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HOUSE OF REPRESENTATIVES

FEDERAL REPUBLIC OF NIGERIA

Tuesday 28th July 2009

The House met at 11.00 a.m.

PRAYERS

(The Deputy Speaker in the Chair)

VOTES AND PROCEEDINGS

The Speaker: Hon. Member, I have examined and approved the Votes and Proceedings of Thursday, 23rd July 2009.

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

The Speaker: I have an announcement to make here from the President.

15th July, 2009

*The Honourable Speaker,
House of Representative,
National Assembly Complex,
Abuja,*

Dear Brother,

**BILL FOR AN ACT TO MAKE PROVISION FOR
NON-CONVICTION-BASED FORFEITURE OF
PROCEEDS AND INSTRUMENTALITIES OF
UNLAWFUL ACTIVITY**

I forward herewith, for kind consideration and passage into law, the attached draft Bill for an Act to Make Provision for Non-Conviction-based Forfeiture of Proceeds and Instrumentalities of Unlawful Activity.

Pursuant to the above therefore, and in line with the powers vested in the National Assembly, I hereby present the said Bill for the kind consideration of the Honourable Members of the House of Representatives of the Federal Republic of Nigeria.

Honourable Speaker, it is my hope that, in the usual tradition of the House of Representative, this will receive expeditious consideration.

Please accept, as usual, the assurances of highest consideration.

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Signed

UMAR MUSA YAR'ADUA
PRESIDENT,
FEDERAL REPUBLIC OF NIGERIA

I have another letter with me from the President which I will like to read please,

27TH July, 2009

*The Honourable Dimeji Bankole, CFR,
Honourable Speaker, House of Representatives,
National Assembly Complex, Three Arms Zone,
Abuja.*

Dear brother,

**REQUEST FOR ENDORSEMENT OF
EMERGENCY SUPPLEMENTARY
EXPENDITURE AND MODIFICATION OF
FINANCING ITEMS**

I am writing to request for the kind consideration of the House of Representatives in endorsing emergency supplementary expenditure requirements as well as a modification of the financing items in respect of the 2009 Budget, to enable a more effective response to current challenges.

You may recall, Rt. Honourable Speaker that, when the House of Representatives assented to the 2009 Appropriation Act, I had drawn attention to certain items that were inadvertently omitted or insufficiently provisioned for in the 2009 Appropriation Bill. In addition to these, some urgent needs have arisen recently which require immediate attention. Details of these expenditure items are attached as annex to this letter for your consideration and endorsement.

In relation to the request for endorsement of alternative financing sources, you would recall that the funding of the 2009 Budget had been premised on, among other things, borrowing from International Capital Markets through issuance of \$500 million Naira-denominated Eurobond.

With the global credit crunch, there is a risk that the proposed bond issue will be undersubscribed and over-priced, especially since Nigeria is a first-time issuer. We gave consideration to raising additional financing from the domestic market through government's bond issuance program but have to moderate this, to avoid causing significant strains in the financial markets and crowding out of private sector borrowers. As an alternative, we have sourced special concessional facility from the World Bank to substitute

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the amount we would have raised from the international capital markets.

The concessionary terms for the World Bank facility include zero interest rate, 0.75% service charge and 0.5% commitment charge on undisbursed balance, 10-year grace period and 40-year repayment period, as contrasted with the indicative terms for ICM borrowing of 16 – 18% coupon rate with no grace period. In the circumstance, we are seeking concurrence of the National Assembly to substitute the proposed Naira-denominated Eurobond, which has already been provisioned for in the 2009 Budget, with a World Bank Concessional Credit Facility in an equivalent amount of \$500 million. The amount will assist in preserving critical expenditure in core infrastructure, including power, works, transport and aviation.

In order to address dwindling revenues and further bridge financing gap, we propose to utilize the gains accrued from exchange rate differential between the budgeted exchange rate of \$1 dollar to N125 and the actual exchange rate during year. As at the end of June, this amounted to N98.873 billion Naira. In addition, we are seeking formal endorsement of the National Assembly to utilize the balance of the Federal Government's share of the Excess Crude, distributed earlier this year, which amounts to N53.999 billion. Part of the Federal Government's share (USD287 Million)) was applied at source to partially off-set outstanding debts to some State Governments in relation to the Paris Club debt exit payments, as per prior agreement.

May I seize this opportunity to intimate you about concerted efforts being made to accelerate the pace of budget implementation. In this regard, various measures have been put in place to monitor and track budget execution as well as simplify the procurement process. You may also wish to note that while funding constraints have contributed to budget implementation delays during the second quarter, the Federal Ministry of Finance would be in a position to make third quarter capital releases fully to all MDAs, once the exchange rate differential and Excess Crude are captured as financing items.

In addition, the Federal Ministry of Finance expects to make additional releases by end of August, to accommodate shortfalls recorded in the second quarter by some MDAs, as additional funds accrue.

Rt. Honourable Speaker, while wishing you and your Honourable colleagues a restful recess, I look forward to the continuation of our fruitful collaborative relationship.

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Yours sincerely,

(Signed)

UMARU MUSA YAR'ADUA

(The President's Message is referred to the Committee on Appropriations and Finance.

Clerk, please make copies available to hon. Members today.

**Communication from the Senate,
Federal Republic of Nigeria**

The Deputy Speaker: Hon. Colleagues, I have a letter with me here from the Senate.

8th July, 2009

His Excellency,
Rt. Hon. Dimeji Bankole, CFR.
The Speaker,
Federal House of Representatives,
National Assembly Complex,
Three-Arms-Zone,
Abuja.

Your Excellency,

**RE: REQUEST FOR CONFIRMATION OF
APPOINTMENT OF CHAIRMAN AND MEMBERS
OF THE GOVERNING BOARD OF THE NIGER
DELTA DEVELOPMENT COMMISSION (NDDC)**

Please find attached a copy of letter from His Excellency, the President, Commander in Chief of the Federal Republic of Nigeria, Alhaji Umaru Musa Yar'Adua GCFR, requesting for the confirmation of the Chairman and Members of the Governing Board of Niger Delta Development Commission (NDDC) by the Senate.

This is in accordance with Section 2(2) of the NDDC Act which states that "the Chairman and other Members of the Board shall be appointed by the President, Commander-in-Chief of the Armed Forces subject to the confirmation of the Senate in consultation with the House of the Representatives".

In furtherance thereto, I would appreciate your comments in respect of the nominees at your earliest convenience.

Accept please, the assurance of my highest personal regards and consideration.

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Signed:

Senator (Dr) David A.B. Mark, GCON
President of the Senate

This is the list as sent by the President:

1. Larry Koiyan, AVM (rtd) - Bayelsa - Chairman
2. Chibuzor Ogwoha – Managing Director (Rivers)
- Full-time member
3. Arc. Esoetok Ikpong-Ikpong Etteh, - Executive
Director (Project), Akwa-Ibom - Full-time
member
4. Pastor Power Aginighan, - Executive Director
(Finance and Accounts), Delta - Full-time member
5. Mr. Aloysius Nwagboso, - Abia - Part-time
Member
6. Chief (Barr.) Bassey Dan Abia - Akwa-Ibom -
Part-time Member
7. Mr. Anthony Orubo- Bayelsa - Part-time Member
8. Hon. Ekpo Asuquo Okon - Cross River -Part-time
Member
9. Mr. Emmanuel O. Ogidi – Delta - Part-time
Member
10. Hon. Jude Ise-Idehen- Edo - Part-time Member
11. Akeru Ikechukwu Joseph - Imo - Part-time member
12. Barr. Benson G. Enikuomehin - Ondo - Part-time
Member
13. Engr. Emmanuel T. Georgewill - Rivers - Part-
time Member
14. Dr. Rabiun Musa Kwankwaso, - Representative of
Non-Oil Mineral Producing States (North West)
- Part-time member
15. Major-General Tunde Ogbeha (Rtd),
Representative of Non-Oil Mineral Producing
States (North Central) - Part-time Member
16. Alhaji Asheikh Jarma - Representative of Non-
Oil Mineral Producing States (North East)
- Part-time Member
17. Dr. Daru Owei - Representative of Oil Producing
Companies in the Niger Delta - Part-time Member

Please refer to the Committee on Niger Delta and
they should report back to the House latest on Thursday.

Hon. Halims Agoda (Ethiope East/Ethiope West):
I want to briefly draw the attention of the House to the
letter from Mr. President which Mr. Speaker has just
read.

If I can hear very well, the word *in consultation*
and if that is the intendment of the law, the Senate has
finished confirmation of the various appointees and now
the letter is just coming to the House. So the question is,

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when will that consultation take place? Is it after the
confirmation which has already been done?

I think the true intendment of the law, if we are to
do things right, and we ought to do things right, is that
before the confirmation of the nominees by the Senate,
the Senate Committee ought to consult either the
Members of the Committee on Niger Delta as the case
may be, or as directed by the House. And in the process
of that consultation, material facts may emerge which
will also serve as ingredients of the confirmation in the
Senate. But what we have here is that the final act of the
exercise has been completed and the House is being
written by way of information.

I do not think that is a proper procedure.

Hon. Leonard Ogor (Isoko North/Isoko South):
Point of Order!

The Deputy Speaker: Yes, Order what?

Hon. Leonard Ogor: My Point of Order Mr.
Speaker is bothered on Section 154 of the Constitution.
And it stipulates very clearly that the function of the
confirmation is purely that of the Senate.

The job is already a settled principle and I say this
with clarity that an Act of the National Assembly
cannot in anyway be allowed to add or subtract from the
Constitutional provision, neither will an enactment
similar to the Constitutional provision be allowed. Any
addition or subtraction will be invalid on the ground of
inconsistency.

The law before you is an issue that we have
debated here. The function of confirmation is clearly
stipulated in the Constitution that it belongs to the
Senate. It has no business with the House of
Representatives. *(Interruptions)*

The Deputy Speaker: Please let us hear his
argument.

Hon. Leonard Ogor: My responsibility as a
lawmaker is that Section 4(2) of the Constitution has
given to us is to make good laws for the good
governance of this country. That law that you have
passed Mr. Speaker, which we have debated on this
Floor is inconsistent with the provisions of the
Constitution. We have discussed this issue without
asking for an Amendment to that particular provision. I
do not even see the essence of that letter. It is totally

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unnecessary because it is infringing on the functions of the Senate.

I do submit that it is not an issue that we should debate on this Floor neither should we give it that relevance.

Hon. Ita Enang (Itu/Ibiono Ibom): Mr. Speaker, I am for once, in total disagreement with my brother, Hon. Leo Ogor.

The Deputy Speaker: Hon. Colleagues, I think this is a very serious issue, we need to understand it. Can we please have some silence so that we understand what every Member is saying on this matter?

Hon. Ita Enang: The reference by my Colleague to the Constitution refers to only the Bodies that are established under the Constitution. And the Constitution in Section 153 has stated the following Bodies:

- (a) Code of Conduct Bureau
- (b) Council of State
- (c) Federal Character Commission
- (d) Federal Civil Service Commission
- (e) Federal Judicial Service Commission
- (f) Independent National Electoral Commission
- (g) National Defence Council
- (h) National Economic Council
- (i) National Judicial Council
- (j) National Population Commission
- (k) National Security Council
- (l) Nigeria Police Council
- (m) Police Service Commission; and
- (n) Revenue Mobilisation Allocation and Fiscal Commission.

These are only the bodies which the Constitution gives exclusive preserve to the Senate.

I want to refer to the Niger Delta Development Commission Act.

The Deputy Speaker: Hold on, Hon. Ita Enang. That Order that you have just read is sustained.

Now the question he raised is: when is it appropriate to do the consultation; is it before the confirmation or after the confirmation?

Hon. Ita Enang: It is in the course of and before confirmation.

The Deputy Speaker: They have been confirmed by the Senate.

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Hon Ita Enang: No Sir. They have not been confirmed by the Senate. Mr. Speaker may I refer to the last paragraph of the letter from the Senate President, which says that, they are consulting the House for their opinion on each of the persons. That is why we are referring to our Committee so that they will interview the people and bring their opinion and their Report to the House.

The Deputy Speaker: Hon. Ita Enang, you said that this list has not been confirmed by the Senate.

Hon. Ita Enang: No Sir.

The Deputy Speaker: That is all right, the list has not been confirmed by the Senate.

Hon. John Halims Agoda: What I saw Mr. Speaker with due respect, about three or four days when the Senate Committee in charge of Niger Delta screened the various nominees as sent by Mr. President.

Once a Committee screens and sends Report to the Plenary, I do not think the Plenary would have the opportunity to look at details. In the actual sense, what is preferable is for that Senate Committee in charge of screening to do the necessary consultation with our Committee. It is at that level that they would be exposed to facts upon which they would now use to do the final screening. When will our facts be exposed to them for them to use? That is the question.

The Deputy Speaker: Hon. Colleagues, I understand what Hon. Agoda is saying but if a Committee of the Senate can only invite a Committee of the House, I do not take that as a consultation of the House of Representatives by the Senate. If there should be consultation, a letter from the Senate should be sent to the House but the question is when is that letter supposed to be sent to the House?

Hon. Abdul Ahmed Ningi (Ningi/Warji): Let me commend Hon. Ita Enang for decisively bringing this fact to bear and for the Constitutional matter raised by my friend Hon. Leonard Ogor. Even if it is a constitutional matter, no Member of this House has the constitutional right to give a judicial pronouncement on the Constitution. If you so believe in this Constitution, you should take this matter to court.

Firstly, we passed this Law here and we know what the intendment is. The intendment is when you are confirming these nominees from NDDC it behoves the Senate to take the entire House into confidence. Now, what is the standard of this consultation?

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Once the House receives a letter from the Senate saying that the following people are before the Senate for confirmation, the House would ask Members that the following Members are before the Senate for confirmation, please look at these names if there is any information on any of them that you think has no qualification to be in that Board then you report back to the Committee as assigned by the NDDC or the Niger Delta Ministry. Then if Niger Delta Committee found anything wanting, we would write back to the Senate that in view of the letter received by you we have agreed that these nominees are all right. If there is any nominee, say Mr. A, B and C for example, that we feel does not merit that position we would say so; that is the level of consultation. Every body must be involved as a House.

The Deputy Speaker: Hon. Colleagues, I want us to deliberate on this issue because this is an issue that may not come up again until after another four years. Let us understand the way to do it.

Hon. Terngu Tsegba (Gboko/Tarka): The process of consultation is what the Senate has done right now and it is on record that these people have not yet been confirmed by the Senate. The import of this letter is that if any one in this Chamber has any adverse report on any of the nominees that may impede his confirmation, this is the time for such report to come out.

The essence of reading this letter is that the Speaker is going to refer it either to the Committee of the Whole or to a Committee of the House. I believe that after due discussion on this letter, the House would write back to the Senate to say that we have no objection regarding the list of nominees sent to the National Assembly by Mr. President for confirmation. If there is any objection on any of the nominees this is the time that the House would report on same.

Therefore, I believe the letter is in order and it is not late for any Member of the House to send a Report either for or against any of the nominees by Mr. President.

The Deputy Speaker: The letter is in order. That is the way to do it and any Member who has any comment or any observation or any reservation on any of these Members that are nominated by the Mr. President can write or can go to the Committee on NDDC and make his case.

We have given a time limit to the Committee to which it is referred. We said they should report back to the House on Thursday. This is because probably we may go on recesses on that Thursday. Therefore, there

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is a need for them to finish the job before we adjourn the House.

Hon. Dino Melaye (Kabba/Bunu/Ijumu): It is in order that a letter has been sent and we are all right with that. The problem here is not if the Senate has done the right thing by sending the letter, it is if this consultation should be done before the screening or after.

The Senate will not screen twice. If by virtue of our consultation now, we have problems and we have grey areas to be investigated is the Senate going to re-conduct a second screening? There is a need that this consultation be made, our position be made known to the Senate before the Senate would now conduct a screening for the purpose of the future.

The Deputy Speaker: Hon. Colleagues, even if a Report is laid before the House, a Report that is laid before the House is not the final Report. It would be final only after it has been confirmed or screened, debated and deliberated upon by the entire House.

Therefore, what the Committee did now is not final and what we are about to do may form part of the input that the Senate would consider at the Plenary or at the Committee of the Whole. This issue is over.

ANNOUNCEMENTS

Meeting of the North-West Parliamentary Caucus

The Deputy Speaker: *This is to inform all members of the North-West Parliamentary Caucus that there will be a meeting of the caucus as Senate Wing Room 116 by 2.30 p.m. prompt.*

You are all respectively expected to attend (Members of the North-West)

Signed

Hon. Mohammed Sani Takori (mni)

Meeting of the Constitution Review Committee

The Deputy Speaker: *There will be a meeting of the Constitution Review Committee immediately after sitting today.*

Venue: Committee Room 1; adjacent to the Office of the Deputy Speaker in the White House.

Meeting of the Forum of Former Local Government Council Chairmen in the National Assembly (LOGONA)

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The Deputy Speaker: I have an announcement here with me. This is from the Forum of Former Local Government Council Chairmen in the National Assembly:

Please take notice that there will be a schedule emergency meeting of the above Forum on Wednesday, 29th July, 2009. In Room 313, House of Representative New Wing by 11.00 a.m.

(Signed)
Hon. Abba Anas, and
Hon. Johnson Abolagba.

Meetings of Party Caucuses

The Deputy Speaker: There will be a meeting of

Party Caucuses tomorrow, Wednesday, 29th July, 2009 by 12 noon. PDP will be meeting in House Hearing Room 1, while the Minority Parties will be meeting in House Hearing Room 2 of the White House.

Joint Meeting of Police Committee and National Security and Intelligent Committee

The Deputy Speaker: *There will be a joint meeting of Police Committee and National Security and Intelligent Committee with Inspector General of Police and Director General SSS tomorrow 29th July, 2009 at 12.30 p.m.*

Venue: Hearing Room 1, White House.

PRESENTATION OF PUBLIC PETITIONS

The Deputy Speaker: Any member who has a petition to present to the House may please rise to do so.

Case of accidental gun discharge against Police Constable Yanga

Hon. Yusuf Bello Mai'adau (Daura/Yar'Adua Sandamu): I have a petition from Mallam Danlami Lawal one of my constituents who was on 22nd February 2005 shot on the right arm by Police Constable Yanga by name under the command of ASP Simon Tobika.

The Petitioner was on his lawful business that faithful day when the shooting took place, which the Police termed accidental discharge from the gun. The Petitioner was rushed to Gwagwalada Specialist Hospital where he was diagnosed to have compound fractured which required urgent major surgery.

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The Police thereafter abandoned the Petitioner. He was introduced to Legal Aid Council for assistance in 2006. All these years nothing concrete had been done. The Petitioner prays that this House investigates the matter and make the Police take him for surgery and compensate him.

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

The Deputy Speaker: Please do.

Petition laid.

The Deputy Speaker: Hon. Colleagues, is there any other Petition on the Floor? *(No response)* Petition is referred to the Committee on Public Petitions.

(Petition accordingly referred to the Committee on Public Petitions)

MATTER OF URGENT PUBLIC IMPORTANCE

Restiveness in some parts of Northern Nigeria

Hon. Rabe Nasir (Bindawa/Mani): Point of Order, Mr. Speaker. I am coming through Order VIII, Rule 4, at page 25. With your permission, Mr. Speaker, I read:

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

Under this provision, I would like come in, in respect of the recent restiveness in some parts of the north which witnessed unfortunate clashes between the so-called Islamic militants and the security agencies notably in Bauchi, Borno, Yobe and Kano States.

In addition, I request, if the House deems it necessary and I know it will, that we should suspend the relevant provision of our business of the day so that we will be able to discuss this matter of national importance.

Question put and agreed to.

Resolved: That the House do consider the recent restiveness in some parts of the North as a Matter of Urgent Public Importance.

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The Deputy Speaker: Could you, please, move a Motion for us to suspend the relevant part of the Rules as requested.

Hon. Rabe Nasir: Mr. Speaker, I move that we suspend the relevant Order of the House Rule so that we will be able to discuss this matter right away.

Hon. Chile W. Igbawua (Kwande/Ushongo): I rise to second the Motion.

Question put and agreed to.

Resolved: That the House do suspend the relevant portion of the House Rule to enable the House take up a Matter of Urgent Public Importance immediately.

The Deputy Speaker: Hon. Rabe, you lead the debate then. You will need to read the Motion as you wish before you proceed.

Hon. Rabe Nasir: Mr. Speaker, about three or

four days ago this country witnessed yet another unfortunate incident especially in the Northern part of this country which resulted into gruesome killings of over one hundred Nigerians.

I am talking about the spiral incidents of crisis and clashes between some groups of people who called themselves religious militants and the security agencies all over the States where these clashes took place.

These States are prominently Bauchi State where the incident recorded its largest casualties and it spilled over to Borno, Yobe and Kano States. The need for peaceful coexistence in this country between various set of people in a country that is heterogeneous and multi-religious can not be overemphasised. And incidences like this, especially as they affect the religious persuasion of various people involved should always be treated urgently and in a manner that is befitting an urgent matter of national importance in this country.

In the past, this country had had to contend with a lot of ugly religious incidences which resulted into lost of lives and properties. This issue if not stamped out and drastic measures taken to stop and to mitigate the effect of them, could snow-ball into a more serious proportion, the effect of which could be swayed in other parts of the country. Like we have seen when we had religious crises in some parts of the country spilled over

to some other parts of the country. Issues like this does nobody any good and it is in the overall security interest of this country that as usual, this very honourable

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Chamber should take initiative and find a lasting solution to it.

What has happened in Bauchi is a pointer to the fact that we still need to do more about our security in this country. We seem to pay lip service to security in this country and apparently this incidence was as a result of serious intelligence failure on the part of security operatives and the security institutions in the country. Otherwise, I cannot imagine a group of people coming together within a long period of time, a kind of incubation period, within which they acquire weapons, trained themselves on how to handle those weapons, they planned and had a programme to unleash terror against security institutions in this country undetected. I am really surprised how this could happen in any part of the country where we have the presence of security agencies, the SSS specifically and the Police force yet, their activities right from the beginning to the time they attacked the Police stations was never been detected by anybody at all. I wonder what could have been contained in what the securities agencies call *threat analysis* which is suppose to be weekly, monthly and even yearly.

Hon. Colleagues, you would recall that an ugly

incidence like this leading to the death of so many people had happened some years back in Gamboringala in Borno State and government swiftly took action to bring it to an end. A few months after that, it sprang up in Yobe State in Kanamma, and government also took a decisive decision leading to the end of that problem.

A few years after, we saw a recurrence of these very ugly incidents with the resultant effect that we have lost the lives of so many Nigerians and properties. Above all, we have the psychological turbulence in a way that this issue is permeating virtually to other parts of this country, starting from Bauchi now going into Borno as well as Yobe and Kano States. Who knows the effect of this, where it will spill over again? This House should take the initiatives and try to take certain drastic measures in other to bring this ugly incidence to an end or better still to mitigate the effect of it happening.

Therefore I suggest, by way of prayer that the House resolves to:

- (i) Urge the Inspector-General of Police and Director-General State Security Service to investigate and establish the immediate and

remote causes of the restiveness and proffer permanent solution to this recurring religious carnage;

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- (ii)) Further urge the Federal Government that in the event of its reoccurrence despite the overwhelming presence of the Security and Intelligence Agencies, Officers under whose jurisdiction the incident happened should be reprimanded, if their inaction or dereliction is established

I call on the cooperation and the support of the Members as usual to make this happen.

Hon. Asadu Patrick Oziokoja (Nsukka/Igboeze South): I rise to support the Motion that this House do advise and indeed participate in taking appropriate measures, not only to contain the unfortunate crisis that is spreading across some parts of this country but actually to look at the remote and the recurrent causes of such clashes.

I would want to look at this problem as something that we could not just address in our usual manner of advising securities agencies to investigate because most of these investigations and reports end up as routine. It is unfortunate that in this age, Nigeria is still harbouring a group that is so misguided that if you look at the logo or the motto of the group which says *education is a sin* and we living in this country being in the midst of such people were not in position to note that this was a keg of gunpowder waiting to explode.

It is unfortunate that the intelligence agency had failed to detect those kinds of groups before they started unleashing mayhem on them. I challenge that those of us Nigerians should understand that security does not work where the citizens refuse to proffer information. I think the blame goes round from those in that sect to those living with them and noticed what they are doing and the kind of orientation they are giving to unfortunate Nigerians who had not had the fortune of having formal education or being guided in the right way of looking at life as sacred.

Having seen the way this unfortunate incidence is spreading, I think it is incumbent on this House to as usual be part of proffering long term solutions to this recurrent incidence. We know that when an event like this occurs the ripple effects are going to be very dire until we get the statistics and the identities of who could have been victims of this unprovoked attacked on security agencies and probably simply try to contain the reactions that may come from other segment of Nigerians; nobody knows where this would end. This House should not just ask the security agencies to

investigate. As I read in the press today, the security agencies as directed by Mr. President should be encouraged to take all legitimate actions to contain the spread of this kind of incident.

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Every legitimate, legal means and professional training they have should be brought to bear on containing the spread of this unfortunate crisis. More importantly, we should be looking for responsibilities because there are people whose duties it has been to just inform that we are having in our midst a group of people whose training is not going to be in public interest.

The level of arms being recovered from these people showed that they are not as disorganised as ill-equipped as a group that is saying education is sin. There is also the possibility that more eminent citizens had been in one way or the other compromising the security of this country, either by religious beliefs or the fact that they believe that Nigeria does not belong to all of us.

I think this House should support Mr. President in his effort to contain the crisis. All the security agencies should also act decisively in containing the spread of this crisis. More importantly, this House should set up a Committee that will look at the remote and recurrent causes of crises as it were, starting from particular spot in this country and tend to spread, consuming a lot of men and materials and proffer solution which include not just punishing the offender but also rehabilitating the victims. This country is due for a victim's assistance fund so that people who get their properties destroyed or their lives maim or injured in this kind of incidence do not just go home licking their wounds while the rest of the society is left to wait for another explosion.

I so second that we take action to investigate this in conjunction with the security agencies.

Hon. Suleiman Abdulrahman Kawu (Sumaila/Takai): Mr. Speaker, we have listened to the Mover of the Motion and we have to congratulate him for his courage and understanding on the crisis going on in some parts of Nigeria today.

These people are hiding under the shadow of Islam to cause confusion in our nation. Islam is a very clear and an understanding religion that always protect lives and property of citizens. There is no provision in Islam which allows anybody to go against either the citizens or security agencies in the name of religion. Islam is peace and our Prophet spent his 23 years preaching peace, organising people to understand their differences and to work together.

The prayer of this Motion is very understandable. There is need for security agencies to work hard and it is the duty of Nigerians especially those who identify themselves as Clerics or Religious Scholars to inform \

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securities agencies and to expose these very dubious characters who call themselves Muslims.

When you go into the content of how these people preach or how they attack innocent Nigerians, it is contrary to Islamic teaching. For example, they keep saying that Western education is *Haram*. The meaning is that whoever attends Western Education is an unbeliever. Any one who is preaching this kind of doctrine is not doing it in the name of Islam. Islam, urged the followers to search for knowledge wherever it is. It is with knowledge that you will understand yourself, you will understand your problem and you will work hard through the education you acquired to enhance your day-to-day activities.

We have to support this Motion because it is clear and it is presented in a matured way.

Hon. John Halims O. Agoda (Ethiopia East/Ethiopia West): Mr. Speaker, we as a people and as a nation feel very sad over the tragic incidences that took place in some parts of our country about yesterday or so.

The truth of the matter is that we are created by one God. In giving credence to what my friend said, Islam is a religion of peace; it is a religion of knowledge and that seems to be the centrepiece of the founder of the religion, Prophet Mohammed. It is important that these set of people that branded themselves under the

guise of religion must be brought to book. Let me commend Mr. President and the Inspector of Police, when they said that their leaders must be brought to book. It is only when the leadership of the sect is brought to book that we would nip the crisis in the bud.

This brings us to the issue of the capacity of the police to police our country which is about 150 million people today. We cannot blame the police; in a population of almost about 150 million, what is the strength of the police force? It is just over 300,000. When you look at the number of the police force that we have in the country and match it to the population, it is not realistic that a well-articulated security programme can be effectively programmed in our country.

We are in a country where we have numbers of graduates all over the country. Why not we employ

these graduates that are roaming all over the streets in the police force and provide a special force where these graduates would do intelligent work for the police force and for this great country. If we curb waste, we would

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be able to create this special unit. We would be able to employ our graduates into this special police unit.

We need not to be talking alone, we need to be serious as a people and take decisions after pronouncement. It is quite unfortunate, and I sympathize with the families of the people that are involved.

Hon. Aminu Waziri Tambuwal (Kebbe/Tambuwal): Mr. Speaker, it is indeed unfortunate that this incident has happened and I am more particularly worried because of the religious colouration being given to this particular incident.

Islam has nothing to do with what these people are propagating. The very first verse that the Almighty Allah revealed to Prophet Mohammed was *Ikrah Bisiminabika Ledhilhalaka*; meaning “*Ikrah*”, read, that was the first commandment. Reading definitely would require you to search for knowledge. And Western education is part and parcel of the search for knowledge. Therefore, as I said earlier on, this incident has nothing to do with the religion of Islam. The individuals and group involved are simply out:

- (1) To damage Islam and give it a bad name; and
- (2) To destabilize this country.

When you look at the trend of what they do by way of attacking security agencies and anything that symbolizes the State, you will know that what these people are doing is against the State. It is not a sect that is fighting either the Muslims or non-Muslims. All they are after is, for as long as you are in uniform, be you a Muslim or Christian or someone who do not have any religion, they will come after you. Or so long as they identify you as representing the interest of the State, they will come after you. This underscores the fact that it has nothing to do with the religion of Islam.

However, as rightly said by the mover of this Motion, both the formal and informal security systems of this country must wake up. The formal security system has in recent past been too defensive; we could see what happened in Lagos to Atlas-Cove. Instead of our security system to be proactive, they were defensive. These could not have happened in Bauchi, Borno, Yobe and Kano and so on just overnight. The organisation of the arms; the usage and assembling of the local bombs must have been done overtime but our

security system failed to identify these processes for them to be nipped in the bud.

I mentioned the informal security system; in my

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area of this country where I come from, I know that in the past if a visitor or a stranger comes into a hamlet, whoever quarters that particular visitor or stranger must report to the Head of that hamlet that he or she has a visitor and the person would be known. This was done so that the society would take note of the fact that the stranger was a visitor to somebody and whatever he does, the person who harboured him would be held responsible. I know that we are in a dynamic world but that has been helping our society in the past and in the same vein, that could as well be fashioned and factored into the dynamism of our current life but that has not been the case.

Our brothers, sisters, parents as well as leaders of the society have roles to play in this matter. I know, as a matter of fact, that some of us particularly the Muslims, would see a Mallam (Islamic scholar) from nowhere and just take our wards as well as children and hand them over to the Mallam, who would be teaching them what you are not sure of. This is because you hardly find time to crosscheck whatever it is that he is transferring to these innocent children.

We have passed that stage whereby people can simply take their wards and children to strangers for them to be thought Islamic way of life. In every hamlet, you must find someone who knows the Qur'an and the teachings of Islam who is indigenous in that area. I am using this medium to urge and call our people to stop using these strangers for the purposes of entrusting their children and wards for learning of the Holy Qur'an or religious teachings. This is because we have seen the implications of handing over our wards and children to those people for Islamic Studies.

The Deputy Speaker: Hon. Colleagues, I think that we do not have to belabour this issue; it has been discussed and it is very clear to everybody that these people are just hiding under the umbrella of Islam to be killing people who are innocent. I say this because some of them are graduates and they come with their certificates, tear the certificates before their leader in order to show him that they are regretting going to school; that was what happened.

It is the same people that are wearing the clothes that we are wearing, which is as a result of western education. The same people are wearing shoes, which are shoes that were manufactured in industries and these industries are as a result of the knowledge that we have through western education. These are people that are

saying that they will not do any thing apart from selling tea and bread; we all know that tea and bread is as a result of that western education. So, they are only hiding under the umbrella of Islam to do what they are doing. It is very unfortunate.

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As somebody has said, Islam has asked everybody to go and search for knowledge wherever you feel like going, to the extent that Islam said that you go and search for knowledge from Mecca up to Shin; Shin is in China and you can leave Mecca to China which is a journey of about 20 hours by flight. So, you can see that these people are only pretending to be religious.

Surprisingly, they kill everybody, no matter who you are; whether you are a Muslim, Christian or anything, it does not matter to them. Just like the policemen who were killed in Maiduguri, most of them were Muslims. The DPO that was attacked in Wudil was a Muslim. So, they do not care about your religion; if they are attacking they will attack whoever you are. As it has been captured rightly, once you are in uniform, whether you are a Muslim or Christian, they would attack and kill you.

For that reason also, let me use this opportunity to call on our members who are always with uniformed policemen to be extra careful because you cannot know who these people are. They will just come your way and attack you any how. If you have a policeman always in front of your car, tell him to be in mufti.

On this note, I would like to put question on this Motion.

Question put and agreed to.

Resolved to:

- (i) Urge the Inspector-General of Police and Director-General State Security Service to investigate and establish the immediate and remote causes of the restiveness and proffer permanent solution to this recurring religious carnage;
- (ii) Further urge the Federal Government that in the event of its reoccurrence despite the over-whelming presence of the Security and Intelligence Agencies, Officers under whose jurisdiction the incident happened should be reprimanded, if their inaction or dereliction is established

PERSONAL EXPLANATION

**Unnecessary publication of promotions,
demotions and retirements by the NNPC**

Hon. Igochukwu Aguma (Port Harcourt I): Point of Order, Mr. Speaker. I rely on Order VIII, Rule 5, page 26, *Personal Explanation*.

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The issue that I want to bring to the attention of my Colleagues is also another issue that is unnecessarily eating up our body polity as a State and as a Nation; it is the unnecessary action by the Nigerian National Petroleum Corporation to go and publish by way of paid advertisement, promotions and demotions of the so-called retirements which was a normal internal activity. Today that singular action is contributing to the debates that are further eating up the polity because they have now made it a public discourse.

I do not want to come under the Federal Character issue that is also being discussed. This is because my Colleagues who have been reading Newspapers must have read it even yesterday and today. More importantly, I want to call on the Committee on Civil Service and Public Service Matters to quickly look into this issue.

We heard that people have been retired when they have not reached the retirement age; when they have not voluntarily retired and when they have not been found guilty of any offence. We know some young men that are among those they retired.

I want to also bring to issue another thing that the Committee on Federal Character should also look at and that is the allegation of the motive behind these retirements, demotions and whatever. I want to say that NNPC should conduct its affairs as a company recognised by law and established by an Act. If there are not politically motivated thoughts by the administrators of NNPC why would they by public adverts be informing their own staff that you have been promoted or have been retired?

I rest my case.

PRESENTATION OF BILLS

The Deputy Speaker: Hon. Members, the first business of the day is the presentation of three Bills. The Clerk is called upon to read the titles of the Bills.

**Certain Political, Public and Judicial Office
Holders (Salaries and Allowances etc)
(Amendment) Bill, 2009**

Certain Political, Public and Judicial Office Holders (Salaries and Allowances, etc) Amendment Bill, 2009 – presented by the Executive *read the First Time*.

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State of the Nation Address, Bill 2009

State of the Nation Address, Bill 2009 - presented by Hon. Tunde Akogun *read the First Time*.

Oil and Pipelines Act (Amendment) Bill, 2008

Oil and Pipelines Act (Amendment) Bill, 2008 (HB.86) – presented by Hon. Doris Uboh *read the First Time*.

PRESENTATION OF REPORTS

**Report on Committee on Communications on the
Nigerian Communications Commission (NCC)
Statutory Budget, 2009**

The Deputy Speaker: The Second Business of the Day is the Presentation of the Report on Committee on Communications on the Nigerian Communications Commission (NCC) Statutory Budget, 2009 standing in the name of Hon. Dave Salako.

Hon. Members would recall that the matter was referred to the Committee on Tuesday 5th May, 2009; the Report is now ready for presentation.

Hon. Dave Salako is invited to present his Report.

Hon. Dave Salako (Ikenne/Remo North/Sagamu): Hon. Speaker, I move that this House do receive the Report of the Committee on Communications on the Nigerian Communications Commission (NCC) Statutory Budget, 2009.

The Deputy Speaker: Is there any Seconder?

Hon. Jerimon Manwe (Lau/K/Lamido/Ardo Kola): I second the Motion.

Question put and agreed to.

(Report laid on the Table)

**Joint Committee on Petroleum Resources
(Upstream) and Gas Resources on the Development
of Nigerian Content in Oil and Gas Bill, 2009**

The Dep. Speaker: The Third Order of the Day is the presentation of Report of the Joint Committee on Petroleum Resources (Upstream) and Gas Resources on

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a Bill for an Act to provide for the Development of Nigeria Content in the Nigerian Oil and Gas Industry; for Nigerian Content plan; for Supervision, Coordination, Monitoring and Implementation of Nigerian Content and for Matters Incidental Thereto 2009 standing in the name of Hon. Bassey Otu.

Hon. Members would recall that the bill was referred to the Committee on Thursday 16th October, 2008 and the Report is now ready for presentation.

Hon. Bassey is invited to present his Report.

Hon. Bassey Otu (Calabar Municipal/Odukpani): Mr. Speaker, I move that this House do receive the Report of the Joint Committee on Petroleum Resources (Upstream) and Gas Resources on a Bill for an Act to provide for the Development of Nigeria Content in the Nigerian Oil and Gas Industry; for Nigerian Content plan; for Supervision, Coordination, Monitoring and Implementation of Nigerian Content and for Matters Incidental Thereto 2009.

The Dep. Speaker: Is there any Seconder?

Hon. Leonard Okuweh Ogor (Isoko North, Isoko South): With due humility I so second the Motion.

Question put and agreed to.

(Report laid on the Table)

ORDERS OF THE DAY

MOTION

**Backlog of Nigerian Graduates Awaiting
National Youth Service Corps (NYSC) Scheme**

The Deputy Speaker: The first Order of the day is a Motion on the Backlog of Nigerian Graduates Awaiting National Youth Service Corps (NYSC) Scheme standing in the name of honourable Ekperikpe Ekpo and Forty-one (41) others.

Hon. Ekpo is now invited to move his Motion.

Hon. Ekperikpe Ekpo (Abak/Etim Ekpo/Ika): Mr. Speaker, I move a Motion on the Backlog of Nigerian Graduates Awaiting National Youth Service Corps (NYSC) Scheme.

The House:

Notes that the National Youth Service Corps (NYSC) Scheme is a compulsory exercise for every Nigerian graduate;

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Further notes that the National Youth Service Corps discharge/exemption certificate is a pre-requisite for any graduate employment in Nigeria;

Aware that prospective Corps Members spends between six (6) months to one year after graduation before participating in the National Youth Service Corps Scheme;

Regrets that unless immediate steps are taken by the concerned universities to prepare these graduates for the National Youth Service Corps as at and when due, we may in future destroy our tomorrow's leaders;

Resolved to:

- (i) Urge the National Universities Commission (NUC) to compel all universities to prepare and release the results for graduating students not later than (2) two months after the final examinations;
- (ii) Further urge the National Youth Service Corps (NYSC) to mobilize all Corps members as at and when due;
- (ii) Mandate the Committee on Education to investigate the universities in default and report to the House within two weeks.

I so move.

The Deputy Speaker: Is there any Seconder?

Hon. Shuaibu Umar Galadima (Yamaltu/Deba): Mr. Speaker, I second the Motion.

Question proposed.

Hon. Ekperikpe Ekpo: Mr. Speaker, the Motion in question is a very simple one; it is self-explanatory. It is all about mobilising our youths to go for National Youth Service after their graduation.

It is a known fact that the National Youth Service Scheme that is operational today by the Act of 1993 is built towards mobilising our youths to utilize their potentials in nation building. The body charged with this responsibility cannot go ahead to mobilize the graduates without these graduates being released from their various universities.

If you want to go through memory lane, you will discover that in the past the Youth Service Programme

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used to take two batches; one in August/September while the second one in February/March. The August/September one takes care of graduates from Nigeria who are graduating from the Universities within the period of June/July. They are mobilised to go for the National Youth Service.

The fall out will go for the second batch, which will take care of Nigerian students who studied outside Nigeria and returning to the country for their own service year that has been the situation for so many years. Today that is not the situation because non-uniformity in the University system. Some Universities will resume their academic year in October, which is ideal while some would start their own in January. At the end of the day it would be difficult to produce graduates that would be mobilized by the National Youth Service Corps to carry out its statutory responsibility within the specified period.

Therefore, the question now is that because of this non-uniformity some graduates would leave school, stay at home for a period of six months or one year without being mobilised and we know that idleness is not the best for our youths. *The Bible says that an idle mind is the devils workshop.* Anything can happen within this period of idleness; the youths can get involved in one vice or the other which may not be for the best interest of Nigeria.

For the fact that we have the understanding that without the discharge certificate no graduate can secure any meaningful employment in Nigeria. If you are not gainfully employed, maybe you want to take advantage of the NDE (National Directorate of Employment) programme, they would need your discharge certificate to give you loan to work on.

So these individuals who never had discharge certificates nor served the nation are remaining there idle. So, it behoves on us to look for a way to make sure that the relevant authorities rise up to their challenges to make sure that we do not have these young graduates staying there idle at home without planning for their future. In some universities they can

stay up to two years without being released for the National Youth Service Scheme.

When we look at the provision of the National Universities Commission that should handle this programme you would have this stated therein and I beg to read the portion with your permission:

The responsibility of the National Universities Commission is to ensure the orderly development of a well-coordinated and productive university system that will

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guarantee quality and relevant education for national development and global competitiveness.

Where they are failing in their own responsibilities to give guidance to the Universities in Nigeria, what we are seeing today becomes the order of the day. So it is time the National Universities Commission lived up to their own statutory responsibility to address the issue.

It is not only in the Universities system that we have strike; we have it in the secondary schools. They still make time to meet up with the September opening date and closing in July, which help parents to plan ahead for the future of their children. Of course, equally the graduates would know that by July, they are through and by August/September they would be in for the National Youth Service. When they come out from there, they can plan for their future. Therefore, to leave them idle at home is not in the best interest of this nation.

Therefore, I plead with my Colleagues that we allow this Motion to sail through in order to address these wrongs in our society for a better tomorrow.

The Deputy Speaker: I will take those who want to speak for the Motion.

Hon. Isah Idris Umaru (Igabi): I stand to support this very important Motion. I will clarify certain things that are happening now in our Tertiary Institutions. During our days, before you start your final examinations for either Degree or Masters, you should have finished your Thesis. But what is happening nowadays is that, a student would finish his examinations, yet he has not finished his Thesis and the Project has not been approved by either one of his mentors or supervisor. On the basis of that, you would find a student that has finished his examinations for either Degree course or Masters, yet he has not been released by the University, for the fact that he has not completed his project or his thesis.

This does not augur well for our educational system. Just as we discussed this morning, the youths are being manipulated for all kinds of vices in our society for the simple reason that somebody we presume to have completed his course would not be released by the University because for six months to one year he or two years he keeps going back to the University trying to defend either his project or his Thesis. Meanwhile, the University would refuse to release his final result and this may linger for a long time. In between this period, he hangs somewhere and becomes a liability to his parents and the society.

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I think NUC, just as the mover has said in his

Motion, should rise to its responsibility and make sure that any person that concludes his course is released by the University on time. It means probably he has to go concurrently doing his Thesis while he is doing his examination so that he finishes the two at the same time. There is no way somebody would presume to have completed his course yet has not been released by the University or Polytechnics to go for his NYSC.

I support this Motion and urge my Colleagues to do the same.

Hon. Tamarautare E. Brisbe (Burutu): Definitely the evaluation of the NYSC Scheme is one I think we should actually be considering. The backlog of students from Nigerian Universities who have not yet started the scheme is getting alarming. May be we should take a look at the certain facts in the matter. When the NYSC Scheme started in 1973, there were six universities in Nigeria, bringing out about five thousand graduates each.

In 2009, we have almost 70 universities, some owned by the Federal Government, some owned by State Governments and some are owned by private individuals. All of these produce graduates; there are actually some universities right now that have had graduates for the last 4 years but these graduates are still not taken into the NYSC Scheme.

My contribution therefore is that I would want the Committee on Education, not just to take a look at the backlog of students but to look at the relevance of the NYSC Scheme in Nigeria of 2009. A lot of students go for the NYSC scheme but end up not having places of primary assignment to go to.

The Deputy Speaker: That is only for those who do not want to teach.

Hon. Tamarautare E. Brisbe: Sometimes, as you just pointed out maybe it is those who do not want to teach but at the end of the day, the fact of the matter is that the relevance of the scheme should be examined. If you look at the number of students that are coming out we should also ponder whether we can afford the cost of NYSC Scheme with the number of graduates that we have now; roughly the figure for graduates coming out of universities of Nigerian now would be in excess of 300,000 every year.

A re-examination of the scheme and the issue of the backlog of students definitely are very important. I urge Members to pass this Motion and ask the

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Committee on Education to take a proper and thorough look at the NYSC Scheme and the issue of backlog of students.

Hon. Umaru Ibrahim Kurfi (Dutsin Ma/Kurfi): Mr. Speaker, this is a very important Motion which I believe every body should pay attention to it. This is because NYSC is a National Scheme which graduates at least enjoy. Those who did NYSC were exposed a lot; at least they knew so much of some States through NYSC.

It is very important that all the graduates as much as possible get their postings as soon as possible. But the bulk of this problem, if I may say, is from the NUC. The Universities actually delay the graduates to get their certificates as at when due. So, the NUC should enforce that all Universities should ensure that as students are graduating they must have submitted all their projects. However, they should be given time limit. This scheme can only work if tie all these issues. The other side is that the NYSC itself should extend and give more time for the NYSC because most of them are done in two batches. So they should make sure that it is done as much as possible in two or three batches.

Finally, the graduates should be given enough time so that they get themselves prepared for the scheme.

The Deputy Speaker: Let us hear from those who want to speak against the Motion?

Hon. Yacoob E.A. Alebiosu (Kosofe): Mr. Speaker, inasmuch as this is a lovely Motion, how achievable is it?

Prayer (ii) says;

Further urge the National Youth Service Corps (NYSC) to mobilize all corps members as at when due.

First, if my memory does not fail me, I am of the opinion that NYSC has its set date.

Secondly, they have first batch, second batch; what is the reason why graduates are not able to make those set dates. The major reason is as a result of strikes. There are cases when strike happens in the University of Lagos, for example, but does not happen at the University of Ife. As a result of this, I wonder how this can be achievable. Yes, it is a lovely Motion but I do not agree that it is very achievable.

Hon. Gbenga O. Elegbeleye (Akoko North East/West): Mr. Speaker, apart from what my

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Colleague has just said, I am sure the NYSC will not have the capacity to mobilise all graduates in Nigerian universities today. This is because some universities have backlog of graduates up to two or three years as a result of constant strikes and crisis in the university system in this country. So, if a university would be on strike for half a year while others are in session, there is no way the graduates will meet up with the system NYSC is operating because they have time limits for when Youth Corpers are supposed to resume in camps; certainly those schools will not be able to meet up. The only thing is for us to start talking about stability in our University system and other tertiary institutions in Nigeria. Without stability in our University system there is no way all graduates will be available for the NYSC at the same time. This is because some schools have graduated students and they cannot move out their homes to go and resume in NYSC camp because there would not be available space for them. And all schools cannot be sending graduates of this and that of last year asking them to serve together.

The best these universities could do is to mobilise those that actually graduated before the newer set for them to go to the NYSC camp. After that they keep looking for opportunities for the new graduands to go again. So the solution is that we must find a way to stabilise our system in the Nigerian University. Without that there is no way graduates of schools in Nigerian would be able to go to the camp at the same time.

The Deputy Speaker: Is the question somebody raised on the first and second batches supported by law or it is just the convenience of the agency? If it is by convenience, they can have first batch, second batch, third batch, and fourth batch, up to tenth batch. I believe that is allowed if it is not by law.

I will now put the Question.

Question put and agreed to.

Resolved: That the House:

(i) Urge the National Universities Commission (NUC) to compel all universities to prepare and release results for graduating students not later than (2) two months after the final examinations;

(ii) Further urge the National Youth Service Corps (NYSC) to mobilize all Corps members as at and when due;

(iii) Mandate the Committee on Education to investigate the universities in default and report to the House within two weeks.

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CONSIDERATION OF BILL

Award of Construction Contracts up to ₦2 billion to Indigenous Companies Bill, 2009

A Bill for an Act to make it compulsory for the Government of Nigeria and its Agencies to award Construction Contracts up to ₦2 billion to Nigeria Indigenous Construction Companies and for other Connected Purposes, 2009.

Order for Second Reading.

The Deputy Speaker: The Second Order of the Day is the commencement of debate on the general principle of a Bill for an Act to make it compulsory for the Government of Nigeria and its Agencies to Award Construction Contracts up to ₦5 billion to Nigerian Indigenous Construction Companies and for other Connected Purposes, 2009. The Bill was read for the first time on Thursday, 5th February, 2009.

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

Hon. John Halims Agoda (Ethiope East/Ethiope West): Before I move the Motion for the Bill, there is a typographical error in the figure, it is ₦2 billion not ₦5 billion as it appeared on the Order Paper; Members should take note of it.

I move that a Bill for Act to make it compulsory for the government of Nigeria and its Agencies to Award Construction Contracts up to ₦2 billion to Nigerian Indigenous Construction Companies and for other Connected Purposes, 2009 be read for the Second Time.

The Deputy Speaker: Is there any Seconder to the Motion? Hon. (Engr.) Umar Abdullahi Faruk.

Hon. Umar Abdullahi Faruk (Birnin Kebbi/Kalgo/Bunza): I second the Bill as ably moved.

Question proposed.

Hon. Halims Agoda: Graphically put, the essence of this Bill is indeed to enhance and to encourage growth-driven indigenous construction in the construction sector of our national life. The law is

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simply saying among other things that this Parliament should empower the government of Nigeria and all the agencies thereto through a productive and positive legislation that will enable government to patronize and to recognize our own construction indigenous companies.

In the construction world, which is also likened to the oil industry world where the recognition for the local hands are now been beefed up in the oil sector, we should also in the same vain and manner help to encourage the growth of skills and the growth of capacity in the construction industry. We have seen a situation where the transfer of technology in the construction sector is highly stifled because our small local construction industry goes through pains and conditionalities to have the leverage to compete with foreign-based companies when it comes to the award of contracts. You will be surprised that even contracts that ranges from ₦100 million to ₦200 million the foreign based companies compete for them favourably and because of their capacity our own indigenous companies are played out of the system.

Before now we have what is called the Works Department in our country, but today it is no more. In far away India, they have used that department to build capacity contents for their local based companies. They used that to award contracts to indigenous companies alone by putting specification of amount of contracts that will be awarded to them and before you know it, it has helped to encourage and enhanced the Gross Domestic Product (GDP) of India *vis- a-vis* the various local industries.

When we empower our indigenous companies to have access and predominance over the award of such contracts, it will help to encourage the growth of both skilled and unskilled labour because it is this sector that you have the predominance of skilled labour that will be

highly employed and it will encourage both skilled and unskilled labour.

Why it is also pertinent to look inward and encourage our local industry to have such opportunity is that we are in a global society where international politics play a lot of factors in the dominance of world affairs. If by tomorrow the foreign countries where these foreign-based companies come from decided to have dispute of any nature with our country, it may have overall effect with their foreign based companies that are the only monopoly constructing and working for our country.

So the earlier we encourage our local based companies to have the stance and the necessary capacity and grow from strength to strength to that level where

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you have the foreign giant companies the better for this nation and the better for all of us as a people.

The Bill among other things also encourage the issue of partnership among our local or indigenous companies that in a situation even if they cannot compete for the ₦2 billion contract, they can come together as partners and bid for such contracts. What is necessary is for us to put a safeguard, a control mechanism by the appropriate regulatory authority that will ensure that if such contracts are awarded to our locally recognized indigenous companies those contracts must be done to specification. If the issue of specification is seriously emphasized, then we are looking towards a situation where our indigenous companies will not only acquire the necessary skills but will have the necessary capacity and tomorrow for them will be a better day for the country.

So, it is an idea that spread across different countries in the world; it is not strange and it is not limited to our country. With this few remarks, I urge this distinguished Parliament to pass this Bill.

Hon. Abdul Ahmed Ningi (Ningi/Warji): This is another landmark piece of legislation from this people's Chamber. I believe this is one of the very many answers to the cynics who believe that this House has nothing to offer to the good people of this country. For Hon. Agoda to have brought a Bill of this nature and in particular at this critical time of the growth and development of this country, is worthy of commendation. This is a positive Bill and the Sponsor of the Bill has gone ahead to give us areas with the international community of nations, particularly in India, Singapore, Malaysia, United State of America and United Kingdom where indigenous companies are given the sole monopoly of doing particular jobs.

Part of the problems we have as a nation is that we have opened our economy to such an extent that a rat from China is seen as a better hand than Nigerians who have the knowledge; the expertise and the power to do a certain job. Anybody that has a skin colour lighter than our own is presumed to be better than us. That has been the mentality this country has been in.

For us to grow as a nation we must look inwards; look at our potentiality as a nation, look at the potentiality of our indigenous people who want to belong and get involved but because of this mentality the gate has been closed. The only people that have contract in this nation for almost twenty years are those people who had been able to monopolise, manipulate and influence contracts and those people are also in the pay books of this multi-nationals.

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This Bill will go a long way in getting people to believe in government and also believe that they have a future that these things are possible. I am sure that by the time this Bill is taken through Second Reading, there will be a lot of panel beating. I believe the ₦2 billion is all right but given the scenario of ₦2 billion in dollar term, it is such a stipend. However, I believe this is a worthy Bill and it does not involve the spending of government funds. It is a Bill that will bring promise and succour to the people. So I believe it is a worthy Bill that needs to be encouraged.

Therefore, I urge my Colleagues to give this Bill a positive consideration.

Hon. Godfrey Ali Gaiya (Zango/Kataf/Jaba): Mr. Speaker, I stand to commend the Sponsor of this Bill because I support it wholeheartedly.

The construction industry and indeed any other indigenous company should be protected against unhealthy competitions from foreign firms. Any economy whether developed, developing or under-developed requires some kinds of protection from the competitors so as to enhance growth and perfection of local firms. Until we promote a legislation to save our indigenous companies, we shall be opening up a situation where inferior foreign construction companies can come to Nigeria and dump their services. As they do so they inhibit the growth of local construction firms.

We see very commonly, and on daily basis, the Lebanese and the Indians flood this country willing to take on any manner of construction jobs; whether it is the construction of culverts or even latrines. We need to set a legislation to curtail this kind of competition. Except we set a ceiling of a certain amount beyond which no Nigerian Company is competent to handle, we would be running the risk of promoting

underemployment or even unemployment for our local firms.

This honourable House is at the verge of passing a Bill on Local Content Development. What this Bill is talking about is a deliberate encouragement for our local firms to partake in the construction industry. So I consider this Bill very timely, I consider this Bill in the same direction with the Local Content Bill and I want to urge my Colleagues to support this Bill because it is a Bill that would do so well to promoting our local enterprises and our local construction industry.

Hon. Johnson Aigbodu Abolagba (Owan East/West): Mr. Speaker, I want to commend the Sponsor of this Bill for a job well done in that regards but I am opposed to the Bill. My reasons are these: what does this Bill seek to achieve? I have seen nothing

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because if you go to Rivers State, Benue State or any where government is functioning, the local contractors are already being encouraged. They can take any job up to any amount of money; the essence is whether they can do the job and do it well.

If this Bill passes through Second Reading, it will only encourage one thing; it will encourage again once more handbag contractors. They would take a job of ₦5 billion but they will not do it rather they would become middle men and sell the job to those contractors whom they believe are foreign contractors that you want to exclude from these jobs. That would be the result and it will not be in the interest of Nigeria again to bring those bad deals back into our business.

Furthermore, what is the essence of free market economy? In a competitive environment, we learn by competing with one another. So, if you say contracts below ₦5 billion should be left for local contractors, would that encourage good work; would it encourage competition, would it bring the best out of Nigerians? The answer to all these questions is no.

The Speaker: Hon. Abolagba, you do not have only one company that is qualified to do a contract below ₦2 billion; they are many and they would compete amongst themselves.

Hon. Johnson Aigbodu Abolagba: Sir, the essence of this Bill would be to stifle competition and that would not be in the interest of this country. Therefore I believe that this Bill should not go for the Second Reading.

Hon. Usman Adamu Mohammed (Albasu/Gaya/Ajingi): Mr. Speaker, I sympathise with

my Colleague, the Deputy Chairman of the Committee on Water. Competitiveness today is what is being sold around. But this is something that you can sell in a society where things are levelled; this is a nation of over a hundred million people that derive from the basics. I totally disagree with him. We need to affirm, on behalf of our people, the need to allot resources meant for them.

This Bill as it stands is seeking to connect Nigerians with the resources that are rightfully theirs. Until and unless we are aware that this society is ours we cannot assume to be competitive in the global system. Therefore, I am here supporting the Bill as presented by its Promoter.

A population of 100 million people that have no education in place, that the bulk of population - a good chunk of it - is underemployed or self-employed;

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certainly an affirmative action by the educated elites of Nigeria is in place to take us where we should be. Recent happenings around the northern part of Nigeria tell so much of the need for this kind of action so that people can access resources in this country rather than allowing it to be taken out of this country. In a situation whereby all big contracts are being given or allowed only to foreign companies, you expect capital flights and nothing more. But where you have serious and affirmative participation by local companies I can assure you the bulk of the money will circulate around Nigeria and Nigerians will be the better for it.

Hon. Solomon Ahwinahwi (Ughelli North/Ughelli South/Udu): I want to align myself by supporting this Bill for Second Reading. If you come to think of it, the very important thing about this Bill is that it will help to create job opportunities to many Nigerians.

Not quite long ago, a Colleague of ours, Hon. Ikisikpo, just raised a Motion about a lot of graduates who have not gotten jobs in this Country. When we talk about indigenous companies getting jobs in this country, we have to do everything possible to ensure that we encourage them.

My reason is that it will help in creating job opportunities for Nigerians because if we give these jobs to foreign companies what they do is to bring 80 *per cent* of their people who would work with them and employing just 20 *per cent* of our citizens both skilled and unskilled. I can assure you that this Bill will help our growing economy to ensure that we employ citizens and these people will be taken out of the streets and it will help by engaging them to do a lot of things.

I support this Bill so that it will go for second reading and urge all my Colleagues to give every possible support to ensure that this Bill goes for second reading,

The Deputy Speaker: I will now put the Question.

Question put and agreed to.

Bill Read the Second Time and referred to the Committee on Public Procurement.

The Deputy Speaker: I want to suggest that at the Committee level, instead of using ₦2 billion, it will be more appropriate to use \$15 million so that whatever happens to the Naira it will remain constant.

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CONSIDERATION OF REPORTS

Report of the Ad-Hoc Committee on Nigerdock on the Investigation into Threat to National Security and Economic Interest of Nigeria at Nigerdock Premises

The Third Order of the Day is the consideration of Report of the Ad-Hoc Committee on Nigerdock on the Investigation into Threat to National Security and Economic Interest of Nigeria at Nigerdock Premises.

Honourable Members will recall that on Thursday 16th July 2009 consideration of the Report was deferred to allow members to study the report. Hon. Tunde Akogun or, in his absence, his Deputy Hon. Baba Shehu, will move for the resumption of the consideration of the Report.

Hon. Baba Shehu Agaie (Agaie/Lapai): I move that this honourable House do resume the consideration of Report of Ad-hoc Committee on Nigerdock on Investigation into Threat to National Security and Economic Interest of Nigeria at Nigerdock premises.

I so move.

Hon. Waziri Aminu Tambuwal (Tambuwal/Kebbe): I do second the Motion.

Resolved: That the House do consider the Report of the Ad-Hoc Committee on Nigerdock on the Investigation into Threat to National Security and Economic Interest of Nigeria at Nigerdock Premises.

Report of the House Committee on Public Petitions

The Deputy Speaker: The Fourth Order of the Day is the consideration of the Report of the Public Petition. Hon. Ita Enang where is Hon. C.I.D Maduabum?

Hon. Ita Enang (Itu/Ibiono Ibom): He has a Public Hearing.

The Deputy Speaker: I just saw him here, is he doing the Hearing in the Chamber?

Hon. Ita Enang: No Sir. It may be stood down for him, Sir.

The Deputy Speaker: All the Reports?

Hon. Ita Enang: No Sir. I am referring to the

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Reports on Public Petitions. Unless the House so decide, all other Reports may be taken except that of Public Petitions.

The Deputy Speaker: What about the Deputy to Hon. C.I.D Maduabum, Hon. Ajatta; is he here? He is not here.

Hon. Ita Enang: Hon. Ajatta is holding a meeting over in Lagos.

The Deputy Speaker: So, we stand down the Reports of our Committee on Public Petitions?

Hon. Ita Enang: Yes sir.

Reports of the Committee on Public Petitions, by leave of the House, stood down.

Report of the Joint Committee on Aids, Loans and Debt Management and Commerce on National Institute of Credit Administration (Establishment) Bill, 2009

The Deputy Speaker: The Fourth order of the day is the Consideration of the Report of the Joint Committee on Aids, Loans and Debt Management and Commerce on a Bill for an Act to Establish the National Institute of Credit Administration and for Matters Connected Therewith 2008.

Hon. Members will recall that the Report was laid on Tuesday 26th May 2009. Hon. Abubakar A. Yari will now move for the consideration of the Report.

Hon. Abubakar Abdulaziz Yari (Anka/Talata/Mafara): I move that this House do consider the Report of Joint Committee on Aids, Loans and Debt Management and Commerce on a Bill for an Act to Establish the National Institute of Credit Administration and for Matters Connected Therewith 2008.

The Deputy Speaker: Is there any Seconder?

Hon. Bitrus Kaze (Jos South/Jos East): I second the Motion.

Question put and agreed to.

Resolved: That the House consider the Report of Joint Committee on Aids, Loans and Debt Management and Commerce on a Bill for an Act to Establish the National Institute of Credit Administration and for Matters Connected Therewith 2008.

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The Deputy Speaker: Hon. Ita Enang did you say there is another one?

Hon. Ita Enang: Unless we are not disposed to it.

The Deputy Speaker: Yes, we are.

Hon. Ita Enang: All right, Sir.

Report on Federal Capital Territory Water Board (Establishment) Bill, 2009

The Deputy Speaker: The Fifth Order of the Day is the consideration of the Report on a Bill for an Act to Establish the Federal Capital Territory Water Board and for Matters Connected Therewith, 2009. The Bill was referred to the Committee of the Whole on Thursday 21st May 2009.

I now invite Hon. Ita Enang to move for the consideration of the Report.

Hon. Solomon Ita Enang: Mr. Speaker, I rise to move that the House do consider the Bill for an Act to Establish the Federal Capital Territory Water Board and for Matters Connected Therewith, 2009.

Hon. Kalba Gora Adamu (Kaltungo/Shongom): I rise to second the Motion moved by Hon. Ita Enang.

Question put and agreed to.

Resolved: That the House do consider, the Bill for an Act to Establish the Federal Capital Territory Water Board and for Matters Connected Therewith, 2009.

Hon. Baba Shehu Agaie (Agaie/Lapai): Mr. Speaker, I move that this House do resolve into the Committee of Whole to resume consideration of these Reports.

Hon. Solomon Ita Enang: Mr. Speaker, I do second the Motion that this House do resolve into the Committee of Whole to consider the Reports as listed.

Question put and agreed to.

Resolved: That the House, do resolve into Committee of the Whole to consider the Reports as listed.

House in the Committee of the Whole

(Chairman in the Chair)

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Report of the Ad-Hoc Committee on Nigerdock on the investigation into Threat to National Security and Economic Interest of Nigeria at Niger Dock Premises, CONSIDERED IN THE COMMITTEE OF WHOLE.

The Chairman: The First Report we are taking is the Report of the Ad-Hoc Committee on Nigerdock on the report on the investigation into Threats to National Security and Economic Interest of Nigeria at Nigerdock Premises and approve the Recommendations therein. The consideration was adjourned on 16th July, 2009. I now call on the Leader of the House to brief the House.

Hon. Baba Shehu Agaie (Agaie/Lapai): Mr. Speaker, this Report is a product of the Ad-Hoc Committee on Nigerdock as introduced into this Chamber on 16th July, 2009 but had to be stood down because many of us complained that they were yet to go through the Report. I am sure that almost everybody might have gone through the Report now. The Report has only five recommendations for consideration.

I therefore urge this honourable House to resume consideration of this Report.

Hon. Aminu Waziri Tambuwal (Tambuwal/Kebbe): As rightly said by the Leader of the House, the Leadership of the House was mandated by this House to go and meet the Service Chiefs and other heads of security and Para-military organs that are

having business to do with the Nigerdock Port Area in Lagos particularly on issues bothering on allegations of importation and even possible manufacture of weapons that were alleged to be used by certain people for individuals in this country which contravenes the laws of this Land.

Basically, the issues had to do more with the security of this country and that was why the House directed the Leadership to go and meet with the Service Chiefs for a more proper briefing and update of the situation.

These recommendations were formed after the interactive session that we had with the leadership and heads of both the military and other security agencies of the country.

I therefore commend that our Colleagues should kindly look at them and pass them as recommended by the Leadership.

The Chairman: Recommendation (i)

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That the Presidential Orders on he stoppage of Midstream discharge of Cargo and closure of private jetties nationwide must continue to be enforced by all Stakeholders of the Port operations for the Economic and Security interest of the Nation.

Hon. Abdul Ahmed Ningi (Ningi/Warji): Mr. Chairman, this is a very serious matter and we cannot just sweep them under the carpet. We were told that the former President gave a presidential order on the stoppage of the midstream discharge of cargo because of its implication. Here we have read the letter as written by then President.

Now, as a Parliament, we were told that some violated the Presidential Order. We must as a Parliament find out who actually violated that order and what was the sanction against them? One of the problems that we have in this country is the issue of sanction. Where we even identified the culprits more often than not we sweep those things under the carpet.

As a Parliament, we must ask the Chairman of Privatization Committee, to tell us who violated this order and what were the sanctions meted to them?

The Chairman: That is an additional prayer; it is has nothing to do with this one. *(Interruptions)*

Hon. Abdul Ahmed Ningi: We must, as a Parliament, find out who violated what and what sanctions were taken.

The Chairman: It is an additional prayer to my understanding. I will now put the Question on the Recommendation as made by the Committee.

Question put and agreed to:

The Chairman: Recommendation (ii).

That the Federal Ministry of Commerce should be directed to withdraw the NEPZA License granted to SIMCO Free Zone Company (Formerly Nigerdock Free Zone Enterprises) since they are not registered to operate in Nigeria and in furtherance to the National Economic and Security interest of the Nation.

Hon. Jerry S. Manwe (Lau/K/Lamido/Ardo-Kola): The issue on this matter is that those who have enjoyed the Port Concessioning are people who feel they are leaders who are not touchable. If you instruct

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the Ministry of Commerce alone to say please withdraw license, without first digging into the real matter, we would still be wasting our time here.

The Chairman: I beg your pardon, please, Hon. Jerry; we are not wasting our time. How can we pass a Resolution and it would be termed as a waste of time.

Hon. Jerry S. Manwe: Mr. Chairman, let me tell you one thing; unless we are pretending then we would not know who had violated the order. *(Interruptions)*

The Chairman: I believe that if the Ministry is not ready to do that or did not obey our Resolution we would take it to the President. And I want to assure you that the President would not allow anybody to disregard our Resolution.

Hon. Jerry Manwe: Let us hope so!

Question put and agreed to:

The Chairman: Thank you. Recommendation (iii),

That the Nigerian Export Processing Zone Authority Decree No. 63, 1992 should immediately be amended to conform to the Economic and Security interest of the Nation.

Now, the question as raised by Hon. Agoda, who would do the Amendment?

Hon. Ita Enang: Mr. Chairman, the Legislature does not pass a Resolution that an Act should be Amended.

The Legislature or a Legislator initiates a Bill to Amend an Act. Therefore, it is improper for that Resolution to stand. I pray that we delete it.

Hon. Friday Itula (Esan North East/South East): I have a reference to make from the Constitution.

The Chairman: Yes, you may go on?

Hon. Friday Itula: The issue we are debating about is captured by Section 315 of the 1999 Constitution. And it reads that:

Subject to the provisions of this Constitution, an existing Law shall have effect with such modifications as may be necessary to bring it into conformity with the provisions of this

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Constitution and shall be deemed to be as follows ...

All existing decrees by the provisions of this Constitution are already part of the Laws of Parliament and so the need to recommend that the Parliament will need to modify this so as to bring it to conformity with security and economic interest of the nation is already captured by this.

We do not need to make any further arrangement. All the laws that are made are for the interest of Security and interest of Nigerians. That is all that the Constitution is all about.

The Chairman: Let me understand Hon. Ita Enang very well. He said we do not need a Resolution of the House to amend a Law?

Hon. Ita Enang: No, we do not need the Resolution of the House to urge the House to amend.

The Chairman: It is a recommendation and I thought the House has the power to advise its Committee to do one thing or the other?

Several Hon. Members: Yes!

The Chairman: And that is exactly what we are doing? Or do we direct the Committee?

Hon. Ibrahim Umar Ballah (Kumbotso): The Committee on Commerce is the right Committee that is supposed to carry out this duty.

The Chairman: Your addition is to mention the Committee that should handle the duty?

Hon. Ibrahim Umar Ballah: Yes.

Hon. John Halims O. Agoda: Yes, it is true that we use law to amend law or an Act as the case may be. But the House, through a Committee recommendation, can direct that an existing Act is now obsolete and that it should be amended or it should be reviewed or jettison as the case may be. So, there is nothing bad in it.

Hon. Ike Chinwo (Obio/Akpor): Mr. Chairman, in addition to what my Hon. Colleague, Hon. Agoda said, the society is dynamic as well as the law. So, the reference made by Hon. Friday Itulah is totally out of order. What we should do here is to amend this to read: *That the House Committee on Commerce should*

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immediately introduce a legislation to amend the existing law.

Amendment put and agreed to.

The Chairman: Recommendation (iv):

That the First and Second Share Purchase Agreement transferring 51% and 29% shares of Federal Government of Nigeria in Nigerdock Plc to GEC and GCE Shipyards and Marine Contractor (Africa) should be reviewed to conform with the First Schedule of the Public Enterprise Privatisation and Commercialisation 1999 Act.

Question put and agreed to.

Hon. Leonard Ogor (Isoko North/Isoko South): For the knowledge of probably my brothers and sisters that will look at this particular issue, you find out also that 51% interest there was the core investment share. Now, the 21% which was the second share of this issue was now sold far below the 51%. It therefore means that outside this investigation, I think the Committee should also do a further investigation to understand the circumstances that led to the sales far below the normal market price.

The Chairman: Hon. Leonard Ogor, even though it has been carried, let me come in. A share can be

disposed this month at ₦50.00 and may be in December, it could be ₦30.00.

Hon. Leonard Ogor: Mr. Chairman, with due respect, I would not want to say that you are wrong. The fact remains that when you have sold a 51% core investment in a company to somebody, the first or the second transaction supposed to go to the main core person, but this was a kind of underground deal and still went to another person who is not a core investor.

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

The Chairman: Hon. Leo, a Member is raising a Point of Order.

Hon. Daniel Oritse G. Reyenieju: Mr. Chairman, my Point of Order is on Order X, Rule 2, page 37. It says:

The Speaker in the House and Chairman in any Committee shall be responsible for the observance of rule of the order in the House and Committee respectively and their

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decision upon any point of order shall not be open to appeal or shall not be reviewed by the House except upon substantive Motion.

The Chairman: Your Point of Order is sustained.

Recommendation (v) says:

That the House to direct the Committee on Privatisation and Commercialisation to further investigate whether or not the alleged payment made amounting to ₦1.72bn by Nigerdock Plc (Core Investor) was actually paid by Bureau of Public Enterprises (BPE) to the Central Bank of Nigeria (CBN) Privatisation Proceeds Account.

Is there any comment?

Hon. Terngu Tsegba (Gboko/Tarka): One of the reasons the House referred this to the Leadership Committee was the seriousness of the issue and to do an in-depth investigation into the same. From the body of the report, we have not been told the reason why the Leadership Committee could investigate whether the amount was actually paid. I believe that if any Committee is to go back to do a proper job, it should be the Leadership Committee, headed by the House Leader. It should do a thorough job and report back to the House instead of taking this issue back to another

Committee of the House. This is because, in the first instance, one of the reasons we referred it to the body of Principal Officers was the seriousness of the issue. And I think that all Committees when given an assignment by the House should do it very diligently.

Hon. Leonard Ogor: I think it is important for us to know that the House can sometimes set up an Ad-Hoc Committees and the Ad-Hoc Committees can also make recommendations. This is because the Committees of the House are abreast with the functions of their individual committee. What the House is doing in this situation is to refer this matter back to the Committee to do a specific investigation. It is important to note that this issue is more of a specific issue for the Committee to investigate further.

Hon. Shuaibu Abdullahi (Awe/Doma/Keana): Mr. Chairman, with respect, I tend to align myself with Hon. Tsegba but I do not think that this recommendation should be approved by the House. This is because it is so insignificant and to me, it is something that should have been verified by the Committee before the Report was presented. This is an issue that was just to confirm from the Central Bank whether or not BPE has paid into the Privatisation

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Proceeds Account this amount of ₦1.72bn. I do not think that there is any need for investigation of the issue other than to verify.

If we really have a Standing Committee on privatisation, any member or anybody and not even the Chairman, can verify this claim than for the House, after many months of waiting, to be asked to do another investigation on an issue that is just a one line item entry. The Central Bank of Nigeria should confirm whether or not BPE has paid that amount of ₦1.72 billion. I do think that we should waste the legislative time and resources to try to investigate an issue which we can just mandate somebody outside of these recommendations to come and confirm. It can be confirmed.

So, it is not a major recommendation; it is something that should have really been part of the Report.

The Chairman: Hon. Tsegba, can you move for your amendment?

Hon. Terngu Tsegba: Mr. Chairman, my amendment is that, instead of directing the House Committee on Privatisation; *the House directs the Ad-Hoc Committee to conclude investigation on the issue of payment to the Privatisation Proceeds Account.*

Hon. Chinyere Igwe (Port-Harcourt II): I second the amendment moved by Hon. Tsegba that the Ad-Hoc Committee be directed to conclude investigation on the issue of payment to the Privatisation Proceeds Account. This is because we know the circumstances of that particular Motion; so, let the Ad-Hoc Committee complete its assignment.

I so support.

Amendment put and agreed to.

The Chairman: I have one additional recommendation by Hon. Abdul Ningi: *Those identified to have violated the presidential Order must be investigated, identified and sanctioned.*

Is there any Seconder?

Hon. Aminu Shehu Shagari (Yabo/Shagari): Mr. Chairman, I have an additional recommendation.

The Chairman: No, we are looking for a Seconder.

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Hon. Aminu Shagari: All right, on this note, I stand to second the amendment proposed by Hon. Ningi.

Amendment put and agreed to.

Hon. Leonard Ogor: Mr. Chairman, I have an additional recommendation.

The Chairman: Hon. Leonard Okuweh Ogor, an additional recommendation?

Hon. Leonard Ogor: Yes, Mr. Chairman.

The Chairman: Can you please read your recommendation?

Hon. Leonard Ogor: *That the House directs the Ad Hoc Committee to investigate and find out why the second 29% was sold to another party instead of the core investor by an agreement.*

The Chairman: Is there any Seconder to that? (No response) There is no seconder to the proposed Amendment

Amendment elapsed.

Hon. Davies Sokonte H. (Degema/Bonny): Point of Order, Mr. Chairman.

The Chairman: Who is raising a point of Order?

Hon. Sokonte Davies: My point of Order is Order IV Rule 2(iv), on page 8, which says:

On Mondays, Tuesdays, Wednesdays and Thursdays the House shall sit at 10.00 a.m. and unless previously adjourned shall sit until 6.00pm, provided that at 1.30 p.m. The Speaker shall suspend the sitting until 2.00pm.

And that has not been done.

Hon. Ita Enang (Itu/Ibiono Ibom): This Section has been amended from what it was under the last Rules. Now at this time, at 1.30, you may suspend sitting until 2.00pm but the sitting continues until 6.00

p.m. It is at 1.30pm and we have passed 1.30 p.m. he did not raise it at that time. It was intended for prayers

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or other things, but the House sits at 10.00 a.m. to 6.00pm.

The Chairman: Hon. Colleagues, there is ambiguity there. Hon. Ita Enang, we need to amend that Section of the Rules. We can make it very simple, on Mondays, Tuesdays, Wednesdays and Thursdays, the House shall meet at 10.00am and shall sit until 6.00pm. That is all, just leave it at that.

Hon. Ita Enang: We have reduced it from the way it was in the last Rules, this was just intended for discretion for prayers if Members so desire.

The Chairman: Members can go out to pray and come back. It is better we amend it as I have said. Order sustained.

Hon. Ita Enang: Very well Chairman.

Report of the House Joint Committee on Aids Loans and Debt Management and Commerce on a Bill for an Act to Establish the National Institute of Credit Administration and for Matters Connected Therewith, 2008 and approve the recommendations therein – CONSIDERED IN THE COMMITTEE OF WHOLE.

The Chairman: The next Report is on the House Joint Committee on Aids Loans and Debt Management and Commerce: That this House do consider the Report of the Joint Committee on Aids Loans and Debt Management and Commerce on a Bill for an Act to Establish the National Institute of Credit Administration and for Matters Connected Therewith 2008 and approve the Recommendations therein.

We shall begin with Clause 1.

Clause I – (ESTABLISHMENT, ETC OF NIGERIA INSTITUTE OF CREDIT ADMINISTRATION) – order to stand part of the Bill.

Clause II – (CONTROL AND SUPERVISION OF CREDIT MANAGEMENT AND ADMINISTRATION) – order to stand part of the Bill.

Clause III – (FUNCTION OF THE INSTITUTE) – order to stand part of the Bill.

Clause IV – REQUIREMENT OF LICENCE FOR CREDIT MANAGEMENT CONSULTING PRACTICE – ordered to stand part of the Bill.

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Clause V – (APPLICATION FOR LICENCE) – order to stand part of the Bill.

Clause VI – (PROFESSIONAL PRACTICE LICENCE) – order to stand part of the Bill.

Clause VII – (PRESIDENT AND VICE PRESIDENT OF THE INSTITUTE) – order to stand part of the Bill.

Clause VIII – (ESTABLISHMENT OF THE GOVERNING COUNCIL) – order to stand part of the Bill.

Clause IX – (FUND OF THE INSTITUTE) – ordered to stand part of the Bill.

Clause X – (TRANSFER OF ASSETS AND LIABILITIES) – order to stand part of the Bill.

Clause XI – (REGISTRAR AND OTHER STAFF OF THE INSTITUTE) – order to stand part of the Bill.

Clause XII – (REGISTER OF MEMBERS) – order to stand part of the Bill.

Clause XIII – (PUBLICATION OF REGISTER AND LIST OF CORRECTIONS) – *order to stand part of the Bill.*

Clause XIV – (REGISTRATION OF MEMBERS) – *order to stand part of the Bill.*

Clause XV – (APPROVAL OF QUALIFICATION, ETC) – *order to stand part of the Bill.*

Clause XVI – (SUPERVISION OF INSTITUTIONS) – *order to stand part of the Bill.*

Clause XVII – (JOINT SIGNATORY) – *order to stand part of the Bill.*

Clause XVIII – (POWERS TO GRANT DIPLOMAS ETC) – *order to stand part of the Bill.*

Clause XIX – (DISCIPLINARY TRIBUNAL AND INVESTIGATING PANEL) – *order to stand part of the Bill.*

Clause XX – (PENALTIES FOR UNPROFESSIONAL CONDUCTS, ETC) – *order to stand part of the Bill.*

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Clause XXI – (APPLICATION OF ACT TO CERTAIN PERSONS) – *order to stand part of the Bill.*

Clause XXII – (WHEN PERSONS ARE DEEMED TO PRACTICE AS CHARTERED MEMBERS OF THE PROFESSION) – *order to stand part of the Bill.*

Clause XXIII – (RULES AS TO ARTICLES, ETC) – *order to stand part of the Bill.*

Clause XXIV – (REGULATIONS) – *order to stand part of the Bill.*

Clause XXV – OFFENCES – *order to stand part of the Bill.*

Clause XXVI – INTERPRETATION – *order to stand part of the Bill.*

Short Title, *agreed to.*

Second Schedule, *agreed to.*

Third Schedule, *agreed to.*

Explanatory Memorandum, *agreed to.*

Long Title, (A BILL FOR AN ACT TO ESTABLISH THE NATIONAL INSTITUTE OF CREDIT ADMINISTRATION AND FOR MATTERS CONNECTED THEREWITH, 2008) - *agreed to.*

A Bill for an Act to Establish the Federal Capital Territory Water Board and for Matters Connected Therewith, 2009 – CONSIDERED IN THE COMMITTEE OF THE WHOLE.

The Chairman: Hon. Colleagues, this Report was a Report of a Bill that was passed by the last House. So, you can see that from the arrangement of the Report, you have only what had been passed by the House. All you have here are the recommendations of the House. This is a very straightforward Report.

Hon. Abdul Ningi (Ningi/Warji): Mr. Chairman, I actually have an observation in line with what you have said. Everything here had been passed or appeared to have been passed by the previous House. But as a sitting Chairman you are not the person that is supposed to give this synopsis. The Chairman of the Committee or the Deputy Chairman is supposed to come here and give us the synopsis but because you are the one presiding over there but now that you have said it, it is all right.

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The Chairman: Hon. Abdul Ningi, when this Report was introduced to the House it was committed directly to the Committee of the Whole and who is the Chairman of that Committee? I am the Chairman.

Hon. Abdul Ningi: My opinion on this is that though it was taken straight to the Committee of the Whole but where is the Committee?

The Chairman: It was not given to any Committee.

Hon. Abdul Ningi: This is something that has to do with sitting (*Interruptions*)

The Chairman: The mistake then was not made here now; it was done earlier because when you were committing it, instead of committing it to the Committee of the Whole, according to what you are saying, it should have been committed to the Committee on FCT. I think it is our Rules.

Hon. Abdul Ningi: I just want to make it mandatory for Chairmen of Committees to be more serious with the affairs of their Committees.

The Chairman: I will put the Question that this House do adopt this Report.

Question put and agreed to.

Hon. Baba Shehu Agaie (Agaie/Lapai): Hon. Chairman, I rise to move that the House do revert to the Plenary.

Question put and agreed to.

Resolved: That the House do revert to Plenary.

(The Deputy Speaker resumed the Chair)

The Deputy Speaker: The House in the Committee of the Whole considered the Report of the Ad-hoc Committee on Nigerdock on an Investigation into Threats to National Security and Economic Interest of Nigeria at Nigerdock Premises and approved Recommendations (i) and (ii), amended Recommendation (iii), approved Recommendation (iv), amended Recommendation (v), approved additional Recommendation (vi) that was brought in by Hon. Abdul Ningi.

The House also considered the Report on the Joint Committee on Aids, Loans and Debt Management and Commerce on a Bill for an Act to Establish the National

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Institute of Credit Administration and for Matters Connected Therewith 2008 and approved Clauses 1 – 26, approved the Short Title and the Long Title.

The House further considered the Federal Capital

Territory Water Board Bill and approved the recommendations therein.

Adoption of Recommendations

Hon. Baba Shehu Agaie: Mr. Speaker, hon. Colleagues, I rise to move that this House do approve the recommendations of the Committee of the Whole.

Hon. Aminu Waziri Tambuwal (Kebbe/Tambuwal): I do second moved by the House Leader.

Question put and agreed to.

Resolved: That that this House do approve the recommendations of the Committee of the Whole.

ANNOUNCEMENTS

Meeting of Ad-hoc Committee on Constitution Review

The Deputy Speaker: This is to remind hon. Members that there will be a meeting of Ad-hoc Committee on Constitution Review immediately after sitting in House Committee Room 1, which is adjacent the Office of the Deputy Speaker in the White House.

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Meeting of Committee on Appropriation

The Deputy Speaker: This is to notify Members of the Committee on Appropriation that there will be an urgent and important meeting today, Tuesday 28th July, 2009 immediately after sitting.

Venue: Committee Room 301, New Building,
Time: 2:00 p.m.

All Members are kindly enjoined to attend.

(Signed)
Hon. Ayo Adewusi,
Chairman

ADJOURNMENT

Hon. Baba Shehu Agaie: Mr. Speaker, I move that this House do adjourn till tomorrow, Wednesday, the 29th day of July, 2009 at 2.00 p.m.

Hon. Ita Enang: I do second the Motion for adjournment as moved by the House Leader.

Question put and agreed to.

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

The House adjourned accordingly at 2.00 p.m.