for use.

In Cross River State where I come from, like in many other States, these banks exist only in the State Capital. In other words, it is only in Calabar. Applicants from seventeen other Local Governments will have to travel all the way from their Local Governments to Calabar to achieve whatever is provided here.

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A young man or woman who decides to sacrifice his/her life to join the Army, Police or Navy should not be made to pay money to join these organisations. We see what happens in the society. A lot of policemen and soldiers are being killed in an attempt to protect this country. To subject them to pay some money before they are enlisted, apart from the stress of having to go through the Internet, should be eliminated.

Finally, this House has earlier passed a Resolution on this matter. I wish that all Members support this Motion and call on the Committee on Legislative Compliance to ensure that this Resolution is implemented.

Hon. Jerimon Samuel Manwe (Lau/K.Lamido Ardo-Kola): I want to support this important Motion. Hon. Paul's situation is not different from mine. I do not think that outside the State Capital of the State I come from, which is Taraba, there is nowhere else that is having that facility.

Often people from my State and constituency have missed opportunities for employment, recruitment and admission. This idea of E-payment or whatever should be looked into. We do not have to enforce everything that is introduced in this country immediately. It has to be a gradual process because it is not all the States and Local Governments that have these facilities. Therefore, we should not waste time on this matter and I urge my Colleagues to support the Motion.

Hon. Garba Matazu (Matazu/Musawa): Mr. Speaker, first of all, I commend the sponsor of this very important Motion; a Motion that will try as much as possible to solve major problems in our various constituencies.

As much as I believe and agree that this is a very important development we have to wait until when all the 774 Local Government Areas in Nigeria are provided with full communication equipment that will enhance the implementation of this policy. But for now - *(Interruptions)*

The Deputy Speaker: Hon. Matazu, are you speaking against the Motion?

Hon Garba Matazu: I am speaking in favour.

The Deputy Speaker: Go ahead.

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Hon. Garba Matazu: As the previous speaker said, this is not the right time to implement this policy because if it is implemented now more than half of the Local Government Areas in Nigeria would be exempted including the two Local Government Areas that I represent which constitute Musawa/Matazu Federal Constituency in Katsina State. This is because none of the local governments in my constituency has any facility for online registration.

Therefore, this Motion is very important and every Member should support it so that we can save our people from being exempted from this important aspect of their lives.

Hon. Yakubu Barde (Kajuru/Chikun): Mr. Speaker, this Motion has come at the right time in the sense that there is nothing bad in Nigeria advancing technologically. If all our systems can be on the Internet and people apply for jobs through online process, of course, it makes it easier for the advertising agency or the agency that wants to employ people. However, the essence of having this kind of online

registration for recruitment is for the candidates, or whoever is interested, to know that such vacancies exist so that they can apply.

Now the question here is, if we decide to register online how many Nigerians or Africans have access to online registration? We should consider this important factor.

Of course, it makes it easier for the parastatals and departments to make the recruitment exercise very logical and easy but the whole essence would be defeated if a greater percentage of the applicants do not have access to this online registration, which is the main issue in this Motion.

If our constituents cannot register on-line, then the essence of that initiative is defeated. Is the registration exercise meant for applicants that are living in the cities? If that is the case, the essence of the exercise would be defeated if a greater percentage of our constituents cannot do the registration.

Therefore, I would like my Colleagues to really look at it. There is nothing bad in Nigeria advancing and making sure that people apply for jobs online and get recruited online. Of course, it is very good. However, if there are no facilities for the greater

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percentage of applicants to register online, then the purpose is defeated.

So, I would like my Colleagues to support it so that a greater percentage of our constituents can have access to online registration.

Hon. Khadija Bukar Abba Ibrahim (Damaturu/Gujba/Gulani/Tarmuwa): Mr. Speaker, as I have heard all of my Colleagues say most of these people in the rural areas that we represent are not computer literate and the ones that are computer literate can hardly have access to these Internet facilities. Where there are Internet facilities sometimes the problem of power stops them from having access to computers. So this Motion is very timely in that it will address the problem of getting employment in this country. The online recruitment system is not the best system if we are not ready for it.

Therefore, as representatives of the people from the grassroots and mainly rural people, we should revert to the old system for the time being until and when we are ready.

Hon Emmanuel Deeyah (Gokana/Khana): Mr. Speaker, I want to lend my voice in support of this Motion. This is because there is no branch of Afribank in my constituency.

The other thing that I want to say is that the world has become a global village. We should encourage our brothers and sisters who are coming up. If in our own time we were unable to learn computer, become computer literate and know all the things about Internet, it is the essential thing in this world today.

Therefore, I want to say that as much as we should agree that the Internet thing should be there, there should also be the manual to give others who do not have access to Internet the opportunity to do so.

I would like to support this Motion. We should also increase the number of banks that people should go and pay to. Afribank is not a very popular bank. Even if they have business with them, they should add other banks to them.

Hon. Umaru Ibrahim Kurfi (Dutsin-Ma/Kurfi): Mr. Speaker, this is a very important Motion and we should just consider it without wasting our time. We all know that even if there are Internet facilities now many of the students cannot have access to computers.

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For example, I have two applicants who wanted to apply for a post. For three days they could not have access to the Internet. I believe that the system we are having now is enough. Even if there is access to the Internet, most times there is no electricity. We should be conscious of this.

I seek the permission of Mr. Speaker to make some amendments? There is need for us to put in place machinery for enforcement of our Resolutions and sanctions. Since this Resolution had been passed, nothing has been done till date. So, if we can find ways of ensuring enforcement and applying sanctions that would be a very good.

Some hon. Members: Put the question.

Hon. Abdu Mohammed Sani (Alkaleri/Kirfi): Mr. Speaker, I support this Motion for the very reasons advanced by most of our Colleagues. In addition, I am appalled that we had discussed similar Motion here. We recognized the importance of going space-age in technology, adopting cut-edged technologies and so on.

We realised that we need to move the country forward so that we can be in the comity of nations internationally. However, we also recognised our handicaps then. That was why we asked the Federal

Government to ensure that hard copies are sent to States, Local Governments and even interested marginal areas at the regions.

We cannot be passing Resolutions here and they are being flouted. The Committee on Legislative Compliance needs to report to us why the Federal Government has failed. Really, our rural States and Local Governments, especially we that are away from the centre are being short-changed.

Secondly, there are reports that even when those at the State level have access to Internet facilities, it takes them many days and sometimes two weeks to have access because they will be told that they have to change their variables.

They will tell you to put your age, this and that and when you go to the next stage they will tell you to start all over again. They spend money at the business centres. There is also the problem of light and marginalisation. Remember what we did with the Customs.

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We need to take a serious look at this issue this time around. The issue of compliance to our resolutions is of utmost importance to us and we need to do something about it. That is why I support this Motion in its entirety.

Hon. Emmanuel Jime (Makurdi/Guma): I believe that this Motion speaks for itself. The issues raised by this Motion are issues that touch each and every one of us. This is a Motion that has to do directly with the ability of our constituents to be able to apply and be registered for jobs in this country. So, I understand the sentiments that have been expressed earlier and I would like to be counted as one of those that are in support of this Motion.

I do not think this Motion intends that we should completely discard the technology of registration online. I am not sure that is the complete intention of this Motion. It is possible that there can be online recruitment that will go hand-in-hand with the proposals that had been made in the prayers of this Motion. We should be advocating for a combination of the two because they are mutually inclusive.

The argument I have heard some of which appear or tend to the suggestion that online recruitment is the one that should be discarded; I am not sure that is the progressive way to look at this matter. The issue at stake is that in the 21st century developing economy like Nigeria, it is important to encourage technology and the growth of technology. We must not be seen as a Parliament to argue that we should be retrogressive completely in our thinking.

I will be proposing an amendment in due course that in addition to the online recruitment, we should urge that these other prayers are combined with online recruitment so that we can achieve the objective that is required.

Finally, it is also important to underscore the point that there was a reason why this online recruitment was envisaged. We are all witnesses to the fact that in the past recruitment was done on the basis of patronage. People can only get employed or recruited to jobs only when they had proven to know one important person who was responsible for offering employment. I was thinking, therefore, that the whole requirement of E-employment, that is, through online registration was to avoid a situation where recruitment will only be to the benefit of a few individuals; I believe that was the

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essential reason this particular procedure was embarked upon. In order that we can allay such fears, I believe it is necessary to advocate for a combination of these two ways of recruitment so that it will ultimately be of benefit to all concerned.

The Deputy Speaker: Is any Member speaking against the Motion? (*No response*)

I have an amendment here from Hon. Leo Ogor. Can you, please, read your Amendment?

Hon. Leonard Okuweh Ogor: My Amendment is calling for the deletion of prayer (ii) because in line with the Resolution of this House, we had already passed that specific resolution and to be replaced with Prayer (iii) so that the Committee on Legislative Compliance will make sure that this resolution is implemented. This is to avoid the concept of repetition because we had already passed that resolution.

The Deputy Speaker: Is there any Member seconding this Amendment?

Hon. Stanley O. Ohajuruka (Umuahia North/South Ikwunano): I seek to second the Amendment moved by Hon. Leo Ogor.

Amendment put and agreed to.

The Deputy Speaker: Hon. Jime, can you, please, read your Amendment?

Hon. Emmanuel Jime: My Amendment is to the effect that Prayer (i) be amended to read as follows:

This House resolves:

That in addition to the present system of online hardcore applications/registration of recruits, the employment agencies will apply all the prayers of this particular Motion.

The Deputy Speaker: Hon. Emmanuel Jime, the earlier issue you raised about hard copies and online application has been taken care of in prayer (ii) and it is expected that if we pass any resolution here, it will be adhered to.

Therefore, that prayer has been taken care of by prayer (ii) of the Motion.

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Hon. Umaru Ibrahim Kurfi: My amendment is that there is need to ask for enforcement and sanctions on this.

Hon. Idris Mohammed Keta (Gusau/Tsafe): I rise to second the Amendment moved by my Colleague, Hon. Umaru Ibrahim Kurfi.

Amendment put and negated.

Main Motion as amended put and agreed to.

The House:

Noted that most Ministries, Departments and Agencies (MDA's) still embark on Registration/Recruitment using their website also known as Online Application despite the House Resolution of Wednesday, 17th July 2008 which states: Urge the Federal Government to direct all Ministries, Departments and Agencies to provide States and Local Governments with hard copies of the recruitment forms available on their website;

Concerned that many Local Government Areas in the country do not have access to communication facilities, for example, Internet, telephone or newspapers;

Worried that most banks designated for the sale of scratch cards for online registration/application do not exist in most Local Government Areas;

Disturbed that this mode of registration/recruitment does not provide equal opportunities to prospective applicants to participate;

Resolves:

- (i) That the Ministries, Departments and Agencies should designate at least five different banks for online registration/recruitment;
- (ii) Mandate the House Committee on Legislative Compliance to ensure the compliance of House Resolution HR.37/2008 of Thursday, 17th July, 2008.

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Poor Performance of Appropriation Act, 2009

The Deputy Speaker: The second Order of the Day is a Motion on the Poor Performance of the Appropriation Act, 2009 standing in the name of Hon. Igo Aguma,

Hon. Igo Aguma is invited to move his Motion.

Hon. Isah Idris Umaru (Igabi): Point of Order, Mr. Speaker!

The Deputy Speaker: Yes, Hon. Isah?

Hon. Isah Idris Umaru: With your permission, I will read Order IX, Rule 6 of our Revised Standing Orders at page 31.

The Deputy Speaker: Go ahead.

Rules of Debate

Hon. Isah Idris Umaru (Igabi): Order IX Rule 1(6) says:

It shall be out of order to attempt to reconsider any specific question upon which the House has come to conclusion during the current session except upon a substantive Motion for rescission.

I recall that we had discussed this matter on the Floor of the House and ironically today on the Order Paper I can ascertain that we are to consider the Report of the Finance Committee on the issue. The Report has just been circulated to Members for consideration today.

Hon. Ita Enang: Mr. Speaker, I want to draw the attention of the House to the Votes and Proceedings of Wednesday, 13th May, 2009 where on a Motion by Hon. Ali Ndume, this House resolved as follows:

Finally, mandate all the relevant House Committees to commence oversight of their respective Ministries, Departments and Agencies to determine the level of implementation of the 2009 Appropriation Act and report back to the House within two weeks. That was resolution (i).

Resolution (ii) states: *Further mandate the House Committee on Appropriation and Finance to come up with factual figures and percentage of Budget*

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implementation, revenue accrued to the Federation Account from January to May 2009 and actual amount released from January to May 2009.

This was the resolution of the House. On or about the 2nd of June, the Chairman of the Committee on Appropriations, Hon. Ayo Adeosun submitted a Report to this House on the basis of that Motion. We received that Report which consideration is pending. The Report is billed to be considered today.

I drew the attention of the House so that the House can take a decision whether having mandated a Committee to go and bring a Report on this matter we can take another Motion when the Report of that Committee has been submitted and it is pending consideration and also to consider the prayers in the Motion sought today by my Colleague and Friend, Hon. Igo Aguma compared to the prayer and Resolution of the House which I had just read out and which is the subject of the Report that has been submitted.

Three sets of this Report have been submitted and distributed, that is, the actual releases to the MDAs; then there is one on the implementation of the Budget 2009 under the Appropriation Act and the Report detailing the releases that were made.

I submit it to the House for discussion whether or not we can still take this Motion with this Report having been submitted.

Hon. Ayode Ademola Adeseun (Ogo Oluwa/Surulere Oluyole): The Joint Committee on Appropriations and Finance laid the Report but the Motion that is being brought by Hon. Igo Aguma also dovetails into that same subject matter. However, because we have just circulated the details of the Report today, my recommendation will be to consider the Report and the Motion together because it is critical at this particular point in time that the economy is in shambles and unless we beam the searchlight on this matter we are heading for trouble. If it is possible to take the two together it would be wonderful.

Hon. Igo Aguma: I must say that the issues that had been considered in this House are on the supply side of the Budget. In other words, we are talking of the input processing and output of the Budget.

What we are talking about now are the outcomes of the Budget. What do I mean by that? In today's newspapers, there is a caption: *Federal Government halts award of Fresh Contract*. The Budget is a life

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subject because it is the only law we make that has life in it. It has an expiry date which is January to December. I believe that as many things that arise from the Budget must be brought to the House for consideration because that is the livewire of our economy. That is the reason we are voted here.

What we are discussing today are outcomes, not outputs. When you send us to the field to go and find out things, you have not asked me what I have found out. It is that thing I have found out that I am coming here to tell you today, not what you sent me to go and do by finding out whether or not there was money. I am saying that there is money in the Ministry I oversight. So there is no issue about supply.

We are now talking about outcome of the Budget and all of us have the summary here.

The Deputy Speaker: Hon. Colleagues, this matter was raised yesterday as a Matter of Urgent Public Importance and this House agreed that we were going to take it and there is no Motion today to reverse our decision of yesterday. So let us listen to Hon. Igo Aguma on his Motion.

Go ahead, Hon. Igo Aguma.

Hon. Igo Aguma: This House:

Notes the ongoing implementation of the 2009 Appropriation Act passed by the Nation Assembly;

Aware that the Federal Government, through the Office of the Accountant-General of the Federation, has released First and Second Quarter allocation to Ministries, Departments and Agencies (MDAs);

Worried that despite these releases, the Ministries, Department and Agencies have not implemented the budget above the abysmal 25 *per cent* level;

Concerned that the Appropriation Act is headed for another 30 *per cent* performance level thus the much

needed development projects especially in the areas of power, agriculture, roads and bridges, healthcare delivery; education research and generally dividends of democracy will not be delivered;

Resolves to:

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- (i) Call on all Committees of the House to ascertain within two weeks the actual level of performance of each Ministry, Department and Agencies (MDAs) and report back to the House;
- (ii) Pass a Vote of No Confidence on any Head of Ministry, Department or Agencies (MDAs) who fails to attain at least 70 *per cent* implementation of the Appropriation Act by the end of the Third Quarter of the year.

I so move.

Hon. Sani M. Aliyu (Rano/Bunkure/Kibiya): I second the Motion moved by my Colleague, Hon. Aguma.

Question Proposed

Hon. Igo Aguma: For proper clarity, I will categorise the implementation of the Appropriation Act as follows:

Input
Processing
Output, and
Outcome.

Input

The input is the collation of data by the Executive Arm of Government. Such data will be in consonance with the objectives and visions of the Government into a single document called the budget proposal. This is now presented to the National Assembly with Nigerians both individuals and corporate entities waiting with much expectation.

Processing

The processing part of it is the energy put in by the National Assembly towards ensuring that the objectives and visions of the Administration are in tandem with the aggregate desires of the entire country. This is often met with several back and forth movements between the MDAs, National Assembly Committees and even conferencing by both Chambers of the National Assembly to produce the Appropriation Act, which is the output.

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Output

This fine output or document on which the future of our continuous existence depends is the crux of this Motion.

The Appropriation Act specifically in Section 7 states that:

The Minister of Finance shall ensure that funds appropriated under this Act are released to appropriate Agencies and organs of Government as at when due provided that no funds for any quarter of the fiscal year shall be deferred without prior waiver from the National Assembly.

It goes on to prescribe in Section 8 that:

The department of government charged with the responsibility of certifying due processes have been complied with shall do so within the specified period provided in the Public Procurement Act.

In order to further ensure the speedy compliance with the Appropriation Act, it was widely reported that the President had directed the contract cycle for all projects to have been concluded by 31st of July.

Outcome

Now the crux of my matter is the outcome. The desired outcome of our budget is the full implementation of the Appropriation Act which will lead to the delivery of the dividends of democracy; be it in education, power, health, roads, housing and even women empowerment.

The necessary ingredients to sustain the desired outcomes of any budget are as follows:

- (a) Monies supplied to Ministries, Departments and Agencies;
- (b) Strict adherence to the Public Procurement Act; and
- (c) Execution of projects in full.

Until these three conditions are met, the Appropriation law cannot be said to be fully successful. However, the extent to which these conditions are met is a measure of how successful a budget is.

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Evidence abound that the Ministry of Finance and the Accountant General of the Federation have released funds for the First and Second Quarters of the year. Evidence also abound that Due Process Office has not kept any project unduly delayed. In other words, two weeks is usually enough to accomplish that task.

The problem now becomes visible.

Execution of Projects

The execution cycle is as follows: Advertisement is as prescribed in the Public Procurement Act, depending on the size and value of the contract but generally it includes:

Advertisement
Prequalification
Commercial bid
Certificate of Public Procurement
Preparation of Council Memoranda; at the Ministerial level Memos to Ministers;
Awards
Implementation and monitoring

For projects that are yet to have gone through commercial bids, it becomes worrisome if they can meet the 31st July set by policy. However, I even want to draw attention of the House on today's front page newspaper that the *Federal Government halts award of fresh contracts*. In it they said that they have halted the award of fresh contracts and they are now concerned with the implementation of contracts that had been awarded.

I want to use the Ministry I oversight as an example. I want to say that the Ministry of Petroleum Resources which I oversight has not awarded one contract, yet they have halted the award of fresh contracts. All of us know that even in domestic gas utilization today for power generation, the President came here and announced to this House and put some projects in the Budget. These projects are all enumerated here.

I am also aware that in today's *ThisDay* Newspaper, it reminded us that the President had written to this House that the projects the House inserted are the problem with implementation of the budget. I beg to differ with him that in the Ministry of Petroleum Resources the House did not include any project, yet no contract has been awarded and no project has been implemented. Today, if you are saying you have halted execution of projects, that means the

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Ministry of Petroleum Resources is zero *per cent*. Yet these projects are geared towards provision of gas for power.

I beg to say that maybe the overt and covert intentions of the implementers of the budget are the problem. In the Ministry I oversight; I keep referring to it because you sent me to go and do it and I am reporting it here. The Ministry I oversight has an issue; what is the issue?

NNPC advertises for the same set of projects, Ministry of Petroleum Resources advertises for the same set of projects and as I speak to you today, both of them are fighting on who should executive the projects. Meanwhile, this House passed a law for the Ministry of Petroleum Resources.

I want to draw the attention of this House to page 132 of our Revised Standing Orders, 2008. It says in paragraph 8:

In conference with relevant Committees, the Petroleum Downstream shall examine and scrutinise the annual budget estimates of NNPC and its subsidiaries and all oil related companies and present same to the House for consideration and approval.

It is also repeated on page 133 in paragraph (l).

I have been in this House for six years; the NNPC had never presented to this House any budget for approval. In fact, at the Committee level, we had called for such budgets; they have never given us any document called a budget. These rules are derived from the Constitution; what the NNPC is doing is unconstitutional. It is this overt and covert intention by the implementers of the budget that has given the entire government a bad image, which includes the Legislature that we are unable to deliver dividends of democracy. That is the crux of my matter - execution of projects.

It is against the Appropriation Act for the President or the Executive Council that is not recognised by the Constitution to halt the fresh award of contracts. It is against Section 8 of the Appropriation Act, which states that a waiver must be sought by the National Assembly. Yet they have not done that.

Hon. Darlington Onuabuchi Okereke (Ivo/Ohaozara/Onicha): Mr. Speaker, it is clear that the implementation of budget has been a big problem in this country. If you look at the level of implementation of our budget in 2007, we had only 30 *per cent*

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implementation. In 2008, the level of implementation of the Capital budget was less than 30 *per cent* and we are having the same story in 2009.

Budget implementation is the vehicle with which we can provide amenities, facilities to deliver the dividends of democracy to our constituents but this year, the situation is becoming very worrisome. The budget is getting to a situation whereby every Nigerian should be worried. We should be worried at the level of implementation of budget because if the budget is not well implemented, we have nothing to show for these four years of our tenure. We are having a serious problem with our implementation because we have nothing to show. It is important, worrisome and I want us to support this Motion that the Executive should sit up.

The decision of the Federal Executive Council yesterday that fresh contracts would not be awarded is a very worrisome decision. Then the question we should ask ourselves is; how many contracts have been awarded? From the indicators we have, the budget has been implemented only to the tune of 20 *per cent*. The Minister said it. Where are we getting to? Very soon we would be close to election period. Are we going to tell Nigerians that we are unable to implement budget? We have money but we are unable to expend this money.

Every year, we see ourselves remitting back money that was supposed to be used for the growth of our economy and the provision of infrastructural facilities in our nation because what were supposed to be done were not done. It is a worrisome situation. I support the drafter of this Motion and I urge my fellow Colleagues to support this Motion.

Hon. James Idachaba (Idah/Ibaji/Igalamela/Ofu): It is a well known fact that budget implementation in this country has been very poor. I want to cite some typical instances as they affect Members of this hallowed Chamber.

As at last year, approval was given for some MDG projects in favour of Members. Up till today, some of those constituency projects have not taken off and there is no likelihood that those 2008 projects would even be completed before the end of this year; not to mention MDG projects that are captured in the 2009 Budget.

How do we continue this way? This is because at the end of the day we would not be able to go back to our constituencies and beat our chest to tell them what

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we have achieved as representatives of the people at the grassroots. As far as I am concerned, we are the ones that know what affects our people. He who wears the shoes knows where it pinches most. We are relating with these people on a day-to-day basis more than the people in the Executive arm. The little projects they have accorded to us have even been neglected; they are not thinking of executing them; not to mention those they initiated themselves.

We have already passed that Appropriation Act and it is supposed to be implemented and enforced. If it is not executed, it means they are going against the Act of the Federal Republic of Nigeria passed by the National Assembly. I am in total support of this Motion.

Hon. Saudatu A. Sani (Lere): Mr. Speaker, this House passed a Resolution on 13th May this year which directed all Standing Committees to meet with their parastatals to ascertain the level of implementation of this year's budget. In March, this House appropriated ₦2 trillion and above. I will read the provisions of Section 80(4) of the Constitution. It says:

No moneys shall be withdrawn from the Consolidated Revenue Fund or any other public fund of the Federation, except in the manner prescribed by the National Assembly.

This same National Assembly had an agreement with the Executive that we should not spend any money after September. It means that this administration is always being selective in the implementation of budget.

Going by the Millennium Development Goals part of which is geared towards reduction of poverty, if this administration does not do anything regarding budget implementation, many people will end up becoming poorer. As a representative, it is my duty and our duty in this House to do something about this implementation.

As I said, we have contacted our Ministries. Most of the Ministries implementing MDGs have not been given any kobo. If the Petroleum Ministry is lucky, MDG Ministries are not lucky. They have not received anything. We must shout, talk and draw the attention of the government that they are not supposed to be selective in the implementation of the Budget. They must implement all the way. If not, people will die, children will suffer and the nation will also suffer.

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Hon. Ganiyu Olutunji Olukolu (Amuwo Odofin): I want to support this Motion of budget performance. I will rely heavily on Order IX, Rule 1(3) of our Revised Standing Orders, 2008. I will crave the indulgence of the Speaker to make some references from the information I have with me. I have a data from a reliable source titled *Actual Releases to MDAs and Revenue Accrued for four Months, January to April, 2009*.

I want to touch seriously on revenue inflow and capital expenditure profile. It will interest this House to note that during the four months in the year, a total of ₦783 billion was appropriated out of which ₦665 billion was the actual money realised. From this, there is a shortfall of 86.8 *per cent* of the total expected inflow. We got about ₦127 million from oil/gas sources to bring the total to ₦783 billion.

I want you to note that there is a serious drop in actual oil production. It reduced by 10.6 *per cent* and the exchange rate escalated as well by almost 15 *per cent*. The most important aspect is that the revenue deficit was financed through sales of government houses and shares from excess crude and a total of 104 *per cent* was generated. But for the Capital Expenditure, only about 8.7 *per cent* has so far been implemented. This is a far cry from what we expected.

Hon. Independence Ogunewe (Ahiazu Mbaise/Ezinihitte): Mr. Speaker, I have carefully listened to my Colleague and I was tempted to share in his emotions if not for the fact that by reason of training I have gotten to appreciate the fact that no Budget Estimates, even after approval, is absolute and sacrosanct. That is why we are told that a Budget is a statement of intentions such that even when the funds are available prevailing circumstances may make it difficult or suggest impossibilities for you to even apply those funds.

I will refer this honourable House to Section 88(2)(b) of our Constitution concerning our oversight powers. It reads:

The powers conferred on the National Assembly under this provisions of this section are exercisable only for the purpose of enabling it to -

Expose corruption, inefficiency or waste in the execution or administration of laws within its legislative competence and in the disbursement or administration of funds appropriated by it.

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A budget was presented to us and we passed the budget even with clauses inserted in it that tended to make it absolute, contrary or negating the principles of budgeting. My Friends and Colleagues have pointed out a couple of things which I want to find out. Is he exposing corruption? Secondly, in the presentation of my Colleague, is he exposing inefficiency?

Some hon. Members: Yes.

Hon. Independence Ogunewe: Good. Now, the thrust of the argument of my Friend based mainly from newspaper publications are that the level of implementation of the Budget as at today has not exceeded 30 *per cent*. He went further to say that he is apprehensive because from newspaper reports Mr. President directed that award of contract for now should be slowed down. Now the question is; does suspension or slowing down of contract awards amount to cancellation? Never!

Secondly, if we know that as the President of the Federal Republic of Nigeria the buck stops on his table and that Nigerians will demand of him how the Budget was implemented, then it becomes necessary that he, in the exercise of his responsibility must make sure that some contracts in the award process must not be seen to be inefficient. Therefore if he says: slow down for now what I think we should be bothering ourselves with here is to find out from Mr. President, what are his reasons. This is because ultimately he will be left with the responsibility to tell us whether the contracts which he awarded passed the tests of corruption, inefficiency and wastages.

So I am saying that much as the Motion may be well intentioned, we should exercise caution in the way we push and further our powers under the Constitution for oversight.

The Deputy Speaker: Let us have those against the Motion.

Hon. Nelson Belief (Brass/Nembe): I want to speak against the Motion on one ground and these are my views:

The Motion in question is not relevant due to the complaint received on the 13th of May, 2009 on the basis of which the House mandated the Committees on Appropriation and Finance to look into the implementation of the 2009 Budget and come up with its findings.

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We gave the Committees two weeks; these Committees worked within the timeframe and have submitted their Report to the House. The Report has not been considered. Why should we now entertain the same Motion concerning the same issue? For that singular reason, I am speaking against the Motion.

If we go through the Report, you will see that between January and April of 2009, 100 *per cent* of the Personnel Cost fund has been released. If we go to Capital 70 *per cent* fund has been released. If funds have been released by the appropriate quarter to the respective Ministries and Agencies, it is the responsibility of the various Committees to oversight the Ministries and Agencies they are in charge of.

Therefore, I am saying that this Motion is immaterial for now.

The Deputy Speaker: We have had two Members who have spoken against the Motion.

Hon. Ekperikpe Ekpo (Abak/Etim Ekpo/Ika): Mr. Speaker, in line with what the last speaker said about this Motion, I want to believe that any reaction about the performance of budget should not be based on what is published outside.

Whereas we have the Committees of the House that oversight the various Ministries, if we are getting inputs from the Committees of the House and we come to a conclusion that the performance is below expectation; then we should go ahead and take necessary action but where Committees have been set up, they have concluded their assignments and yet to present their Report. The Joint Committees on Finance and Appropriation have submitted their own Report; we should first deliberate on the Report of this Joint Committee before taking any action.

On this very note, I disagree with the prayers of the Motion.

Hon. Labaran Y. Dambatta (Dambatta/Makoda): Mr. Speaker, there is no gainsaying the fact that we have a Report before us. The Reports of the Joint Committees on Appropriation and Finance were circulated this morning. We are yet to deliberate on these Reports. These reports are nothing but talking about the performance of the Budget.

If you look through the Report, you will see the performance as submitted by each Ministry, Department

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and Agency (MDAs). For us to have a meaningful discussion, we should have a look at the Report submitted unless we are saying that we do not believe in the performance of our two Committees. If we do not believe in the Reports being submitted by the Finance and Appropriation Committees then I wonder where we have to send the Motion under consideration to. Is it going to be sent to the Committee of the Whole House or to the Committees? If the Motion is to go to the Committee, we have already had a Report from this Committee and I think it behoves on us to consider this Report and see what it contains to enable us make any meaningful contribution.

The Deputy Speaker: Now, four Members have spoken in favour of the Motion and four against. I will now put the question.

Hon. John Halims O. Agoda (Ethiopia East/Ethiopia West): I have an Amendment, Mr. Speaker. The Amendment is that the House should demand from Mr. President the number of contracts awarded in each Ministry and Agency and the number of such contracts and projects commissioned by Mr. President and his Ministers since the passage of 2009 Budget by the Nigerian Parliament.

I so move.

Hon. Tijjani Abudukadir Jobe (Dawakin/Tofa/Rimin Gado): I do second the Motion moved by Hon. Halims Agoda.

Amendment put and agreed to.

Hon. Ita Enang: Mr. Speaker, my Amendment is that we have Prayer (iii) to read that this House do pass a Vote of No Confidence on any Minister implementing the Budget selectively.

Hon. Yusuf Shitu Galambi (Gwaram): I do second the Amendment moved by Hon. Ita Enang.

Amendment put and agreed to.

Main Motion as amended put and agreed to.

This House:

Noted the ongoing implementation of the 2009 Appropriation Act passed by the Nation Assembly;

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Aware that the Federal Government through the Office of the Accountant-General of the Federation has released First and Second Quarter allocation to Ministries, Departments and Agencies (MDAs);

Worried that despite these releases, the Ministries, Department and Agencies have not implemented the budget above the abysmal 25 *per cent* level;

Concerned that the Appropriation Act is headed for another 30 *per cent* performance level thus the much needed development projects especially in the areas of power, agriculture, roads and bridges, healthcare delivery; education research and generally dividends of democracy will not be delivered;

Resolves to:

- (i) Call on all Committees of the House to ascertain within two weeks the actual level of performance of each Ministry, Department and Agency and report back to the House;
- (ii) That this House do demand from Mr. President, Commander-in-Chief the number of contracts awarded in each Ministry and Agency and the number of such contracts and projects commissioned by Mr. President, Commander-in-Chief and his Ministers since the passage of 2009 Budget by the Nigerian Parliament;
- (iii) That this House do pass a Vote of No Confidence on any Minister implementing the Budget selectively.

CONSIDERATION OF BILLS

River Basins Development Authorities (Establishment, etc) Act (Amendment) Bill, 2009

A Bill for an Act to Amend the Provisions of the River Basins Development Authorities (Establishment, etc) Act; to provide for the Establishment of the Imo and Upper Niger River Basin Development Authorities and list same into the First Schedule of the Act and for Other Related Matters Cap. R9 LFN 2004, 2009 (HB. 142) -

Order for Third Reading.

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The Deputy Speaker: Hon. Colleagues, the third Order of the Day is the Third Reading of a Bill for an Act to Amend the Provisions of the River Basins Development Authorities (Establishment, etc.) Act; to provide for the Establishment of the Imo and Upper Niger River Basin Development Authorities and list same into the First Schedule of the Act and for Other Related Matters Cap. R9, LFN 2004, 2009. Hon. Members will recall that the House adopted the Report of the Committee of the Whole on the Bill on Tuesday, 2nd June, 2009. Clean copies of the Bill have been circulated to Members to enable them peruse its contents.

I will now call on the Leader to move that the Bill be now read the Third Time.

Hon. Tunde Akogun (Akoko Edo): Mr. Speaker,

I rise to move that a Bill for an Act to Amend the Provisions of the River Basins Development Authorities (Establishment, etc) Act; to provide for the Establishment of the Imo and Upper Niger River Basin Development Authorities and list same into the First Schedule of the Act and for Other Related Matters Cap. R9 LFN 2004, 2009 be now read the Third Time.

Hon. Baba Shehu Agaie (Agaie/Lapai): I do second the Motion that a Bill for an Act to Amend the Provisions of the River Basins Development Authorities (Establishment, etc) Act; to provide for the Establishment of the Imo and Upper Niger River Basin Development Authorities and list same into the First Schedule of the Act and for Other Related Matters Cap. R9 LFN 2004, 2009 be now read the Third Time.

Question put and agreed to.

Bill read the Third Time and Passed.

**The Nigerian Press Council Act, 1992
(Repeal) Bill, 2009**

A Bill for an Act to Provide for the Repeal of the Nigerian Press Council Act, 1992 and Establish the Nigerian Press and Practice of Journalism Council, to Promote High Professional Standards for the Nigerian Press and Deal with Complaints Emanating from Members of the Public about the Conduct of Journalism and Media Houses in Their Professional Capacity or Complaints Emanating from Press about the Conduct of Persons, Organisations or Institutions of Government Towards the Press and for Matters Connected Therein, 2009 (HB. 130) -

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Order for Second Reading.

The Deputy Speaker: The fourth Order of the Day is the commencement of debate on the general principles on a Bill for an Act to Provide for the Repeal of the Nigerian Press Council Act, 1992 and Establish the Nigerian Press and Practice of Journalism Council, to Promote High Professional Standards for the Nigerian Press and Deal with Complaints Emanating from Members of the Public about the Conduct of Journalism and Media Houses in Their Professional Capacity or Complaints Emanating from Press about the Conduct of Persons, Organisations or Institutions of Government Towards the Press and for Matters Connected Therein, 2009 (HB. 130). The Bill was read the First Time on Wednesday 28th February, 2009.

I now invite Hon. Abike Dabiri Erewa to move that the Bill be now read the Second Time.

Hon. Abike Dabiri Erewa (Ikorodu): I move that a Bill for an Act to Provide for the Repeal of the Nigerian Press Council Act, 1992 and Establish the Nigerian Press and Practice of Journalism Council, to Promote High Professional Standards for the Nigerian Press and Deal with Complaints Emanating from Members of the Public about the Conduct of Journalism and Media Houses in Their Professional Capacity or Complaints Emanating from Press about the Conduct of Persons, Organisations or Institutions of Government Towards the Press and for Matters Connected Therein, 2009 (HB. 130) be read the Second Time.

Hon. Ifaluyi Isibor (Egor Ikpoba Okha): I second the Motion moved by Hon. Abike Dabiri Erewa

Question proposed.

Hon. Abike Dabiri Erewa: Mr. Speaker, this Bill only seeks to improve the standard of the profession of Journalism in Nigeria. As we all know, Journalism is the only profession guaranteed in the Constitution to hold the Government accountable to the people. We already have a Nigerian Press Council but we believe that we should have strengthened the Press Council to enable it perform this role.

We are talking of a Council that will be made up of seasoned journalists both serving and retired members of the NUJ, the Guild of Editors, the Newspapers Proprietors Association Editors of Nigeria, Legal Practitioners, Women, Reputable Educational institutions involved in the training of journalists, like

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the Broadcasting Organization of Nigerian and also the News Agency of Nigeria.

One of the highlights of this Bill is that under the Council there will be a Media Practitioners Complaints Commission. We all know that right now the Newspapers Proprietors Association of Nigeria has come up with something like an ombudsman for the Media headed by Justice Onalaja. What this Commission is about is that it will deal with matters and impose sanctions where necessary.

What we are saying is that as we have other professions, like Medicine, Accountancy, Law, it is important to have a body made up of seasoned Media practitioners where they will deal with matters emanating from the public about the Press. This body may decide that they want to fine a Journalist or something or vice versa.

This Council will also have a register of duly accredited journalists. As we are speaking to you, we

cannot say that we have a Corporate Register of Journalists in Nigeria. You will find out that there are many fake people claiming to be journalists and they are not.

It is also important to ensure the freedom to practice and guard against arbitrary closure like in the issue of Channels Television that was not too long ago closed down. It is also important that no journalist should be arbitrarily arrested, detained or prosecuted over his or her published views.

Under this Council we will also establish the Nigerian Examination and Accreditation Board for Journalists. This Board will be made up of the NUJ, Newspapers Proprietors, the BON and the Guild of Editors.

The NUJ will organise a professional programme for the training of graduates who want to go into Journalism. What we are saying is if you want to practice Journalism after you are through with whatever degree you have, you will have to go through the Board to get some kind of NIJ certification.

As we also look into this, it also seeks to ensure good conditions of service. For instance, salaries and allowances of Journalists and general condition of service are very poor. This Bill seeks that any Journalist practising in Nigeria should receive not less

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than 20 *per cent* above the pay of staff in Federal and State Civil service, State Government Parastatals and private organisations, as the case may be. This condition of service will be negotiated collectively as deemed fit by the Council and the Board.

It is also instructive to say that if this is eventually passed into law, it will raise Journalism to the standard it should be raised. Even the Office of the Minister of Information, Special Adviser on Information, Press Office of the Speaker, Senate President etc should be manned by professionals in that field.

Finally, a certain number of Board appointments should be made available to Journalists. What we are saying is that we need to improve the standard of Journalism in Nigeria, enhance the professionalism of journalism and ensure that we enhance it to the desired level. That is what this Bill seeks to achieve.

I therefore appeal to my hon. Colleagues to let this Bill go through the Second Reading so that we can cross the t's and dot the i's.

Question put and agreed to.

Bill read the Second Time and referred to the Committee on Information and National Orientation.

**Export (Prohibition) Act, Cap. E22 LFN, 2004
(Repeal) Bill, 2009**

A Bill for an Act to Repeal the Export (Prohibition) Act, Cap. E22, LFN 2004, and for Related Matters, 2009 (HB. 225) -

Order for Second Reading.

The Deputy Speaker: The sixth Order of the Day is commencement of debate on the general principles of a Bill for an Act to Repeal the Export (Prohibition) Act, Cap. E22, Laws of the Federation, 2004 and for Related Matters, 2009. The Bill was read for the First Time on Wednesday, 13th May 2009.

I now invite Hon. Darlington Okereke to move that the Bill be read the Second Time.

Hon. Darlington O. Okereke (Ivo/Ohaozara/Onicha): I move that a Bill for an Act to Repeal the Export (Prohibition) Act, Cap. E22 LFN 2004, and for Related Matters, 2009 be read the Second Time.

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Hon. Mayor Chukwudi Eze: I second the Motion that a Bill for an Act to Repeal the Export Prohibition Act be read the Second Time.

The Deputy Speaker: We skipped the fifth Order which is a Bill from Hon. Ekpo. Hon. Ekpo I am sorry, we will come back to that Bill.

Go ahead, Hon. Okereke.

Question Proposed.

Hon. Darlington O. Okereke: Mr. Speaker, Thank you for this opportunity to present this Bill before this honourable House and to ask and solicit that this Bill be read the Second Time.

Hon. Colleagues there is no gainsaying the fact that the economy of this country is solely dependent on oil. Over 90 *per cent* of our earnings come from that sector. That was why we had the ugly situation in the 80s when as a result of collapse in the oil market; Nigeria was thrown into a big problem. All economic measures, programmes and all policies to revamp the economy proved abortive.

The stabilisation policy of 1982, the restrictive monetary policy and the structural adjustment programme did not help the economy. It was due to that state of affairs that food was in short supply in the same period; the domestic food for the country was declining because of poor productivity. In a bid to conserve food for the teeming Nigerian populace that are lacking food because of massive exportation of food items or agricultural produce the Government reverted to the prohibition of certain goods. It was then that the decree for the prohibition of certain goods was promulgated and that turned out to be the Export Prohibition Act No. 7 of 1989. That Act consists of three sections:

It seeks to prohibit the exportation of certain goods out of Nigeria.

It seeks to provide for offences and penalties.

It gives jurisdiction for special tribunals to try offenders.

Six items were prohibited and they are: cassava, yam tubers, maize, rice, beans and derivatives of the five above. Fortunately, the conditions that were prevalent when this prohibition was made are no longer in existence in our economy today. For instance, Nigeria today is the largest producer of cassava; we produce 49 million metric tons of cassava and 19 *per cent* of the world total production of cassava. Today,

Nigeria cannot export cassava because our law does not permit it.

Nigeria is also the largest producer of yam, yet Ghana which is third largest producer is the largest exporter of yam. All these are because our law does not permit us to export all these.

The World Trade Organisation of which we are a member forbids member States from the prohibiting the importation and exportation of certain good items of which these six prohibited items are inclusive.

The time has come for us to do justice to this. Over twenty eight years after the catastrophic, calamitous but preventable economic quagmire of 1980, the same situation is still staring us in the face today.

Finally, I enjoin my Colleagues to do what their responsibility is by providing the legal framework for the exportation of these goods because the agricultural sector of Nigeria has improved.

Hon. Patrick Asadu (Nsukka/Igboeze South): In addition to the views canvassed by Hon. Darlington Okereke, I also note that the world economy as it is now requires that every country looks inwards to see any

legitimate means through which it can earn foreign exchange for its economy.

Nigeria cannot keep depending on oil and if there are comparative advantages for us as already noted in certain agricultural products and indeed all other products, I think this Parliament will be doing Nigeria a lot of good if we will repeal this Export Prohibition Act and, as a matter of fact, encourage the Federal Government and all Nigerians to explore ways and means of coming up with other products and services that we can export to earn foreign exchange for this country and to get our people employed and address the inequity.

I was just reading today about rice coming into this country; a product that is considered by experts to be dangerous to health. If we have an economy that is earning foreign exchange through the exportation of some of these products; we should also have an economy that encourages local production and mechanisation of farming because we need to kick-start employment generation and address the imbalance in earning and expenditure in terms of foreign exchange. We also need to repeal this Act and encourage our people to export more goods and services.

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Hon. Ubale Jakada Kiru (Bebaji/Kiru): In the last few years, Nigeria has been talking about revenue generation and the primary source of concern on this issue has to do with the fact that Nigeria's foreign exchange earnings is largely based on a single commodity and that is oil. This is why there has been incessant call for the diversification of our foreign exchange revenue in the last few years.

One of the options that everybody seems to be talking about has to do with agriculture. In other words, how best can Nigeria make agriculture an alternative to oil as far as foreign exchange earning is concerned? The Nigerian Export Promotion Council has done quite a lot of work on this. Unfortunately, most of our agric-based export activities were based on commodity export and this is where we talk about the export of raw agricultural commodities.

In the last few years, efforts had been made to add value to our raw commodities so that we can generate employment and earn more. Unfortunately, since some of the agricultural products are still under the prohibition list, it is not possible to export then and, therefore, improve our revenue earning. This is one of the reasons this Bill is quite relevant.

Secondly there is this problem of our close neighbours especially countries like Niger, Chad and

Cameroon that feed largely on our products. Since the law was enacted, it encouraged the smuggling of those commodities out of Nigeria into some of these countries. It is better for Nigeria to have a way of planning itself so that production can be programmed in such a way as to meet local consumption as well as demand from our foreign borders.

Hon. Emmanuel Nwiika Deeyah (Gokana/Khana): I commend my friend, Hon. Okereke for bringing up this Bill. I am aware that the immediate past administration of this country encouraged a lot of cultivation and production of cassava and cassava derivatives and all these were targeted towards export. It therefore means that illegalities were being supported in government against the law of this country. This Bill has come at the right time.

Without taking much of our time I want to say that we should support this Bill standing in the name of Hon. Darlington Okereke so that this prohibition is removed and export enhanced so that we can earn more from that sector.

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Hon. C.I.D. Maduabum (Nnewi North/Nnewi South/Ekwusigo): I support the passage of this Bill through Second Reading only to the extent that it is not a law that should adorn our statute books.

If you look at the law itself, you will see that the issue of export prohibition is a dynamic matter; it is a matter that moves with time. It is a matter that we cannot just prohibit by law because if you prohibit it by law in this manner, anything you want to remove or add there has to come by way of a Bill. Therefore, it is not a law that should be in our statute books.

I also want to bring to the notice of this House that we have already passed a law which sought to amend the Customs and Excise Management Act, which actually gave the President power by order to prohibit the importation of any goods or the exportation of any good. The President is so empowered under the Customs and Excise Management Act to do these prohibitions but there has been an amendment to that Act which sought to give the National Assembly power so that they will lay any such prohibitions of import or export on the National Assembly to look at before passage into law. That law has already been passed by this House and it is awaiting the concurrence of the Senate.

However, this information does not negate the Bill under consideration. It is not one that should really be on the statute books. I therefore support that we proceed with this Bill.

Question put and agreed to.

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

Investigation of Anonymous Petitions (Prohibition) Bill, 2009

A Bill for an Act to Prohibit the investigation of Anonymous Petitions by Security Agencies and for Related Matters, 2009 (HB. 228) -

Order for Second Reading.

The Deputy Speaker: The next Order of the Day is commencement of debate on the general principles of a Bill for an Act to Prohibit the Investigation of Anonymous Petitions by Security Agencies and for Related Matter, 2009. The Bill was read the First Time on Wednesday, 13th May, 2009.

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I now invite Hon. Ekpo to move that the Bill be now read the Second Time.

Hon. Ekperikpe Ekpo (Abak/Etim Ekpo/Ika): I rise to move that a Bill for an Act to Prohibit the Investigation of Anonymous Petitions by Security Agencies and for Related Matter, 2009 be read the Second Time.

Hon. Yusuf Shitu Galambi (Gwaram): I second the Motion that this Bill be read the Second Time.

Question Proposed.

Hon. Ekpo Ekperikpe: Mr. Speaker, I want to thank you sincerely for giving me this golden opportunity to lead the debate on the general principles on a Bill for an Act to Prohibit the Investigation of Anonymous Petitions by Security Agencies and for Related Matters. The Bill seeks to prohibit the investigation, arrest and prosecution of persons on account of Petitions written by anonymous persons. The Bill also seeks the full disclosure of the identity of a petitioner whether as an individual, corporate body, community *et cetera*.

It is a known fact that Petition is a written document directed to some officials, individual, legislative body or court in relation to the context of our own deliberations to seek redress of grievance, state of insecurity or request for granting of any favour.

It is also a known fact that it is the constitutional duty of citizens to take charge of their own environment

by reporting cases of insecurity to maintain law and order. The only way out to some human beings is through Petitions writing. If somebody is writing a Petition that he has not put his own name for the purpose of identifying the petitioner as provided in the Constitution as per Citizenship, where the identity of the individual is established, then taking on that kind of investigation is undermining the provisions of the Constitution by treating with disdain the sanctity of Human Right. To that extent, there is need to know who writes a Petition so that in the course of investigation, the security operatives would gather reasonable information to enable them get to the root of it rather than accusing people ignorantly and innocent people getting arrested and detained unjustly.

Hon. Rabe Nasir (Bindawa/Mani): On a lighter mood, apparently the name of this Committee has been

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so much mutilated most often by the very Presiding Officers of the Committee.

I would want to reiterate that this mistake is also reflected in the list containing the names of Committees of this House where it is simply written Committee on Drugs and Narcotics. Actually, the name is: Committee on Drugs, Narcotics and Financial Crimes.

The Deputy Speaker: Hon. Rabe Nasir, when you say Drugs, Narcotics and Financial Crimes some may not know that EFCC is part of it; you are making it explicit.

Hon. Rabe Nasir: I would like to say that the logic as imported by the Bill is one that negates the basic principles of investigation and the capacity as well as the provision of law establishing some of the agencies saddled with the responsibilities of investigations that border on crimes in this country.

The security agencies have various means by which they gather information and make use of this information in the course of investigation and it is open; it is both through Petitions, newspapers, contacts and all other means. There is no exhaustion in terms of avenues from which investigating bodies in this country can acquire information and make use of such information for corrective purposes.

For instance I would like to cite Section 7(1)(b) of the EFCC Act, which provides that irrespective of any Petition or any other means, based on observation that if they see anybody that is stupendously rich that by virtue of his or her income is not supposed to acquire, they could simply ask this man or woman to come and prove how he or she came about the wealth. That is provided for in that enabling Act of the EFCC. Therefore, the

EFCC does not have to wait for Petitions in order to investigate a matter. It leaves the Commission open either through Petition, whether anonymous or not. I believe that anonymous Petition from my experience has its own merits.

There are many people who are in possession of vital information which will assist the Commission in the course of investigating a Petition that will not readily make sponsors or their names available for evidence. If they send the Petition, anonymous as it is, without their names being reflected or signed, it will assist the investigating bodies to pursue the matter because of that anonymity. Anonymous Petition adds

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impetus to credibility of information gathering in the course of investigation and should, therefore, be upheld.

On this ground, I urge my Colleagues not to only reject this Bill in style but to have the feeling that allowing this Bill to go through is a way of encouraging those who are in a position to commit crimes or perpetrate fraud and get away with it.

Hon. Johnson Aigbudu Abolagba (Owan East/West): Mr. Speaker, it is my opinion that this Bill does not deserve to survive reasons being that it does not matter who writes a Petition. We speak about the facts; when they are correct, then you can invite the person to whom it is written against for investigation. If we say we should stop all these, then how do we get the information to be used by security agencies? It is a way of encouraging crime in this country which we should all stand against.

That is my short reaction to this Bill.

Hon. Bashir Omolaja Balorinwa (Lagos Mainland): Mr. Speaker, I am constrained to oppose this Bill. It is very good that whoever writes a Petition should be able to stand by it rather than making himself or herself anonymous. It would have been so in advanced countries but in a country like ours that the security system is porous, it would be better that it remains as it is.

As the earlier speaker had said, it is the content and information being provided by the anonymous writer that is needed; it is not exactly the identity of the writer. Therefore, I am of the opinion that this Bill should be stepped down for now; it should not be allowed to go.

Hon. Saudatu A. Sani (Lere): Mr. Speaker, the request of the mover of this Bill is to ensure that we prohibit the investigation of anonymous Petitions. In line with what my Colleague has just spoken, if we look at an enabling environment where people can come out, speak and give their names and defend it without being intimidated, that can work but in a country where we have the powers that be, when a community sees the head of that community stealing their money and they cannot speak the only recourse is to write an anonymous letter to the anti-graft agencies. It is only when the anti-graft agencies see the material that is presented that they can now decide to continue with investigation or stop. I do not think that we should not allow anonymous Petitioners to write to the authority.

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So, I am of the opinion that this Bill should not move forward.

The Deputy Speaker: The question is that the Bill be now read the Second Time.

Question put and negatived.

Independent Corrupt Practices and Other Related Offences Commission (Establishment) Act 2000 (Amendment) Bill, 2009

A Bill for an Act to Amend the Independent Corrupt Practices and Other Related Offences Commission (Establishment) Act 2000, 2009 -

Order for Second Reading.

The Deputy Speaker: The seventh Order of the Day is commencement of Debate on the General Principles of a Bill for an Act to Amend the Independent Corrupt Practices and Other Related Offences Commission (Establishment) Act, 2000. The Bill was read the First Time on Wednesday, 13th May 2009.

I now invite Hon. Henry Dickson to move that the Bill be now read the Second Time.

Hon. Henry S. Dickson (Sagbama/Ekeremor): Mr. Speaker, by your permission, I move that a Bill for an Act to Amend the Independent Corrupt Practices and Other Related Offences Commission Establishment Act 2000 herein listed be read the Second Time.

Hon. Ibrahim Umaru Kurfi (Dutsin-Ma/Kurfi): Mr. Speaker, I so second the Motion.

Question proposed.

Hon. Henry S. Dickson: Mr. Speaker, first of all, I commend this Parliament for the timely passage of the principal Act in 2000. That is our own way, as a Parliament, of supporting the crusade against graft and

corruption in this country. We have operated that enactment for some time and we have been able to notice how that enactment has been put into effect. We are bringing this Bill to address three principal lapses:

The first has to do with the issue where officers who are seconded to this agency stand the risk of being

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transferred, posted or sent on courses without recourse to the Management of the Agency itself.

There is also a limitation whereby the agency is stopped from arraigning people in courts other than the court where the offence is committed. Our view is that that does not augur well for the fight against corruption. This is because it exposes the operatives and even in some cases, the judicial personnel that try these matters.

Thirdly, the agency we have created to tackle this matter is a very serious one and we think that Parliament should have an express power to call for their activities by way of a monthly or bi-annual submission of reports. We are proposing that in every six months, this agency should send a report of its activities to the relevant Committees of Parliament. There is no way we can create an agency with such powers and not be interested in how those powers are exercised. This is our humble attempt to see that we strengthen the legal framework within which the Anti-Corruption war is waged.

I move, most respectfully, that we allow this Bill to be read the Second Time so that the relevant agencies can interact with the appropriate Committees of this House and other stakeholders so that we can once again fine-tune the legal framework under which the Anti-Corruption war is being waged.

Hon. Ita Enang: Mr. Speaker, I am in support of this Bill. I know that one of the greatest constraints that the Independent Corrupt Practices and Other Related Offences Commission has had is that it cannot investigate any matter unless and until there is a Petition before it. Section 6 of the Act which is sought to be amended by Clause 2 of this Bill seeks to delete or prevent that position.

I speak in support of this Bill and I want members to, please, accept that. The constraint of the ICPC has been that if there is no Petition before it, it cannot investigate; whereas the EFCC can on its own initiate such investigation. When it receives a submission or even a tip, it can go on to investigate.

The only matter I do not agree with the sponsor of this Bill is that the entirety of Section 64, which relates to appointment and staff, is a matter for the Civil Service. I do not agree that we should constrain a staff that is seconded to a place from being transferred.

I know that for political reason if somebody is having a serious case against the Head of the Civil

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Service and the man has authority to transfer somebody, he can transfer you or send you on a course but that is not the solution. I prefer that we take the two clauses that I have accepted and when it goes to a Committee, we should reject everything that relates to appointment of Staff.

Extension of Sitting Time

The Deputy Speaker: Hon. Tunde Akogun, can you, please, move a Motion for Extension of Time.

Hon. Tunde Akogun: Hon. Speaker, with the backing of the relevant sections of the Standing Orders, I move that the House do extend sitting beyond the stipulated time today.

Hon. Baba Shehu Agaie: Mr. Speaker, I second the Motion.

Question put and agreed to.

Resolved: That the House do extend sitting beyond the stipulated time today.

Hon. Leonard Ogor (Isoko North/Isoko South): Mr. Speaker. First of all, I commend the author of this Bill for taking the initiative of addressing issues that affect this Bill.

There is only one Amendment that I am a bit uncomfortable with knowing fully well that as it stands today, the Nigeria Police is under the control of the Inspector-General of Police. Also, being aware of the fact that it is the Police that second some of these officials to work in the EFCC, it will become very dangerous for them to act independently without the control and the machineries of the Nigeria Police.

I believe that when this Bill gets to the Committee level, a clinical analysis will be made on this particular amendment that my highly respected Colleague is seeking. Outside that, I am hundred *per cent* in support of the other amendments that the Bill seeks.

I would appeal that this Bill be given the privilege it deserves to go through a Second Reading. Probably when it comes back from the Public Hearing, we can now do justice to some of these amendments that the Bill is seeking.

Question put and agreed to.

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Bill read the Second Time and referred to the Committee on Anti-Corruption, Ethics and Values.

**Registry for Foreign Offenders
(Establishment) Bill, 2009**

A Bill for an Act to Establish a Registry for Foreign Offenders and Publish Information about them and for Related Matters, 2009 (HB. 217) -

Order for Second Reading.

The Deputy Speaker: The eight Order of the Day is a Bill brought by Hon. Herman Hembe but I believe that Hon. Hembe is not here to take his Bill.

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

**National Directorate of Employment Act
Cap. N28, LFN 2009 (Amendment) Bill, 2009**

A Bill for an Act to Amend the National Directorate of Employment Act Cap. N28, Laws of the Federation of Nigeria, 2004 to Provide for a Minimum Remuneration for Qualified Nigerians, 2009 (HB. 220)

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Order for Second Reading.

The Deputy Speaker: The ninth Order of the Day is the commencement of debate on the general principles of a Bill for an Act to Amend the National Directorate of Employment Act Cap. N28, Laws of the Federation of Nigeria, 2004 to Provide for a Minimum Remuneration for Qualified Nigerians, 2009 (HB. 220). The Bill was read for the First Time on Wednesday, 13th May, 2009.

I now invite Hon. Abass Olopoenia to move that the Bill be now read for the Second Time. *(No response)*

(Bill, with the leave of the House stood down)

**Medical and Dental Practitioner Act Cap
M8 LFN , 2004(Amendment) Bill, 2009**

A Bill for an Act to Amend the Medical and Dental Practitioner Act Cap. M8 Laws of the Federation, 2004 to Make provision for the continuous Education of Medical and Dental Health Practitioners in

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Nigeria and for Other Matters Connected Therewith, 2009 (H. 201) -

Order for Second Reading.

The Deputy Speaker: The tenth Order of the Day is commencement of debate on the general principles of a Bill for an Act to Amend the Medical and Dental Practitioner Act Cap. M8 Laws of the Federation, 2004 to make provision for the Continuous Education of Medical and Dental Health Practitioners in Nigeria and for Other Matters Connected Therewith, 2009. The Bill was read the First Time on Thursday 7th May, 2009.

I now invite Hon. Chukwudi Eze to move that the Bill be now read the Second Time.

Hon. Mayor Chukwudi Eze (Orlu/Orsu/Oru East): Mr. Speaker I do move that a Bill for an Act to Amend the Medical and Dental Practitioner Act Cap. M8 Laws of the Federation, 2004 to make provision for the continuous Education of Medical and Dental Health Practitioners in Nigeria and for Other Matters Connected Therewith be read the Second Time.

Hon. Khadija Bukar A. Ibrahim (Damaturu/Gujba/Gulani/Tarmuwa): I rise to second the Motion moved by my Colleague, Hon. Mayor Chukwudi Eze.

Question proposed.

Hon. Mayor Chukwudi Eze: Mr. Speaker, the issue at stake is the issue of quality, life, dedication and competence on the part of our medical doctors.

Anybody can be a victim. Whenever there is a medical crisis situation the next question is always where is the next hospital on the assumption that when you get to the hospital you will see a qualified medical doctor who is up-to-date with the practice to take care of the patients. On the basis of this, the question is: are these assumptions always met? The medical challenges and breakthroughs in medical practice have made it mandatory for doctors to update their practice at all times.

Nigeria is already disadvantaged by the fact that medical education is acquired in Nigeria immediately after A-Level which you know some people now attain at between fourteen and fifteen years. This gives rise to kid doctors. We are having obsolete doctors by the fact

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that we have not been conducting yearly refresher examinations for our medical doctors as is the case with

practitioners in the United States. New diseases and new medical situations are emerging everyday. Are our doctors equipped?

The issue of being a doctor is by choice. So we should understand full well that when you make up your mind to be a doctor, you know that you owe the society moral obligation to perform your duty. You are not a barber; when a barber or a saloon owner spoils your hair it is a temporary setback.

What happens when doctors make mistakes because they are not updated? We all know that either out of hardship or greed some medical doctors try to combine medical practice with other professions. Sometimes, you see people boasting that after all, I am medical doctor. After ten years, I will be in politics or in this or that profession after which I will go back to my medical practice.

When we see all the problems associated with doctors being obsolete and outdated in their practice, we should know that it is the duty of this House to remedy it by allowing this all-important life saving Bill to go for Second reading.

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

Question put and agreed to.

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

Law of Evidence, Application to all Judicial Proceedings Bill, 2009

A Bill for an Act to make Provisions for the Law of Evidence to be applied to all Judicial Proceedings in or before Courts in Nigeria, 2009 (HB. 214) -

Order for Second Reading.

The Deputy Speaker: The eleventh Order of the Day is commencement of debate on the general principles of a Bill for an Act to make provisions for the Law of Evidence to be applied to all judicial proceedings in or before Courts in Nigeria 2009. The

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Bill was read for the First Time on Thursday, 14th May, 2009. I now invite Hon. Henry Dickson to move that the Bill be now read the Second Time.

Hon. Henry S. Dickson: Mr. Speaker, I move that a Bill for an Act to make provisions for the Law of Evidence to be applied to all judicial proceedings in or before Courts in Nigeria 2009 be read the Second Time.

Hon. Austin Nwachukwu: I do second the Motion that this Bill moved by Hon. Henry S. Dickson be read the Second Time.

Question proposed.

Hon. Henry S. Dickson: Mr. Speaker, Evidence Law as we all know is probably one of the most important legislations in every country and jurisdiction and perhaps second only to the Constitution of a country. It regulates proof of matters and it determines which matters are deemed to be proved because courts are courts not of supposition and assumption; but of proof. So, that is the importance that Evidence Law attracts in every jurisdiction.

In our own case the Evidence Law of this country was given to us by the colonial masters and I think it was enacted and became applicable around 1945. It means that for over fifty years we have been working with that legislation. We are all living witnesses to the great advances that mankind has achieved. We no longer do business the way things were done in the 40's and 50's when the Evidence Act was enacted. What it means, therefore, is that the Evidence Law; that very important law which regulates proceedings before all courts in this country is, in some critical respects, outdated and needs to be reviewed and updated. That is the essence of this Bill.

A few weeks back so many people were taken aback in this country when at a criminal trial, what the Prosecution wanted to tender was thrown out because it did not conform to the Evidence Law. I think it was a bank statement that was sought to be tendered and because it was a computer printout, even though it was relevant, it probably did not conform to the provisions of the Evidence Law. The reason is simple, at the time the Evidence Law was promulgated in the 40s, there were no computers. We are in the age of E-transactions and even E-governance. So there is need for us to review the provisions of the Evidence Law especially those relating to admissibility of certain forms of evidence.

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There is also another clause that we have inserted which has to do with a tinkering of the burden of proof in electoral matters. All these are matters that, if this House permits, the relevant Committees will interact

with the entire legal community to review in a holistic manner, this very important Law of Evidence.

This afternoon, I urge all my Colleagues to support that this Bill be read the Second Time.

Question put and agreed to.

Bill read the Second Time and referred to the Committee on Judiciary and Justice.

Nigerian Sports Endowment Fund (Establishment) Bill, 2009

A Bill for an Act to Establish the Nigerian Sports Endowment Fund to be applied for Encouraging, Promoting and Supporting the continuous discovery and preparation of talented citizens in varied competitive sports, rewarding every sportsman and woman who brings honour and glory to Nigeria, including provision for their welfare when critically injured or retired from any such sports, and for any Other Matters Connected Therewith, 2009 (HB. 165) -

Order for Second Reading.

The Deputy Speaker: The twelfth Order of the Day is commencement of Debate on the general principles of a Bill for an Act to Establish the Nigerian Sports Endowment Fund to be applied for Encouraging, Promoting and Supporting the continuous discovery and preparation of talented citizens in varied competitive sports, rewarding every sportsman and woman who brings honour and glory to Nigeria, including provision for their welfare when critically injured or retired from any such sports, and for any Other Matters Connected Therewith, 2009. The Bill was read the First Time on Thursday, 5th March, 2009.

I now invite Hon. Halims Agoda to move that the Bill be now read the Second Time.

Hon. John Halims O. Agoda (Ethiopia East/Ethiopia West): Mr. Speaker, I move that a Bill for an Act to Establish the Nigerian Sports Endowment Fund to be applied for Encouraging, Promoting and Supporting the continuous discovery and preparation of talented citizens in varied competitive sports, rewarding every sportsman and woman who brings honour and

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glory to Nigeria, including provision for their welfare when critically injured or retired from any such sports, and for any Other Matters Connected Therewith be read the Second Time.

Hon. Bala Ibn Na'allah (Zuru/Fakai/Sakaba/D/Wasagu): Mr. Speaker, I second the Motion moved by my Bother and Friend, Hon. Halims Agoda that the Bill be read the Second Time.

Question Proposed.

Hon. Halims Agoda: The Bill speaks for itself. One critical issue in our national lives as a nation and as a people that gives joy, happiness to every Nigerian irrespective of our race, colour and political affiliation is the issue of sports.

When it comes to sports, we are one people, one destiny and one nation. But this very critical issue of national unification suffer a set back because of paucity of funds. It is very clear that nowadays government alone cannot and may not be able to fund sports for us to attain these very set goals which this Bill seeks to achieve.

The issue of sports right from pre-independence, during the empire days, is set out to achieve excellence and performance but because of the critical issue of lack of adequate funding we have been lagging behind.

What this Bill is requiring Parliament to do is to expand the space and scope of stakeholders when it comes to the issue of funding. When Parliament gives assent to this Bill by legal recognition, our sportsmen and women, whether young or old, will have cause to smile.

Based on these very salient facts, I urge this honourable House to pass this Bill for Second Reading.

Question put and agreed to.

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

CONSIDERATION OF REPORT

Report of the Joint Committee on Appropriations and Finance on the investigation into the Implementation of the 2009 Appropriation Act - CONSIDERED IN COMMITTEE OF THE WHOLE HOUSE.

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The Deputy Speaker: The thirteenth Order of the Day is consideration of the Report of the Joint Committee on Appropriations and Finance on the

investigation into the Implementation of the 2009 Appropriation Act. Hon. Members will recall that the Report was laid on Thursday, 28th May, 2009.

I now invite Hon. Ayo Adeosun to move for the consideration of the Report.

Hon. Emeka Nkem Ihedioha (Aboh Mbausa/Ngor Okpala): Point of Order, Mr. Speaker!

The Deputy Speaker: Chief Whip, is that Point of Order?

Hon. Emeka Nkem Ihedioha: On behalf of my Colleagues here, we have not seen the Report.

Hon. Leonard O. Ogor: Mr. Speaker, I know you are asking for the seconder of the Motion. The fact remains that there is no Report in respect of this issue because I do not have a copy. It is important that we have a copy of a Report on an issue as important as Finance and be able to study it effectively before we now go into considering it.

The Deputy Speaker: It is not that you do not have a copy. You came here and informed me that you have just been given a copy of the Report.

Hon. Leonard O. Ogor: Yes.

Hon. Ita Enang: Mr. Speaker, Members have received copies of the Report but have not studied it. My prayer is that we stand down this matter.

The Deputy Speaker: Hon. Ita Enang, I do not understand that language?

Hon. Ita Enang: Mr. Speaker, it is one thing to hold the Report in your hand; it is another one to see it.

Hon. C. I. D. Maduabum (Nnewi North-South/Ekwusigo): My Point of Order is Order VI; Rule 3 of our Standing Orders. It is on the issue of attendance.

The Deputy Speaker: Read the Order.

Hon. C.I.D. Maduabum: *A Member shall, to the best of his or her ability, regularly attend the*

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sittings of the House and those of the Committees of which he is a Member.

This is a very serious Report on the Budget.

The Deputy Speaker: There was a time we considered your report on the budget with lesser number.

Hon. C.I.D. Maduabum: I am saying that this matter is on the budget. The Chief Whip who is a leader of PDP Caucus on the Floor has to count the majority votes.

Hon. Bala Ibn Na'allah (Zuru/Fakai/Sskaba/D/Wasagu): The additional reason is that in the last six years this is the first time that Hon. Ita Enang will embark on what can best be described as *metaphoric sagacism*.

Hon. Austin Nwachukwu (Ehime Mbano/Ihitte Uboma/Obowo): Mr. Speaker, I just want to rely on the Order VI; Rule 3 of our Standing Orders as mentioned by Hon. Maduabum.

The Deputy Speaker: He has been ruled out of Order.

Hon. Austin Nwachukwu: I would like to make my own submission apart from the Order he had just read. We know that this House is not up to the number that is required to take this issue. I am only appealing that you should allow us to vacate today; maybe next week we can consider this all-important issues.

Hon. John Halims O. Agoda: Mr. Speaker, I think it is repetition but it is worth repeating that in Parliament the ruling of the presiding officer is the collective feeling of the majority of Members. I want to say with all sense of responsibility that you have done very well.

Equally the Members have done very well and the Members are telling you that we have exhausted about twenty items of today's Order Paper; that is credit to us. We are saying that we want to go. Finally and importantly, the consideration of this Report requires the inputs of nearly every members of this House. This Report is critical; we do not want the House to be challenged by very many of our Members when they are back on the next legislative day that they were not part and parcel of the final product of this Report. Based on this I urged Mr. Speaker to do what he is supposed to do.

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Hon. Khadija Buka A. Ibrahim (Damaturu/Gujba/Gulani.Tarmuwa): Mr. Speaker, I concur entirely with my Colleague Hon. Halims Agoda because that all-important Report should be debated by the majority of Members of the Floor of this House so that everybody gets a fair hearing on the issue and we reach a conclusive decision of this Report.

The Deputy Speaker: I thank you, hon. Colleagues for staying behind to consider most of the Bills that we have taken today. That is our primary responsibility as Members of the House of the Representatives.

I pray that on Tuesday next week when we shall be considering this Report and indeed so many other Reports Members will remain behind to see that we have given justice to all that are contained in the Order Paper. It is not only Motions; Motions are only secondary. The important issue to be discussed at the Parliament is about Bills, not Motions. Unfortunately you see Members going out at the end of Motions.

In the course of today's sitting, I could recall that some members were saying that some of our Resolutions were not honoured by the Executives because they are not Acts. You can stay behind and have good laws; everybody in this country must obey the rules guarding the Bills that we have passed into law in the House. Motions do not carry that weight.

Therefore, I calling on our Colleagues to, please, remain behind when we are taken Bills and maybe pay lesser attention to Motions. Bills are the most important aspect of our job; not Motions.

I thank you very much for staying behind to consider this Bill. We hope to meet on Tuesday to deliberate on this Report and some other Reports.

(Consideration of Report, with the leave of the House stood down)

ANNOUNCEMENTS

Visit of the Department of State Services

The Deputy Speaker: Hold on, Hon. Ekpo. I have an announcement from Hon. Razak Babatunde. It is to remind Members of the Committee of the oversight visit of the Department of State Services that the departure time is 2.00 p.m.

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A bus will be stationed at the entrance of the National Assembly.

(Signed)
Hon. Razak Babatunde
Chairman

Meeting of the Committee on Air Force

The Deputy Speaker: Members of the Committee on the Nigerian Air Force are cordially invited to a short meeting immediately after sitting.

Notice of Joint Committee Meeting

The Deputy Speaker: There will be a Joint Committee Meeting of the Committees on Industry, Commerce, Agriculture and Water Resources.

Date: Thursday, 25th June, 2009.

Venue: Meeting Room 2.307, New Building of the House of Representatives

Time: 2.00 p.m. prompt.

(Signed)
Hon. Solomon

Meeting of the Ad-hoc Committee on Niger-Delta Crisis

The Deputy Speaker: There will be a meeting of the Ad-Hoc Committee on Niger-Delta Crisis today Thursday, 25th June, 2009 at 1.00 p.m.

Signed
Hon. Abdul Ningi

Meeting of South West Caucus

The Deputy Speaker: There will be a meeting of South West Caucus today, Tuesday, 30th June, 2009 at Hearing Room 1 after sitting.

(Signed)
Hon. Ayo Adeosun
Chairman, South West Caucus

ADJOURNMENT

Hon. Tunde Akogun: Mr. Speaker, on that very

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encouraging note of commendation by the Speaker for the resilience of Members so far, I move that this House do stand adjourned till Tuesday, 30th June 2009 at 10.a.m.

Hon. Baba Shehu Agaie: Mr. Speaker, I do second the Motion that this House do stand adjourned till Tuesday, 30th June, 2009 at 10.00 a.m.

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Question put and agreed to.

Resolved: That the House do stand adjourned till

Tuesday, 30th June 2009 at 10.00 .a.m.

The House adjourned accordingly at 2.25 p.m.