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## HOUSE OF REPRESENTATIVES

### FEDERAL REPUBLIC OF NIGERIA

Wednesday, 28<sup>th</sup> October, 2009

*The House met at 02.20 p.m.*

#### PRAYERS

(The Deputy Speaker in the Chair)

#### VOTES AND PROCEEDINGS

**The Deputy Speaker:** Hon. Members, I have examined and approved the Votes and Proceedings of Tuesday, 27<sup>th</sup> October, 2009.

#### ANNOUNCEMENT

##### Communication from Hon. Umaru Mohammed Bature, Chairman House Committee on Foreign Affairs

**The Deputy Speaker:** I have received a communication from Hon. Umaru Mohammed Bature. It reads as follows:

*This is to remind honourable Members that have not submitted their International Passport and two passport photographs to the Clerk House Committee Foreign Affairs for 2009 Hajj to please do that on or before Friday, 30<sup>th</sup> October, 2007.*

*Yours sincerely*

*(Hon. Umaru Mohammed Bature)*

#### PRESENTATION OF PUBLIC PETITIONS

**The Deputy Speaker:** Hon. Colleagues, anybody who has a petition to present may please rise to so.

##### Illegal Acquisition of Land

**Hon. Habeeb Fashinro** (Eti-Osa): Mr. Speaker, I have a petition from Mrs. Remi Ateyobi and Co. acting on behalf of Chief Saint Matthew Daniels. It goes thus:

Some time about 16 years ago they took the Nigerian Army to Court for illegally acquiring their land. They got judgment and the Army paid judgment debt totaling about ₦20 million. The purportedly released the land back to the family vide an elaborate

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ceremony but unfortunately they have not vacated the premises.

The petitioner also states that there are acts of illegal bunkering going on, on that land and anytime they go there to check on what is going on and to ask the people there to vacate they go and call soldiers to disperse them.

The relief that the petitioner is seeking is simple; they are requesting that the House order the Nigerian Army or compel them as represented by the Minister of Defence and the Chief of Army Staff, to vacate their land and handover the land measuring 58.22 acres situate and being at the rear of the signal barracks Awodi Ora at Ajeromi Local Government Area of Lagos State in compliance with the terms of the judgment that was agreed and entered into.

May I lay the petition on the Table, please?

**The Deputy Speaker:** Go ahead.

*(Petition laid)*

##### Wrongful Dismissal from the Nigeria Police Force

**Hon. Monsuru Alao Owolabi** (Lagos Island II): Mr. Speaker, I have a petition here written by one Mr. Bamidele Omirin. Mr. Bamidele Omirin was a Superintendent of Police in the Nigeria Police Force. He joined the Police as a Cadet ASP in 1978 and was promoted to the rank of Superintendent of Police in 1984. He was never invited for committing any offences before 1989 when he was wrongfully terminating from the Force. Mr. Omirin went to a Court of law to seek redress and judgment was given in his favour. On the strength of the judgment the Police Authorities gave him a letter to report for a new posting at Ondo State Police Command. On getting there instead of being appropriately posted he was given another termination letter. Since then he has written series of letters to the Police Authorities but there was no reply; this has been going on for the past 20 years.

**The Deputy Speaker:** It is only the heading that is required. Just read the heading and the prayer.

**Hon. Monsuru Alao Owolabi:** His prayer to this honourable House is that the Police Authority should reinstate him into the Police Force with effect from the date of the former reinstatement; the rank to be given to him after reinstatement should be on the same level as that of his mates who are currently in the Force; that arrears of his salary and allowances since 1989 should be paid back to him; and that his reinstatement should

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be protected to shade him from any form of victimization and abuse from the Police Authorities.

May I seek your indulgence to lay the petition on the Table, Sir.

**The Deputy Speaker:** Please, go ahead and lay it.

*(Petition laid)*

#### **Wrongful Dismissal from Service**

**Hon. Nelson Belief** (Brass/Nembe): Mr. Speaker, I have a petition from one of my constituents by name Jacob Anyinkali Greg who was enrolled into the Nigeria Police Force in 2001 but was wrongfully dismissed from service on the allegation of criminal misappropriation. Based on this allegation he instituted a legal action against the Nigeria Police Force. He secured justice from the court. The Nigeria Police Force has not been able to reinstate him so he is praying to this House to look into the matter since this is the House of the voiceless.

May I lay the petition on the Table.

**The Deputy Speaker:** Yes, you may.

*(Petition laid)*

#### **Unlawful Dismissal from Service**

**Hon. Sama'ila Mohammed** (Jos North/Bassa): Mr. Speaker, I have two petitions from presentation; the first one is from Mr. Reuben Ituma who worked in the National Veterinary Research Institute, Jos, and who is claiming to have been unlawfully dismissed from the service of the Institute, he is also claiming to have resisted efforts to involve him in corrupt activities running into millions of naira. He is praying this honourable House to investigate this matter to ensure that all those who are indicted are brought to justice, to restore his employment and to finally bring justice and Rule of Law to the institute.

The second petition is from Hajia Omolara Umar an account staff. The same prayers are made and I will not bother the House to read them.

May I lay the petitions on the Table.

**The Deputy Speaker:** Please do.

*(Petition laid)*

**The Speaker:** In the absence of any other Petitions, all petitions are hereby referred to the Committee on Public Petitions.

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

#### **MATTER OF URGENT PUBLIC IMPORTANCE**

**Hon. Aminu Shehu Shagari** (Yabo/Shagari): Point of order.

**The Deputy Speaker:** What is your point of order?

**Hon. Aminu Shehu Shagari:** Mr. Speaker, I rise to raise Order VIII, Rule 4(1) of our Standing Orders dealing with matter of urgent public importance. It is at page 25. With your permission, I read:

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

As the Chairman, House Committee on Steel, I have received disturbing reports from Ajaokuta Steel Company and National Iron Ore Mining Company Itakpe, to the effect that there is massive looting of machinery and property of these two companies. This is because of rumours going around that the place is going to be privatized and the workers are going to be laid off.

I urge my hon. Colleagues to please consider this matter as a Matter of Urgent Public Importance and do something drastic about it. I so move.

**The Deputy Speaker:** I will put the question first. Hon. Colleagues, do we consider the matter as a Matter of Urgent Public Importance?

*Question put and agreed to:*

**Resolved:** That the House do consider the issue of massive looting in Ajaokuta Steel Company and National Iron Ore Mining Company Itakpe as a Matter of Urgent Public Importance.

**The Deputy Speaker:** Hon. Shagari is there any other Motion or do we take it tomorrow.

**Hon. Aminu Shehu Shagari:** If it is the wish of the House, may we consider it tomorrow?

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**The Deputy Speaker:** That is the procedure; if we are not suspending the relevant rules, the procedure is that it should be considered on the next Legislative Day.

The Matter is hereby to be considered tomorrow.

Hon. Colleagues, the issue is not about even considering the Motion or not; we have been passing Resolutions in this House which are supposed to be adhered to by the relevant Government Agencies. Unfortunately, some of the Resolutions that we have passed, we have not been getting feedback and no actions whatsoever were taken on some of the Resolutions that were taken by this House.

I saw Albashir Basha this morning in my Office. And I recall that the Motion we passed in this House was to mandate the Ministry of Sports to put at least one Member on the Local Organizing Committee but it has not been complied with. So, we cannot keep on passing Motions like that. They should know that we are not here for a play; we are here for business and a very serious business for that.

So, the Chairman of the Committee on Compliance and his Deputy should be well informed about this please.

**Hon. Halims John O. Agoda** (Ethiopia East/Ethiopia West): Mr. Speaker, I want to rely on Order IX (9), page 31 says: *“A member desiring to speak shall raise his hand in his place and if called upon shall stand and address his observations to the Speaker or the Chairman”*.

From this provision, I want to say that my Motion that was supposed to be on the Order Paper of today is not there now. But importantly, I really want to withdraw the Motion today even though it was slated for debate today. I am happy that the event that caused me to bring that Motion yesterday from the announcement given in the televisions both in AIT and NTA, I believe I have been vindicated. But the important thing is that this is a national Parliament where we should be allowed to give credible examples to the States Legislature so that we would be given the due respects that here at the National level, particularly the House of Representatives, nothing is sacrosanct; everything is open for our debates, everything is for the purpose of bringing respect to Nigerians.

This is why I have to draw the attention of the House to it.

**The Deputy Speaker:** Hon. Ita Enang, I know that yesterday there was a Resolution that that Motion

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would come up today. But he is saying that the Motion is not in the Order Paper. What happened?

**Hon. Ita Enang** (Itu/Ibiono Ibom): Mr. Speaker, you would observe that the Order Paper came out a little late today. We were a little set back yesterday but after receiving the final instructions and the Motion from him, we tried to insert it in the Order Paper but it became a little late. So, our intention was that when we finish the Presentations of Bills and Reports, before we take the Motion on the Medium-Term Expenditure Framework, we would bring that up so that he can formerly speak on it.

We apologize; it is in the course of printing. We are actually trying to re-print it.

**The Deputy Speaker:** That is alright.

**Hon. Ita Enang:** Thank you, Sir.

## PRESENTATION OF BILLS

**The Deputy Speaker:** Hon. Colleagues, the First Business of the Day is the Presentation of ten Bills. The Clerk is now invited to read the Short Titles.

### Maritime Security Agency (Establishment, etc) Bill, 2009

Maritime Security Agency (Establishment, etc) Bill, 2009 (HB. 312) (Executive), *read the First Time*.

### Constitution (Fourth Amendment) Bill, 2009

Constitution (Fourth Amendment) Bill, 2009 (HB.311) (Executive), *read the First Time*.

### Employees' Compensation Bill, 2009

Employees' Compensation Bill, 2009 (HB.313) (Executive), *read the First Time*.

### Gas Flaring (Prohibition and Punishment) Bill, 2009

Gas Flaring (Prohibition and Punishment) Bill, 2009 (HB.317) Presented by Hon. Tunde Akogun, *read the First Time*.

### National Agency for Elderly Persons (Establishment) Bill, 2009

National Agency for Elderly Persons (Establishment) Bill, 2009 (HB.318) presented by Hon. Tunde Akogun, *read the First Time*.

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**National Institute for Hospitality and  
Tourism, Bill 2009**

National Institute for Hospitality and Tourism, Bill 2009 (HB. 314) presented by Hon. Ganiyu T. Olukolu, *read the First Time.*

**Noise Control Bill, 2009**

Noise Control Bill, 2009 (HB. 315) presented by Hon. Dozie Agbakoba, *read the First Time.*

**Complementary and Alternative Medical  
Council of Nigeria Bill, 2009**

Complementary and Alternative Medical Council of Nigeria Bill, 2009 (HB. 316) presented by Hon Dozie Agbakoba, *read the First Time.*

**Presidential Debate Commission  
(Establishment, etc) Bill, 2009**

Presidential Debate Commission (Establishment, etc) Bill, 2009 (HB.308) presented by Hon. Bassey Eko Ewa, *read the First Time.*

**National Human Right Commission Act  
(Amendment) Bill, 2009**

National Human Right Commission Act (Amendment) Bill, 2009 (HB. 310) presented by Hon. Emmanuel Jime, *read the First Time.*

**PRESENTATION OF REPORTS**

**Reports of the Committee on Land Transport  
on the State of Nigeria's Rail Transport System**

**The Deputy Speaker:** The Second Business of the Day is the Presentation of Report of the Committee on Land Transport on the Investigative Hearing on the State of Nigeria's Rail Transport System, standing on the name of Hon. Bernard Udoh.

Hon. Members would recall that on Thursday 18<sup>th</sup> September, 2009, the House in a Resolution mandated the Committee to conduct an investigative Public Hearing on the Railway Modernization Project and report back to the House.

The Report is now ready for presentation. Hon. Udoh is invited to present his Report.

**Hon. Bernard Ambrose Udoh** (Ikot Abasi/Mkpat Enin/Eastern Obolo): I rise to move that this House receive the Report of the Committee on Land Transport

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on the investigative hearing on the State of the Nigeria's Rail Transport System.

**Hon. Joseph Jaiyeola Ajatta** (Oshodi Isolo II): I second the Motion moved by Hon. Bernard Udoh.

*Question put and agreed to:*

*Report laid on the Table.*

**Report of the Committee on Health on Supervisory  
Board for Federal Cardiothoracic Centres, etc.  
(Establishment) Bill, 2008**

**The Deputy Speaker:** The third Business of the Day is the presentation of Report of the Committee on

Health on A Bill for an Act to Establish a Supervisory Board for Federal Cardiothoracic Centres; to serve as Special Medical Centres for Heart Diseases, to render Specialize Medical Services to Patients with Heart Diseases and serve as Research Centres for the Study of Heart Diseases, and for Matters Related Thereto, 2008; standing in the name of Hon. Alaba Lad-Ojomo.

Hon. Members would recall that the Bill was referred to the Committee on Health on Tuesday 7<sup>th</sup> October, 2008. The Report is now ready for consideration. Hon. Alaba is invited to present his Report.

**Hon. Austin Nwachukwu** (Ehime Mbano/Ihite Uboma/Obowo): Point of Order!

**The Deputy Speaker:** What Order?

**Hon. Austin Nwachukwu:** My Point of Order is on Order V, Rule 1 that is on page on 9: **Privilege.** And with your permission I read:

*Privileges are the rights enjoyed by the House collectively and the Members of the House individually conferred by the Legislative Houses (Power and Privileges) Act, LFN 2004 and other statutes, practices, precedents, usages and customs.*

I want to bring to the notice of this House what I call an oversight or mistake on the part of the relevant Committee. Precisely some four months ago, on the Floor of this House, I brought a Motion that I tagged: **Death Too Many**; and that had to do with the number of deaths that has occurred in our National Hospital in Abuja. There was a strike action that health workers embarked upon then that so many deaths were recorded in Kano and Calabar hospitals.

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When I brought that Motion on the Floor of the House, I said with emphasis that too many people go to the National Hospital and they come back as corpse. I gave example of the father of Hon. Hembé, one of our Members here and my humble self; my father went there and never came back. Late Senator Evan Enwerem and a few others also went but never came back. I prayed the House that if they allowed the Motion to go that it should be looked into under one week and the House resolved as such.

However, this is four months running, up till today no report has been turned in about such a sensitive issue that bothers on human life. I just want to inform the House of this development.

**The Deputy Speaker:** What does your Motion has to do with the Report that is about to be presented?

**Hon. Austin Nwachukwu:** I am not against the Report. I am just saying that I have this issue that I need to inform the House.

**The Deputy Speaker:** Was that Motion referred to the Committee on Health?

**Hon. Austin Nwachukwu:** Yes, it was referred to the Committee on Health.

**The Deputy Speaker:** All right. Chairman Committee on Health, please make that Report available as soon as possible. Thank you.

**Hon. Alaba Ojomo (Owo/Ose):** The Report on the Motion of Hon. Nwachukwu... (*Interruptions*)

**The Deputy Speaker:** No; we dealing with the Report on the Order Paper, please.

**Hon. Alaba Ojomo:** We have that one here but I need to make some clarifications on what he has said.

**The Deputy Speaker:** This one comes first.

**Hon. Alaba Ojomo:** All right Sir. I move that this House do receive the Report of the House Committee on Health on the Bill for an Act to Establish the Federal Cardiothoracic Centre.

**Hon. Alhassan Uba Idris (Dala):** I rise to second the Motion moved by Hon. Alaba that this House do receive the Report of the Committee on Health.

*Question put and agreed to.*

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**The Deputy Speaker:** Before you lay the Report, what were you trying to explain about Hon. Austin Nwachukwu's Motion?

**Hon. Alaba Ojomo:** With regard to Hon. Nwachukwu's Motion, the Committee visited the National Hospital within 48 hours of his Motion. The Report is with the Secretariat. I had discussed the report in private with Hon. Nwachukwu; I would have thought that he should have consulted me before coming to the Floor of the House. Thank you.

**The Deputy Speaker:** But you know it was not done in private, why should you go and discuss with him in private. Next time do not discuss such issues with anybody in private because it will not assist you.

*Report laid on the Table.*

## ORDERS OF THE DAY

### MOTION

#### Medium-Term Expenditure Frame Work and Fiscal Strategy Proposal of the Federal Government of Nigeria

**The Deputy Speaker:** Hon. Colleagues, the first Order of the Day is a Motion on the Medium-Term Expenditure Framework and Fiscal Strategy Proposal of the Federal Government of Nigeria standing in the name of Hon. Tunde Akogun. Hon. Tunde Akogun is invited to move the Motion. Maybe in his absence the Deputy Leader of the House should move even though that the Motion is in his capacity as Hon. Tunde Akogun and not the Leader of the House.

Hon. Baba Shehu, are you a co-sponsor of this Motion?

**Hon. Baba Shehu Agaie (Agaie/Lapai):** No, Mr. Speaker, I am not a co-sponsor.

**The Deputy Speaker:** Is there anybody who co-sponsored the Motion?

**Hon. Habeeb A.B. Fasinro:** It is a Motion that is arising from the Executive position on the budget which should be moved by the Leader of the House or his Deputy. They must be abreast and knowledgeable on this matter. We are waiting to engage them on this matter accordingly.

**The Deputy Speaker:** Chairman, Committee on Finance; do you have something to say?

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**Hon. John Owan Enoh** (Obubra/Etung): What I want to say is not different from what Hon. Fasinro had said. It is a matter that was brought to the Floor of the House by the Executive. Therefore, I do not think this Motion is supposed to appear in Hon. Tunde Akogun's name but in his capacity as the Leader of the House of Representatives.

**Hon. Ita Enang:** The Motion is in the name of the Leader of the House, Hon. Tunde Akogun. I agree that this is a Motion which the Leader needs to be thoroughly engaged by all of us.

**The Deputy Speaker:** The Motion is in the name of Hon. Tunde Akogun.

**Hon. Ita Enang:** Yes, as the Leader of the House.

**The Deputy Speaker:** It is not indicated there. From what I have here, it is not indicated there as the Leader of the House.

**Hon. Ita Enang:** But it is certain that Hon. Tunde Akogun is the Leader of the House and it is not always appropriate for us to put Hon. Tunde Akogun, House Leader. This is because it is given.

However, in view of the sensitive nature of the matter, which he needs to be engaged, I pray that it be stood down until tomorrow for him to take it.

**The Deputy Speaker:** Instead of doing that, we can suspend the consideration of this Motion pending when Hon. Tunde Akogun comes in.

The Deputy Leader is not well briefed on this Motion.

**Hon. Ita Enang:** Yes sir. May we stand it down.

*Motion with the leave of the House stood down.*

## CONSIDERATION OF BILLS

### **Chartered Institute of Certified Secretaries and Reporters of Nigeria (Establishment) Bill, 2009**

A Bill for an Act to Establish the Chartered Institute of Certified Secretaries and Reporters of Nigeria for the Registration and Discipline of Chartered Secretaries and Reporters and Provide for a Governing Board Charged with the Responsibility, among Other Things, for Formulation of Policies for the Institute, and for Related Purposes, 2009.

*Order for Second Reading.*

**The Deputy Speaker:** The second Order of the day is commencement of debate on the general principles of a Bill for an Act to Establish the Chartered Institute of Certified Secretaries and Reporters of Nigeria for the Registration and Discipline of Chartered Secretaries and Reporters and Provide for a Governing Board Charged with the Responsibility, among Other Things, for Formulation of Policies for the Institute, and for Related Purposes, 2009.

Honourable members should note that the Bill had been passed by the Senate and now requiring the attention of the House for concurrence. The Bill was read for the first time on Wednesday, October 7. I now invite Hon. Tunde Akogun to move that the Bill be read the second time.

Again, Hon. Tunde Akogun is not here. I believe Hon. Tunde Akogun was briefed last week when his deputy was away to London.

**Hon. Baba Shehu Agaie** (Agaie/Lapai): Mr. Speaker, I am yet to be briefed on these two Bills. so, I do not know much about the Bills.

**Deputy Speaker:** In that case we will suspend the consideration of these Bills pending when Hon. Tunde Akogun comes.

### **Operation and Development of Postal Services/Nigerian Postal Commission (Establishment) Bill, 2009**

A Bill for an Act to Provide for the Operation and Development of Postal Services, the Establishment of the Nigerian Postal Commission and Other Related Matters, 2009

*Order for Second Reading*

**Deputy Speaker:** The third Order of the Day is the commencement of debate on the general principle on a Bill for an Act to Provide for the Operation and Development of Postal Services, the Establishment of the Nigerian Postal Commission and Other Related Matters, 2009. The Bill was read for the first time on Wednesday 7<sup>th</sup> October, 2009.

I now invite Hon. Chukwudi Mayor Eze to move that the Bill be now read the second time.

**Hon. Leonard Chukwudi Eze** (Orlu/Orsu/Oru East): I move that the Bill for an Act to Provide for the Operation and Development of Postal Services, the Establishment of the Nigerian Postal Commission and Other Related Matters, 2009 be read the Second Time.

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**Hon. Halims Agoda** (Ethiope East/West): Mr. Speaker with due humility, I second the Motion ably moved by Hon. Chukwudi Mayor Eze.

*Question proposed.*

**Hon. Leonard Chukwudi Eze:** Mr. Speaker, before considering this Bill we should ask ourselves how many times in recent years have we gone to the Post Office or received a letter from the Post Office. How many children can boast of seeing Postal Stamps in Nigeria recently and the use of Postal Stamps? If this Bill is allowed to go through second reading, it will go a long way towards reforming our postal agencies so that we join the league of other nations that have efficient and effective postal services. You will all recall that NIPOST as we have today is a product of a military decree of 1992. It is outdated in its principles and Nigeria has the most the inefficient postal service in the whole world today; it carries less than 0.13 *per cent* of mails.

What we have today is out-dated because the incumbent operator, NIPOST, is also a regulator. In circumstances where the referee wants to be part of a football match, we all could guess what is going to be the result. As of now, we have low quality service and there is absolute lack of confidence in the Nigeria postal sector because of theft of sensitive mails and late delivery of mails. Sometimes when you receive a letter

and open it, the date you received it maybe six months after it was sent. This is not a way a nation develops. Other nations have effective communication sector with vibrant internet services, yet they also have efficient and effective postal system.

If we revolutionise our postal services, it is not only going to generate employment to the teeming youths that are unemployed but it is also going to generate revenue for the government and very convenient for the citizens because we are going to be posting letters at minimal cost and the recipient will also receive it within three or four days; no matter where you are in all nooks and crannies of this country. This is a simple and direct Bill that seeks to achieve the following:

- To promote the implementation of the national postal policy
- To establish a regulatory framework for the postal industry
- To promote the provision of modern infrastructure, efficient and easily accessible postal services.
- To promote and encourage local and foreign

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investments just like we have in the other parts of the world.

The advantages of a postal service that is efficient are numerous. With the support of this Bill today, we are going to be on the path of nations that enjoy efficient and effective postal services.

**Hon. Emmanuel Jime** (Makurdi/Guma): I believe fervently and I hope that all my Colleagues would see the point that in the 21st century particularly in our country Nigeria where we have seen the revolution that has taken place in the telecommunications industry, it is clear that the way to go is to liberalize some of these ventures. Government has proven over a long period of time that it is not a good business man. So, what we do here as a Parliament is not to continue to bug some of these essential service areas by creating official government bureaucracies because bureaucracy, governance and government have shown clearly that government does not do business very well.

What we should be thinking about in order for us to get postal services that can meet the demands of the 21<sup>st</sup> century is to look at the sort of revolution that has led to the creation of such gigantic organizations like DHL which are privately run and driven by the private sector. At this point, it is no longer a viable option that we begin to continue to plug the delivery of services by the creation as it were of further bureaucracies such as the one that I think has been envisaged by this Bill intends that we create.

My thinking is that we do not need to go this way at this point any more. We should try to encourage as much as possible the private participation in areas of these kinds of services because it has proven with time that the best way to guarantee and to ensure that there is good service delivery in some of these residential where the private sector has been encouraged and enabling environment has been created. That is the way it goes in the 21<sup>st</sup> century.

So as much I understand and share I understand and share the feelings of the Sponsor of this particular Bill. I am not very sure that we are going to be able to achieve the efficiency that it deserves if it is by way of another bureaucracy of government.

The way to go is to encourage the private sector. That is my submission Sir.

**Hon. Labaran Y. Dambatta** (Dambatta/Makoda): I am actually at a loss as to what the purposes and intents of this Bill are. First, we have the Nigerian Postal Service and we have the Postal Service Act in

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place. Are we trying to repeal that and in its place to have the Postal Service Commission or what? Until and unless we answer these questions, there is no need to continue discussion on this Bill. What are we trying to achieve?

We have already gotten the Nigerian Postal Service in this place. And we have laws governing that establishment. Are we trying to amend certain portions of that Act or what? We need to answer this question before we proceed.

**Hon. Leonard Okuweh Ogor** (Isoko North/Isoko South): Mr. Speaker, let me first commend the author of this Bill in bringing to the general awareness of this House the major challenges we are having in the postal agencies.

It is important that we call a spade a spade; mindful of the fact that when you even post a letter it takes you sometimes six months to even receive those letters. What this author is trying to do is to look at the challenges that are in this sector. I accept the fact that there are probably some irregularities but we should probably look at the main issue. The issue here is how we can refine this sector and bring this sector to a level that is internationally acceptable.

The sector that we are talking about is a major sector that borders on communication. In fact, if you look at what is happening today documents are posted on a regular basis, share certificates are posted on a regular basis and in all these processes, you will realise that most of those documents will never in anyway get to their destination. What we need to do is to really take this particular Bill to the Committee level; address the major challenges that are there because there are definitely challenges that are facing us as regards posting of letters, DHLs and whatever courier services that we are talking about. What we need to do is to take this particular sector to another level because it is almost a money-spinning agency that can really bring in a lot of revenue to government.

I want to appeal to my Colleagues that yes, there are some agencies that have been set up but the essence is to look at the possibility of harmonising and sorting out these major problems that is affecting this sector. I want to appeal to everybody to please, let us give this Bill another chance because between all of us we know that the postal system in this country needs a major reform. With this opportunity, we may be able to bring that reform to the people

**Hon. Stanley O. Ohajuruka** (Umuahia North/South Ikwunano): Mr. Speaker, what we are actually trying to strive at here or what the Sponsor of this particular Bill is trying to achieve is to ensure

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efficiency in the mailing system in Nigeria. You will all agree with me that any attempt that is driven towards encouraging efficiency is something that ought to be encouraged and supported by each and every one of us.

When you look at other political jurisdictions all over the world in terms of the quality of their postal system you will all agree with me that the positive aspect of why their postal system is appreciated by everyone is because there was an attempt by the government that is in power there to ensure proper legislation that consistently regulate the activities of these postal agencies.

Postal system is not all about posting letters; there are many things that Post Offices can do. If you look at other political jurisdictions; where you have social security system, it is the Post Offices that people go to collect their entitlements as it were. To that extent therefore, when this country develops to a situation where even we introduce the social security system the efficiency that will be brought about by the acceptance of this particular Act will be brought to the fore in order to ensure the proper take-off this system in the activities of these postal agencies in Nigeria.

To that extent, therefore, I want to urge every one of us not to do anything that will surreptitiously reduce the ability. Already the system is running comatose so we have a responsibility to bring it, through legislation, to a level where it will now be in consonance with current international best practices as it were.

Therefore, I encourage every one of us to allow this particular Bill to go to the next stage so that we can articulate properly all there is or there are to be done in this Bill in order to take it to the next level.

**Hon. Olufemi Gbajabiamila** (Surulere I): I support this Bill but with a proviso; how do we make it work within the provisions of a law that is already in place? We have the statute, Public Enterprises, Commercial and Privatisation Act and under the First Schedule of that Act, the Nigerian Postal Services is one of the public enterprises that by law has already been scheduled for privatisation.

Just like Hon. Jime said, privatisation is the way to go; we have already passed that law here. What the mover of the motion seeks to do here is exactly what needs to be done and that is why I support the Bill. I will urge that we let the Bill go to the Committee level and at the Committee level, they can find away of marring it with the provisions of the privatisation Act, so that the privatisation process for the Postal Service can begin in earnest.

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The law is already there, the Privatisation Act and Nigerian Postal Service is one of the Public Enterprises that is listed for privatisation.

**Hon. Mohammed Sama'ila Abdullahi** (Bassa/Jos North): like all the other previous speakers, I like to commend Hon. Major Eze for this very wonderful Bill. But unlike the other speakers, I want to stress a point that has been stressed.

When you look at the Communication Sector, you have the Nigerian Communication Commission (NCC), in the Electricity Sector; you have the Electricity Regulatory Commission, even in the Infrastructure Sector that has not yet been privatised, you have the Infrastructure Regulatory Commission. So we need to have a Postal Service Regulatory Commission prior to the liberalisation of the Sector such that we are going to have a very efficient and productive Sector.

I would like to join all others and enjoin you to support this Bill so that all the legal and constitutional problems that may be associated to this Bill can be handled at the Committee level.

**Hon. Abolagba Johnson Aigbudu** (Owan East/West): I want to commend the efforts of the sponsor of this Bill and to say that Commissions are created to solve specific identified problems and none have been shown in the proposed Bill as a problem that cannot be solved by the present Nigerian Postal Services. All that we will achieve by this is that there will be a change of name from Services to Commission and I do not see what it will solve. For this reason it will be a Bill that will almost be passed in vain. Nigerians will not achieve anything positive from this Bill if it is passed.

It is therefore in my own opinion that it should not go for second reading

**Hon. John Halims O. Agoda** (Ethiopia East/West): When we are talking of issues of efficiency, productivity and enhancing performance whether in terms of infrastructure or human capital, nothing will be too much.

Yes, I concur to a large extent with the very good submission of Hon. Gbajabiamila, that the Postal Section is perhaps one of the issues listed to be privatised. Yes, when an institution is privatised, there are very many of them that government will also hold interest in such institutions. What I want us to study is that we should take a look at the American model as well as that of the British, where all their institutions perhaps have been privatised to a large extent, but you have a Postal Services still running up till date.

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When this Bill is committed to the relevant Committee, I want to urge the relevant Committee to look beyond our system to see how and why the American Postal system, in spite of the fact that we have the GSM, have the public postal services running with enhanced vigor and passion. This is because the GSM has even taken over the roll of post office as we have it because instead of one to go to the post office and post a letter now, one now uses one's telephone to do the letter writing.

Mr. Speaker, nothing is too much when we are talking about efficiency and so let us in the usual way of advancing and promoting the very institution that we have to allow this very Bill to pass on to the second reading, so that the Committee with the technical know-how and exposure will look at our jurisdiction, the jurisdictions or others and combined what is supposed to be combined so that we can move ahead.

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

*Question put and agreed to.*

*Bill read the Second Time and referred to House Committee on Communication.*

## MOTION

### Medium-Term Expenditure Framework and Fiscal Strategy Proposal of the Federal Government of Nigeria

**The Deputy Speaker:** Hon. Colleagues, now Hon. Akogun is here and I believe that he is ready to take the Motion standing in his name. So we are going back to the first Order of the day.

The First Order of the Day is a Motion on the Medium-Expenditure Framework and Fiscal Strategy Proposal of the Federal Government of Nigeria standing in the name of Hon. Tunde Akogun.

Hon Tunde Akogun is invited to move his Motion.

**Hon. Tunde Akogun** (Akoko-Edo): Hon. Speaker, if I have your indulgence, let me do a quick personal explanation by way of apology to my Colleagues. This Motion appeared to have been delayed because I was representing the Speaker at an occasion which should have started at 1.00pm but did not start on till 2p.m and secondly, what looks like not very correct communication between the Leader and the Deputy may not be necessarily so. I also want to apologise because when the Minister of Finance came to brief us, my Deputy was not around in the country and he was

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not properly briefed to take on this Motion in my absence.

I wish to apologise to my Colleagues.

Hon. Speaker, I move this Motion that the House:

*Notes* that the Medium-Term Framework and Fiscal Strategy Proposal (Revised) 2010 to 2012 was sent by the President of the Federal Republic of Nigeria to the National Assembly;

*Further notes* that Section 11 (1) (b) of the Fiscal Responsibility Act, 2007 provides that a Medium-term Expenditure Framework for the next three Financial Years be laid before the National Assembly;

*Aware* that Section 11 (2) of the Fiscal Responsibility Act, provides for the consideration and approval of the Medium-Term Expenditure Framework as contained therein by the National Assembly with such modification and amendments as deemed fit;

*Further aware* that the Medium-Term Framework Expenditure Framework laid is in consonance with the provisions of Section 11(3) of the Act

*Resolves to:*

Consider and approve the Medium-Term Expenditure Framework and Fiscal Strategy Paper (Revised) 2010 – 2012

**The Deputy Speaker:** Is there any Seconder?

**Hon. Lanre Agoro Adeniran** (Irepo/Orelope/Olorunsogo): I second the Motion as moved by the able Leader of the House.

**The Deputy Speaker:** Yes, the Leader of the House let me say that your apology has been accepted.

*Question Proposed*

**Hon. Tunde Akogun:** Thank you Sir. The Medium-Term Expenditure Framework and Fiscal Strategy Paper as hon. Members are doubtless aware is a Fiscal document that analyses previous economic performance and makes micro-economic forecast and projections. Such forecasts are based on analysis of economic indices like daily production output of crude, benchmark of oil price, customs and so on.

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**Hon. Olufemi Gbajabiamila** (Surulere I): Point of Order! My Point of Order is Order VIII, Rule 5. It is on *Personal Explanation* at page 26.

By the indulgence of Mr. Speaker, basically my explanation is based on the fact that we are about to consider a very important Motion that could more or less tie the hands of this House for the next three years if I am understanding the body of the Motion very well, if we commit to it. I speak for myself but I am sure there are many Members who are not fully aware or conversant with this Medium-Term Expenditure Framework.

We are now being called upon to make a decision on something that could be binding for three years and could affect the expenditure of this country for three years and to devote maybe, if at all, 30 minutes of Debate to it less than even the Budget itself without Members being fully versed as to the details of that document. It will help this House before we make such a commitment for Members to have copies of the Motion or the Bill or whatever it is, to study it and make informed input only because of the gravity of the subject matter.

That is my Point of Order.

**The Deputy Speaker:** Chairman, Rules, how do you normally educate Members on issues like this?

**Hon. Ita Enang** (Itu/Ibiono Ibom): Members are educated by the document that has been circulated to them to read.

**The Deputy Speaker:** Have you circulated this document to Members?

**Hon. Ita Enang:** Yes, Members have it.

**The Deputy Speaker:** Have you circulated this document?

**Hon. Ita Enang:** Yes Mr. Speaker, I have circulated it to Members.

**The Deputy Speaker:** When did you circulate it?

**Hon. Ita Enang:** We circulated it on Thursday last week in the boxes of Members personally.

**The Deputy Speaker:** Hon. Colleagues, I believe it is not the responsibility of the Rules and Business Committee to go house by house to give Members these details. The rule is that they should be put in our

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Pigeonholes and he said they have done that since last Thursday. Some Members are showing that they picked their own since last Thursday. People like Hon. Agoro and Hon. Jime; you can look at them they are showing that they picked their own since. I can hear the Leader of the House saying that it has not been studied; maybe you are saying that because you have just come back.

**Hon. Olufemi Gbajabiamila:** I am saying that if that be the issue, because of the seriousness of the Motion, if members are saying that they have not received it, let us err on the side of caution and be sure. Next week will not do this Motion any harm. Why must we (*Interruption*)

**The Deputy Speaker:** Hon. Olufemi, no controversial issue can be raised and you want to turn it into a controversial issue. If it is controversial, you should know that our Rule says that we would not take it; you are making it look controversial.

Well, I believe Members have copies of this Motion. We can start the debate. It does not necessarily mean we must finish today and vote on the matter but when we have Members that are ready to contribute on the Motion let us allow them to contribute. For those who have no copies let them look for copies and study it. Maybe we may adjourn to continue debate another day and you will have the opportunity to contribute.

Hon. Halims Agoda, we can start considering today but that does not in any way suggest that we must finish it today. The Motion is very important just like an Appropriation Bill. We can start today, do it tomorrow and do it even on Tuesday next week.

**Hon. Halims O. Agoda:** Am I allowed to read Sir?

**The Deputy Speaker:** Yes read.

**Hon. John Halims Agoda:** Look at the Resolves which reads: *To consider and approve the Medium-Term Expenditure Framework and Fiscal Strategy Paper*. When we consider and approve this Motion today (*Interruption*)

**The Deputy Speaker:** No, you are the one putting the word *today* there; it is not there in the Motion.

**Hon. Halims Agoda:** No, it is there. The word *today* is not here but the key word there is *approve*.

**The Deputy Speaker:** After the debate it is left for the House to approve it or not. We could start the debate today; continue tomorrow and if we are not able

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to exhaust Members who want to speak, we can extend the debate until next week.

**Hon. Halims Agoda:** Does it mean that the question will not be put today?

**The Deputy Speaker:** No, the question will not be put today. If we put the Question, that would be the end of the matter.

**Hon. Halims Agoda:** All right.

**The Deputy Speaker:** Hon. Tunde Akogun, you can proceed.

**Hon. Tunde Akogun:** For a proper flow, let me start all over again.

The Medium-Term Expenditure Framework and Fiscal Strategy Paper as hon. Members are doubtless aware is a Fiscal document that analyses previous economic performance and make Micro-economic forecast and projections.

Such forecast are based on analysis of economic indices like daily production output of crude, benchmark of oil price, customs and Inland Revenue receipts, Exchange rates, Monetary policy, Inflation and GDP growth Rate. This Fiscal Paper is presented pursuant to Section 11(1)(b) of the Fiscal Responsibility Act 2007.

It essentially uploads information which after Legislative consideration and possible adoption forms the basis for the consideration of the 2010 Budget proposals. The document is a product of wide consultation and Revenue collecting Agencies, the oil industry and the financial sector.

The specific figures proposed in the paper therefore, are based on the current global economic strength; relative improvement on the Niger Delta and guarded economic optimism.

I therefore, call upon hon. Colleagues to support the receipt and adoption of the Medium-Term Expenditure Framework and Fiscal Strategy Paper by the House.

**The Deputy Speaker:** Thank you Leader of the House.

**Hon. Abdul Ningi (Ningi/Warji):** I am raising Order VIII Rule 2. I want to ask the Leader of the House a question. Are we not going to consider this exercise clause by clause if the Motion is considered good enough and it is approved or what do we do? Are

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we going to have the Motion and then the next thing would be clause by clause consideration? What is the procedure?

**The Deputy Speaker:** We have a question to be answered. Let us answer the question first.

**Hon. Ita Enang:** To answer that question, I refer this House to Section 11 of the Fiscal Responsibility Act No.31 of 2007 and I take your leave to read what the Act requires us to do which is the basis of bringing this application and what we would do in the course of it. It says:

- (a) *The Federal Government, after consultation with the States shall, not later than six months from the commencement of this Act, cause to be prepared and laid before the National Assembly for their consideration a medium term expenditure framework for the next three financial years, and*
- (b) *Thereafter, not later than four months before the commencement of the next financial year, cause to be prepared a medium-term expenditure framework for the next three financial years.*

Where we are in Sub-section 2 which is important now says;

*The framework so laid shall be considered for approval with such modifications, if any, as the National Assembly finds appropriate by a resolution of each House of the National Assembly.*

Why this Motion has come is for this House to agree and commit this matter to the appropriate Committee which will hold a hearing and then make recommendations to the House. The House would now come to the Committee of Whole to consider. This is not a Bill and so it could not have come as a Bill and it is not a matter which ought to be gazetted because this law requires that it is only the approved final products that would be gazetted by the Federal Government, what we and the Senate agreed and send out.

So, the Motion that is brought here is just to originate this process of the consideration and we would have to debate it first before we commit it to a Committee which will come back and report to us on what we have to change and what we do not have to change.

**The Deputy Speaker:** Hon. Abdul Ningi, are you all right with that explanation?

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**Hon. Abdul Ahmed Ningi:** I am even more confused than when I first started.

Hon. Ita Enang said that we are not considering a Bill and at the same time he said what we need to do is to consider this Motion and send it to the Committee and then the Committee would report back. The question is; are we legislating on this matter? If we are not making a law out of this exercise, then what is the need for this exercise? If we are not making a law out of it then why are we considering it in the first place? That is the clarification I want. But he has accepted that it is actually a Bill because it has to come back to the Committee of the Whole for consideration.

**The Deputy Speaker:** Honourable Colleagues, if what we are doing now is part of the requirement of the Act, we have to do it that way. The only problem that I have with what he is saying is that for us to pass this resolution is part of the requirements of the Act. What he said again is that after passing this resolution we would refer it to the relevant Committee but I have not seen it in the prayer; that is the only problem. Let me hear from the Chairman, Finance Committee

**Hon. John Owan Enoh (Obubra/Etung):** I think the problem we tend to have is at the last part of that Motion which indicates; *consider and approve*. That is where the problem is; otherwise, the Fiscal Responsibility Act actually requires that when the President sends the Medium-Term Strategy to both the House and the Senate that we would pass this by a resolution of both the House of Representatives and that of the Senate; that is what the Act indicates.

To get to the point of resolving, because the issues involved are very critical like Hon. Femi has mentioned, we are going to take decisions about the benchmark price, the daily production of oil for the next three years and it is on the basis of that that the next budget is going to be prepared including exchange rate etc. That is why I do not think it is even possible that we can debate it here and resolve. We would need, especially for Members who have not had a chance to see a copy of it and to go thorough, to debate this generally and get it committed and get a Committee to make a report which captures the various deals that people would canvass here.

There are some Members here who say that we are going to disagree with the exchange rate that has come because the law says; *with such modifications*. It does not say what the President has sent must be passed; it is with such modifications as we deem fit.

Let me also allay the fears of Members that whatever we resolve with the Medium-Term

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Expenditure Framework, from next year another one would be presented based on a few of the assumptions

that we would have changed. We would continue to have it sent every year but each year it gets sent, it would be done for three years. It is only the immediate year that the budget would be based upon.

So, I agree that it is so sensitive and critical that we cannot discuss it here and resolve. We must give a chance to Members to make contributions.

**The Deputy Speaker:** I agreed with that and the only problem that we have with the last part of the Motion is the prayer. It is the prayer, like you said, is the problem.

If Hon. Tunde Akogun can reframe the prayer in such a way that at the end of the debate as was suggested by Hon. John Enoh, the work will be committed to a Committee to go and look at the views of Members and come back with a Report to the House before we pass the Report. It is very difficult to modify here, but when you commit it to a Committee, you can easily modify it.

**Hon. John Halims O. Agoda:** Mr. Speaker, we learn everyday and I like to learn. I listened very carefully to the submission of my friend Hon. John Enoh, the Finance Chief. For a thorough debate to come up, the debate should not be now. The debate should be after the Committee which this House will assign that responsibility to have gone out to do a critical work and present their Report and the basis upon which they have decided to give us the Report. It is at that point that a thorough debate can come up.

If we debate now and after the Committee had come up with their Report we would also debate; are we going to have a two time debate? Is that the issue?

**The Deputy Speaker:** It is like when a budget is presented to the House; we debate even the speech of Mr. President. But that was not the end of the matter; it would come back to us again and we would debate on it. It is just similar to that.

We can start the debate today and it may take five days to debate this matter since it is a matter that everybody is interested in or an important matter that needs the inputs of Members. We may debate it for five days, commit it to the relevant Committee; let them go and do their work and bring it back. And then we would debate their findings again.

Some Members are ready to start the debate today. We cannot deny this opportunity to Hon. Lanre Agoro,

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Hon. Jime and Hon. John Enoh who are ready. We can start with as many as possible that are ready even if it is only one person. On Thursday we were not more than 10 in the Chambers; so if three out of ten can speak, it is something. I hope we are all right with that.

**Hon. Lanre Adeniran Agoro** (Irepo/Orelope/Olorunsogo): Mr. Speaker, yesterday I stood on the Floor of the House trying to make certain aspect of the physical responsibility as known to us. Of course, the Chairman of House Committee on Legislative Compliance is not seated here; it took us much more than enough time to compel the Executive to inaugurate the Fiscal Responsibility Commission in conjunction with the House Committee on Finance. Because of that, we also made so much effort to get them to prepare this Paper.

Yesterday, I stood up on the Floor of the House to read Section 11 of the Fiscal Responsibility Act which was signed into Law in 2007. Therein it was stated that six months after the commencement of this Act this paper would be prepared. So, it has taken the Executive almost two years to prepare this Paper we are about to debate.

Again, Section 11 (I) (b) also say that, *thereafter, not later than four months before the commencement of the next financial year*; this Paper would be prepared. If going by the Section of that particular Sub-Section, we ought to have received this Paper in April, about six months ago. This Paper just came to my box last week and I picked it up yesterday. I have taken the little time, knowing fully that it would come up based on the urgency of the matter and the year running out, to read through.

When you go to page 6, the essence of the Fiscal Strategy Paper is to the extent that we should have a multi-year perspective in budgeting to allocate public resources among competing social needs. We all know we have problems *vis-à-vis* infrastructural facilities in this country. And we need to take into consideration the medium term expenditure framework that would have taken into their own consideration the revenue and the expenditure in the next three years. What it invariably means is that it is not just one resolution; we must sit down here consider it and see how we would approve its contents. Whatever we approve, going by Part III of the Fiscal Responsibility Act, we would form the basis upon which our annual budget estimate would be drawn. So, if we have to go by this, that means, the debate must be thorough, robust and extensive; at most must also be exhaustive but not exhaustible.

When you go to page 14, the Fiscal Strategy Paper, analyses the content of this Paper into nine Chapters and what is of utmost importance to me is the

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*Deficit Financing.* We all know that it has become a problem whenever annual budget estimate is presented on this Floor of the House, we always look for Deficit. And the standard rule is that it should not be more than 3% of our GDP. This Paper goes to tell us what the GDP is also all about.

What I am saying in essence is that, the totality of what we have here is just a forecast and by our own forecast, the House has deem it fit to also put in place the House Committee on Legislative Budget and Research. And by virtue of being a Member of this House I am also opportuned to be a Member of this Committee; we are also working to get a consultant to also look into this Paper and analyse it so that Members of the Committee and Members of the House would have a say in what goes into our annual budget.

The totality of what I have said so far is that I am in support that we should consider this thoroughly but our resolution as you all know must be in concurrence with the Senate. Since they form part of what 2010 Budget Estimate will be based on, it is my view that this Paper should be thoroughly looked into. Since it is a forecast, we can never get the actual thing from it and not getting the actual thing from it, the Paper has shown that we forced Executive to work. It is my happiness that we have succeeded in giving a force of enforcement into our Act.

**Hon. John Enoh** (Obubra/Etung): Mr. Speaker, I am hoping that in the course of my contributions on this, I should be able to throw some highlights especially for Members who may not have had the chance to go through the document yet in terms of what I believe in the Paper like this, Members can look out for.

First, it is not surprising that we are having many arguments trying to get this under way. It is actually the first time that the Medium Term Expenditure Framework is coming to this Floor since 2007. It is important for Members to also appreciate the fact that, going by the Act that was passed by this National Assembly, the Budget Estimate for 2010 cannot be laid on our Floor of this House unless we resolve the Medium-Term Expenditure Framework. This is because that becomes the basis for the preparation of the estimate of 2010.

If you look at our budgeting system, our budget is usually divided into the revenue side and the expenditure side. And every year the revenue side is based on assumptions that the Government expenses are going to take place in the next fiscal year.

In a country like Nigeria that depends so much on oil, when Budget comes every year, we spend great

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effort trying to agree on a benchmark price dating back to when the National Assembly accepted with the Executive that we can always have an excess crude account upon which whatever is the extra from the benchmark can be paid into. If you look at the document we have before us, the Executive is suggesting \$50 as benchmark for oil for 2010. *(Interruptions)*

**The Deputy Speaker:** How much did you say is the benchmark for 2010?

**Hon. John Enoh:** I said that it is \$50; that is what is on this Paper. So, one of the issues we need to take a decision on is whether or not we are going to agree with the Executive in terms of the benchmark price of crude in 2010. I would also like to draw on some examples.

While we were considering 2009 Budget on the Floor of this House, the price of crude oil in the market was falling and that was why it was easy for us to accept the Executive proposal of US\$45 per barrel of crude oil. As we speak today, the price of crude oil rather than fall has risen above US\$80 per barrel. I think for example, and realistically, that it may no longer be feasible to accept the Executive benchmark of US\$50 per barrel of crude oil. We would need to increase that benchmark price to a level of US\$57 per barrel of crude oil.

The second issue is the Daily Production. If you look at our 2008 Budget, our daily production was 2.450 million barrels per day. In 2009, it was 2.292 million barrels per day. Through out the years we never met up with that. Therefore, we would need to set a target of daily production that does not allow us to go to the Excess Crude Account everyday to take money to balance up the daily production as expected. This paper has come with a proposal from 2.08 million barrels per day. We would need to agree whether we want to stick to 2.08 million barrels per day, increase or reduce it further. The climate in the Niger Delta is getting better and while I am not saying that we should look at the margins of 2009, I believe that the Executive, in proposing 2.08 million barrels of crude oil per day, should try to be conservative enough because of the experiences of the last couple of years.

For example, I was at a meeting that was called by the Presidency when this proposal was discussed and the Minister of Petroleum had actually tried to advance the argument that we need to keep the daily production at 2 million barrels per day instead of 2.08 million barrels per day.

These are the issues that we need to take decisions about.

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**The Speaker:** Hon. Chairman, I think in doing that we should also consider our quota in OPEC.

**Hon. John Enoch Owan Enoch:** Yes, this is within the OPEC quota. In doing this, we need to as well look at the exchange rate in terms of the Dollar to the Naira. In 2009 we had actually put this at ₦125 to a Dollar. Every Member should appreciate the fact that, some time in the course of this year, we have passed a special Supplementary Appropriation where we had to appropriate for additional Naira to the Dollar exchange rate.

So, this paper has come with ₦147 to a Dollar. In today's Newspapers, the Central Bank of Nigeria (CBN) is actually taking that at ₦150 to a Dollar and it is important to appreciate that if we make an unrealistic exchange rate, it depletes our Foreign Reserves.

So, we need to be able to take decisions on all these.

Looking at the *Expenditure* side, since 2007 we have continued to bring in funds as unspent balances. The unspent balance in 2007 was about ₦400 billion and the unspent fund in 2008 was about ₦350 billion. As we speak today, about two weeks ago, the Speaker called attention to the fact that there was about ₦500 billion that was resting with the Central Bank of Nigeria belonging to the Ministries, Departments and Agencies (MDAs) and MDAs have shown the inability to access these funds.

For the Capital Appropriation of 2009, we have appropriated more than one trillion naira for Capital Expenditure. This paper comes with a proposal of ₦860 billion.

So, we need to look at all these things including the balance between the Expenditure, Capital and Recurrent. When we take up this decision holistically, we should arrive at something realistic enough. It is important to also advise, just as Hon. Femi Gbajabiamila had mentioned at the beginning, that whatever figures we accept here is more or less binding on our hands. If, for example, we accept ₦860 billion as Capital and the estimates are not based on that after we have resolved, we may not have right anymore to increase the Capital Expenditure from 2010.

So, it is important for us to take a look at all these issues one after the other in terms of whatever decisions would be made over the Medium-Term Expenditure.

**Hon. Habeeb A. B. Fasinro** (Eti-Osa): One of the reasons I have decide to challenge the Leader and his

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Deputy was to be able to put forward a plausible argument on this Medium-Term Expenditure Framework was that it is important to know that, and my colleagues have also highlighted it by underscoring who Hon. John Enoch said, if we accept these figures on the Floor of this House, we are bound by it.

It is important to also know that it is the manner and the way you sit down and plan for the future that matters. This will enable us to have a proper process of purchasing, spending, raising taxes and fiscal responsibilities to enable us prosecute all the capital projects that we need to do.

It is also important to know that the inability of the government to clearly state the areas that it needs to concentrate on poses a lot of problems. This is because all through the years whenever Budgets come in, Personnel and Recurrent Costs are higher than Capital Expenditure. We always have that problem.

So, a country that is trying to attain a 7-point Agenda is her 2020 vision and we all know and in our Constituency we see that the only thing that can drive and sustain this development is massive Capital Infrastructure Development. The Leader of the House has also not stated in his brief summary what exactly we would be able to do in the next few years.

It is also important to know that it will help in the sense that it puts the Ministries, Departments and Agencies in a position where they have to come to this House with their programmes clearly stated out based on the framework that we have agreed upon. This is because it is not good for us to agree on a certain amount of money only for the Minister to come around after being given an envelope to say his budget was not enough and while asking whether anything could be done about it, he starts applying to the sentiments of Members.

As Members, we need to sit down, look through it and acknowledge what we have approved. We should have the courage to ask him to come to the Floor of the House if his programme fails because of lack funding so that we can decide to increase it. Or, if it was successful and we believe that it needs to be boosted further, he could also come back to the Floor of the House. It is this Body that has the power to appropriate funds for anything possible.

So, these are the kinds of things that I believe that Leaders should come back and tell this House. They should be able to tell this House the position of government, so that the House would take its own position to decide whether or not it should follow what the government is saying.

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In the Medium-Term Expenditure, it states three things some of which my Colleagues had said here; such as increasing the issues of Expenditure in Capital Projection. These are the things that are not clear. Are we going to raise taxes? And what level of taxes are we going to raise? One of the key things that they are saying is that they need to de-emphasise crude oil. Although that is the mainstay of our income generation, they need to also increase non-oil revenues. What are we concentrating upon?

Those are the things that we need to look at.

Generally, I think it is important that we go ahead with the Medium-Term Expenditure Framework because it shows a country that wants to plan. It is very important that we do that.

If the Leader can convince us in his explanations from the government side that these are the issues and that they are important to go by for the success of the Medium-Term Framework, then I believe that this House will go along with him and support his position. But I have my doubt because at this stage, with the bulky document that they sent and passed to us within the passed two days and the brief summary which my Leader have put here and which I believe most Members have not had the opportunity to look at, I do not think that it is convincing enough for us to take this issue now. I think that he has to come back with a clear and unambiguous position for us to know exactly where we want to go.

**The Deputy Speaker:** We have already decided on that.

**Hon. Habeeb A.B. Fasinro** (Eti-Osa): All right.

**The Deputy Speaker:** The debate has commenced today. If the Leader had anything to add to what we have said at any given point he can raise his hand and say it. So the debate has commenced. Sorry Hon. Farouk I think the Leader wants to say something.

**Hon. Tunde Ainukhatemon Akogun** (Akoko-Edo): Hon. Speaker, actually I have listened very attentively to the contributions of my Colleagues. The summary I did when I started the debate was that this exercise is an annual one which touches the projections which we have to work with during the next Financial Year and I said it was explicitly explained by my Colleagues Hon. Enoch that decisions have to be reached on production output of crude, benchmark of oil price, Customs and Inland Revenue receipts, Exchange Rates, Monetary Policy, Inflation and G.D.P growth Rate.

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Actually, like he said, the Government, when they visited me, came with positions which we cannot accept by merely considering and approving it like most of my colleagues said. So I think it is the general wish of the House and like the Hon. Speaker rightly said, we could start debate on the Motion. We do not have to conclude it today but what I could do like my Colleagues suggested, is to just re-touch (*Interruption*)

**The Deputy Speaker:** Whenever, you are ready during the course of the debate you can stop us and give us more details.

Yes, Engineer Farouk.

**Hon. Farouk Abdullahi Umar** (B/Kebbi/Kalgo/Bunza): Thank you Mr. Speaker for allowing this debate to continue. I should also thank the Chairman Finance Committee for the very in-depth technical analysis of this Motion which actually indicates that we need to discuss it.

I have an adage in my Hausa language which says *Beri kashi Aciki baya magani Yinwa* which means that *refusing to pass excreta will not stop you going hungry*.

**The Deputy Speaker:** Hon. Farouk are you Hausa or Fulani?

**Hon. Farouk Abdullahi Umar:** I am Hausa Fulani. We need to discuss because this is about planning. We passed this Fiscal Responsibility Act and it behoves on us really to comply with all the provisions of this Act. It is all about planning. If the Executive Arm of the Government has respected this House and has planned for our future then I think it is our duty that we must be here to discuss and allow this planning process to go.

I understand very well the content of this Expenditure Framework and Fiscal Strategy proposal as submitted by the Federal Government. The method adopted in this Chamber is that we have Committees that stand like engine rooms of the Legislature. So we should debate and commit it to a Special or Ad-hoc-Committee that will thoroughly review it, bring recommendations to the Floor, which we will consider. On this note I will advise that the Prayer should be amended.

**The Deputy Speaker:** That one will be done by the Leader who will change the Prayer.

**Hon. Farouk Abdullahi Umar:** All right Sir; the Motion should be allowed to go.

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**Hon. Isah Idris Umaru** (Igabi): As it is, and in everything there is a first time, this is the first time we are having Medium-Term Expenditure Framework which as a result of a Bill or Law passed by the honourable House the Executives were compelled or are now complying to that Act. This indicates that Democracy in Nigeria is growing and Nigeria is heading for the best.

I can see the problem with the way and manner we are going to come about debating this very important Motion. Even those that are current here seem to be confused as to the way and manner we are going to go about debating it. I am of the opinion that the Prayers as you said should be changed to mandate the relevant Committees rather than Ad-hoc Committee to handle it. I believe the able leadership of this House will do the necessary changes that are required. This particular exercise should not exceed two weeks because we are lagging behind.

As one of our Colleagues had mentioned, this Framework Expenditure should have come two months ago for us to be able to debate it and possibly approve and concur with Senate and send it back to the Executive so that they can bring their budget. We should be able to deliberate this exercise as we do with the budget by engaging ourselves in the general principles of it; explaining what is contained in the Framework. I believe the Chairman, Committee on Finance, has looked at the nitty gritty of the Motion and we should be able to commit this Motion to the relevant Committee as soon as possible so that they can conclude work on it and bring it back to enable us pass it for the concurrence of the Senate.

I so submit Mr. Speaker.

**The Deputy Speaker:** Hon. Colleagues, this Report like has been suggested by many of us is a very bulky Report that we need to study. It is not a Report that we would just come and start debating on the Floor of the Chamber without well informed background work. Moreover, it involves figures. We would need to do some analysis such as having to look at the figures as suggested by the Executives in order to form our own opinion on whether or not the figures as presented by the Executives could be allowed or we need to do some changes.

Based on that I think there is need for Members to get, study and understand the Report. It is not the kind of Report that you could just come to the Floor and start debating. It is something that you need to go and study. If you do not have the time your Aids could do it for you and give you an Executive brief so that you will come to the Floor of the House fully and well briefed.

On that note I want to suggest that we suspend debate on this Motion for now till Tuesday next week.

*Question put and agreed to.*

*Debate on Medium-Term Expenditure Framework and Fiscal Strategy Proposal of the Federal Government of Nigeria suspended till Tuesday next week.*

## CONSIDERATION OF BILLS

### **Chartered Institute of Certified Secretaries and Reporters of Nigeria (Establishment) Bill, 2009**

A Bill for an Act to Establish the Chartered Institute of Certified Secretaries and Reporters of Nigeria for the Registration and Discipline of Certified Secretaries and Reporters and Provide for a Governing Board Charged with the Responsibility, among Other Things, for Formulation of Policies for the Institute, and for Related Purposes, 2009 -

*Order for Second Reading*

**The Deputy Speaker:** Hon. Members, the second Order of the Day is the commencement of debate on the general principles of a Bill for an Act to Establish the Chartered Institute of Certified Secretaries and Reporters of Nigeria for the Registration and Discipline of Certified Secretaries and Reporters and Provide for a Governing Board Charged with the Responsibility, among Other Things, for Formulation of Policies for the Institute, and for Related Purposes, 2009.

Members should note that the Bill has been passed by the Senate and now requiring the attention of the House for concurrence. The Bill was read for the first time on Wednesday, 7<sup>th</sup> of October, 2009. I now invite Hon. Tunde Akogun to move that the Bill be now read the second time.

**Hon. Tunde Akogun:** Mr. Speaker, I rise to move that A Bill to for an Act to Establish the Chartered Institute of Certified Secretaries and Reporters of Nigeria for the Registration and Discipline of Certified Secretaries and Reporters and Provide for a Governing Board Charged with the Responsibility, among Other Things, for Formulation of Policies for the Institute, and for Related Purposes, 2009 be read the second time.

**Hon. Isa Idris Umaru** (Igabi): Mr. Speaker. I rise to second the Motion ably moved by my Leader.

*Question Proposed.*

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**Hon. Tunde Akogun:** Hon. Speaker, this is a Senate transmitted Bill for the concurrence of the House. Nevertheless, it has to, as usual go through the proper process and procedure of the House.

The Chartered Institute of Certified Secretaries and Reporters is a Self-Regulating, Self-Financing and Self-Accounting Professional Association. It is composed of professional Secretaries and Reporters who play very significant roles in legislative Reporting. Official Reporters have delicate responsibility of sifting through legislative Members contributions for their grammatical and proper presentation in the Hansard. How successful they interpret this role determines the quality of Legislative Reporting.

Honourable Members are aware that speeches made both at Plenary and Committee Meetings are required to be as near as possible in the verbatim form. To achieve this, the professional expertise of the Reporter is required even so after producing the Hansard and Legislative Report that satisfies the best standard. This Bill therefore, seeks to establish an Institute as a statutory body responsible for regulating the practice of the profession of Official Reporting.

The Bill for the Chartered Institute of the Secretaries and Official Reporters is a 44 -paragraph piece of legislation. It contains provisions on the functions of the Institute, membership and of course, the Board composition.

The fund of the Institute is expected to be drawn from the fees payable to the Institute, grants and aids and proceeds from the Institute's programmes and activities. The establishment of the Institutes therefore, does not have any financial implication on public funds. Other significant provisions are equally made in the furtherance of the aims objectives of the Institute.

Essentially, this Bill seeks to professionalize the practice of Official Reporting. It seeks to maintain standards and finally it enables effective regulation and practice of the profession. Honourable Colleagues, therefore, are urged to support this Bill.

**Hon. Isa Idris Umaru:** Mr. Speaker, this very important Bill needs to be supported by all for the fact that it is one of these professional bodies that if approved and it becomes law by this honourable House, it would help in encouraging professionalism in Nigeria. I stand to request and urge my Colleague to support this very important Bill.

**Hon. Danlami Hamza (Fagge):** Mr. Speaker, I am a bit worried about the haste with which we have been passing laws in this National Assembly. The

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Institute of Chartered Secretaries and Administrators is well known. It is a body like the ACCA and to be able to qualify you have to read Law, Finance and Accounting. We have Official Reporters here and I am sure they did not bring any of these things.

In fact, the linkage between the Chartered Secretaries and Reporters came from the days when they use shorthand to write. We have gone beyond those days now; electronics is now in vogue. All those Reporters that we are seeing will not be able to be called Official Reporters until they go through that examination. They offer sixteen fresh subjects; I do not know if there was an in-depth study before the Senate passed this Bill. If we pass it, we are passing another law of irrelevance to the profession. I just thought that we should tarry awhile before we commit ourselves to this type of Bill.

**Hon. Umaru Ibrahim Kurfi (Dutsin Ma/Kurfi):** Mr. Speaker, I stand to support this Bill; it is long overdue. Definitely, if we accept this Bill it will help to increase professionalism, especially now that most people are complaining about the profession. If we can now pass it, definitely, there would be increased discipline, decency and efficiency. Secretaries are all over the country and indeed most secretarial jobs are very professional in nature. In this regard I stand to support this Bill to be read the Second Time.

**Hon. Abdu Mohammed Sani (Alkalari/Kirfi):** I support that this Bill be read the second time for the fact that Secretaries and Reporters are so important. What I must also add is that we should be able to take the argument of Hon. Danlami in such a way that the Committee that is going to work on this Bill should be able to separate Secretaries and Official Reporters from legal advisers.

I wish to call the Committee to look into this combination of Company Secretaries and Legal Advisers; this should be distinct from Secretaries and Official Reporters. I believe that since the Bill is also for concurrence probably the Senate must have done a detailed job and the Committee should be able to decipher that so that we will make progress.

I therefore, support that this Bill be read the Second Time.

*Question put and agreed to.*

*Bill read a Second Time and referred to the Committee of the Whole.*

**The Deputy Speaker:** We have our Verbatim Reporters here also who should be members of that

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Institute. So, they must be happy that the Bill has passed the Second Reading.

**City Technical University, Yaba, Lagos  
(Establishment) Bill, 2009**

**The Deputy Speaker:** The next Order of the Day is the commencement of debate on the general principles of a Bill for an Act to provide for the Establishment of the City Technical University, Yaba, Lagos and Other Related Matters thereof, 2009.

The Bill was read for the first time on Thursday 30<sup>th</sup> July 2009. I now invite Hon. Samuel W. Sejoro to move that the Bill be now read for the second time.

**Hon. Samuel Sejoro** (Badagry): I hereby move that a Bill for an Act to provide for the Establishment of the City Technical University, Yaba, Lagos and Other Related Matters thereof, 2009 be read the second time.

**Hon. Bitrus B. Kaze** (Jos South/Jos East): I do second the Motion ably moved by my Colleague hon. Samuel Sejoro.

*Question Proposed.*

**Hon. Samuel Sejoro:** We are all aware of the premium placed on Education as a national priority. We are also aware of the Constitutional provision in Section 18(1) and (2) that *Government shall direct its policy towards ensuring that there are equal and adequate educational opportunities at all levels; and that the government shall promote Science and Technology respectively*

Two weeks ago, the House passed the Bill on City Technical University Kaduna; the City Technical University Yaba is the sister institution.

We all know the pedigree of Yaba College of Technology. And we are aware of its capacity to contribute towards fast-tracking our technological development. The infrastructures are on ground, manpower is adequately on ground and it would expand the academic opportunity for our teeming admission seekers in the country.

The proposed City Technical University is rooted in the Yaba College of Technology resources. The advantages that exist have to do with the basic learning and residential infrastructure that will aid the take-off of City Technical University, Yaba. The manpower of this Institution is of the highest standard that the nation can boast of. I therefore plead with my hon. Colleagues to ensure the passage of this all important Bill.

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**Hon. Abdul Ningi** ((Ningi): Point of Order!

**The Deputy Speaker:** What is your Point of Order?

**Hon. Ningi:** I love Education. I equally love Lagos and the hon. Member sponsoring the Bill is my very good friend. But I would like him to listen to what he said, and I quote;

*The Federal Government, for a decade now, encourages the establishment of Universities by private individuals and State Government, and has put in place regulatory frame-works and guidelines for upgrading of its existing Colleges, Polytechnic and specialised Institutions with a view to transforming them into appropriate citadels of learning in line with specific national demands, challenges and needs.*

Having heard the hon. Member mention this, it therefore means that the hon. Member is aware of how Universities are established, the channels and the procedures.

Secondly, by establishing a City Technical University in Yaba, Lagos; by law made by the National Assembly, does it mean it is the Federal Government that would take up the funding of that University? Is that the intendment that the City Technical University, Yaba Lagos would be funded by the Federal Government?

I thought naturally that Lagos State has its own fair share of Federal University and Technologies. There is Lagos University and there is College of Technology, Yaba which are all funded by the Federal Government. If you are creating a University for Lagos and in Lagos State, for goodness sake, why do you not go to the State Assembly and let them establish a State University that would be called City Technical University?

Along the way, in asking us to support it, he said the proposed City Technical University, Yaba shall draw on the resources of the College of Technology, Yaba whose pedigree is rooted in the Yaba Technical College since pre-independence. Yaba College of Technology is statutory; it is established by law. It is there.

I want him to give me his own opinion of how the City Technical University will take place or will inter-relate with Yaba College of Technology. Are they going to be separate Universities or how is he intending this University to work?

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In a nutshell, my support for this Bill would be determined by some of these answers; whether this University is asking for funding from the Federal Government; and are all Universities that have been created now have to come through legislation to be established? What is the use of the National Universities Commission? In whose mandate the Law stipulates that the National Universities Commission is the one who gives out the right for establishment of Universities?

The Law gave right to the National Universities Commission to expand Polytechnics. So, if what you are trying to do is to take the role given to the National Universities Commission back to the House of Representatives, I think what you need to do first is to amend the National Universities Act so that we can take back what we gave them so that this House will now be an avenue for the establishment of Universities. Unless we do that, I do not see the legal framework that would be successful in establishing a University through legislation just as we are trying to do. However, if I am satisfied with some of these answers by my friend, I would support the Bill.

**Hon. Emmanuel Bello (Gombi/Hong):** I support this Bill because if you remember two weeks ago we passed for Second Reading similar Bill for City Technical College Kaduna. The establishment of City Technical College cannot be overemphasized. In fact,

we should encourage all the States to create an avenue for the establishment of States City Technical Universities apart from the ones that are being funded by the Federal Government.

The whole idea is that the world is becoming a global village and the technology is the vogue. Except we properly fund City Technical Universities, when we give say Yaba College of Technology the status of a Technical University, it will get the appropriate funding.

Under the law, nothing stops this honourable House or the Senate from passing a law to establish a University especially a City Technical University. We have those powers under Sections 1 to Sections 83. Hon. Emmanuel Sejoro has done so well by bringing up this law. I support it totally.

I urge my Colleagues to approve and support overwhelmingly this Bill so that it will pass Second Reading.

**Hon. Jerry Manwe (Lau K/Lamido/Ardo-Kola):** I want to speak from my position of well-informed person about Yaba College of Technology because I chaired the Governing Board of NCC.

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Just as Hon. Abdul Ningi has said, this is a College that is established by Statute. I am aware that Yaba College of Education have been offering Degree Courses for long. I do not understand what my Colleague seeks to achieve with such a Bill. It is already a Degree awarding Institution; it is a Technical College of Education, funded by the Federal Government and derives its budget from Government.

I do not see what that Bill again seeks to achieve. In my opinion, we do not need to allow this pass to Second Reading.

**The Deputy Speaker:** We have passed a Bill similar to this.

**Hon. Jerry Manwe:** The Kaduna Polytechnic to my own knowledge is not a Degree awarding Institution.

**The Deputy Speaker:** It is an innovation if they decide to be awarding degree courses in Yaba. Kaduna Polytechnic can also decide to do same.

**Hon. Jerry Manwe:** It is not an innovation. The National Universities Commission (NUC) approves Degrees that would be awarded in various institutions. It is the responsibility of the NUC to decide which College of Education wherever to award Degrees based on some technicalities and some exceptions.

**Hon. Ralph Okeke (Anambra East/Anambra West):** Just as my Colleague has said, I do not actually know the intention of this Bill. The guidelines for the establishment of new Universities and upgrading the old ones are already in place. The NUC is also there to guide individuals or government on how institutions should be established.

Therefore, it is not the responsibility of this Chamber or the National Assembly to approve the establishment or upgrading of existing Universities. I was not in this Chamber last week when that of Kaduna was approved and if it is similar to this Bill, I want to tell you that I am surprised that this Chamber did that exercise by approving such a Bill. I am totally against this Bill.

**Hon. Bello Suleiman (Akko):** The issue here is a matter of whether this is within our jurisdiction, responsibility or otherwise. If it is within our responsibility, it is a different thing. Just as two or three speakers have said, it is the responsibility of NUC to establish any institution of that status. As Hon. Abdul Ningi had said here, unless we are going to repeal the Act that established the NUC we would not be able to

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pass this Bill. If there is such a Bill that was passed before we should admit the mistake and get it corrected.

In my opinion, we should leave it to the NUC to determine whether that kind of University has met the required qualifications or otherwise.

**Hon. Sama'ila Mohammed** (Bassa/Jos North): Point of Order!

**The Deputy Speaker:** Yes, Hon. Sama'ila, your Point of Order.

**Hon. Sama'ila Mohammed** (Bassa/Jos North): My Point of Order is anchored on Order V Rule (4) at page 10: **Complaints against Publications:**

*Any member complaining to the House of a statement in a Newspaper, book or other publication as a breach of privilege shall produce a copy of the Newspaper, book or publication containing the statement in question, and shall be prepared to give the name of the Printer or Publisher.*

And related to that Sir, is Order V Rule 2: It says: Whenever any matter of privilege (*Interruptions*).

**The Deputy Speaker:** Finish reading the first one order you referred to.

**Hon. Sama'ila Mohammed:** It continues: *Provided that no Member shall present a petition to the House as a matter of privilege.*

This is not a Petition. The publication I am complaining against appears in today's Daily Trust Newspapers, Volume 22. No. 87 at Page 9, Wednesday 28 October 2009. And it reads: *Reps rejects Motion on Albashir's Visit.*

What took place yesterday does not amount in any way to the House of Representatives rejecting the Motion on Albashir's Visit. That is the caption here and the statement that has been captured. This is a breach of privilege of the House.

**The Deputy Speaker:** I believe in what you have said; that was not the general resolution of the House. The House did not, in anyway, reject any Motion of that nature. Therefore, the matter is referred to the Committee on Ethics who brought the paper to you.

Do we put the question?

**Several honourable Members:** Yes.

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**The Deputy Speaker:** No, we still have some Members who want to speak on the subject matter.

**Hon. Samson Raphael Osagie** (Orhionmwon Uhumwode): Mr. Speaker, with respect to the Bill we are debating here, I think there are some matters of inelegance in the presentation of the real intents of this Bill. My own understanding is probably that the proponent of this Bill intends to change the name of Yaba College of Technology to City Technical University.

**The Deputy Speaker:** To change the name?

**Hon. Samson Raphael Osagie:** Yes, I think he intends to alter the name of Yaba College of Technology. That is my own understanding; I do not know if I am correct. If that is not what is being sought, then there is a confusion and inelegance as to exactly what is happening. Are we asking for a new institution or is it Yaba College of Technology that is being sought to be renamed? If these questions are answered, then one will be able to take proper position as the Chairman on Police Committee had earlier said.

Otherwise, if it is to alter the name of Yaba College of Technology, then I would have said that it maybe to satisfy some kind of psychological feelings of students of that institution who ordinarily would like to be addressed as University Students. If it is to create a fresh University, then we must be abreast with the current reforms in the education sector in which City Technical Colleges are to be established at different points in the various sections of the country.

If that is the case, I believe that the sponsor ought to critically look at the ultimate issues involved and probably recast this Bill in such a way that Members would appreciate more what the intent of this Bill is.

**Hon Olufemi Gbajabiamila** (Surulere II): We have a problem here and what is the problem? The problem is in Section 42 of the Constitution. The problem is that the Constitution prohibits discrimination based on community. What is good for goose is good for the gander. Two weeks ago, this House unanimously too passed the Bill creating the same Institution in Kaduna State. We are duty bound if a Bill comes for the creation of a City Technical College in Abia, Anambra, Gombe, I personally, Olufemi Gbajabiamila will stand on this Floor and support that based on the provisions of Section 42 of the Constitution.

Hon. Ningi referred to Lagos State as having a number of Universities and Colleges but what he neglected to ask was the ratio of those Colleges to the population of Lagos which stands roughly at about 18 million!

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**The Deputy Speaker:** I beg your pardon, Hon. Femi!

**Hon. Olufemi Gbajabiamila:** Whatever figure you want to put as the population – (*Interruptions*)

**The Deputy Speaker:** Hon. Femi, this is an official business. We have the official figures of every State.

**Hon. Olufemi Gbajabiamila:** I am talking officially Mr. Speaker. Whatever official figure may be, I think it is important that when you are talking about the number of Colleges in a particular State, you put it vis-à-vis the population and I will read along the provision of the Constitution Section 18(1) which says;

*Government shall direct policy towards ensuring that there are equal and adequate educational opportunities at all levels.*

Sub-Section (2) says:

*Government shall promote Science and Technology.*

This is all that is being sought by this Bill. I do not want us to send the wrong message to Nigerians that depending on the State you are from, that will determine what happens on the Floor of the House.

I am actually appealing to you that if for any reason we have taken the wrong decision two weeks ago, it remains a decision of this House and if we are going to reject this particular Bill, I will rather prefer that we stand it down and then review the former

decision that we took. As I said earlier, we cannot have two different inconsistent laws for two different States; that is not what we are here for.

Honourable Colleagues this is a very fundamental and important matter and we should look at it from the perspective of one nation.

**The Deputy Speaker:** Honourable Colleagues, I want us to please be guided in whatever we are saying concerning issues of sectionalism, tribalism, and even religion. We have never in this Chambers considered them as ingredients for our debate. Even when people are opposing this Bill, if you observed, it is the same people that you think would oppose the Lagos Bill that are saying we have made a mistake even with that of Kaduna and there is a need for us to reverse the decision.

It is not about Lagos, or about Kaduna. As I know you Hon. Femi, you should be on the right path whether or not Lagos people are seeing or hearing you.

**Hon Olufemi Gbajabiamila:** I object to that statement. Mr. Speaker when you said whether or not Lagos people would see or hear you on air, you are imputing something that is wrong. All I did was to point out the provisions of the Constitution.

**The Deputy Speaker:** But the impression you are giving is as if one section of the country is opposed to it; that is not exactly the case. Hon. Abdul Ningi is from the Northern part of the country but he is saying that even that of Kaduna was done wrongly and that we should re-visit it. I believe some Members from Kaduna are raising their hands to say it was done wrongly and I was expecting you as a Lawyer to say yes, it was wrong to do that.

You could remember that only yesterday a Motion was raised by Hon. Jime or Hon. Lanre Agoro that, the practice we have been adopting was wrong and we must therefore put a stop to it. I am now saying that as a polished Lawyer and as a politician the best thing is to say the right thing at the right time.

I agreed with most of your opinions. If we are rejecting this Bill then even that of Kaduna should be revisited. That is what it is supposed to be and not to bring any issue of sectionalism or something like that. (*Interruptions*)

You can remold your statement. Your argument was that you are reading from the Constitution. But somebody was saying there in Hausa that *Barin Kashi achiki ba kara kwoshi bane*; it is the same thing as saying *kwowa ya yi jifa akasuwa ya sen inde ike*. Even though you are reading from the Constitution but you know who you are targeting (*Laughter*)

Honourable Colleagues, even if all of us want to pass a law and if one of our Members points out a constitutional matter that makes that law if passed to be null and void, there is no need for us to pass it. If we know by passing this law we are only wasting our time, there is no need to waste our time because what it means is that if we pass this law through Second Reading we have to fund the Committee that would go and work on it. And in doing that, we would only be wasting our time, money and resources. So, based on the argument presented by Members on this Floor, even the work done on Kaduna Bill which we had passed was a nullity. Therefore, to me, I would advise that we stand down this Bill while we revisit the other one also instead of spending our money and resources unnecessarily.

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Someone is raising a point of information. We do not have any point of information in our Rules.

**Hon. Isa Idris Umar** (Igabi): Thank you Mr. Speaker for giving me the opportunity to say one or two things about this particular Bill. I want to inform this honourable House that all Federal institutions were created by law either promulgated by the National Assembly, where it exists, or by Decree if it were during the military regimes. Regarding State Universities, States Assemblies had to get together and make law establishing such an institution.

The confusion here is that NUC is a Regulatory Body. Even where we promulgate a law to create an institution, it has to satisfy all the requirements stipulated by NUC before it is accredited by that NUC. But certainly what we are doing is right; the only confusion here is that these federal institutions already have laws establishing them and if we are upgrading them it means we have to repeal the existing law and enact a new one (*Interruptions*)

**The Deputy Speaker:** But this one is not asking for a repeal of the existing law.

**Hon. Isa Idris Umar:** What I am saying is that we should pass this particular Bill and at the Committee level it can be harmonise.

**The Deputy Speaker:** Hon. Isah, we cannot pass a law like that and take it to the Committee to change it entirely. We are not repealing any law here. This is a new Bill and you said we should pass it to the Committee to turn it into a repeal exercise. Is that possible? How can you have a fresh Bill, give it to a Committee and then the Committee will decide whether or not repeal the existing ones in place of the new Bill.

**Hon. Isa Idris Umar:** I agree but the issue is that the Bill was in order that the House has the right to change it.

**The Deputy Speaker:** If they can change this one and maybe come up with the Yaba College Bill for repeal, that would be in order.

**Hon. Isa Idris Umar:** That is exactly what I am saying.

**The Deputy Speaker:** Yes, that is in order if you are repealing that of Yaba College.

Honourable Members, I will now put the Question that the Bill be read the Second Time.

*Question put.*

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**Hon. Olufemi Gbajabiamila** (Surulere I): I just want a point of clarification as far as first. (*Interruptions*)

**The Deputy Speaker:** Hon. Members, if the question is put and it has been answered it can only become a law after the gavel. I have not hit the gavel.

**Hon. Mustapha Ahmed** (Bauchi): Point of Order!

**The Deputy Speaker:** Yes Hon. Mustapha.

**Hon. Mustapha Ahmed:** My Order is Constitutional Order, Section 42 of the Constitution on which my Leader anchored his argument. Sincerely speaking, by Section 42 of the Constitution, which I am sure this Bill has something to do with (*Interruptions*)

**The Deputy Speaker:** Can you read the Section?

**Hon. Mustapha Ahmed:** Mr. Speaker, I do not have the Constitution but then I (*Interruptions*)

**The Deputy Speaker:** I rule you out of Order Hon. Mustapha. You do not have the Constitution yet you are trying to quote a Section of the Constitution.

**Hon. Samuel Whesu Sejoro** (Badagry): Hon. Speaker, we need not continue to mislead ourselves on this Floor. It is not true that Yaba College of Technology is a degree awarding institution. Yaba College of Technology awards Higher National Diploma; that is the highest and it is only equivalent to a Degree. It is not true also that it is the responsibility of NUC to establish Universities. So in the light of the observation by the penultimate Speaker, I would advise that we stand down the Bill to enable us make amendment to the title.

**Deputy Speaker:** What that means is that if the one that were passed in Kaduna City was done wrongly, we have to re-visit it.

**Hon. Lanre Adeniran Agoro** (Irepo/Orelope/Olorunsogo): Point of Order!

**Deputy Speaker:** What is your Point of Order, Hon. Agoro?

**Hon. Lanre Adeniran Agoro:** My Point of Order is Order XI, page 42. It is all about voting and I crave your indulgence to read.

**Deputy Speaker:** Read the Order.

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**Hon. Lanre Adeniran Agoro:** Order XI, Rule 1 (1) says:

*No member may speak to any question after the same has been fully put by the Speaker or the Chairman."*

Order XI, Rule 1 (2) says: "A question is fully put when the Speaker or the Chairman has collected the voices both of the Ayes and of Nays.

These define when the question is fully put when the Speaker or the Chairman has collected the voices of both ayes and nays. Since you have collected the voice vote, it is for you just to hit the gravel; you do not allow somebody to keep on talking on this matter.

If our Rules are our Rules, as stated in Order I(1), I want to refer you to Order I (1) again, which says: *The proceedings in the House of Representatives and in all Committees of the House shall be conducted in accordance with this Standing Orders.*

If you also go to Section 60 of the Constitution of Federal Republic of Nigeria 1999, it also goes to state thus:

*Subject to the provisions of the Constitution, the Senate or the House of Representatives shall have power to regulate its own procedure, including the procedure for summoning and recess of the House.*

Notwithstanding the provision of Section 60, the House and the Senate shall be governed by their Standing Rules. These are our Rules; we must obey them. I have voted yes that the Bill should pass into Second Reading and you have collected all the voice votes, so hit the gravel and let us make progress.

**The Deputy Speaker:** Do you not know that you are repeating the same thing after I had collected the voice vote? Anyway, we have ruled on that.

*Motion with the leave of the House stood down; Motion on Kaduna City University to be re-visited.*

**Hon. Austin Nwachukwu** (Ehime Mbano/Ihite Uboma/Obowo): Mr. Speaker, I pray with all intent and purpose, if you can consider the Report of Hon. Jerry Manwe.

**Deputy Speaker:** The problem is that I asked to know the whereabouts of the Chairman House Committee on Rules and Business but there was no response; his Deputy is not here either. The first report was that of Hon. Osagie; the second report also was that of Hon. Osagie but you are saying that we should leave those and take that of Hon. Jerry Manwe. Even if it was a one-line report, if we are taking that of Hon. Osagie, we take that first.

#### ADJOURNMENT

**Hon. Babatunde Akogun** (Akoko-Edo): Hon. Speaker, I move that the House do stand adjourned till tomorrow, Thursday, the 29<sup>th</sup> of October 2009, at 10:00 a.m.

**Hon. Baba Shehu Agaie** (Agaie/Lapai): Mr. Speaker, I second the Motion as moved.

*Question put and agreed to.*

*Resolved:* That the House do stand adjourned till tomorrow, Thursday, the 29<sup>th</sup> of October 2009, at 10:00 a.m.

*The House adjourned accordingly at 5:15 a.m.*