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HOUSE OF REPRESENTATIVES
FEDERAL REPUBLIC OF NIGERIA

Tuesday, 28th April, 2009

The House met at 11.00 a.m.

P R A Y E R S

(The Speaker in the Chair)

VOTES AND PROCEEDINGS

The Speaker: Hon. Members, the House is called to order. I have examined and approved the second Votes and Proceedings of Thursday, 2nd April, 2009.

ANNOUNCEMENTS

Message from the President of the Federal Republic of Nigeria

The Speaker: Please listen to the following messages from the President of the Federal Republic of Nigeria. It reads:

9th April, 2009

Rt. Hon. Dimeji Bankole, CFR
Speaker of the House of Representatives,
National Assembly Complex, Three-Arms Zone,
Abuja.

Dear Sir,

**SUBMISSION OF THE 2009 BUDGET
PROPOSAL FOR THE NIGER-DELTA
DEVELOPMENT COMMISSION (NDDC)**

Pursuant to Section 18(1) of the Niger-Delta Development Commission (Establishment) Act No. 6 of 2000, I wish to submit the 2009 estimate of the Expenditure and Income of the Commission for the consideration and approval of the National Assembly.

The Commission has submitted the Budget proposal of ₦96,617,570,109.00 (Ninety-six Billion, Six Hundred and Seventeen Million, Five Hundred and Seventy-thousand and One Hundred and Nine Naira) only as against the sum of ₦89,204,000,000.00 (Eighty-nine Billion, Two Hundred and Four Million Naira) only submitted in 2008. This represents an increase of 8.31 per cent over last year's budget. The proposed

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2009 Budget is made up of Personal Costs of ₦4,398,920,000.00 (Four Billion, Three Hundred and Ninety-eight Million, Nine Hundred and Twenty Thousand Naira), Overhead Expenditure of ₦4,066,000,000.00 (Four Billion, Sixty-six Million Naira) and a Capital Expenditure of ₦88,152,650,109.00 (Eighty-eight Billion, One Hundred and Fifty-two Million, Six Hundred and Fifty Thousand, One Hundred and Nine Naira).

Whilst requesting your usual kind expeditious consideration and approval please accept the assurances of my highest regards.

Yours Sincerely,

(Signed)
UMARU MUSA YAR'ADUA
PRESIDENT

The Speaker: The second message is also from the President of the Federal Republic of Nigeria: It reads:

27th March, 2009

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

Dear brother,

**SUBMISSION OF BILLS FOR ACTS TO
AMEND THE FEDERAL POLYTECHNICS ACT,
1979 AND THE FEDERAL COLLEGES OF
EDUCATION ACT, 1986**

I forward herewith one copy each of the attached documents on the above subject matters for the consideration of the House of Representatives of the Federal Republic of Nigeria.

In the proposal, Government has accepted the following recommendations:

- (i) The amendment of certain aspects of the Polytechnic Acts, Cap F17, LFN 2004 by increasing the retirement age of Academic staff in the Polytechnics and adding five new Polytechnics to the list namely:
 - a) Federal Polytechnic Bali,
 - b) Federal Polytechnic, Ekowe,
 - c) Hussaini Adamu Federal Polytechnic, Kazaure,

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- d) Waziri Umaru Federal Polytechnic, Birnin Kebbi and
- e) Auchi Polytechnic, Auchi

(ii) That the Academic staff shall retire from the Service of the Polytechnics on attainment of 65 years.

(iii) That all properties, moveable and immovable held by or on behalf of the above mentioned Polytechnics shall, as from the commencement of this Act, vest with such institutions respectively.

Pursuant to the above, therefore, and in line with the powers vested with the National Assembly, I present the following Bills:

(i) A Bill for an Act to Amend the Federal Polytechnics Act, 1979 and for Other Related Matters;

(ii) A Bill for an Act to Amend the Federal Colleges of Education Act, 1986 and Other Related Matters.

to the House of Representatives of the Federal Republic of Nigeria for its kind consideration and enactment.

Yours sincerely,

(Signed)

UMARU MUSA YAR'ADUA
PRESIDENT

Meeting of Members of the Aviation Committee

The Speaker: The Chairman of the Committee on Aviation wishes to let all Members of the Aviation Committee know that there will be a meeting today in Room 429 at the New Building.

(Signed)

Hon. Bethel Amadi
Chairman, Aviation Committee

Meeting of Members of the Ad Hoc Committee on the Activities of NNPC, its Subsidiaries and DPR

The Speaker: There will be a meeting of Members of the Ad Hoc Committee on the Activities of the NDDC, its subsidiaries and the DPR today Tuesday,

the 28th of April, 2009 in Committee Room 120, New Building.

Signed

Hon. Igochukwu Aguma
Chairman

Meeting of Members of the Catholic Faith with His Grace, the Most Reverend, Dr. John Onayekan, Archbishop of Abuja

The Speaker: This is to inform all Members who are of the Catholic Faith that His Grace the Most Reverend, Dr. John Onaiyekan, Archbishop of Abuja Diocese would like to meet with them tomorrow Wednesday, the 29th of April, 2009 at the Church of the Assumption, Asokoro at 7.00 p.m.

Signed

Hon. David Idoko

Meeting of Female Parliamentarian Caucus

The Speaker: All Female Parliamentarian Caucus will have a meeting today, the 29th of April, 2009 immediately after sitting in the House of Representatives Chambers to discuss the modality for the training and Public Speaking Skills for the documentation of their work in their Constituency by IRI.

Signed

Hon. Saudatu A. Sani
Chairman, Committee on MDG

PRESENTATION OF PUBLIC PETITIONS

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

Wrongful Retirement

Hon Chukwumaeze N. Nzeribe (Ihiala): Mr. Speaker, I have a Petition from Mr. Christopher Anagonye who was wrongfully retired from the service of the National Institute for Cultural Orientation. He has gone to the Justice Oputa Panel set up to look at issue of Human Right abuses in the past just like myself.

After recommendations for his re-instatement by the Committee set up in the Office of the Head of Service and Secretary to the Government, this matter remains outstanding. He has appealed that this House do kindly intervene in his matter.

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I therefore present this Petition on his behalf believing, hoping and praying that after many years of several Committees and Commissions on his case that justice will be done to this ordinary Nigerian.

May I, respectfully lay the Petition before the House, please?

Petition laid.

Unpaid Shares, Gratuities and Monthly Pensions

Hon. Ifaluyi Isibor (Egor/Ikpoba/Okha): Mr. Speaker, I have a Petition from two senior citizens, Mr. Osemeta Daniel and Mr. Okelegbe Charles for and on behalf of all two thousand retirees in Edo State.

They are complaining of unpaid Federal Shares of gratuities and monthly pensions to about two thousand workers who are now pensioners that were retired en-mass in 2000 in Edo State. They want the House to assist them to ensure that they are put back at the positions where they will continue to receive their pensions and gratuities. Therefore, they want this honourable House to speedily address this issue so that they will be glad that this honourable House has once again helped them.

May I lay this Petition on the Table?

Petition laid.

Breach of Contract Agreement

Hon. Osagie Raphael Samson (Orhionmwon Uhumwode): Mr. Speaker, I have a Petition by Mac-Daniels and Anad Associate Limited. The Company is complaining against SAIPEM Contracting Nigeria Limited for breach of its obligation under a contract agreement between it and the contracting firm and for failure to pay certain specified amount of money.

The petitioner is optimistic that the appropriate Committee of the House will be able to wade into this matter, do justice to it and ensure that SAIPEM contracting firm honours its obligations under this contract.

May I lay this Petition on the Table of this House?

Petition laid.

Hon. Speaker's Welcome Address

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The Speaker: My dear Colleagues, before we go to the First Business of the Day, I would like to welcome you back from our Easter break and for us to move straight into the business for the next three months. Permit me to note that the remaining part of 2008 and 2009 Legislative Calendar has some priority subjects that we have been looking forward to concluding as soon as possible. Top on that list is the Power Report followed by Reports on financial state of remittance on matters of critical sectors that we have concluded investigations on.

We also have to continue with the monitoring of the Budget for performance in the course of our oversight functions. There are a lot of Bills that we have done Public Hearings on and the Reports are ready for consideration including some that we have considered for Third Reading.

You are all aware that the National Assembly will be ten years old in a few weeks time and it is important that we task ourselves within the next few weeks to wrap up all those things that we will require to present to justify democracy.

The all-important Electoral Amendment Bill will have to be considered as well. It is quite obvious that elections apparently are going to start next year. I believe in Anambra State and with what is going on in Ekiti, we still have challenges. Obviously, we need to take the Electoral Amendment Bill with a particular vigour that we may not be used to.

I would also like to thank all Members of the House of Representatives as I am extremely grateful yet again and with all humility for the opportunity given to me as your Speaker which has resulted in my being elected as President of the Afro-Arab Parliament. *(Applause)*

Again, to me that is only a consequence of what you have done for me. I thank you very much; I am extremely grateful.

PRESENTATION OF REPORTS

Report of the Joint Committee on Science and Technology and Justice

The Speaker: The First Business of the Day is the Presentation of the Report of the Joint Committee on Science and Technology and Justice on a Bill for an Act to Prohibit Chemical Weapons and Establish the National Authority for the Effective Implementation of Chemical Weapons Convention in Nigeria and for

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Other Matters Connected Therewith, 2008. This is standing in the name of Hon. Akinlade Isiaq Abiodun.

This Bill was referred to the Joint Committee on 29th July, 2008. The Report is now ready for presentation. Hon. Akinlade, please, proceed.

Hon. Abiodun Isiaq Akinlade (Egbado South/Ipokia): Mr. Speaker, before I present the Report, I have an observation to make. On Tuesday, 29th July, 2008, the Report was referred to the Committee on Science and Technology and Defence; not Justice! So what we have today is Science and Technology and Justice, I want us to have that on record.

The Speaker: That is all right.

Hon. Abiodun Isiaq Akinlade: Mr. Speaker, I move that this House do receive the Report of the Joint Committee on Science and Technology and Defence on a Bill for an Act to Prohibit Chemical Weapons and Establish the National Authority for the Effective Implementation of Chemical Weapons Convention in Nigeria and for Other Matters Connected Therewith. I so move.

Hon. Muhammed Ali Wudil (Wudil/Garko): I rise to second the Motion as presented by my Chairman, Hon. Akinlade.

Question put and agreed to.

Report laid.

Report of the Committee on Diaspora on the investigation of a Nigerian citizen stabbed to death in Ukraine

The Speaker: The Second Business of the Day is presentation of the Report of the Committee on Diaspora on the Investigation into the matter of a Nigerian citizen stabbed to death in Ukraine. This is standing in the name of Hon. Abike Dabiri Erewa.

Members will recall that on Thursday 22nd January, 2009, the House in a resolution mandated the Committee to conduct full investigation into the incident and report back to the House. The Report is ready for presentation and Hon. Abike Dabiri is invited to move the Motion.

Hon. Abike Kafayat Dabiri Erewa (Ikorodu): Mr. Speaker, hon. Colleagues, I move that this House do receive the Report of the Joint Committees on Diaspora, Justice and Foreign Affairs on the

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investigation into the killing of a Nigerian in Ukraine. I so move.

Hon. Aminu Shehu Shagari (Yabo/Shagari): I rise to second the Motion moved by my Chairman, Hon. Abike Dabiri.

Question put and agreed to.

Report laid.

Mid-Sessional Report of the Committee on Diaspora

The Speaker: The third Business of the Day is presentation of the Mid-Sessional Report of the Committee on Diaspora standing in the name of Hon. Abike Dabiri Erewa.

Hon. Abike Dabiri Erewa is invited to present the Report.

Hon. Abike Kafayat Dabiri Erewa: I move that this House do receive the Mid-Sessional Report of the Committee on Diaspora. I so move.

Hon. Elizabeth O. Ogbaga (Ebonyi/Ohaukwu): Mr. Speaker, I second the Motion moved by Hon. Abike Dabiri Erewa.

Question put and agreed to.

Report laid.

Mid-Sessional Report of the Committee on Emergency and Disaster Preparedness

The Speaker: The next Business of the Day is the presentation of the Mid-Sessional Report of the Committee on Emergency and Disaster Preparedness standing in the name of Hon. Leo Awoyemi. Hon. Awoyemi is not here.

The Chairman, Rules and Business what do you have to say to that?

Hon. Ita Solomon J. Enang (Itu/Ibiono Ibom): Mr. Speaker, we regret that it is not here. May it be stood down but Hon. Awoyemi assured us that it is ready.

The Speaker: Is the Deputy Chairman of the Committee of Emergency and Disaster Preparedness here? *(No response)*

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The Chairman, Rules and Business, may we hear from you.

Hon. Ita Solomon J. Enang: The Report is with us. We will list it for tomorrow and find a way to present it. We are very sorry.

The Speaker: Do you have it here with you.

Hon. Ita Solomon J. Enang: It is not here but it is with us in our office.

The Speaker: That is all right. We have to stand the report down.

By leave of the House, report stood down.

Mid-Sessional Report of the Committee on Foreign Affairs

The Speaker: The next Report is the Mid-Sessional Report of the Committee on Foreign Affairs standing in the name of Hon. Bature. You may present your Report.

Hon. Umar M. Bature (Sokoto North/South): I move that this House do receive the Mid-Sessional Report of the Committee on Foreign Affairs. I so move.

Hon. Sokonte H. Davies (Degema/Bonny): I rise to second the Motion moved by my Committee Chairman.

Question put and agreed to.

Report laid.

Mid-Sessional Report of the Committee on Industries

The Speaker: The next is the presentation of the Mid-Sessional Report of the Committee on Industries standing in the name of Hon. Solomon Agidani. You are please invited to present your Report.

Hon. Solomon Agidani (Apa/Agatu): I move that this House do receive the Mid-Sessional Report of the Committee on Industries. I so move.

Hon. Bitrus B. Kaze (Jos South/Jos East): I rise to second the Motion moved by my senior Colleague, Hon. Solomon Agidani.

Question put and agreed to.

Report laid.

ORDERS OF THE DAY

CONSIDERATION OF BILLS

The Speaker: Dear Colleagues, before the first Order of the Day is taken, we noticed that the first and second listed Bills scheduled for debate are of similar subject matter.

In accordance with our Standing Rules, Order XII, Rule 14, I hereby call on the Chairman of Rules and Business, Hon. Ita Enang to move that the Bills be now consolidated.

Hon. Ita Solomon J. Enang: Mr. Speaker, may I move that the Bill listed as Order No. 1 on the Order Paper, that is, House Bill No. 117 be consolidated with the Bill listed as Order No. 2 on the Order Paper, that is, House Bill No.167 and taken together the Bills being on the same subject matter in accordance with Order XII, Rule 14 of our Standing Orders. I so move.

Hon. Shuaibu Hashimu Abdullahi (Awe/Dema/Keana): I second the Motion moved by Hon. Ita Enang that the two Bills be consolidated.

Question put and agreed to.

Resolved: That House Bill No. 117 be consolidated with House Bill No.167 and taken together; the Bills being on the same subject matter in accordance with Order XII, Rule 14 of our Standing Orders.

Disclosure of Information for Unlawful or Other Illegal Conduct or Corrupt Practices Bill 2008

A Bill for an Act to provide for the manner in which individuals may in public interest disclose information that Relates to unlawful or other Illegal Conduct or Corrupt Practices of others; to provide for the protection against victimization of persons who make these disclosure; to provide for a fund to reward individuals who make disclosures and to provide for Related Matters, 2008 –

Order for Second Reading

Disclosure of Information for unlawful and other Irregular Practices by Persons employed in the Public and Private Sectors (Procedure) Bill 2009

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A Bill for an Act to make provision for the procedure in Terms of which Persons employed in the Public and Private Sectors may disclose information regarding unlawful and other irregular practice and conduct in a workplace, provide protection against any occupational detriment or reprisals of a person making such disclosures, and Designate other Matters Relating Thereto, 2009 –

Order for Second Reading.

The Speaker: The Bills were first read for the first time on Thursday 31st of July 2008 and on Thursday 5th February 2009.

I now invite Honourable Arole Fancy to move that the Bill be read the Second Time.

Hon. Arole Fancy (Surulere II, Lagos): Right Hon. Speaker, may I humbly move that a Bill for an Act to provide for the manner in which individuals may in public interest disclose information that Relates to unlawful or other Illegal Conduct or Corrupt Practices of others; to provide for the protection against victimization of persons who make these disclosure; to provide for a fund to reward individuals who make disclosures and to provide for Related Matters, 2008 be read the Second Time.

I also humbly move that a Bill for an Act to make provision for the procedure in Terms of which Persons employed in the Public and Private Sectors may disclose information regarding unlawful and other irregular practice and conduct in a workplace, provide protection against any occupational detriment or reprisals of a person making such disclosures, and Designate other Matters Relating Thereto, 2009 be read the Second Time.

I so move.

Hon. John Halims O. Agoda (Ethiope East/Ethiope West): Mr. Speaker, I am just resuming, I am not aware that the Bill is coming up today. *(Laughter)*

You can bear me out Mr. Speaker that today is the first day of our discussion, to that effect there was no notice that the Bill is coming up today.

Therefore, I did not elect to debate the Bill today.

The Speaker: Chairman, Rules and Business, what is going on please?

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Hon. Ita Enang (Itu/Ibiono Ibom): Mr. Speaker, there are over 211 Bills pending on the Floor of this House. With respect sir, this is the fourth day this Bill is listed for Hearing.

Hon. Arole Fancy first sponsored the Bill and inadvertently when my Colleague and brother, Hon. Agoda brought it we inadvertently published it. They are all on the same subject matter.

The Speaker: What I am saying is that Hon. Agoda is not aware that it was going to be presented today.

Hon. Ita Enang: Mr. Speaker, we published the Notice Paper on Wednesday last week and circulated it to every person.

The Speaker: All right thank you. I hope it is fine.

Hon. Ita Enang: With respect sir, what we do is, when we publish the Notice Paper, any person that is not prepared to take his Bill, will now say he is not prepared. Once the Report is not ready, he is not ready.

The Speaker: All right, thank you. Please sit down. Hon. Arole Fancy had already moved which means he is ready to present his Bill.

Is there any Seconder?

Hon. Habeeb A. O. Fasinro (Eti-Osa, Lagos): I wish to Second with an addendum.

The Speaker: You need to second the Motion.

Hon. Habeeb A. O. Fasinro: Yes, I need to second it but with an addendum.

The Speaker: No, you cannot

Hon. Habeeb A. O. Fasinro: All right, I wish to second the Motion.

Question proposed.

Hon. Arole Fancy: Hon. Speaker *(Interruptions)*.

The Speaker: Honourable colleagues, order.

Hon. Arole Fancy: Indeed, I have to express my appreciation. *(Interruptions)*

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The Speaker: Hon. Fancy, if I can just seek advice. Hon. Chairman, Rules and Business, is this thing in order, given the situation we are. Hon. Fancy would you wish to stand down this Bill and represent it some other day?

Hon. Arole Fancy: All right sir. I agree to stand it down till the next legislative day.

The Speaker: All right. This is the reasonable thing to do. The reason being that the Bills are joined together; the presenter is ready, but another reason is that the other gentleman is not consenting yet. Therefore, we stand it down.

Bills, with leave of the House, stood down.

The Speaker: Is Hon. Wale Oke here? (No response) As he is not here I do not understand how we are going to take his Motion.

Chairman Rules and Business, Hon. Wale Oke is not here. What are we going to do?

Hon. Ita Enang: Mr. Speaker, we informed him and there was no information from him that he will not be here.

The Speaker: Yes, he was here earlier on. Where is he now?

Hon. Ita Enang: Mr. Speaker, I cannot immediately at this moment say where he is. I think his Deputy may be disposed.

The Speaker: It is not a Bill on his Committee. It is a Bill that has to do with Federal Mortgage Bank of Nigeria.

Chairman, Banking and Currency, are you aware of this Bill being presented by Hon. Wale Oke? It has to do with your Committee?

Hon. Habeeb A. B. Fashinro: I am not aware.

The Speaker: Chairman, Rules and Business.

Hon Ita Enang: Mr. Speaker, with respect Sir, I will make a very unusual application. I am not the sponsor of this Bill but when we look at our records, this Bill has come up almost eleven times. We have pleaded and made personal contact with the sponsor and this Bill still stands as one of those that the House has not passed. When the public reads the number of Bills pending and the ones passed, they may not understand that we have constraints like this.

I will appeal that this Bill be struck out so that whenever our Colleague is ready, he can apply to bring it back again. That the Bill is still standing against the House is not in the interest of the House. It is neither doing the House well nor giving us a good image.

Hon. Femi Gbajabiamila (Surulere I): Mr. Speaker, I just want to clarify one or two things. I think the sponsor of the Bill might have a genuine reason for not being here. Under his own constitutional right to fair hearing, I do think we should strike out his Bill. It would not have been listed in the first place. The Committee has a responsibility to call sponsors of the Bills to the Committee and let them know whether or not they are ready to move the Bill or whether they want it struck out rather than striking it out on the Floor of the House *suo motu*. It is against his constitutional right to fair hearing.

The Speaker: Hon. Colleagues, I would like a few of us to actually talk about this now. We cannot have a situation where over two hundred and eleven Bills are pending. It is not acceptable.

Hon Leonard Ogor Okuweh (Isoko North/Isoko South): Mr. Speaker, it is important we listen to what the Chairman of Business and Rules has just said. He said that this Bill has been presented for Debate and that this is the eleventh time. We are all aware that the author of this Bill was here on the Floor and he must have gone through the Order Paper, which means he would have also seen that his Bill is being debated today.

It therefore means that we can take a decision on it if this whole exercise is recurring like a decimal number

which is almost the eleventh time and he knew that the Bill is listed and he did not even take the pains to probably step it down for specific reason. I believe that this Bill should be struck out so that we can really go on with our legislative work.

Hon. Soli Sada Jibia (Jibia/Kaita): Mr. Speaker, I would like to disagree with the Chairman, Rules and Business Committee. If we accept that suggestion, it is a terrible history to a Parliament, where you strike out a piece of legislation. It is not going to happen and we will not allow that because it is unparliamentarily. The best thing we can do is to come out with a modality. It is not necessary that a mover or sponsor of a Bill or Motion must be on the Floor. So long as Notice paper is circulated to us, we are ready and any member can move that we can commence debate on any legislation.

Hon. John Halims O. Agoda (Ethiopia East/Ethiopia West): Mr. Speaker, you know ours is a

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young democracy and every day we learn one new thing or the other. Importantly, as the highest lawmaking body of this great country, when we need to take certain decisions, we must remind ourselves that whatever decision we are taking will be set out as precedence where the State Houses of Assembly or even the Council Areas are bound to follow. Democracy comes not too easily but it comes with the pace. Therefore, we cannot be seen to be taking decisions that have the emblem of military dictatorship.

When a Colleague sponsors a Bill and the Member is not here to move that Bill, irrespective of the number of times, we must give him the opportunity to be around and either declare not to argue that Bill or he will tell the House his reasons for sponsoring that Bill. I do not think the number of times should be considered because if we do, we will be setting very wrong precedence.

Therefore I urge this House that we should give our Colleague another benefit of doubt. What the Rules and Business should do is not to enlist that particular Bill on the Order paper.

If I, Halims Agoda, sponsors a Bill and I say I am not ready, there is no need to include it on the Order Paper. The Bill can die in that manner without appearing on the Order Paper. So when you put it on the Order Paper and the sponsor is not here, you cannot strike it out. I urge that we should give the person fair hearing.

The Speaker: In this particular case the sponsor is not here.

Hon. John Halims Agoda: As we cannot see him now that is the reason we should give him another benefit of doubt.

Hon. Habeeb A.B. Fashinro: Mr. Speaker, it is important to know that the Rules and Business Committee which is the most important Standing Committee in this House, has major challenges. Time and time again, when Bills are mentioned here those who are supposed to debate this Bill are either not aware that it is coming up or are not prepared. For those of us who have the privilege of serving on Rules and Business Committee the Committee itself needs to go back and seek its proper *modus operandi* on the issues of Bills in this House.

One thing that is important and everybody should know is that the Rules and Business Committee ought to comprise the Leadership of this House as well. It is there that you can determine whether or not a Bill should be brought to the Floor of the House after proper

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scrutiny and whether it is worth coming or not. This is because sometimes people just initiate Bills that is of no importance to them. They feel that they just want to list Bills for their names to be mentioned that they put twenty Bills and they are not going to pursue it. So, they need to go back, sit down with each and every Member who brings a Bill and go through it properly and see how serious they want it.

The Speaker: Hon. Fashinro is suggesting that the Rules and Business Committee begins to take into consideration Bills that are probably not even worth being brought to the Floor of the House. My dear Colleagues, let us not play politics with the procedure of how things are done here. Listen to the Chairman of the Rules and Business Committee who is apparently not a saint anyway but he is doing a good job.

He said that there are 211 outstanding Bills. As far as he is concerned, the reason we are having outstanding 211 Bills is because when some Members are listed they do not act upon it. You know that I have said here times without number that we cannot have a situation whereby when we needed to do over 60 Public Hearings in February, about three months ago, for example. Most of the Chairmen of the affected Committees worked so hard during that period. They worked during the Easter period to make sure that their Reports are ready for consideration. Some Chairmen did nothing. Therefore, in a situation whereby we have most of us heeding to the call of the Floor of the House and some of us do not; it is going to slow down the work of the whole House.

I am, therefore, pleading for the hon. Member involved this morning to be given another chance to present his Bill and for us to be more proactive in getting these things out. This Bill does not have to be passed at the end of the day but it has to go through the process.

For example, I know of a developed democracy, Europe to be precise, that last year presented over 450 Bills and only four were passed into law. Anybody can come up with ideas; we cannot gag them. But let the House decide by you coming to show up and do what you are supposed to do.

We have already improved and we are doing very well as far as Bills are concerned but let us do better.

Thank you.

**Chartered Institute of Professional Secretarial
Staff of Nigeria (Establishment) Bill, 2008**

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A Bill for an Act to Establish the Chartered Institute of Professional Secretarial Staff of Nigeria and Matters Connected therewith –

Order for Second Reading

The Speaker: This Bill was read for the first time on the 27th of November, 2008.

Hon. Samson Osagie is invited to move that the Bill be read a Second Time.

Hon. Samson Raphael Osagie (Orhionmwon/Uhunmwode): Mr. Speaker, I move that this Bill be read a Second Time.

The Speaker: Is there any Seconder?

Hon. Emmanuel Jime (Makurdi/Guma): I rise to second the Motion.

Question Proposed.

Hon. Samson Osagie: Mr. Speaker, the Bill before us this morning is brought in pursuant to the Constitutional rights of the citizens to associate and pursue their common course. This is the right of association as enshrined in the 1999 Constitution of the Federal Republic of Nigeria.

This Bill seeks to create an Institute for Professional Secretarial Staff, which include Confidential Secretaries, and they are distinct from Secretaries, which are governed by the Chartered Institute of Administrative Secretaries. They are quite different.

This group of professionals have over the years seen themselves as having been relegated to the background in the administration of Organisations and public institutions. They have therefore come up with the idea of creating an opportunity for themselves to ensure that their common interest is protected and that they have constant training and retraining for the purpose of making them more professional.

The category of the secretarial staff that we are talking about abounds in every institution of government and private organisations. What they seek to do is to ensure that their interests as professionals in their own rights are guaranteed when the Institute pursues the functions for which they are going to be set up.

The Institute will be responsible for creating standards for professional secretarial staff to meet

before they can be accredited by the Institute as Associates and Fellows just the way you have in most other professions. The Institute will ensure that these secretarial staff will constantly undergo training and retraining for them to cope with the rising challenges and demands of the 21st century especially as it has to do with organisational management across the world.

This Institute has its replica in some other countries like Europe and America. Britain for instance is particularly noted for protecting and giving administrative cover to its professional Secretarial Staff. This is what has informed the sponsorship of this Bill.

It is not such a long Bill and so may not require too much talk but it is important to stress that every organisation and institution whether public or private cannot do without the functions and the duties of Secretarial Staff. For them to be more efficient, they require an Institute of this nature to enable them undergo constant training and retraining so that standards can be met before they can be regarded as properly qualified for this job.

It is therefore against this background and this little synopsis that I intend to enjoin Members of this House to support the establishment of this Bill. By the time we are able to send it to the Committee, I believe that we will be able to make more inputs or any subtraction as the case may be.

This is the major merit of this Bill.

Hon. Labaran Y. Dambatta (Dambatta/Makoda): Mr. Speaker, I rise to oppose the Motion as moved on this Bill because as it is, we are trying to bring about proliferation of insignificant professions in this country. As it is now, every manager really, aspires to be versatile in so many fields. By creating this Institute, we are trying to bring restrictions in the manner in which people should rise within their various fields. This is because as it is now, you will find that those who read Computer Engineering, Management and so on are now professionals in that regard.

So what are we talking about? We are now in the 21st Century, moving forward; why should we be going back to the ages when we had the clerical staff, the stenographers and so forth. Federally, we are limiting education and I think it will be inimical to the progress of this country. We should really look at it in that regard and discard it at this stage.

Hon. Emmanuel Jime (Makurdi Guma): I would like, first and foremost, to allay the fears that have just been recently expressed by the last speaker concerning the real merit behind this particular Bill. I believe that

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instead of limiting the capacity and the ability of Nigerians to be able to professionalise, this Bill is all about enhancing training, setting standards and to afford Nigerians an even better opportunity for professionalism in a chosen area which is the secretariat areas.

Perhaps, our greatest problem in this country is due to lack of standards in a lot of the areas of our professional endeavours. We have been inundated in other professions with quackery. Therefore, you have situations in this country where people have professed to be in certain professions but because there are no standards or institutional guidelines, what we have essentially is quacks, parading themselves as professionals.

Therefore I think that as a Parliament, if there is a measure that has been introduced on this Floor that can guarantee standards, it is duty imposed on us as a Parliament, to create that enabling environment that allows for Nigerians to aspire to be professionals in whatever area that they may choose to aspire. This is one area that I think requires more professionalism than anywhere else. Therefore, I believe that at this particular juncture, what we need in my view is to support the passage of this Bill to the Second Reading.

The fears that have been raised can be best addressed when the Committee of this House that has the responsibility of upgrading standards is given the opportunity of looking at this Bill. Obviously, there is also the opportunity of further debates on this particular matter when it comes back to the Committee of the Whole. I think that whatever fears we may express at this point, those fears can be addressed when this matter is taken up at the Committee of the Whole.

Essentially, I believe that it is the work of a Parliament to make sure that measures that we bring here go as far as the Committee of the Whole so that this House is given the better advice of professionals, who will come to attend Public Hearings. That way, we have better inbuilt capacity of passing legislation that can stand the test of time.

I would like to call on my dear Colleagues, that this is one measure that can help enhance professionalism and that those fears can be addressed when we get to the Committee of the Whole.

I rest my case, Sir.

Hon. Andrew Uchendu (Ikwerre/Emohua): I rise to support this very important Bill being sponsored by Hon. Samson Osagie.

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The problem we have in most organisations is lack of standards. For these groups of professionals, I consider it very important that they must be standardised in their conduct and in the discharge of their duties.

For those of us that have had the opportunity of heading establishments in this country, the importance of standardisation for professional Secretaries cannot be over emphasised. They hold the secrets of their bosses or the Chief Executives; they are expected to conduct themselves in particular manner and where there are no standards and no institutes, they will behave any how. Many Chief Executives or bosses have gone to jail because their Secretaries did not conduct themselves in proper manner. They are the images of their bosses.

You would agree with me that at times, I have had the opportunity of telling my Secretary to tell anybody that comes in that I am not in, meanwhile, I am in.

The Speaker: Chairman!

Hon. Andrew Uchendu: I am sorry, Mr. Speaker.

The Speaker: Thank you.

Hon. Andrew Uchendu: They are the images of their bosses; if there are standards, they are expected to know what to do if their bosses do not want to see anybody or when they want to see somebody. They take all the blames for the faults of their bosses. It is only when there are standards that they know how to conduct themselves.

Again, they are the repository of information and data-bank of their bosses and the organisation. If this group of professionals, as we have them today, do not have standards or groups that will monitor their conduct in the discharge of their duties, then we have not made any progress. It has nothing to do with computerisation and modernity but has something to do with protection of the establishment where they serve bosses and heads of departments.

Hon. Friday Itulah (Esan North East/Esan South East): I rise to support this very laudable Bill that is sponsored by Hon. Samson Osagie.

As we are well aware, in Management it is said that the Secretaries are the life-wire of every organisation. In other words, to make or mar such organisation is dependent on the ability of such Secretaries. Even as we are here, we can see around us the roles that Secretaries are already playing. And at our various offices we also know that without these

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persons, it is practically difficult for us to be able to make meaning out of the job that is assigned to us. Therefore, if this Body is to be brought together, we do know the advantages that can come in as a result of that. As it is also said, *iron sharpens iron*; if these people are brought together they will be able to share values of what they have learnt and be able to bring this together as a way of furthering the profession that they already have.

In various institutions of higher learning today, we have Department of Secretarial Studies; they are there in the Universities and we have them in the Polytechnics. If these Bodies are already recognised as Professional Bodies, there is nothing wrong in bringing them together so that they will be able to advance the course that they have chosen.

I believe that all of us that are here and who know the value of the roles that Secretaries play in various organisations will not be opposed to this Body coming together as a way of advancing the knowledge they already have.

In this Parliament, we have had causes to bring various professional bodies together that are not even having departments in institutions of higher learning. Why should this be an exception? I believe this will be for the advancement and betterment of the society.

Hon. Solomon Agidani (Apa/Agatu): I rise in support of this very important Bill. It is important because for avoidance of repetition, Members have mentioned the importance of Secretaries in every organisation and that is an eternal truth. So if this group of professionals have always existed; all that is required is that they would want to have a Charter. They would want to come under a professional umbrella of professional Secretaries. I think at the level of Committee, we will be able to choose whether we want to go for the staff or go for Professional Secretaries.

It is important for us to remind ourselves that this Bill was passed by the last House. It was sponsored by Hon. John Halims Agoda but it did not go through the full legislative process. The point now is that it was not signed into Law and so the Bill has had a second visit to this House. I believe that this Bill is not harmful or in conflict with any existing legislation.

This Bill also finds its benchmark in Section 40 of the 1999 Constitution dealing with Freedom of Association. If indeed this group of people are professionals, what is stopping them from associating together once the Constitution has guaranteed such permission for them to associate as a professional body?

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The Bill attempts to promote professionalism within a professional secretarial profession.

It also allows for discipline, promotion and engagement within the professional body. It also enhances human capital development for the economy. With all these, I believe that Members should have a good look at this Bill, so that it can get expeditious passage.

Question put and agreed to.

A Bill for an Act to Establish the Chartered Institute of Professional Secretarial Staff of Nigeria and Matters Connected Therewith, 2008 - read the second time and referred to the Committee on Commerce.

CONSIDERATION OF REPORTS

Report of the Committee on Interior Affairs on a Bill for the Repeal of Prison Act 2004

The Speaker: The next Order of the Day is consideration of the Report of the Committee on Interior Affairs standing in the name of Hon. Jerry Manwe. This Bill is for an Act to Repeal the Prison Act, Cap. 366. P29 Laws of the Federation of Nigeria, 2004 and to make Comprehensive Provision for the Administration of Prison in Nigeria and for Related Purpose, 2008. This was laid on Tuesday, 18th November 2008.

Hon. Jerry Manwe, please move for the consideration of the Report.

Hon. Jerimon S. Manwe (Lau/K/Lamido/Ardo-Kola): Mr. Speaker, I rise to move that this House do consider the Report on a Bill for an Act to Repeal the Prison Act, Cap. 366. P29 Laws of the Federation of Nigeria, 2004 and to make Comprehensive Provision for the Administration of Prison in Nigeria and for Related Purpose, 2008 HB 40 and approve the recommendations therein.

Mr. Speaker, the House also referred A Bill for an Act to Establish the National Rehabilitation Commission to Provide Support for Prison in Areas of Education and Youthful Offender Programming and for Other Connected Purposes and we have been asked to consolidate these Bill. So, the Report has been integrated and we are ready to get it considered.

I so move.

The Speaker: All right, I was a little bit confused. We are not aware that you have consolidated it. The

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only one we are aware of is what is on the Order Paper.

Hon. Jerimon S. Manwe: Mr. Speaker, I am trying to refresh the mind of the House.

The Speaker: Yes, but it is not on the Order Paper.

Hon. Jerimon S. Manwe: It is all right. The Chairman, Rules and Business will clarify further but I am ready with all the Reports.

Hon. Ita Solomon James Enang (Itu/Ibiono Ibom): Mr. Speaker, I think the explanation Hon. Manwe is giving should be given when we are in the Committee of Whole.

The Speaker: All right, we will take your word for it.

Hon. Austin Nwachukwu (Ehime Mbano/Ihite Uboma/Obowo): I hereby rise to second the Motion as moved by Hon. Jerry Manwe.

Hon. Ihedioha Emeka Nkem (Aboh Mbaise/Ngor Okpala): I move that the House do resolve into Committee of the Whole to consider the Report of the Committee on Interior Affairs.

Hon. Waziri Aminu Tambuwal (Kebbe/Tambuwal): I do second the Motion as moved by the Chief Whip.

Question put and agreed to.

That the House do resolve into Committee of the Whole to consider the Report of the Committee on Interior Affairs.

Report of the Committee on Interior Affairs on a Bill for an Act to Repeal the Prison Act, Cap. 366. P29 Laws of the Federation of Nigeria, 2004 and to make Comprehensive Provision for the Administration of Prison in Nigeria; and for Related Purposes, 2008 – CONSIDERED IN THE COMMITTEE OF THE WHOLE.

The Chairman: Hon. Colleagues, the only report we have is from the Committee on Interior on a Bill for an Act to Repeal the Prison Act, Cap, 366 P29 Laws of the Federation of Nigeria, 2004 and to make Comprehensive Provision for the Administration of Prison in Nigeria; and for related purpose, 2008.

I will now invite Hon. Jerry Manwe to brief the House on this Report before we consider it clause by clause.

Hon. Jerry Manwe: The Chairman, the House in Plenary on Tuesday 15th April, 2008 concluded debate on the general principles of the above Bill and referred same to the Committee for further legislative action on the 16th of April, 2008. The Committee made efforts to fashion out sustainable process that would establish a new legal framework and representative modalities that would give the Nigerian prison a humane and rehabilitative form while emphasizing on the core values of the principles of imprisonment.

It may be recalled that the prison Bill is not completely new to this hallowed Chamber. The debates and discussions on the new prison Bill has been on since 2001. In 2001 public consultations and hearings were held on this same Bill, unfortunately it could not be passed before the end of the life of the Parliament. Also in 2005, the Bill was updated and represented to the House.

It went through public hearing as usual and all the processes that were involved. Again, it could not be passed before the end of that Parliament. It is in the light of this that the lead sponsor of the Bill requested for an accelerated hearing and the House graciously granted that request and it was referred to the Committee on Interior.

The Committee in response to the referral embarked on series of public consultations with stakeholders and end-users of the Bill and came up with the following observations or findings.

- (1) The Committee observed that there is a need to establish an appropriate framework as a first step in the creation of a proper content for a humane present sensor;
- (2) The present Act 1972 is seriously updated in that the Act does not provide for proper initiation administration of prison protection and holding international standards;
- (3) We also observed that the effective treatment of a convicted offenders and those accused of crime contributes to insecurity and hampers development discriminate against the poor and it is a serious concern of human rights;

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- (4) The social economic aspect of imprisonment includes preventing people from contributing to their local economics.

The Chairman: It is all right Hon. Manwe for the brief. We can now begin with clause one.

Hon. Jerry Manwe: Sorry Mr. Chairman I had earlier told this august House that the Committee had been asked to consolidate an earlier Bill which was also referred to it. That is a Bill for an Act to Establish the National Rehabilitation Commission.

I would want to be allowed to take the two Bills together. We observed the following: that the Bill is a welcome innovation to the criminal justice sector in Nigeria as it seeks to provide the information of offenders.

The Chairman: Which one is the other Bill? You said two Bills are combined here.

Hon. Jerry Manwe: Yes, it is consolidating.

The Chairman: All right you have consolidated the two Bills.

Hon. Jerry Manwe: Yes we have.

The Chairman: It is all right then.

Hon. Jerry Manwe: Thank you Mr. Chairman.

The Chairman: Hon. Colleagues, Clause one. Ignore the citation, it will come later.

Clause I – (THERE IS ESTABLISHED FOR THE FEDERATION A NIGERIAN PRISONS AND CORRECTIONAL SERVICE)

That is the first clause. Hon. Tsegba, have you seen it.

Hon. Terngu Tsegba (Gboko/Tarka): I have seen it Sir, but I will say that it is different from the original title of the Bill. You know that prison takes care of corrections and the rest, so why must it be there?

The Chairman: The original Bill is that there is established for the Federation a Nigerian Prison Service but this one has additional words and that is why they did not put *retained* there because it has been amended. If you look at Clause 3 which has been retained they just put the word *retained*.

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Hon. Terngu Tsegba: Mr. Chairman, there are correctional services that are not under the administration of prisons; for example the Juvenal Correctional Service and the rest. I am just imagining how you can come and administer prison and bring so many things and change the title of the Bill to include correctional services and other matters. So if this Bill seeks to deal with the administration of prison I think we should be dealing with that.

The Chairman: Are you saying that that correctional service should be removed?

Hon. Terngu Tsegba: Yes. Maybe the Chairman will explain to us why he decided to bring it in.

The Chairman: All right, let us take Hon. Ita Enang.

Hon. Ita Enang: Mr. Chairman you have ruled that we will leave number one which is the Citation and go to number two.

The Chairman: It was not a ruling; look at the Commencement and look at the first clause.

Hon. Ita Enang: With due respect Sir, although Citation may normally come at the end but the way the principal Act is this citation was brought as number one.

The Chairman: Are you saying we have two number ones?

Hon. Ita Enang: Yes, that is, the first section of the original Bill.

The Chairman: In the first section of the original Bill we have one; in the Committee recommendation we have another number one.

Hon. Ita Enang: Yes Sir.

The Chairman: If you look at the Commencement it starts after that of the original Bill.

Hon. Ita Enang: I pray that we take the number one so that we can take a very crucial decision.

The Chairman: It is number one that we are taking. It depends on which number one you are referring to.

Hon. Ita Enang: I am talking about the one they wrote *short title*. What they have written there in their recommendation is very crucial to the entire Bill.

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The Chairman: What is there that is crucial that need to be considered before taking the clauses?

Hon. Ita Enang: It says

Nomenclature: Proposed amendments: change in nomenclature: An Act to make elaborate provisions for the administration of the Nigerian Prisons and Correctional service and other matters ancillary thereto.

It went on to say the word *correctional* emphasizes important component of imprisonment, rehabilitation and correction of offenders.

Two things are here and I will start with number two. The word *correctional* emphasizes the importance; this is not and ought not to be part of the Bill. What is in the Committee's recommendations ought to be what will form part of the Bill and what will be in the Act. The word *correctional* should be in the Report they submitted to the House. It should be an emphasis and explanation by them and it should not be in this Bill. So, I pray that this second paragraph be deleted.

The Chairman: That is just an explanation.

Hon. Ita Enang: Yes, Sir but it cannot be in the Bill.

Secondly Mr. Chairman, my submission is that the House should delete the word *correctional*. I am praying that it should be *Prisons Act*. We have it every where as *Prisons Act*. Even if they have correctional functions, it is not every function that the Prisons or any institution that performs that is reflected in the name. You have the Niger Delta Development Commission Act and the Police Act. It is not every function of the Police that is given and reflected in the name of the Police Act. Otherwise, we would have something like Police Criminal, Arresting, Prosecution etc Act.

Therefore, I pray that we should just retain the words *Nigerian Prisons Act* and delete the word *correctional*.

This is my submission, Mr. Chairman.

The Chairman: Thank you. It is exactly the same thing with what Hon. Terngu Tsegba was trying to point out earlier.

Hon. Jerimon Solomon Manwe: The essence of this change is desirous in order to conform with international standards, which is the best practice now.

I want to let this House know that Nigeria is a member of the International Correctional Service Association. The essence of imprisonment is correctional. Therefore, you cannot compare it with the Police Service or whatever. The essence is that you are confined, corrected and steady, so that when you get back to the society, you will become useful.

The Chairman: Is the essence to correct or to punish?

Hon. Jerimon Solomon Manwe: The essence is to correct and not to punish.

The Chairman: Hon. Chairman, with this, you are saying that wherever we see Nigerian Prisons Services, it has to be changed. It means Prisons' logo, houses etc has to be changed. That is what it means?

Hon. Leonard Okuweh Ogor (Isoko North/South): I think listening to the Chairman, he has said it all. He told us that the essence of imprisonment is correctional and when you look at it, bringing that word into that place automatically brings in duplication. This is because if you have stated clearly that the essence of imprisonment is to correct and not to punish, then, definitely, it is important that we retain the Prison Act the way it is as we know that what we have in the whole essence is to correct. As far as I am concerned, for us to bring the word *correctional* there is clearly a duplication exercise. We should retain the Act the way it is.

Hon. Ehiogie West Idahosa (Ovia North East/South West): Mr. Chairman, the whole idea is about semantic. The truth is that all over the world, countries choose which nomenclature they use. Some States in America have *X Correctional Centre* etc. But the most significant point is that the idea was to capture the Nigerian Prison and not just as a punishment centre but as a correctional centre. This is because it has been argued world wide that the research performed in countries where their detention centres are merely referred to as Prison Services, have been such that those who go there see themselves as useless in the society and they come out more hardened.

So, when this Report was coming up, the psychological input was that we should let the world know that the Prison Centre is not just a place where people suffer punishment but it is also a place where people can be corrected and reformed for the greater use in the society after the punishment. Therefore, whether we like it or not, the element of punishment is also there.

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The whole idea is to try and massage the ego of those who have gone through Correctional Centres so that they do not just see themselves as convicts. They have gone to some schools for behavioural reformation and modification.

So, I believe that whether you call it prison or correctional centre, the most important thing is proper funding and keeping the tenet with the minimum standard for detention centres as prescribed by the United Nations. I am not going to take a hard line on which name you call it but let us do a good job.

Hon. Binta Masi Garba (Madagali/Michika): Mr. Chairman, what I wanted to say has been said by Hon. Leonard Ogor. He has said that the essence of it all is

correctional. He also talked about imprisonment and rehabilitation. Those are the three components of the prison.

In my view, the Prison Act should be retained the way it stands originally instead of us trying to make the modification.

Hon. Rabe Nasir (Bindawa/Mani): Mr. Chairman, we should desist from trying to rationalise the English word. The point is that the Chairman has made remarks in respect of this correctional issue; that, this is what is now recognised universally.

This is the standard expression of what we are talking about and this is coming out from their investigation. They are supposed to know better. I think we should not move this expression away from what is an internationally recognised expression.

On the idea of whether Prison is correctional or punishment place, the point is that whoever is confined or detained is meant to be punished and there is always a reason for that. Confinement is meant to teach some lessons but while you are confined, you are reformed and that is where the expression of correctional came in. Therefore, this expression should be retained as proposed by the Committee because that is what it says and what is also recognised. Also, that is why Nigeria is a member of that organisation, which is the more reason I think in all honesty, it should be retained as proposed by the Committee.

The Chairman: Perhaps, we should take this Clause at the end. Let us look at the principal Act and perhaps come back at the end of the day to the name and see whether or not there is a need for a change.

However, I want to assure Members of one thing: when a Report is presented to the House it is no longer

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the property of the Committee; it has become the property of the House. So, if the Chairman has a reason for anything that is in the Report the Members are free to comment on it because they may also have some information which the Committee may not have.

The Chairman has said that the word *correctional* is now used universally, but like what Hon. West said, it depends on the countries or jurisdictions. I have been to so many places I have seen their prison but I have not seen the word *correctional* being used; rather I have seen something else. So it depends on what a particular country want to name its own prison. For that I think it would be better to leave this one now and consider it at the end of the Report just in our normal way of considering Reports. So, Clause 1 is suspended for now.

Question put and agreed to.

Clause 2 – (PROVISIOSN FOR THE ADMINISTRATION OF PRISONS IN NIGERIA AND OTHER MATTERS ANCILLARY THERETO) – *ordered to stand part of the Bill.*

Clause 3 – (ESTABLISHMENT AND CLASSIFICATION OF PRISONS) – *ordered to stand part of the Bill.*

Clause 4 - ESTABLISHMENT OF PRISON SERVICE COMMISSION

Hon. Terngu Tsegba: Mr. Chairman, with regard to clause 4, against the original provision in the Bill the Committee has changed the word *command* of *prison* of a State to the *authority of the State Comptroller*. I do not know the reason for that. If I could borrow a cue from the Police and the other ones they usually refer to a State as a State Command and if the Bill is proposing that the authority in the State should be subject to the authority of the Comptroller of State being under the command of prisons of that State, why should they change it?

The Chairman: What do you mean when you say: The administration of prisons in a State?

Hon. Tsegba Terngu: Yes, the prison in the State is referred to as a State command and it is said that in that State it shall be under the command of the Comptroller of Prisons but they are saying that it should be changed to the authority of the State Comptroller. What is the reason for that?

Hon. Jerimon S. Manwe: Mr. Chairman, my hon. Colleagues, if you look at what is in the original Bill it is vague and we say that the essence of law-making is to make it clearer and unambiguous. So, we

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want specifics and that was why we decided to let it be as it is now because it is clear than it was vague in the original Act.

The Chairman: It is clearer in the Committee's recommendation.

Hon. Binta Masi Garba (Madagali/Michika): I am sorry, Mr. Chairman, maybe he can explain in detail the difference between the State Comptroller and the State Command because the Original Bill said:

The administration of prisons in a state shall, subject to the authority of the Comptroller General, be under the command of prisons of that state.

The Committee now said:

The administration of prisons in a state shall, subject to the authority of the Comptroller General, be under the authority of the State Comptroller.

What is the difference between the State Comptroller and the Command?

Hon. Jerimon S. Manwe: Mr. Chairman, Sir, when I said vague it covers all; why do you say *prisons of the State*? When you say *command* it is clearer and unambiguous.

Question put and agreed to.

The Chairman: Clause 4(2) (1).

Hon. John Halims O. Agoda (Ethiope East/Ethiope West): Clause 2(1): says:

The Minister on the advice of the Comptroller General of Prisons may be order in the Federal Gazette declare any building in Nigeria to be a prison and by the same or a subsequent order specify the area for which the prison is established.

So, they can declare any persons house a prison without any proviso and without any caveat? No, we cannot pass a law like that. There is also no provision for compensation.

The Chairman: Chairman, does that mean house arrest?

Hon. Jerimon S. Manwe: The essence is not to make every household in this Chambers a prison. What this means is that if the Prisons Command goes to rent a place and want to convert it to a prison, of course it

would be named prison; not this hallowed Chambers or converting anybody's house.

The Chairman: That is quite different hon. Chairman; it has to be stated there that any building owned by a prison and which the prison decides to convert as a prison that place can be call a prison but not any building. Are you saying that the Villa can be converted to a prison?

Hon. Jerimon S. Manwe: I would go by the suggestion of our senior Colleagues and the House.

Hon. Ita Enang: I have with me the Principal Act as it is now. It reads in Section 2, Cap. Page B.29:

The Minister may, by order in the Federal Gazette, declare any building or a place in Nigeria to be a prison and by the same or subsequent orders, specify the area for which the prison is established. Every prison shall include the grounds and buildings within the prison enclosure and any locked up house for the temporary detention or custody of prisoners newly apprehended or under remand, which declared by the Minister by order in the Federal Gazette to be part of the prison.

The Chairman: Which law is that?

Hon. Ita Enang: The laws of the Federation, 2004 made in 1972 and it is the current Act, which we are seeking to repeal. I have the same objection with this but the experience we have now is that some prisons are been transferred to other places. Some States are perhaps taking over or building prisons or relocating prisons. After building that place, it does not automatically become a prison unless the Minister takes it over and declares it to be a prison; otherwise it is still that same building as it is built. Although, it does appear not properly drafted but I think it is alright such that it should be allowed to stand Sir.

Several Hon. Members: No.

Hon. Ita Enang: Then we find the best options, Sir.

The Chairman: Hon. Ita Enang, you said it is not properly drafted.

Hon. Ita Enang: Yes, Sir.

The Chairman: When something is not properly drafted at what point are you supposed to correct it?

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Hon. Ita Enang: It could be corrected at this time.

The Chairman: Why are you saying we should leave it like that?

Hon. Ita Enang: Alright, Sir, we would take a correct redrafting but that is the Principal Act.

Hon. Terngu Tsegba: Under the Land Use Act, the government can acquire any land or any building at any time on overriding public interest and once something appeared in the Federal Gazette it means it is the Federal government approval to acquire that building or such property. So, this Clause is not offensive.

Before it appears in the Federal Government Gazette it means Federal Government has acquired it in the overriding public interest to building a prison or to convert into a prison. So, that Federal Gazette here shows that the Federal Government has taken care of that using the Land Use Act and as long as it is not repealed government can even come here and acquire this National Assembly and turn it into a prison.

The Chairman: It has to be gazetted.

Hon. Terngu Tsegba: I do not think the intention is to acquire the National Assembly; the intention was to acquire whatever land or building whether public which the government thinks can be converted into a prison. We should allow this provision to stay.

Hon. Rabe Nasir (Bindawa/Mani): Actually, I consider this, quite honestly, to be very vague because except for an impression I got as a caveat. I believe that whatever is gazetted must be in conformity with the design and good intentions of the Federal Government. Otherwise, I would have preferred this to be very vague to the extent that the Minister on the advice of the Comptroller General can simply declare any place prison. To me that is not only vague but it is even ridiculous. Except like I said for that Gazette if this is an issue which is already covered by the Federal Government Gazette that I know, it must have been intended that way. Like Hon. Tsegba said that the Federal Government has intended, desired and constructed a building to be a prison, if that was the case why do we need anybody on advice of any one or anybody else to declare that place to be so?

We do not need the Comptroller-General to advise the Minister to recognize a building which is specifically designed and constructed for the purpose of been a prison before it can become one. I believe this is vague and we can even expunge it.

Hon. Aminu Waziri Tambuwal (Kebbe Tambuwal): What is not quite clear here is the fact that the Minister, on advice of the Comptroller General of prisons can simply declare any building anywhere as a prison. So, I would like to suggest that we recast it to read thus:

The Minister, on the advice of the Comptroller General of Prison, may order in the Federal Gazette after acquiring and declaring a building in Nigeria to be a prison.

The Chairman: It is already there.

Hon. Aminu Waziri Tambuwal: It is not there. It has to be after all the processes of acquiring and declaring the building to be a prison has been done.

Hon. Binta Masi Garba: Just as Hon Tsegba said, unless the Land Use Act is changed, land is leased to individuals for 99 years; it is not owned. What I can get from what is being placed here probably is, if there is a Prison situated within a given area... (Interruptions)

The Chairman: There is a Bill before the House to amend the Land Use Act.

Hon. Binta Masi Garba: Except the Act is amended but if it is still on the 99 years lease, then The Federal Government owns every land in this country and they have a right to do whatever they want to do with the land. Alternatively, they can recapture it just like what they said here.

The Chairman: Please can you recapture what you have just said?

Hon. Binta Masi Garba: Mr. Chairman, it should read:

The Minister on the advice of the Comptroller-General of Prison may, by the order in the Federal Gazette, declare any building specified as Prison.

I believe that would have been better because there are certain Prisons that were outside residential areas but with the influx of people, those areas have been occupied by people. Probably if that Prison is occupied and they really want to expand, then they can do on that.

Hon. Friday Itulah (Esan North East/South West): Mr. Chairman, I wish to plead with our

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Colleagues that we should understand that the sense in which this part of this Bill is used is descriptive. What they are referring to here are mere Detention Centres. I recall that in the past when the Late Fela Anikulapo was arrested and brought to Benin City, he was detained in a house that was already being used by Government in the Government Reservation Area. That place for the purpose of that detention, was declared a Prison by the then Comptroller-General of Prison.

The sense with which we are looking at this definition is a situation where anybody's house could just be called a Prison. This is not the sense in which this term is used. If we must look at this Bill critically, we will see that this is already what is in place now. I am not aware of any public or private building apart from the Prison Centre we already have now that has been so declared as Prison Centre.

We must also know that it is not something that the Minister can just do on his own; it has to be based on the advice of the Comptroller-General who is already aware of the rules and regulations under which a Prison is established.

The Chairman: Hon. Friday Itulah, it may happen one day though it has not happen yet.

Hon. Friday Itulah: In fact, there is already a provision that is bound to prevent the fear that we are envisaging now.

The Chairman: Which provision is that?

Hon. Friday Itulah: The issue of bringing in the Comptroller-General of Prison to advice the Minister.

The Chairman: Supposing the Comptroller-General advises the Minister that your house should be declared as a Prison; what happens?

Hon. Friday Itulah: There is a procedure; he cannot just use any house as a Prison.

The Chairman: It is the procedure that we want to put here.

Hon. Alex Ikor Ukam (Akamkpa/Biase): Mr. Chairman, if the intention of these provisions is targeted on those buildings that have not been designated as Prisons, then the proper thing which we should do is to bring in that idea. The provision should rather be:

The Minister on the advice of the Comptroller-General of Prison may, by order in the Federal

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Gazette declare, rented and acquired buildings in Nigeria to be a Prison.

This is because if the intention is to be able to declare those buildings, areas or properties that have not yet been designated as Prison, then this should be the structure. Otherwise, if the intention is to turn into prison those areas that had already been known as Prison, we do not need this provision.

Let us always recall happenings in Nigeria. When EFCC and ICPC were established in this country, the intention was abused. People were arrested anyhow. Let us not fall back to the same era where anybody can come up; who knows who will be at the leadership of this country tomorrow; and probably because you or any corporate body disagrees with that institution, he will just go ahead and declare that company a Prison.

The Chairman: You are talking about rented buildings. Let me take this amendment again.

The Minister on the advice of the Comptroller-General of Prison may, by order in the Federal Gazette, declare any building duly acquired in Nigeria to be a Prison and by the same or subsequent order specify the area for which the prison is established.

Clause 2 - (ESTABLISHMENT AND CLASSIFICATION OF PRISONS) – as amended ordered to stand part of the Bill.

Hon. Rabe Nasir (Bindawa/Mani): Honestly, I find it difficult to believe the general principle of this issue. Because of the reference made to the Federal Government Gazette, I should imagine that that building under reference is meant to be a prison place and that before its construction, all the procedures must have been followed as a Prison in reference, contract, bidding, tendering and in construction and then make use of it as such.

What I am asking is; this issue of declaring that place for what it is, is it necessary really? It is not necessary because if you could award a contract for the construction of a hospital and it is constructed, it does not need to be a hospital simply by the declaration of it being so by the Minister of Health. It does not need to be.

That is why I am saying that we should expunge this provision because it is not necessary. In fact, it calls for a lot of vagueness because the reference to the effect of even Comptroller-General of Prisons advising the Minister on that is neither here nor there.

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Secondly, this issue of *any building in Nigeria* is also vague and it goes with a lot of implications of abuse which my very good friend, Hon. Ukam, is talking about. Looking at the overall general principle of this issue that we are talking about, is it necessary? What is the declaration all about? Why must there be any declaration of any building before it is used for what it is?

The Chairman: Hon. Rabe, we have taken decision on that but this is a very sensitive issue. You cannot just take somebody and ask the Police to take him to any house and call that house a Prison. It has to be declared a Prison before you can take him there. Moreover, if you take him to any different place not specified as Prison, he can also go to Court requesting for why he should be taken to a different place. I believe there must be a reason they want these places to be declared as Prisons.

We have already passed this Clause. Do we move to the next clause?

Hon. David Onobi Idoko (Ado/Ogbadibo/Okpokwu): We are going to definition. I was just going to suggest that we probably define Prison at the definition.

The Chairman: That one would be done at the end.

Hon. Aminu Shehu Shagari (Yabo/Shagari): Mr. Chairman, my observation actually is on Clause 3(1a) which says that the Comptroller General and the Deputy Comptroller General shall be appointed by Mr. President.

The Chairman: That is not Clause 3(a). Clause 3(a) says: *a Degree from a recognized University*.

Hon. Aminu Shagari: Yes, that is a condition, but I have to first of all read Clause 3(1).

The Chairman: All right, go ahead.

Hon. Aminu Shagari: It says: *provided no one shall be appointed as Comptroller General of Prisons without (a) Degree from a recognized University, Certificate of Proficiency and experience in Public Procurement*.

This 3(1)(a) should just be: *a degree from a recognized university* because Sub-Clause (b) which says: *a cognate experience in Prisons Service for a minimum of 20 years and evidence of successfully*

heading at least two Prison Divisions in the last 10 years will surface for the experience that is being sought in sub-section 3 (1)(a).

That is my humble view sir.

The Chairman: You want (a) to stop at: *a degree from a recognize University*.

Hon. Aminu Shagari: Exactly; because if you say he has to have a Certificate in Proficiency and experience in Public Procurement, I feel that his heading two Prisons for at least 20 years would give him the requisite experience needed.

Hon. Ita Enang: (Itu/Ibiono Ibom): Mr. Chairman, this is one of the provisions which we call in law *ad hominem* provision; that is, a provision that only very few persons or the person drafting is qualified for.

There is a Bill we considered in this House on the Debt Management Office and all the qualifications to be a Director-General of Debt Management as was put in that Bill is the only qualification that is owned by the present person. We should delete the word: *Public Procurement*. I do not see how somebody will rise to the position of Comptroller General without a degree.

The Chairman: That one is not difficult.

Hon. Ita Enang: Well, I want us to delete (a) *in toto* or we delete: *a Degree from a recognized University*. We should delete from the word: *Certificate of Proficiency and Experience in Public Procurement*. It is not necessary because the man is not going there to award contracts only.

The Chairman: So, you are now in support of what Hon. Shagari said.

Hon. Ita Enang: Yes, Mr. Speaker.

Hon. Overah O. Joyce (Okpe/Sapele/Uvwie): I want to align myself with what my Colleague, Hon. Ita Enang has said. I do not see the reason for adding Certificate of Proficiency and Experience in Public Procurement at all.

It would suffice to say: *a Degree from a recognized University*. That would be it because just like he has equally alluded to for somebody to have risen to that point of becoming Comptroller General of Prisons; he should ordinarily have gotten that certificate as a Degree holder.

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I am saying that they should delete that sentence: *certificate of proficiency and experience in public procurement*.

Hon. David Onobi Idoko (Ado//Ogbadibo/Okpokwu): In recognizing a Degree from a recognized University, we must also remember that we have always carried along HND or National Diplomas. So we must make provisions for that.

The Chairman: Do we say HND or Degree equivalent?

Hon. David Idoko: It should be a Degree or HND.

The Chairman: No. It should read a Degree or Degree equivalent.

Hon. David Idoko: No, we must carry the HND holders along.

The Chairman: The HND is there as the equivalent. If HND is equivalent to a Degree, yes it is part of it. If it is not equivalent to Degree, then it will not be part of it; but you know that HND is equivalent to Degree.

Hon. David Idoko: No, HND is not equivalent to a Degree. HND is different from a Degree.

Hon. West Idahosa (Ovia North/East/South West): Mr. Chairman, this is peculiar to Para-military services. From my short experience with them, it does appear to me that if there is any place where there is a dichotomy between Degrees and HNDs it is in the Para-military.

For example, in the last couple of recruitments they have had those who have Degrees come in on level 08 straight away and those who have HNDs come in on Grade Level 07. Right from that point, they distinguished between potential leaders and potential followers. Once you have an HND you are doomed from the beginning.

You are treated more or less as an intermediate officer. I remember the period they were giving out jobs; while those who had Degrees had to be commissioned from the Immigration and Prison Board in Gwagwalada, the Comptroller General has the right to appoint people in that category.

The message was very clear. The message was that yes, we are children of the same family but this particular child is more equal than the other child. If we

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want substantial justice in interpretation and you say a Degree or Degree equivalent, it would then mean that you are leaving it completely.

The Chairman: Leaving what?

Hon. West Idahosa: Leaving that interpretation completely to the discretion of those who will interpret this Act.

The Chairman: What does the equivalent mean?

Hon. West Idahosa: For the purposes of such matters there was an attempt in this House to push this matter further into law by trying to equalize the Degree and the HND. I do not know how far it has gone. It is because Members believe that there was some substantial injustice being done by this attempt to distinguish both. We have a clear opportunity to say that... (*Interruptions*)

The Chairman: You cannot be on the fence by this time Hon. Idahosa. You have to take sides.

Hon. West Idahosa: That is what I am saying, Sir. We have a clear opportunity now to stamp it. A Degree or HND; if you want to add the word: *equivalent*, you can add it because if you refuse to mention that word HND, you have also further denied that recognition which they have been fighting for over the years.

The Chairman: Hon. West, I know recently that they did some reforms in Prisons Service and those who are not graduates at a certain level were asked to pack. What of those who are having HNDs?

Hon. West Idahosa: That is the point I am making. The HND holders would themselves tell you that there is a limit to which they can grow.

The Chairman: So, they know that?

Hon. West Idahosa: They know that in the Service, yet some of them have turned out to be more pragmatic career officers but unfortunately, it is as you join the Service you have already seen the door shut against you. Your commitment and loyalty from day one is questionable.

I believe that at some point when this country metamorphoses into a truly developed nation, it will become possible for a tea boy to grow to the level of a Chairman of a Corporation because the last but one Chairman of the New York Stock Exchange joined that Corporation as a tea boy; read his way to the top and

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finally ended and retired as Chairman of the same Corporation.

Therefore, if you join a Service and you work your way to an acceptable degree by Parliament, for example, a University Degree or HND or their equivalents then you stand the chance of getting to the top.

Hon. Halims O. Agoda (Ethiope East/West): Hon. West Idahosa in his eloquent presentation but which I refused to accept *in toto* said: *we will come to a time in this country based on our level of development, when a tea boy will be allowed to rise to the top ladder.* If I have my way, I will ask this honourable House to even expunge Clause 3(2)(a) and leave it at (b).

In the provisions of the Constitution that brought us here to legislate for the entire country, it did not even say School Certificate; it did not even say Primary School Leaving Certificate, rather it went beyond that to say that INEC should see whether you have ten years experience in your job. It went beyond Primary School Certificate; if you do not have primary school certificate but you had instead ten years experience as determined by INEC, it says you can contest!

If the Constitution, which we are using, can allow us to be voted for and come here to make laws for our fatherland why must we tie the hands of somebody who wants to pilot this place to a degree level.

What is required is leadership and experience and I am bought over by sub-section (a) which says; *a cognate experience in Prison Service for a minimum of 20 years; an evidence of successfully heading at least two Prison Divisions in the last 10 years.* We should give opportunity to people irrespective of their background to rise to any level.

If I am a school certificate holder, I successfully entered the Prison Service, and I have demonstrated my skill by giving leadership and have successfully covered even the graduates that we join together and I have showed the initiative, I should be given the opportunity to rise to the top.

With due respect, one of our Speakers here was not a graduate but he gave us quality leadership. We need to look at it and take practical decisions.

Hon. Patricia Etteh: Mr. Speaker, Hon. Agoda and Hon. Ita Enang have mentioned all that I want to mention here. The Constitution of 1999 is very explicit and the specified qualifications even from the Presidency to the last point.

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If you are now saying that somebody who wants to be a Comptroller General should have a Degree yet the qualification that brought in your President is below that standard, are you saying that he does not have the right to be in charge of that office? I am a typical example of what you are saying. When I came into this honourable House in 1999, I came in as a beautician. I am proud to stand today to say that I am a beautician but beyond that, I have acquired more than necessary qualification since I came here.

Therefore, for anybody to stand up and say that somebody cannot rise to become a Comptroller General because he is not a Degree holder, I do not think it is right. Whatever we want to do when it comes to qualification, we must refer to the Constitution of Nigeria which is all encompassing and has explained the qualifications that determine what everybody should have rather than for us to sit here and say it is a Degree holder or nothing else.

What exactly does a degree holder accomplish that the people that have passed through a school cannot achieve. We have to look at this particular Clause and amend it properly.

The Chairman: The question is that we delete just sub-Clause 3(1)(a).

Several Hon. Members: No. (*Interruptions*)

The Chairman: Hon. Tsegba, we cannot delete sub-clause (b), we need experience; you cannot just be a Comptroller without experience.

I want to believe that the controversial one here is sub-clause (a). Hon. Tsegba, what is your observation with Clause 3(1)?

Hon. Terngu Tsegba (Gboko/Tarka): Mr. Chairman, if you look at Clause 3(1), the original provision in the Bill, the Committee, in its amendment, has gone back to say that the Officer to be appointed must be a General Duty Officer.

Mr. Chairman, everyone joined the Service with the intention to climb to the top. If you joined the military, there is the provision that somebody must go to the NDA to become an Officer in the Artillery or a Combat Officer; they know that somebody must be a regular combatant officer. This is not stated there. So also, everybody who joined the Service whether he came in as a Medical Doctor in the medical profession or he is a Lawyer in the office but who goes to Court, and so on, his intention is to climb to the top of that cadre.

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In our private life where we chose to be businessmen, we want to go to the top. When we got to this House and a position is zoned to our zone, everybody in that zone, even those who knew deep within themselves that they would not be able to do it, put themselves for it. So, we all join every service in life to get to the top. There is no need to come here to do a legislation that would limit people that we know cannot grow in their service. I think this is part of the corruption in this country.

The Chairman: So, what are you suggesting?

Hon. Terngu Tsegba: What I am saying is that we should delete entirely this proposed Amendment by the Committee and leave the selection of Comptroller-General to the rules governing service. We should not come here to create bottlenecks in the service. There is a Board for Prisons, Immigration and Customs. These Boards set standard for promotion, appointment and recruitment. As for discipline, it is not for us to come here and start stating another regulation. These are supposed to be regulations for appointment into these positions.

I am suggesting that we should delete the whole of this amendment and leave issues on regulation, promotion, appointment and recruitment to the Immigration Board.

The Chairman: You are suggesting that we should delete what?

Hon. Terngu Tsegba: I am suggesting that we delete the amended Clause 3; once we delete Clause 3(1), then (a) and (b) will go.

The Chairman: No, sub-clause (b) will not go, it will stand.

Hon. Terngu Tsegba: No, it is part of sub-clause (a).

The Chairman: No, it will not go because experience is important.

Hon. Terngu Tsegba: Alright, Mr. Chairman, I am suggesting that we delete Clause 3(1)(a).

The Chairman: The reason is that there maybe a situation whereby all the Comptrollers and Assistant Comptrollers may be guilty of one offence. And all of them may have to go. If they have to go, then you will have to get somebody who is lower to that rank to occupy the position. If you are giving this caveat, that he has to be an officer not less than the rank of Assistant Comptroller but if all the Assistant

Comptrollers were found to be guilty; what do you do in that case?

Yes, Mr. Chairman, what do we do in that case?

Hon. Jerimon Manwe (Lau/K/Lamido/Ardo-Kola): Mr. Chairman, the issue is not what do we do? We are talking of standardizing everything in Nigeria. Let us get these very clear; I would have gone by the suggestion of Hon. Halims Agoda and Hon. Idahosa that we include HND instead of expunging the entire sub-clause (a). We could say HND or its equivalent. Experience is necessary; every other thing that is stated there is necessary. So, if you say you would expunge it, you are not doing the service well.

The Chairman: I understand your argument, Mr. Chairman. I also want you to remember what Hon. Ita Enang had said.

At times those who are drafting these laws would first look at themselves; yes, I am qualified if I say this, I know I will be the only qualified person for that position.

Hon. Jerimon Manwe: Mr. Chairman, this is not an Executive Bill. The Bill is sponsored by a Colleague here. I do not think that fear should arise.

The Chairman: Hon. Chairman, a Private Member Bill may be influenced by somebody in the system. Somebody in the system may have influenced that person to come up with the Bill; he will only serve as a promoter.

If you check the history of Nigeria, look at those who are not degree or HND holders; look at there performers and consider their performances with others, please?

Is it the wish of the House that we delete 3(1) and 3(1)(a). (*Interruptions*)

Hon. John Halims O. Agoda: Mr. Chairman, if we are retaining 3(b), 3(b) can only flow when there is 3(1). My argument is against (a), if the (b) is allowed; then the 3(1) should be allowed and it will now stand.

The Chairman: Can you tell us how (b) has now come to be dependent on (1)?

Hon. John Halims O. Agoda: When you finish reading Clause 3(1), then you would say: *provided no one shall be appointed as Comptroller General of Prisons without cognate experience.*

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The Chairman: Yes, Cognate experience can stand on its own. That is what we are saying.

Hon. John Halims O. Agoda: That is all right, Sir. I am very sorry.

The Chairman: That is all right.

Several Hon. Members: No!

The Chairman: Please I have a different copy with the Clerk; I do not know which copy you are holding. Can somebody, please, read Clause 3(1) for us?

Hon. Ehiogie West Idahosa: Mr. Chairman, 3(1) says:

The Comptroller-General and the Deputy Comptroller-General shall be appointed by the President amongst serving prison officer who must be a General Duty Officer.

The Chairman: Your own copy is the same with my own.

Hon. Ehiogie West Idahosa: I will abide by your copy.

The Chairman: The question is that we will remove Clause 3(1)(a).

Several Hon. Members: No!

The Chairman: All right. I will then put the Question on the retention of Clause 3(1)(b) which reads:

A cognate experience in Prison Services for a Minimum of 20 years and evidence of successfully heading at least two Prison Divisions in the last ten years.

Question put and agreed to.

We cannot just delete everything.

Hon. Ihedioha Emeka Nkem (Aboh Mbaire/Ngor Okpala): Mr. Chairman, in view of the controversy that this Bill is generating given also the fact that there are proven cases of more than one document of this in circulation, for the integrity of this House, I do move that we step down the consideration of this report and then have time to look at it and representation.

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The Chairman: Chief Whip, I did not ask you to move for that Motion; you just decided on your own to move it.

An Hon. Member: He did that in his capacity as the Chief Whip and co-Manager. *(Laughter)*

The Chairman: Let me say this hon. Colleagues: the reason this report is becoming controversial is that we have not read the report. I would advise that you should go back and read this report; understand the report and write your comments by the side of your report so that when we are discussing the report, you would know exactly what you want to say and why you want to say it.

With that I call on Hon. Aminu Tambuwal to complete the circle that it is the Office of the Whip that brought an end to this discussion. Hon. Aminu Tambuwal can you please second the Motion?

Hon. Waziri Aminu Tambuwal (Kebbe/Tambuwal): Mr. Chairman, I second the Motion ably moved by the Chief Whip of the House that we stand down the consideration of this report until when we have had time to study it.

The Chairman: Hon. Jerry, do you have a comment on that?

Hon. Jerimon S. Manwe (Lau/Lamido/Ardo Kola): Mr. Chairman Sir, while I will not go against the wish of the House, I am aware that this Report tabled for consideration was circulated and members complaint. I remember vividly that it was my senior Colleague, Hon. Agoda, who said we need to go and read the Report and that was about three or four weeks ago.

I do not know when and what time we need to study the report again but if it is the wish of the House that we stand down the consideration of this Bill so that we would have ample time to study it, so be it. But I am saying that we had ample and enough time to study this Report.

Hon. Saliu Abdulkareem (Adavi/Okehi): Mr. Chairman Sir, it is important that we know your ruling on Clause 3(a)

Several Hon. Members: There was no ruling.

Hon. Abdulkadir M. Nasir (Kafur/Malumfashi): Mr. Chairman, inasmuch as I would like to abide by what the Chairman has said, this House is not known to build on something that is not correct. You have just

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said that you did not give the Whip the chance to rise and propose that particular Motion. Therefore, Mr. Chairman, I would suggest that you give the Whip the chance to rise and propose the stepping down of this item so that we did not build on an illegal issue.

The Chairman: Hon. Colleagues, I did say that, but the procedure of the House is for a Member to raise his hand and say what he wants to say such as to Move a Motion, raise a Point of Order or what have you. He has raised his hand and he moved a Motion which is quite in order. He was seconded by Hon. Aminu Waziri Tambuwal.

Therefore, I will put the Question that we stand down the consideration of this Bill for one week.

Question put and agreed to.

Resolved: That the House do stand down the consideration of the Bill for one week to enable Hon. Members to further study it.

Hon. Ihedioha Emeka Nkem: Mr. Chairman, I do move that the House do revert back to the Plenary.

Hon. Waziri Aminu Tambuwal: I second the Motion as moved.

Question put and agreed to.

(House in Plenary)

The Deputy Speaker: The House in the Committee of the Whole considered the Report of the Committee on Interior on a Bill for an Act to repeal the Prison Act, Cap. 366. P29 Laws of the Federation of Nigeria, 2004 and to make comprehensive provision for the Administration of Prison in Nigeria; and for related purpose, 2008 and deferred Clause 1; amended Clause 2 and deferred further consideration of the Report till next week.

Chief Whip, please move for the adoption of the Report of the Committee of Whole.

Adoption of Report

Hon. Ihedioha Emeka Nkem Mr. Speaker, I do move that this House do adopt the recommendation of

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the Report as read out by the Deputy Speaker.

Mr. Speaker: Is there any seconder to that Motion?

Hon. Ita Enang: Mr. Speaker, I second the Motion has moved by the Chief Whip.

Question put and agreed to.

Resolved: That the House do adopt the recommendation of the Report as read out by the Deputy Speaker.

ANNOUNCEMENT

Meeting of Legislative Budget and Research Committee

Mr. Speaker: *There will be a meeting of the Legislative Budget and Research Committee tomorrow 29th April, 2009 at 11.00 a.m. All members are requested to attend as very important decision will be taken at that meeting.*

Signed:

*Hon. H. A. B. Fashinro
Chairman*

ADJOURNMENT

Hon. Ihedioha Emeka Nkem: Mr. Speaker, I do move that this House do stand adjourned till tomorrow, Wednesday, 29th April, 2009 at 2.00 p.m.

I so move.

Mr. Speaker: Is there any Secunder?

Hon. Ita Enang: Mr. Speaker, I second the Motion for adjournment as moved.

Question put and agreed to.

Resolved: That the House do stand adjourned till tomorrow, Wednesday 29th April, 2009, at 2.00 p.m.

The House adjourned accordingly at 1.40 p.m.