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HOUSE OF REPRESENTATIVES
FEDERAL REPUBLIC OF NIGERIA

Thursday, 29th October, 2009

The House met at 10:40 a.m.

PRAYERS

(The Deputy Speaker in the Chair)

VOTES AND PROCEEDINGS

The Deputy Speaker: Hon. Colleagues, the House is called to order. I have examined and approved the Votes and Proceedings of Wednesday, 28th October, 2009.

ANNOUNCEMENT

Obituary

**Late Hon. Ambrose Na'anlong Dasha
from Plateau State**

The Deputy Speaker: On behalf of the Plateau State Caucus of the House of Representatives, it is with deep sense of loss that I announce the passing on to glory of an elder statesman and a former Member of the House of Representatives representing the former Shandam/Qua'an-pan Federal Constituency during the Second Republic, late Hon. Ambrose Na'anlong Dasha from Plateau State who died on Tuesday, 27th October, 2009 at the Garki District Hospital, Abuja as a result of a protracted illness. Details of the burial arrangement will be announced in due course.

Hon. Colleagues, this is our former Colleague of the House from Plateau State during the Second Republic. Can you, please, rise up for one minute in silence?

(One minute silence observed in honour of the deceased)

Medium Term Expenditure Framework

The Deputy Speaker: Any Member who wants to contribute on the Medium Term Expenditure Motion that was brought before the House by the Leader yesterday can submit his name to the Chairman, Committee on Rules and Business after the sitting today or tomorrow. The Debate will continue on Tuesday, 3rd November, 2009.

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Hon. Colleagues, before we go on with the Business of the Day, I would like to call on the Clerk of the House, Mr. Niyi Ajiboye whose tenure is expiring today, having served for thirty five years, to make his valedictory speech. *(Applause)*

**Valedictory Speech by the Clerk of the
House, Mr. Niyi Ajiboye**

Clerk of the House: Mr. Speaker, hon. Members, this is goodbye to Reading. On 31st January 2010, the day I will attain the age of 60, I will retire from the National Assembly Service. On 31st October, 2009 a few days to this time, I will proceed on a three-month pre-retirement leave. Today, therefore, marks my last day in the Chamber of the House of Representatives of Nigeria.

I started my legislative career on 7th December 1992 after a spell in teaching at a Polytechnic in the Federal Capital Territory and I had served - *(Interruptions)*

The Deputy Speaker: Hold on, Clerk. Our Clerk has served for thirty five years and he is leaving. We want the Media to cover it. The focus is on you; you can take it from the beginning.

Clerk of the House: Thank you Mr. Speaker, and hon. Members, for your indulgence.

29th October, 2009

*Hon. Speaker,
House of Representatives,
National Assembly Complex,
Three Arms zone,
Abuja*

Your Excellency,

Goodbye to Reading

On 31st January, 2010 the day I will attain the age of 60, I will retire from the National Assembly Service. On 31st October, 2009, a few days to this time, I will proceed on a three months pre-retirement leave. Today, therefore, marks my last day in the Chamber of the House of Representatives of Nigeria.

I started my legislative career on 7th December 1992 and had served in various capacities in the National Assembly, especially in the House of Representatives. I came to the peak of my legislative career when I became the Acting Clerk of the House on

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12th January 2006. During this period I served for one and a half years under the Speakership of Hon. Aminu Masari, six months with Hon. Patricia Olubunmi Etteh and from 1st November 2007 to date I have been serving under the Speakership of Hon. Dimeji Sabur Bankole.

Since the time I assumed office as the Clerk of this honourable House, I have had the singular honour and privilege of working and meeting distinguished Nigerians who have dedicated their lives and times to serving this country selflessly.

The House of Representatives is especially blessed with young, agile and conscientious men and women who think and view Nigeria. I am indeed humbled to have served this exemplary Nigerians for almost four years.

Before I take my final bow, I must express my profound gratitude to God and to the Hon. Speaker Dimeji Bankole, the Hon. Deputy Speaker Usman Bayero Nafada, the Leadership and the entire Membership of the House of Representatives for giving me a conducive atmosphere to serve as the Clerk of this House. I am also grateful to the Clerk to the National Assembly, his Deputy and all the staff of the House of Representatives for their support.

It is now time for me to leave. The good and hard times we shared together in the course of entrenching an enduring democracy will always remain fresh in my memories. I wish you God's guidance in your onerous and unenviable endeavours to shape a better course for our dear nation, Nigeria.

God bless you all.

Yours very sincerely,

(Sgd)

Otunba Niyi Ajiboye,
Clerk, House of Representatives

The Deputy Speaker: Let me call on some Members who the Clerk worked very closely with to make some comments on him.

I will start by calling on Hon. Ita Enang, who is the Chairman, Committee on Rules and Business and who always works with the Clerk of the House.

Hon. Ita S. J. Enang (Itu/Ibiono Ibom): Thank you, Mr. Speaker and my Colleagues for the privilege. Mr. Niyi Ajiboye is what we could call a Professional

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Legislative Officer and a Clerk of Clerks. It has been my privilege to work with him since 1999 in the Legislative Affairs Department.

I want to use this opportunity to congratulate him because every man looks forward to such glorious exit as he is about doing now. So, I congratulate him and all the people who worked with him. This is because under his tenure, even when he was not the Clerk, he had been providing great aids, particularly at the time when we had what we could call technical vacancy in the Clerkship. Those who work in the Legislative Affairs Department will understand what we call technical vacancy in the Clerkship.

I would pray that for those who have served like this, we should not allow this experience to go to waste. This is because I have seen one or two of the Clerks that served with him and they seemed not to be doing well, having served this institution to the best of their ability.

I pray that Mr. Ajiboye will not be like that and we will keep using him as a resource. I want to congratulate him because some months ago, he was named as a regent in his Kingdom. So, other than his other service which we are likely to keep using him, he will now be going to a Kingdom to sit as a king in quote and unquote.

Mr. Ajiboye, congratulations and May the Grace of God abide with you forever. Amen. (Applause)

The Deputy Speaker: Hon. Abdul Ningi, the leader when Mr. Ajiboye was appointed Acting Clerk of the House, you have the Floor.

Hon. Abdul Ahmed Ningi (Ningi/Warji): It is an honour and a privilege to me to speak about Mr. Niyi Ajiboye. Everything that has a beginning must have an end. There are times to be born and there are times to die. There is time for work and there is time for retirement.

I recall when the former Clerk of this House was moving to the Senate; Alhaji Umaru Sani, whom Mr. Niyi Ajiboye took over from in an acting capacity. Shortly after that, there was intense pressure from many quarters to make sure Mr. Niyi Ajiboye was dropped in favour of another person.

I think kudos must be given to the last Administration spearheaded by Rt. Hon. Speaker, Aminu Masari who stood his ground and said that in Mr. Ajiboye we have a Clerk that knows his onions and his job and understands the temperament of the House.

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In 2004, we had almost 70 *per cent* of new members. At that critical time, we needed a Clerk that is knowledgeable, that understands the temperament and the Parliament and Hon. Masari stood his ground against any ethnic or regional pressure and that was what made this man to stay from 2004 to date.

As Hon. Ita Enang said, we had very many Clerks but this is one Clerk that is exemplary, that is humble. For the five years I had stayed with him, I had never for once noticed that he lost his composure, his temperament and I think working in a Parliament like ours that is what is needed.

We pray that Almighty God will not send Mr. Niyi Ajiboye to complete retirement. Though he had retired from this assignment, may God in his infinite mercy open doors for him and shower him and his family with blessings.

Mr. Ajiboye, you are leaving today but be rest assured this Chamber will never forget you. Remain blessed with your family. Thank you very much. *(Applause)*

The Deputy Speaker: Let us hear from the Leader of the Minority.

Hon. Mohammed Ali Ndume (Damboa/Gwoza/Chibok): Mr. Speaker, I really do not have much to say rather than the strong feeling that I have that this House will really miss Mr. Niyi Ajiboye for obvious reasons. To serve effectively and diligently in this Chamber; you need somebody that is very humble and showered with humility. That rare quality which is a virtue is what I noticed and every one of us knows of Mr. Niyi; he is a very humble person.

Last time I met him in the corridor and asked him what he was going to do after retirement. His answer was as simple as he is. He said I do not know but God is there. Somebody that is going out there with this strong belief; I strongly believe that he is retired but he is not tired. I understand now that you have a community responsibility. Even if that is not true, that is what you will have.

I wish you the best of life and I want to urge on the Leadership, especially the presiding ones that people like Niyi should not be dumped but rather used because they are valuable asset that can be useful to the House in so many other ways other than just being the Clerk. We need people like them to be guiding us in various Committees to enable us do our job effectively. I am recommending Mr. Niyi Ajiboye as a Consultant

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to this House because his contribution would definitely be valuable.

Mr. Ajiboye, I wish you happy retirement and look forward to seeing you around again most of the time to give us the necessary guidance and advice. Thank you very much. *(Applause)*

Hon. Tunde A. Akogun (Akoko Edo): Mr. Speaker, if what the Minority Leader has said was a Motion, I would have liked to say that I second it that Mr. Niyi Ajiboye should be recycled. But seriously speaking, I want to say that actually the standing ovation that the entire House gave to this young man who said he is close to sixty, says it all.

I have known him for six or seven years that I have been in the House. When we came in, he was number two or so on that role. By some wonderful turn of events and destiny perhaps, he rose to become the Acting Clerk and we all know that in the grave-vine he will not retire as acting but retire as a Substantive Clerk because his promotion will get him there before his time is out. I thank him on behalf of all us for what he has done.

Actually, Mr. Niyi Ajiboye has been described as very humble but he is a very meticulous and highly professional Nigerian. He does not get ruffled and he does not ruffle feathers. He does his work with conscientious and transparent honesty. You can depend on him any day and every day for an honest and true advice and he had been through about three Speakers and at the end of it all, we all are praying that as he gets out, he will still find himself and indeed be useful to the country.

On behalf of all my Colleagues, I wish him well and as the Minority Leader said, I do not mind if he is recycled. Thank you.

The Deputy Speaker: Thank you very much. I want to join my Colleague to congratulate Mr. Niyi Ajiboye for successfully coming to the end of his tenure as Clerk of the House of Representatives or as a Civil Servant.

From the comments of our Colleagues, it is clear that Mr. Niyi Ajiboye is a complete gentleman. He is patient and tolerant. We have had many problems in this House but we have never heard anything about the Clerk taking sides. This is because he is a professional legislative staff.

Therefore, you are leaving us today but our

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problem is not you leaving; who is coming in? We have said all these as a result of your knowledge and experience in the Chamber. What we are expecting now is to have somebody who is as competent as you are to take over from you. We are aware that every occupation has professionals; we cannot say that because you work in a certain place you can be good everywhere.

In this National Assembly, we have so many departments; we have Accounts Department Personnel Department and we have the legislative workers. This Chamber is a Chamber that most of the time works with legislative personnel. Therefore, I hope and wish that those who are responsible for assigning this very

important office to the House of Representatives will look at somebody who has similar qualities of Mr. Niyi Ajiboye and send him to the House to ensure continuity.

You have shown a very good leadership to those who work under you because there was never a time or day that any of your staff who work under you came to my office or to the office of the Speaker to complain about you. That is a very good example.

We wish you a happy retirement. If I may pray for you with this experience that you have gathered, I would rather pray that you come back to the National Assembly either as a Member or as a Senator. *(Applause)*

I wish you and your family the best of life ahead. Thank you very much.

(Standing ovation as the outgoing Clerk of the House withdraws from the Chamber)

**Consideration of Medium-Term Expenditure
Framework and Fiscal Strategy
Paper 2010-2012**

*(Adjourned Debate on Question - 28th October,
2009)*

The Deputy Speaker: Hon. Members are reminded that the above matter which consideration started yesterday will resume in Plenary on Tuesday next week. Copies of the documents are available in Rules and Business Committee, Room 6.

(Signed)
Hon. Ita Enang

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PRESENTATION OF PUBLIC PETITIONS

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

**Wrongful Dismissal from Service of National
Directorate of Employment**

Hon. Mohammed Ali Ndume: I have a Petition from my constituent, Modu Chiroma. Chiroma was an employee of National Directorate of Employment. Modu is alleging that his appointment was terminated for exposing corruption in the NDE. Therefore, he brought this Petition forward through my humble self to be submitted to the House so that this honourable House would look into his case.

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

The Deputy Speaker: Please do.

Petition laid.

**Underpayment of Gratuity and Pension
to retired Union Bank Plc staff**

Hon. Kayode Idowu (Boripe/Ifelodun/Odo-Otin): I have a Petition from the aggrieved retired Union Bank Plc staff as regards non-implementation of collective agreement resulting to gross short payment in their gratuity and pension, which the Union Bank is supposed to pay its staff that were forcefully retired under redundancy between the year 2005 and 2008.

It is their belief that they would not go to court for this House has been known to be following and implementing the rules of law in this country. They want justice to be done accordingly and they are pleading that the House should look into this case.

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

Petition laid.

**Non-Payment of Compensation by the Nigerian
Maritime Administration and Safety Agency**

Hon. Ganiyu Olutunji Olukolu (Amuwo Odofin): I have a Community Petition from my

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constituency put through by a firm of lawyers, Ajibulu and Atiroko and Co on behalf of Kirikiri Community People.

They are complaining against Nigerian Maritime Administration and Safety Agency mainly on the land where the Agency built its Headquarters. Compensation for the land has not been paid. Besides, the Agency is not forthcoming on its corporate social responsibility. The area is usually flooded during rainy season. So the community is asking the Nigerian Maritime Administration and Safety Agency to assist them to de-flood the place. They also expect the Agency to reserve some employment slots for their youths.

Their prayer is that this honourable House should, please, request the appropriate House Committee to look into this matter with a view to resolving them at a round table joint meeting.

Mr. Speaker, may I lay this Petition as required.

Petition laid.

Mr. John Ogboganre Ebisan: Wrongful Dismissal from Federal Airport Authority (FAAN)

Hon. Overah O. Joyce (Okpe/Sapele/Uvwie): I have a Petition from one of my constituents, Mr. John Ogboganre Ebisan. He is complaining that he has been wrongly dismissed from the services of Federal Airport Authority of Nigerian (FAAN). This young man was employed in 1973 and in 2006 he was laid off for reasons that he was attacked by armed robbers and the Company's money of about ₦493,000 got lost in the process.

He was dismissed and later a Commission was set up which said he should be re-instated but up till date he has not been re-instated. So he is praying this august Assembly to have a second look at his case with a view to actually bringing justice to him.

Mr. Speaker, if I have your permission, I will lay this Petition on the Table because all the flesh are attached.

The Deputy Speaker: Please proceed.

Petition laid.

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Naked Abuse of Power

Hon. Nnenna E. Ukeje (Bende): I have a Petition before me from one of my constituents, Mr. Charles Okoronkwo against the Police Public Relations Officer, Mr. E. S. C. Ojukwu (ACP) in a Petition titled *Naked Abuse of Power* by the aforementioned.

Details of the flagrant disregard for the institution in a divorce and child custody case presently pending before a court of law, his influence peddling and the use of Police structure to settle a personal matter which is not under his jurisdiction are all contained in the body of this Petition.

I take leave, with your kind permission, to lay this Petition before this honourable House.

The Deputy Speaker: Please go ahead.

Petition laid.

Complaint of Victimisation by Mr. Paul Orumwense against the University of Benin Teaching Hospital

Hon. Samson Osagie (Orhionmwon Uhumwode): Mr. Speaker, the first Petition is from Mr. Paul I. Orumwense of the Clinical Services and Training Division of the Administrative Department of

the University of Benin Teaching Hospital. He is complaining of victimization by the authorities of the UBTH for his intransigence in cooperating with the tradition of maladministration in the hospital consequent upon which his promotion has been stagnated contrary to his conditions of service. He is asking that this anomaly be corrected by this House.

Non-Payment of Retirement Benefits of some NIPOST Retirees

The second Petition is from a group of retirees from the Edo Territory of NIPOST who are complaining about non-payment of their retirement benefits. They are asking this House to please intervene to save their soul.

I wish to lay these two Petitions on the Table.

The Deputy Speaker: Please proceed.

Petitions laid.

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In the absence of any further Petitions, all Petitions are referred to the Committee on Public Petitions.

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

PERSONAL EXPLANATION

Incorrect Publication by the Media

Hon. Henry S. Dickson (Ekeremor/Sagbama): Point of Order, Mr. Speaker!

The Deputy Speaker: What is the Point of Order?

Hon. H. S. Dickson: I rise under Order VIII, Rule 5 on a matter of Personal Explanation and with your kind permission may I proceed?

The Deputy Speaker: Go ahead.

Hon. Dickson: You will recall that about two weeks ago this honourable House took a debate on the general principles of a Bill to amend the Legislative Houses (Powers and Privileges) Act. After a robust and very exhaustive deliberation, this House directed that the Bill be read a Second Time and consequently, Mr. Speaker who presided, caused a referral of the said Bill to an appropriate Committees; I believe the Judiciary and Human Rights Committees for further legislative Action.

Since then, I have received, as chief sponsor of the said Bill, several calls and correspondences. I have also read in the Media several reports which are not only factually incorrect but which are, in my view, calculated to bring me and this honourable House into disrepute and public ridicule. The Media has gone to town with a characterisation of that Bill as a Bill where we as Members of this House are seeking to confer immunity on ourselves.

Newspapers have been writing all kinds of things and the worst of it is what I read in at least two editorials and we know that editorials are not just ordinary reports. Editorials convey the opinion of the board of a newspaper.

I am appalled that at this stage we still have the Nigerian media writing editorials on speculations, rumour and writing stories that are not factual. The duty of the Media is to partner with us to protect and

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preserve our democracy and to hold people in government to attack. We have no problems with that.

The Deputy Speaker: Hon. Dickson, just correct the impression that was created by the Media.

Hon. Dickson: The Media has a duty to report what we do correctly and comment freely thereafter. I am rising, therefore, to correct the impression to my constituents, friends and well wishers and to the entire Nigerian populace that the Bill that I sponsored is not an immunity legislation and this House knows much more than the Media does that we cannot by an Act of Parliament, confer immunity or remove immunity because these are constitutional issues.

I rise by personal explanation to say that the Bill that I sponsored which this House is looking at is not an immunity legislation and the Media should correct its reportage and facts. The Bill is a public document; they have access to it and to read it, unfortunately they have not bothered to do so. That is the issue I rose to explain and I believe that the spokesman of the House should also take it up from here.

The Deputy Speaker: Thank you. The Media should also know that that Bill was not in any way to confer any immunity on any Member of the National Assembly or State Assembly.

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

Deputy Speaker: What Point of Order?

Hon. Lanre Adeniran Agoro: Mr. Speaker, I rise today again to call your attention to Order VIII, Rule 1 of our Standing Orders at page 23. It deals with Arrangement of Business. If you have it as I have it in my rule book, I have nothing with the content of the Personal Explanation my good friend, Hon. Dickson, has just raised but my problem is with the use and compliance with our rules.

The Deputy Speaker: It is a point of privilege which can be raised at any time.

Hon. Lanre Adeniran Agoro: Mr. Speaker, just let me make the explanation and you have the right to correct me. If you look at the Order Paper, there is nothing like Personal Explanation. With your kind permission, I would like to read Order VIII, Rule 5 at page 26.

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

Mr. Speaker, if it was submitted to you, it would have been listed on the Order Paper.

The Deputy Speaker: As a lawyer, you may form your own opinion on anything that has to do with law; that is the way you understand it. It is different from the way I understand it from this side. Therefore, what I did according to my understanding is correct.

Hon. Nelson G. O. Alapa (Ohimini/Otukpo): Point of Order!

The Deputy Speaker: What is the Point of Order?

Hon. Nelson G. O. Alapa (Ohimini/Otukpo): It is Order V, Rule 1 of our Standing Orders at Page 9. It deals with Privileges. With your kind permission, I read:

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

I rise to actually bring before this House an issue that is very pathetic. Over two years, the lives and destiny of 71 NDLEA staff purported to have been dismissed or retired are in the hands of this House.

The Deputy Speaker: Hon. Alapa, Privileges are the rights enjoyed by Members collectively; Members, not any other person.

Hon. Nelson G. O. Alapa: I am a Member.

The Deputy Speaker: It does not affect you directly.

Hon. Nelson G. O. Alapa: My constituents are involved in this issue.

The Deputy Speaker: It is you, not your constituent.

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Hon. Nelson G.O. Alapa: Mr. Speaker, I am affected.

The Deputy Speaker: No, you are not the one directly affected.

Hon. Nelson G.O. Alapa: Indirectly, I am affected.

The Deputy Speaker: It is not about being affected indirectly, Hon. Alapa; it has to affect you individually or collectively as Members.

This matter had earlier been discussed on the Floor of the House. If you have anything on that you can come to me or see the Speaker on that, please.

ORDERS OF THE DAY

MOTION

Massive Looting of Equipment and Property of Ajaokuta Steel Company Limited and National Iron Ore Mining Company Itakpe

The Deputy Speaker: The first Order of the Day is a Motion on the Massive Looting of equipment and property of Ajaokuta Steel Company Limited and National Iron Ore Mining Company, Itakpe standing in the name of Hon. Aminu Shehu Shagari.

Hon. Shagari is invited to move his Motion, please.

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

The Deputy Speaker: What is the Point of Order?

Hon. Isah Idris Umaru: It is Order IX, Rule 6 at page 31. It reads:

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

I know that this particular Motion was moved by Hon. Dino Melaye; the same content and purpose and decision has been taken by this House.

The Deputy Speaker: On looting?

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Hon. Isah Idris Umaru: Yes.

The Deputy Speaker: No. This one is on looting; it is different from that one. Even if it is the same, the leave of the House was granted yesterday for him to take his Motion.

Hon. Shagari, please go ahead.

Hon. Aminu Shehu Shagari (Yabo/Shagari): Mr. Speaker, the House:

Notes that the Ajaokuta Steel Company Limited is an integrated Steel Complex comprising 37 production Units, each of which could be established as an independent enterprise;

Further notes that Steel production is the bedrock of industrialisation and economic development of any Nation;

Aware that the Federal Government has expended over \$4.6 billion on Ajaokuta Steel Company Limited;

Further aware that the project status is 98 per cent complete;

Appreciates that about ₦3.32 billion outstanding workers' salaries and allowances are currently being paid;

Worried that this National Investment is being massively looted unabated;

Further worried that lack of adequate measures to protect these investments will lead to more looting.

Resolves to:

- (i) Condemn the looting of these huge investments by the perpetrators of this unpatriotic act;
- (ii) Urge the Inspector-General of Police to, as a matter of urgency, provide security in and around the Industrial Complex of Ajaokuta Steel Company Limited and National Iron Ore Mining Company Itakpe; and
- (iii) Further urge the Federal Government of Nigeria to abide by an earlier resolution of this honourable House to complete and Commission the project without further delay.

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Hon. Ogwime Abbas Braimah (Etsako East/West Central): I rise to second the Motion as moved by Hon. Aminu Shehu Shagari.

Question Proposed.

Hon. Aminu Shehu Shagari: Mr. Speaker, the name Ajaokuta Steel Company Limited, will connote that the sole purpose of this company is just to produce steel whereas it is a complex that is designed to develop other industries massively around the country. It comprises 37 different units that can each be operated independently as a production unit.

Presently, we have about 5,000 workers employed in this complex. The steel sector is one of the largest employers of labour. If this place is fully operational, it can employ up to 15,000 to 20,000 workers. The upstream and downstream of it can give employment to at least 150,000 people. Even if this is all we can achieve from this complex, it is a worthwhile venture.

This is a major foreign exchange earner and saver for this country and it is the fastest way of attaining Vision 2020. You need to see this complex to really comprehend and understand what this complex is all about and the importance of this complex to this country.

You will recall that in 1985 during the reign of President Ibrahim Badamasi Babangida, there was a move to sell this gigantic project and the then Minister, Rilwanu Lukeman suggested that before any drastic major is taken on this complex, the Council should visit the premises. After the visit, Mr. President then, President Ibrahim Badamasi Babangida wrote and I quote:

We had a most educative and intrusive visit. The completion of this project is a must to the industrial takeoff of this nation. It must be supported.

Since then not much has happened in this place despite the suggestion to the fact that this is a must for our industrial takeoff. There was a national Iron and Steel Summit that took place in Lagos in July last year and there was a Communiqué that was submitted by the numerous technocrats that attended it.

In this Communiqué, one of the recommendations of that Committee was that the metals industry especially the steel sub-sector is too strategic and capital intensive to be left solely in the hands of the private sector. Among others, it said that based on the Report of the Technical Audit the government should

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embark on the completion of Ajaokuta Steel Company within 24 months. This is part of the Communiqué that was submitted by that august Committee.

We would want to commend the efforts of the Federal Government so far in other spheres in trying to complete this project. Firstly, the award of the completion of the Ajaokuta-Warri-Delta Steel Railway Line, the dredging of the River Niger, the award of a ₦3.5 billion for the installation of Super Condensate Plant, Itakpe. This is the plant that is contained in about 37 containers in the premises worth billions of dollars that had been left to looters and to unpatriotic citizens and also the ₦1 billion that was appropriated for the technical audit of Ajaokuta Steel Company Limited. It is after this technical audit that we would know what is required to conclude work on Ajaokuta Steel Company Limited.

What is the way forward? The way forward is to adopt the Communiqué issued by the Steel Summit and to complete the said complex. Messrs TPE, the Russians that constructed the place *ab initio*, has given a figure of \$500 million. This is what it will take to finish the mechanical works. This figure, in fact, negotiated down to about \$450 million. Another figure of \$380 million was given to complete the infrastructure that will support the industry; the water intakes, the other railways around. This came to a total of \$880 million. This was less than what the Federal Government had signed for the construction of railway tracks from Abuja to Kaduna.

To finish Ajaokuta Steel Company Limited, we would have not only built the rails needed for this project we may even have constructed our own trains. I humbly submit that we are misplacing our priorities, with due respect.

My prayer is that we urge the Federal Government to hasten the completion of this gigantic project because experts have opined that if we do not finish Ajaokuta Steel Company Limited by 2011 - (*Interruptions*)

The Deputy Speaker: Hon. Shagari, your Motion is massive looting of equipment and property in Ajaokuta.

Hon. Aminu Shehu Shagari: Absolutely.

The Deputy Speaker: I was thinking that you were saying all these as a background to your Motion.

Hon. Aminu Shehu Shagari: Yes, Mr. Speaker.

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The Deputy Speaker: That was why Hon. Isah Idris Umaru was opposed to the Motion because a similar Motion had earlier been taken and resolved. Therefore, go straight to your Motion and say your prayer so that we can continue with other business of the day.

Hon. Aminu Shehu Shagari: As the Chairman, House Committee on Steel Development, I have received various complaints and reports of massive looting of equipment and property of this industry because there are rumours that the place is going to be privatised and sold to the private sector. So everybody is helping himself to whatever he can lay hands on in that place. That is what informed this Motion. That is why I am praying this honourable House to urge the Federal Government to, as a matter of urgency, complete and operate this sector. That will save the investment and also lead us into industrialisation that is needed for us to attain vision 20/2020. If we do not conclude work on this complex, we may not be among fifty of the most developed countries even by 2050; this is the opinion of experts.

So, I humbly urge my honourable Colleagues to, please, support this Motion as prayed.

Hon. Mohammed Ali Ndume (Damboa/Gwoza/Chibok): This Motion is rather a very straightforward one although as a typical lawyer and their characteristics he spent a lot of time talking on other issues.

What is happening in Ajaokuta is what this House stands to condemn.

The Deputy Speaker: I do not believe that lawyers waste time, Hon. Ali Ndume. They are trying to convince the Judge whenever they are before his Lordship.

Hon. Mohammed Ali Ndume: That takes time. As I was saying this honourable House should simply do something quickly.

I had cause to visit Ajaokuta sometime on my way and I stopped over just to find out what was happening because I have never been there and a teacher in a nearby Day Secondary School confronted me with this particular issue and said, the Federal Government has failed to complete Ajaokuta Steel Company and now some people are looting it.

There is a need for this House to intervene with a

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view to stopping the looting which, as I told you, I was there and the villagers around confronted me after knowing that I am a Member of this honourable House. They said what are you people doing about the Ajaokuta Steel Company Limited where the equipment are being looted. By that time there was this purported sale of the Complex to Global Company, a company owned by Indians. This Indian company, rather than import vital equipment needed to complete the factory, they were busy putting most of the equipment in containers and shipping them out of the country. There is a need for the Committee which has the responsibility of oversighting to visit this factory to ascertain this allegation and make sure that something very concrete is done about it.

I therefore solicit for the support of our Members to urge the Committee to do a thorough investigation to ascertain this level of allegation and make sure that something is urgently done.

Hon. Mayor Chukwudi Eze (Orlu/Orsu/Oru East): There is no doubt that the Russians that built Ajaokuta Steel Company Limited did it at the height of the cold war. So they put in their best. This is because the type of technology there is not the technology people willingly transfer to other nations. As a Committee, we have visited there two times and nobody can comprehend what is going on there until you visit Ajaokuta; Ajaokuta is no doubt the pride of any nation.

I want to urge this august Assembly, the House of Representatives to, please, support this Motion because the looting going on there is massive. The prayers of the Motion are explicit, which is that adequate security be provided there and that the Federal Government should complete Ajaokuta Steel Company. We cannot be talking about railway and modern industrialisation when we have neglected the goose that laid the golden eggs.

Hon. Mohammed A. Sadiq (Ajaokuta): I want to appeal to my Colleagues that this Motion is very timely and it is, in fact, long overdue. We have passed several Motions in this House; one or two Motions on Ajaokuta Steel Company. Up till now we are happy to say that, first and foremost, salaries are being paid to workers.

The problem in Ajaokuta Steel Company is the remaining 2 per cent of work to be completed. If the Federal Government can complete it, they would be able to put the staff; men and women working there at alert to give security to that part of the Complex. Right now, in the last ten months there has been no work in that place at all thereby making the place vulnerable for

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armed robbery and massive looting under one authority or the order.

Considering the patriotic approach this honourable House has used on many matters in this country, if we are actually talking of Local Content in the Oil Industry and whatever, if Ajaokuta Steel Company that is supposed to be the mother of all steel production is not completed and protected from vandals, I do not know where we are walking to.

I urge my Colleagues to give this Motion a very resounding support.

The Deputy Speaker: It seems many Members want to speak on this Motion. On that note, I will give two minutes each to those Members who wish to speak on the Motion.

Hon. Rabe Nasir: Seeing the title of this Motion it is obvious that something has gone wrong at Ajaokuta Steel Company and may still be going wrong there. There seems to be some missing link between the title as it is and all the prayers as we have seen. I believe this is one of our problems in this country where we raise problems; we discuss over them and then crime is perpetrated, it is investigated but nothing happens thereafter.

The clear mission here is that a criminal activity has been carried out in that very gigantic company and it represents a fortune of this country and if this country must develop, we believe that the Ajaokuta Steel Complex should be the catalyst or at least part of the most dominant catalysts.

However, here is a Federal Government establishment that is supposed to be the hope of the future of this country and it represents a striking balance to augment our own developmental efforts especially the industrial development that we are all seeking to get. Yet for whatever reason, part of which I know is the unfortunate perennial complacency in this country to allow crime to go on and to allow the perpetrators of the crime to continue with their crimes unabated.

My submission on this matter is not only that the Inspector General of Police needs to secure that place; he also needs to investigate and prosecute those suspected to have looted and cannibalised that company.

Hon. Asita Honourable (Ogba/Egbema/Ndoni/Ahoada West): If we had taken this Motion in the past, nothing stops us from taking it

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again because the act of looting complained about is a continuous thing. The looting complained of is not in the market place; it is in a place that is the pride of Nigeria.

There have been several and different visions of Federal Government proposals about development in this country; we had visions 2010; I do not know how many more visions we would have before Nigeria would become a developed nation. If we have any serious government, this is a project that ought to be completed and started. No matter what we say today, the looting will continue unless and until the government shows serious concern.

The Motion is merely asking us to agree that the Inspector General of Police should go in. If the Inspector General of Police goes in, it is going to be another temporary measure; we have had several temporary measures in that Ajaokuta Steel Complex

So, I want us all to support the Motion that the Federal Government should do all that it can to complete the remaining 2 *per cent* of the works to be done so that the project can begin to roll out the products that are desired for further development of this country.

I support the Motion and I urge all my Colleagues to support this Motion so that this Ajaokuta Steel Complex which is the pride of Nigeria would be one of the vehicles that will take us to greater heights.

Hon. Andrew I. Uchendu (Ikwerre/Emohua): My worry is that more often than not we bother so much about the symptoms of a more fundamental problem. Looting is a problem condemnable at any time. So, I commend the mover of this Motion. We have taken a Motion on Ajaokuta before. I believe that we do not have a good picture of what Ajaokuta looks like. We are talking about a massive investment of more than \$5 billion spent from fifteen years ago. We are also talking about an investment that has about 5,000 Nigerians who have not been paid for the past nine months. If we are talking of stopping looting now, is it from this angle or that angle?

The Deputy Speaker: Are you speaking for or against the Motion?

Hon. Andrew I. Uchendu: I am not speaking against the Motion but I am saying that it is time we took a decision on this matter before us. It is time the House gets a good report of what Ajaokuta looks like so that we would take a final position on it and tell the

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Federal Government what that position is. We can support the prayer that looting should stop but let us go a bit backwards and look at the problem and take a position as a House and say this is our position on Ajaokuta.

Therefore, I would want to recommend an Amendment.

The Deputy Speaker: Please, forward your Amendment to us.

Hon. Andrew Uchendu: This is my own position on this matter; let us look at the underlining cause. Looting is taking place because the place has been abandoned and no matter the reinforcement, it will continue because it is a large and expansive area.

Hon. Chinyere Igwe (Port Harcourt II): I would say that we have deferred the intendment of this Motion for a very long time. This Motion talks about looting of property in Ajaokuta Steel. Suffice it to say that the economic importance of this factory cannot be overemphasised. We do know that it is very important for our economic development as a nation. We are not arguing that but the issue is looting.

Whether we like it or not, looting is criminal in nature. It portends criminal tendency. I am sure that authority and responsibility go together. There are people in position of authority in those complexes. Why can they not arrest this issue of looting? Must we take a Motion to stop looting in such a place?

The Deputy Speaker: Are you speaking against this Motion.

Hon. Chinyere Igwe: Mr. Speaker, there are fundamental questions we must ask.

The Deputy Speaker: No. There is time for those who want to speak for or against the Motion.

Hon. Chinyere Igwe: You asked me to contribute. Let me contribute to the general principles of the Motion.

The Deputy Speaker: I am asking for those who want to speak for the Motion first. If you want to speak against the Motion, there will be time for that.

Hon. Chinyere Igwe: I am not speaking against the Motion; I am raising a fundamental issue. The Motion in its intendment is good but we have forgotten

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what the Motion is supposed to be. It is not on the economic importance of Ajaokuta Steel but on the looting; that is what I am talking about.

I would want to make an amendment but Mr. Speaker, please direct us properly. Let us talk about the looting of Ajaokuta, not its economic importance because we had earlier taken such Motion and resolution here before.

Hon. Saudatu A. Sani (Lere): Let me congratulate my Colleague, Hon. Shagari, for trying to save us from this wasteful adventure by bringing to light that monies are even being paid to the workers there. We cannot afford to let our Government be spending money that is being looted by people that we do not even know.

The amount of money paid to Police all over to protect our property is also enormous. While I support this Motion in totality, I would like to ask that a last prayer be added that as soon as the Federal Government commissions the project, it should privatise it so that every money that has been committed there will be handed over to those owners who will then support, protect and produce the steel that is needed.

My own comment is that we should add that the government should commission the project and privatise it so that Nigerians will stop spending so much money unnecessarily.

Hon. Yusuf Maitama Tuggar (Gamawa): While I support this Motion wholeheartedly, I would like to draw the attention of the House to the term *looting* used in the Motion. Looting means to plunder, to sack. It has to do with waging war and I do not think this word captures the intendment of the Motion.

The Deputy Speaker: That may be the technical meaning; the ordinary meaning of looting is looting.

Hon. Yusuf Maitama Tuggar: It is not looting. That is not what the dictionary says. In both the English and *Fulfude* Dictionaries, when we talk about looting, we are referring to waging war and I do not know that we are in a state of war in Ajaokuta.

I would like to say that we need to shed more light as to what is going on in Ajaokuta. Is it that the people who have taken over Ajaokuta are asset-stripping? If it is asset-stripping, then that is what we should be talking about. If, on the other hand, it is outright theft by individuals and miscreants, then we should be talking about theft.

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Hon. Abbas Ogwime Braimah (Etsako East/West/Etsako Central): Mr. Speaker, before making my contribution, I believe it would be medieval and neolithic for me not to applaud the audacity of courage and the courage of conviction of Hon. Independence Ogunewe for practically demonstrating how detribalised a Nigerian that he is. In making my contribution, I am in tangential alignment with this Motion. But, I believe that Prayers (i) and (iii) would call for a further microscopic examination.

I am fully aware that ₦1 billion has been captured in the 2009 Budget for a technical audit of the Ajaokuta Plant to be done. Before we talk about completing and commissioning this project, that technical audit has to be carried out almost immediately for us to ascertain the magnitude of assets-stripping or looting that has occurred in the last couple of years in the Ajaokuta Plant.

On Prayer (i) we condemn the looting or assets-stripping of this Ajaokuta Plant but if you look at Prayer (i) very closely it says: *Condemn the looting of these huge investments by the perpetrators of this unpatriotic act;*

If we are saying *of this unpatriotic act*, it means these perpetrators could be Nigerians. So, the logical extension is for us to investigate and find out who these perpetrators are while we are also taking cognisance of the fact that we must do the technical audit and find out from the relevant Ministries why the Minister has not awarded the contract for the technical audit of the Complex. I think that is a starting point on this matter.

Hon. Yakubu Umaru Barde (Chikun/Kajuru): Mr. Speaker, I want to speak in favour of this Motion because of just a portion of it which is really condemnable.

If Nigeria has a huge investment like the Ajaokuta Steel Rolling Mill and some people were allowed to loot this Mill, I think it is a wake-up call by the sponsor of this Motion that somebody somewhere is not doing his job. The Ajaokuta Steel Rolling Mill is a company owned by Nigeria and it is under the supervision of a Ministry. Not only that, the staff employed there are staff of the Government of Nigeria.

We all know that the government wants to privatise the Ajaokuta Steel Rolling Mill. As Hon. Jimoh rightly mentioned, there was a provision of ₦1 billion for technical audit of all the equipment that are in Ajaokuta Steel Complex. The question is: has that contract been awarded for the technical audit? If the

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government intends to privatise it, we would now know the worth of that company, then we would call for bidding and people would bid based on what the technical audit has ascertained is present in Ajaokuta Steel Rolling Mill. If the government intends to do that, it should bear in mind that there are staff that have been working there for ten months without being paid. I am aware that the workers had to stage a protest by blocking the roads just for their salaries to be paid. The workers are aware that once this company is privatised, the tendency is that some of them are going to be laid off. What are the measures that we have put in place to prevent this looting?

I think we need to do more as somebody is not doing his job and the relevant Ministry should be called to order. What have they done to stop this looting? The moment a worker realises that his job is no longer secure and you are not paying him salary, what then

will he resort to?

I am proposing an Amendment that the relevant Ministry should be made to report what they have done about the technical audit and the looting. Not only should we condemn the looting but we need to investigate it and the perpetrators prosecuted as well.

Hon. Mustapha Ahmed (Bauchi): Mr. Speaker, Ajaokuta Steel Company is supposed to be the nucleus of Nigerian industrial revolution.

My heart bleeds when this gigantic project, which is supposed to feed more than eight Steel Rolling Mills located in various parts of this country, is not functioning. What about the Rolling Mills that have thousands of Nigerians on their Pay Roll? Without stopping the looting going on in Ajaokuta Steel Company and ensuring that this company is completed, the Rolling Mills, which are supposed to provide for steel and other building materials for this country will not thrive.

Mr. Speaker, may I move for an Amendment?

The Deputy Speaker: Write the Amendment down.

Hon. Mustapha Ahmed: Once this House has discovered the criminality taking place somewhere and it is pointed out, we should not condone such but ensure its investigation.

Therefore, I move an Amendment for the investigation of the looting that has been going on and

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the eventual prosecution of the perpetrators of this act.

The Deputy Speaker: Is there any Member who wants to speak against this Motion?

Hon. Mohammed Sani Abdu (Alkaleri/Kirfi): Mr. Speaker, I am not opposed to the sentiments and the direction of the Motion but I feel I have to oppose it based on some strong and fundamental grounds as the Motion was presented to the House.

Indeed, many of the earlier speakers who supported the Motion have reinforced my belief to oppose it on the grounds that almost 80 *per cent* of those who spoke have actually given a punch to the grounds that we do not have any graphic detail of the exact looting that has taken place as defined here. We were told that 98 *per cent* of the project has been completed and that only 2 *per cent* remains. For me, I would want to know the percentage of looting that has taken place; is it 5 *per cent* looting? Is it 10 or 15 *per cent*?

Second, was it peripheral looting or supporting infrastructure or was it the actual Mill that was looted? What kind of component was looted?

Third, as has been pointed out earlier, none of the activities of the Ministry officials that are responsible for the running of this Complex had been brought before the House so that we know exactly who is responsible and how to go about solving this problem. A similar Motion had earlier been raised in this House. If we had worked on that and we had achieved result, we would not need this Motion in the sense that we have Committees on Privatisation, Steel and on Legislative Compliance in this House; they were told to work on Hon. Dino Melaye's Motion that talked about the Privatisation, yet nothing has been achieved.

On this fundamental ground, I am opposed to the Motion on the ground that the Mover of the Motion has not given us a graphic detail of exactly what has happened. This is a national tragedy and if we are debating it on a very serious note in a very serious House that has the mandate to protect the wishes, will and the economy of the people, we should be able to look at it with graphic details but no details have been shown to us; it was just mosaic painting and I oppose it on that ground.

Hon. Stanley O. Ohajuruka (Umuahia North/South Ikwuano): I want to join the last Speaker to oppose this Motion because I have an obligation to do so in the sense that you will all agree with me that

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actually what our mouth speak is different from what is in our hearts.

If you look at the Preamble of this Motion, there is no nexus whatsoever between the Preamble and the Prayers of the Motion. When the mover of this Motion was called upon to speak, he was actually speaking what was in his heart and what would have appealed to all of us and that is to say that the Federal Government should expeditiously work towards the completion of that project. However, somewhere along the line, he was re-directed and now compelled to fall in line with the content of this particular Motion, which is actually what is not in his mind.

Having said that, the way this Motion was presented has failed to inform this honourable House, which is a very serious Parliament who the looters are; what is being looted and who are responsible for the looting; these are facts. We cannot just come here and say a company is being looted.

For example, banks in Nigeria are currently being looted. Anything can be looted because a lot of looting is going on anywhere. So, if somebody has not specifically told us that items A, B, and C are currently being looted by so and so individual, then that presupposes that this particular Motion lacks clarity in all its entirety.

We respect the Mover of this Motion; we respect his ability to always ensure that the Committee on Steel of this honourable House should work conscientiously towards addressing the core issue that is associated with steel company in Nigeria. However, they should not just come here to tell us about looting without informing us of what is actually being looted.

Hon. Independence Ogunewe (Ahiazu Mbaise/Ezinihitte): Mr. Speaker, my contribution is only to sum up as it were the pleadings of my Friend, Hon. Stanley Ohajuruka because he has captured, to a very large extent, the frivolity and the non-essentiality of this Motion. First, it is necessary that we be told the nature and the character of the looting.

Secondly, we should also be told the status of that project now because in asking that the Federal Government should try to complete that project, people like me are confused. Are we still going on with Privatisation or are we reversing that issue? The status of that project is important.

Thirdly, it is also necessary that we ask ourselves fundamental questions if the Federal Government has expended about ₦4.5 billion or more on that project and

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today what we have is all about looting. We also know that there are private enterprises that are worth more than ₦4 billion; why are they not being looted? That is the truth.

You are asking us to ask the Nigeria Police to beef up security at Ajaokuta; that amounts to indirectly saying that the Nigeria Police does not exist because if for an investment of that magnitude we would need a Motion to remind the Police that they have to beef up security, it then means that they do not exist and I do not believe so. This is because every year we appropriate monies for that institution and I know that they do their best. However, the issue is that public projects, public enterprises have been found not to work.

The classical example of the current Russia should teach us lessons. For 45 years, they tried and experimented in public projects but it failed. We all know today that more than 30 *per cent* of the steel market in the world is in private hands; they are not government or public projects.

Hon. Saudatu Sani pointed out that government should try to complete that project and also try to expeditiously complete the privatisation projects. While I agree with her that that project should be privatised, I will fundamentally disagree with her that we should commit any more money if indeed we intend to privatise.

Therefore, I would want to say that we in this Parliament should be bold and courageous enough to begin to attack this issue of public haemorrhaging of our finances through such gigantic projects which are not best managed by Government.

I sympathise and appreciate the concerns of the Chairman of the Committee, my wonderful friend, Alhaji Shagari. On the face of it, I will call upon all my Colleagues here today to put emotions and sentiments apart and completely bring this Motion behind us. Let us throw it away.

Hon Ubale Jakada Kiru (Bebeji/Kiru): Point of Order, Mr. Speaker!

The Deputy Speaker: Yes, which Order?

Hon Ubale Jakada Kiru: Mr. Speaker Sir, I am referring to Order VIII, Rule 5 of our Standing Orders which reads as follows:

By the indulgence of the House and the leave of the Speaker, a Member may make Personal

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

I want you to observe that there are no Arabs in this honourable House. The last speaker made reference to his brother Arabs in this House.

The Deputy Speaker: I do not understand what you are saying, Hon. Ubale.

Hon. Ubale Kiru: Mr. Speaker Sir, the last speaker made reference to his Arab friends in this House.

The Deputy Speaker: No, he was referring to his Arab Friends from Dubai; he came back from Dubai. I have about ten or fifteen Amendments.

Hon. Sokonte Davies (Degema/Bonny): Point of Order?

The Deputy Speaker: Yes what Point of Order?

Hon. Sokonte Davies: Mr. Speaker, my Point of Order is Order IX, Rule 3(2) of our Standing Orders at page 33. It reads:

A Member may speak for or against the Motion. But during consideration of Bills, Report and other measures, a Member can speak on this Bill, pointing out the merits and demerits of the Bill, including Statutory and Constitutional issues for and against such measure. He is not to speak for or against because the debate is on the general principles.

Rule 3(3) says: The Speaker shall allocate one-half of such time to be given to debate in favour of and one-half to debate in opposition to such proposition.

You have allowed about ten people to speak for the Motion and you have allowed only three people to speak against the Motion. I think I have to observe that. If you times 2 minutes you gave to each Member times 20 Members as against 6 minutes you gave to three Members that spoke against, you can see the difference.

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The Deputy Speaker: Let me rule on that. The first people that spoke for, I gave them two minutes each. Some of the Members that spoke against spoke for about five and ten minutes; that is why you cannot get that number - *(Prolonged laughter)*

Hon. Colleagues, some of these Amendments are of the same nature. Hon. Rabe, you have an Amendment. Can you read out your Amendment?

Hon. Rabe Nasir: Mr. Speaker, this is my amendment with respect to Prayer (ii) and it is in the bid to make out for the apparent lacuna or disparity between the title of the Motion and the prayers. I think this prayer would provide the missing link. It reads:

Urge the Inspector General of Police to urgently secure the company and its premises as well as investigate the alleged looting for possible prosecution of the culprits.

The Deputy Speaker: Hon, Ekpo, I think your Amendment and that of Hon. Rabe Nasir are almost the same.

Hon. Ekpo Ekperikpe: Yes, Mr. Speaker. I second the Amendment as moved by Hon. Rabe Nasir.

Amendment put and negatived.

The Deputy Speaker: The next Amendment is from Hon. Yusuf Tuggar.

Hon. Yusuf Maitama Tuggar: Mr. Speaker, my Amendment is in line with my contribution which is simply to substitute the term *looting*. It should read: *That this House resolves to condemn the assets-stripping of these huge investments by the perpetrators of this unpatriotic act.*

The Deputy Speaker: Your Amendment is that the word *looting* should be changed to *assets stripping*.

Hon. Olakunle Kazeem Salako (Ado-Odo/Ota): I second the Amendment as proposed by Hon. Tuggar.

Amendment put and negatived.

The Deputy Speaker: The next Amendment is from Hon. Mustapha Ahmed.

Hon. Mustapha Ahmed (Bauchi): Mr. Speaker, my Amendment is on Prayer (i). The Amendment is to

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the effect that there should be an investigation into the looting of the property in Ajaokuta and for subsequent prosecution of the perpetrators.

Hon. Farouk M. Lawan (Shanono/Bagwai): Mr. Speaker, I second the Amendment as moved by Hon. Mustapha Ahmed.

Amendment put and negatived.

The Deputy Speaker: The next Amendment is from Hon. Abbas Braimah.

Hon. Abbas Ogwime Braimah: My Amendment is completely in line with my contribution and that would be on prayer 3. The amendment is that the House Committee on Steel should find out why the technical audit of Ajaokuta Steel Plant has not been done when ₦1 billion had been voted for this exercise. This is because without the technical audit there is absolutely no way we can complete and commission this plant.

Hon. Leonard Okuweh Ogor (Isoko North/Isoko South): May I with due humility second the Amendment as ably moved by Hon. Abbas Braimah.

Amendment put and negatived.

The Deputy Speaker: The next Amendment is from Hon. Saudatu Sani

Hon. Saudatu Sani (Lere): My Amendment is that the project should be completed and advertised.

Hon. Kayode Amusan (Abeokuta North/Obafemi/Owode): I do second the Amendment.

Amendment put and negatived.

The Deputy Speaker: The next Amendment is from Hon. Andrew Uchendu.

Hon. Andrew Uchendu (Ikwerre/Emohua): My amendment is the synthesis of all the views canvassed for and against, and that is to say; the House do direct the Committee on Steel to present a comprehensive Status Report on the two steel plants for the consideration of the House.

Hon. Daemi Kunaiyi Akpanaha (Akuku-Toro/Asari-Toro): I do second the Amendment as moved by the Leader of the South-South Caucus, Hon. Uchendu.

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Amendment put and negatived.

The Deputy Speaker: Hon. Shehu Garuba Matazu, let us have your Amendment, please.

Hon. Shehu Garuba Matazu (Matazu/Musawa): My amendment, which I want to appeal for my Colleagues to support is that considering the serious nature of this issue at stake, the leadership of the House should invite the Inspector General of Police and the Minister of Police Affairs to come and brief the leadership of the House on the situation of the Ajaokuta Steel Company.

Hon. Salisu Yusuf Majigiri (Dutsi/Mashi): I do second the Amendment.

Amendment put and negatived.

The Deputy Speaker: The next Amendment is from Hon. Yakubu Barde.

Hon. Yakubu Umaru Barde (Kajuru/Chikun): Considering the mood of the House, I withdraw my proposed Amendment.

The Deputy Speaker: The next amendment is from Hon. Leo Okuweh Ogor.

Hon. Leo Okuweh Ogor (Isoko North/Isoko South): My Amendment which is probably a new prayer, is to ask for the *investigation of why the Interim Management Committee put in place by the government to look after the Ajaokuta Complex had failed to carry out their responsibility*. This is because government has given them clear responsibility of managing and taking care of the Complex.

Hon. Patrick A. Ikhariale (Esan Central/Esan West/Igueben): I do second the amendment as moved.

Amendment put and agreed to.

The Deputy Speaker: The next Amendment is from Hon. Ubale, and this is the last one.

Hon. Ubale Jakada Kiru (Bebeji/Kiru): My amendment is based on the belief that Ajaokuta is the property of Nigerians. As the representatives of Nigerians we are supposed to protect their properties for them. That is why I am suggesting that we amend Prayer (i) by adding after the last word *therein* the following words: *and urge that the Minister of Steel to,*

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as a matter of urgency, replace the current management of the company.

The Deputy Speaker: Do you have any other amendment?

Hon. Ubale: Yes, Sir.

The Deputy Speaker: Please, proceed.

Hon. Ubale Jakada Kiru: The second Amendment is that in addition to asking the Inspector General of Police to provide security immediately, we need to be serious about it. I am suggesting that we add after the last word there; the following words: *institute investigation, arrest and prosecute those found guilty.*

The Deputy Speaker: The second Amendment has been taken care of. So we are taking the first one.

Hon. Ubale Jakada Kiru: I am standing on the first one.

Hon. Elizabeth O. Ogbaga (Ohaukwu/Ebonyi): I do second the Amendment as proposed by Hon. Jakada Kiru.

Amendment put and negatived.

The Deputy Speaker: I will now put the Question on the Motion as amended.

Main Motion as amended put and agreed to.

The House:

Noted that the Ajaokuta Steel Company Limited is an integrated Steel Complex comprising 37 production Units, each of which could be established as an independent enterprise;

Further noted that Steel production is the bedrock of industrialisation and economic development of any Nation;

Aware that the Federal Government has expended over \$4.6 billion on Ajaokuta Steel Company Limited;

Further aware that the project status was 98 per cent complete;

Appreciated that about ₦3.32 billion outstanding workers' salaries and allowances are currently being paid;

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Worried that this National Investment was being massively looted unabated;

Further worried that lack of adequate measures to protect these investments would lead to more looting.

Resolved to:

- (i) Condemn the looting of these huge investments by the perpetrators of this unpatriotic act;
- (ii) Urge the Inspector-General of Police to, as a matter of urgency, provide security in and around the Industrial Complex of Ajaokuta Steel Company Limited and National Iron Ore Mining Company Itakpe;
- (iii) Further urge the Federal Government of Nigeria to abide by an earlier resolution of this honourable House to complete and Commission the project without further delay;
- (iv) Mandate the Committee on Steel to investigate why the Interim Management Committee put in place by Government to look after the complex failed to carry out their responsibility.

CONSIDERATION OF BILLS

Kidnapping and Hostage Taking (Prohibition) Bill, 2009

A Bill for an Act to Prohibit Kidnapping, Hostage Taking, Prescribe Punishment for its Contravention and Other Matters Relating Thereto, 2009. (HB. 262) –

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 Prohibit Kidnapping, Hostage Taking, Prescribe Punishment for its Contravention and Other Matters Relating Thereto, 2009.

Hon. Members would recall that the Bill was read for the First Time on Tuesday, 21st July, 2009. I now invite Hon. Friday Itulah to move that the Bill be now read the Second Time.

Hon. Friday Itulah (Esan North East/Esan South East): I move that a Bill for an Act to Prohibit

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Kidnapping, Hostage Taking, Prescribe Punishment for its Contravention and Other Matters Relating Thereto 2009 be read the Second Time.

Hon. Darlington Okereke
(Ivo/Ohaozara/Onitsha): I rise to second that this Bill be read the Second Time.

Question proposed.

Hon. Friday Itulah: The issues that we seek to address this afternoon via a legislation which are the issues of kidnapping, hostage taking and its like is a cankerworm that has eaten deep into the fabrics on which our democratic nation is founded. Today, whether it is in the South-South, South-West or South-East geopolitical region, name it; this issue is threatening our very foundation.

Some of us who are here in Parliament have experienced this very cankerworm either one way or the other. Either a relation of yours; a daughter, a son, a father, a mother, a brother, name it; has either been kidnapped and ransom demanded.

If you look at the *Nation* newspaper of yesterday, 28th November 2009, it says *Soludo's Dad Kidnapped* and today the headline is *Soludo's Dad's Kidnapper's demand ₦500,000,000 Ransom*. This is just a tip of the ice berg. There is hardly any day that you go through the newspapers or even our television without the issue of kidnapping or hostage taking becoming a headline.

Not too long ago, the Secretary of a State Government was kidnapped and taken somewhere in the South-South geopolitical region; Kano State and Borno State are not left out. This is an issue this Parliament should handle very seriously.

As you are well aware, Chapter II, Section 14(2)(b) of our Constitution dealing with Fundamental Objectives and Directive Principles of State Policy, says that the security and welfare of the people shall be the

primary purpose of government. In other words, the government exists primarily for the purpose of securing the people and providing for their welfare and wellbeing. Therefore it enjoins on us as representatives of the people to ensure that we make laws that will provide for the security and welfare of the people.

We are not suggesting that before now there was complete lacuna in this area but if you look for the provisions that were made under the Criminal Code Act

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of 2004 the provisions are very scanty and inadequate. Provisions are made in Sections 364 and 365 of the Criminal Code Act. With your permission I will read out the provision of Section 364 of the Criminal Code as it deals with Kidnapping. It reads: *Any person who unlawfully imprisons any person and takes him out of Nigeria without his consent.* I believe that that is not in any way descriptive of what we are experiencing today.

(2): unlawfully imprisons any person within Nigeria in such a manner as to prevent him from applying to a court for the release or from disclosing to any other person the place where he is imprisoned.

That again does not in any way describe the experience we are having today. What is even close to it which is in Section 365 is titled Deprivation of Liberty. It says;

Any person who unlawfully confines or detains another in any other place against his will or otherwise unlawfully deprives another person of his liberty is guilty of a misdemeanour and on conviction shall be sentenced for two years.

I have a feeling that when this legislation was made, they never had the feeling that we would get to the dimension that we are having today about kidnapping and hostage taking.

What we have done in this Bill is to repeal this Section of the Criminal Code Act and in its place make adequate provisions that cater for hostage taking, kidnapping, ransom taking; name it. It is very comprehensive and I am sure my Colleagues have copies of this Bill with them. We are convinced that by the time we are able to do this, all the whole areas would have been provided for.

In the area of kidnapping which the law that we are seeking to repeal provides for ten years, we are saying that anybody who is found guilty of this offence shall be sentenced to life imprisonment. Such a person does not deserve to remain in the society whatsoever; he should be kept away to where he belongs, where he can no longer carry out such activities.

We should also prosecute those who are found to have colluded and benefited from hostage taking. I do not intend to take all the whole time so that I can allow my Colleagues to also make their contribution. The House of Representative is known for its ability to address critical areas and again it is our responsibilities to ensure that we protect our citizens.

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I am calling on all of us who are present to ensure that we do justice to this by supporting the passage to Second Reading of this Bill.

Hon Abdul Ningi (Ningi/Warji): This is a very important Bill, even though the heading of the Bill is inelegantly drafted but the mere issue of lack of technicality should not be the reason this Bill should be thrown out.

The Bill is to repeal and re-enact the prohibition of kidnapping and hostage taking because Section 314 of our Penal Code has actually dealt with that aspect of kidnapping but because kidnapping has taken a very monumental dimension, we must reflect back and begin to look to the future. Kidnapping was never an issue in Nigeria but now it is in the front burner; it is much more dangerous and it is happening in an alarming rate because of its simplicity.

By and large, most of the kidnappers arrested or accosted have never been actually indicted by any court of law for now and we had many of them. That is why it is important as the apex law-making body in this country to show concern to the good people of Nigeria that we are with them; even us, we are not above being kidnapped.

Therefore, it is necessary that we urge the House to give this Bill the much needed attention it deserves.

Hon Halims O. Agoda (Ethiope East/Ethiope West): What we are about doing here is what a national Parliament should do in addressing an emerging situation that confronts our society. Every society is like other nations; at one time or the other, it is bound to be confronted with one emerging crisis or the other.

What we have today is criminal in posture and, therefore, we must as a Parliament and as a people live up to the responsibility of addressing the root cause of why we now have kidnapping as a crime in our land.

We must look at it collectively that kidnapping as it occurs at the moment has fundamentally touched the psyche of Nigerians. It has touched the social life of people and more importantly it has also had a very dangerous impact on our national economy in the area of investment because no investor reading from the website or reading our newspapers anywhere will really want to come and invest in any part of our country where kidnapping and ransom taking is now the order of the day. So it is up to us to use the instrumentality of law by looking at the root cause and address it through a piece of legislation and equally provide a panacea by way of sanction in that law. No other institution or

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body can do that other than the Parliament where our people have given us the responsibility to represent them.

Hon. David Onobi Idoko (Ado/Ogbadibo/Okpokwu): I believe that Hon. Friday Itulah has looked at the whole situation and has told us about the inadequacy of the provisions in the Penal Code and that is what he seeks to address by presenting the Bill.

Generally, the issue of hostage taking and kidnapping has taken a monumental dimension within the context of Nigeria today. The people find it very attractive and for us it is very uncomfortable; imagine taking a 70-, 80- or 90-year old parent and relocating him to Abuja because you are a Politician and he cannot freely migrate within your community. If he does, they will kidnap him and because we love our parents, we have to pay. Therefore, we must provide adequate legislations that will deal with this situation and deal with them squarely.

The provisions as provided by this Bill are properly enunciated and I have no doubt that they will address the issue. If people are seen to be put out of circulation for life for doing this type of a thing they would think twice before they indulge in it.

If people see that it is not just those provisions of the Penal Code that can be used to deal with them and that there are stringent and harsh punishment that can be meted out to them, the people will be careful not to indulge in this type of a thing.

I urge my Colleagues to support it.

Hon. Ubale Jakada Kiru: The points have been well made by the sponsor of this Bill. It is clear that the act of kidnapping is against our culture, religions and social norms. Unfortunately, the extant laws have not sufficiently covered this criminal activity. This warrants, therefore, that Parliament has to do something to attack this problem. I believe the presentation by Hon. Friday Itulah has adequately covered the problem as it is.

Therefore, I do support this Bill.

Hon Yacoob E. A. Alebiosu (Kosofe): I support totally the Bill as proposed by the mover. Kidnapping goes against the norms of humanity. We have seen the damaged it has done to other countries. It seems to be a new development in Nigeria and before it gets worse, it is necessary we give it our total support.

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As we speak, I am aware that there are some States in Nigeria today that have already passed Anti-Kidnapping Bill into law. It is necessary that we pass this and make it a crime nationally for anybody involved in this act.

Hon Nnenna Ijeoma E. Ukeje (Bende): Mr. Speaker, I rise to lend my voice in support of this all-important Bill. I have listened to many of my Colleagues contribute to this Bill and we cannot over-emphasise the damage that kidnapping has done to the physique of the average Nigerian and what it has done to our lives economically and our rights to freedom of movement and association.

Today, Nigeria is ranked fourth in the list of the kidnap capitals of the world; Iraq, Columbia, Pakistan and Nigeria in that order. What is very interesting is that these other areas are war zones. We are the only country that is not at war that runs the risk of having this high kidnapping rate.

From the South-East where I come from, it is a great tragedy that my State, Abia State ranks highest on the kidnap cadre. Therefore, as my Colleague, Hon. Alebiosu has just said, that other States Legislatures have taken the initiative and passed Anti-Kidnapping Bills into law, we in this House must, as a matter of course, lend our support to this Bill so that we can have a legislation that will totally prohibit this crime.

I urge my Colleagues to support this Bill.

Hon. Emmanuel Jime (Markudi/Guma): I understand quite clearly what our Colleague and my friend, Hon. Friday Itulah, is attempting to do with this legislation that he has introduced and I completely align myself with the intentions just like he has proposed in his lead debate.

At the present time, the legislation that we have in this nation of ours; two of them in all, the Criminal Code and the Penal Code which Hon. Itulah referred to copiously underscore the point that kidnapping is an offence that is already punishable by our laws in this country.

Perhaps the problem that our Colleague and friend appears to have with the existing provisions is the use of the word *misdeemeanour* and secondly the inadequacy of the punishment that is available at this present time. What we need to do is not to present another Bill but to proceed to amend the existing legislations. That is the way to go and I would suggest with the greatest respect that we ought to be considering the amendment of the

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laws that already exist and these are Federal laws by the way.

The consequence of going ahead to pass this Bill as it stands now is that we are ultimately going to have about three different Federal legislations and you will now be confronted subsequently with the problem of interpretation and there would be some confusion that would be sent out to both practitioners of the laws and indeed those who are supposed to execute the laws.

So I would say that the proper thing for us to be doing is the amendment of the existing legislation.

The Deputy Speaker: In his lead debate, I believe he explained that he is about repealing the Penal Code. That was what Hon. Itulah said.

Hon. Friday Itulah: Yes, Sir. It is in the Bill.

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

Question put and agreed to.

Bill read the Second Time and referred to the Joint Committee on Judiciary, Justice and Police Affairs.

**Federal Character Commission Act, Cap.
F7 LFN 2004 (Amendment) Bill, 2009**

A Bill for an Act to Amend the Federal Character Commission Act, Cap. F7 LFN 2004 for the Purpose of Strengthening Federalism and Intergovernmental Relations in Nigeria; and for Other Matters 2009 (HB. 245) -

Order for Second Reading.

The Deputy Speaker: The third Order of the Day is the commencement of debate on the general principles of a Bill for an Act to Amend the Federal Character Commission Act, Cap. F7 LFN 2004 for the Purpose of Strengthening Federalism and Intergovernmental Relations in Nigeria; and for Other Matters, 2009.

Hon. Members would recall that the Bill was read for the First Time on Wednesday 22nd October, 2009. I now invite Hon. Uzoma Nkem Abonta to move that the Bill be now read for the Second Time.

Hon. Uzoma Nkem Abonta (Ukwa East/Ukwa West): I move that a Bill for an Act to Amend the

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Federal Character Commission Act, Cap. F7 LFN 2004 for the Purpose of Strengthening Federalism and Intergovernmental Relations in Nigeria; and for Other Matters 2009 be read the Second Time.

Hon. Stanley O. Ohajuruka (Umuahia North/South/Ikwunano): Mr. Speaker, I stand to second the Motion moved by my dear brother and Colleague.

Question proposed.

Hon. Uzoma Nkem Abonta: Mr. Speaker, the Bill seeks to amend the Federal Character Commission for the Purpose of Strengthening Federalism and Intergovernmental Relations in Nigeria; and Matters Related Thereto. It is a fact that Nigeria runs a federal system of government comprising the federating units i.e. States and Local Governments. Our Constitution in principle is also that of a Federal system of government.

Federalism, therefore, is a political system essentially adopted to cater for diversity in maintaining unity and preserving our diversity. It also requires that each government works and functions harmoniously. In performing their constitutional roles and duties, conflict must therefore arise. Therefore, this involves cooperation, bargaining and conflicts. If that is so, there must be a platform to resolve such conflicts. There must also be a platform that in the scope of administration the conflicts are looked into. What are we contemplating for?

Hon. Ita Enang: Point of Order, Mr. Speaker!

The Deputy Speaker: What is the Point of Order?

Hon. Ita Enang: Mr. Speaker, my Point of Order is Order XII, Rule 14 of our Standing Orders at pages 54 and 55. It says:

More than one Bill on the same subject may be introduced but when the Second Reading of a Bill has been agreed to or negatived, the question shall not be proposed for the Second Reading of another Bill of the same subject matter during the same session. On the order of the day relating to such a Bill being read, the Speaker shall direct that the Bill be withdrawn:

I draw your attention to Bill number HB. 9 titled: *A Bill to Amend the Federal Character Commission Act. No. 34 of 1996.* I have also read this Bill – HB.

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245 and I have seen that the sections sought to be amended by this proposal made by my brother, Hon. Nkem Abonta are the same Sections that were treated and had been referred to in the Bill HB 9, which was read the Second Time, committed to Committee in early 2008 but the Report is yet to be brought.

I pray that since it is the same Section 4, which is also sought to be amended by Section 5 of the Bill - HB 9 that is in issue here, it is inappropriate for another Bill to be introduced. If what my brother Hon. Abonta want to do is different from what is in this Bill HB 9, he could rather bring that as his own contribution, either to the Committee when it is preparing its Report or bring it up when we are considering the Amendment of the Report in Committee of the Whole. It is inappropriate that this Bill be introduced again. Unfortunately, at this stage it cannot even be consolidated because the question had been put and agreed to in respect of HB No. 9.

I so pray that Mr. Speaker do exercise his power under this Section to direct that this Bill be withdrawn.

The Deputy Speaker: Hon. Ita Enang, the problem we are having now is that you are supposed to inform the Speaker of this particular provision in our Rules at the time they were reading it for the First Time or immediately after reading it for the First Time since you knew there was another one. You should have informed the Speaker that there was another one that you were considering so that the Speaker could ask him to withdraw it.

Hon. Ita Enang: Mr. Speaker, the Rules require that it is at the stage of the Second Reading. I will read Order XII, Rule 14 once again.

More than one Bill on the same subject may be introduced but when the Second Reading of a Bill has been agreed to or negatived, the question shall not be proposed for the Second Reading of another Bill of the same subject matter during the same session.

The Deputy Speaker: If you are asking for a Bill to be withdrawn, what is the appropriate time for you to ask for the Bill to be withdrawn?

Hon. Ita Enang: It is the Speaker to ask at this time.

Hon. Abdul Ningi (Ningi/Warji): Mr. Speaker, we all know as Members of the House of Representatives what pains Members go through to

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bring about a Bill up to this stage.

Secondly, Hon. Ita Enang is the custodian of the Rules and Business and the custodian of our laws. It is unfortunate that a Bill of this nature has come up to this stage only for him to tell this House that it should be withdrawn quoting Order XII.

However, Order XII did not say this Bill cannot be consolidated. What Order XII is saying is that if there are similarities and the two Bills are coming during a Session, then the Speaker cannot put the question on whether the Bill be read a Second Reading or not. However, there is nowhere in the Rule that says the Bill cannot be consolidated with subsisting Bill. A lot of Members are making assertion that it is easier to destroy. But we are all Members of the same House; it is painful for somebody who had sacrificed his time to bring about a Bill up to Second Reading only for it to be withdrawn because of technicality.

There is nothing wrong if this Bill is harmonised with the other one passed.

The Deputy Speaker: Hon. Abdul Ningi, the problem at times is not with the Chairman, Committee on Rules and Business. I want to believe that they may have been informed by the Chairman, Committee on Rules and Business that there was a Bill of a similar nature that is existing or that it was in the Committee. They may have been told to please go and harmonise the Bill with that one or to go and make their input at the time of the Public Hearing but they would often say no; that the Bill is their own Bill; they would not go back; they would not do this and that. That is our problem.

I do not want to believe that Hon. Ita Enang is not advising Members that this Bill has passed Second Reading or a similar Bill of this nature has passed Second Reading. I agree with you that there is nowhere our Rules has mentioned that this Bill should not be consolidated but it says it has to be withdrawn. That is what the provision of our Rule says.

Hon. Abdul Ningi: Are the two Bills similar in content and nature?

The Deputy Speaker: That is what he is saying; even the Sections that are to be amended are the same.

Hon. Abdul Ningi: But the Sponsor is saying no.

The Deputy Speaker: I will give him time to say no.

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Hon. Uzoma Nkem-Abonta (Ukwa East/West): In order to put the records straight, at no time have I been advised of the existence of a similar Bill and asked to withdraw and I refused.

However, for the purpose of clarity, what my Bill is seeking to do is to amend the Federal Character Commission Act for the purpose of strengthening Federalism and inter-governmental relations. The other Bill is seeking to amend the Federal Character Commission Act, not on this same issue but if it is the wish of the House to ask me to withdraw the Bill, of course, I will avail myself of that opportunity to withdraw the Bill.

The Chairman Rules gave it a very narrow interpretation; they are similar but not the same in content.

The Deputy Speaker: Hon. Abonta, it was last week we had a similar problem and what we did was to suspend this Rule and consolidate the two Bills; we can also do that here.

Yes, Hon. Mustapha Ahmed, you were saying no to that.

Hon. Mustapha Ahmed (Bauchi): While I am not saying clearly no; I am not saying yes. I would rather align my argument with that of Hon. Ita Enang.

The Rules of this House is not for fancy. Once it is pointed out and it is clear and categorical; the law is the law. No matter how painful it is we have to obey our own Rules. It is clear that this Bill ought to be withdrawn by the intendment of the Order and the Rules cited by the Chairman of Rules and Business. Even if we suspend the Rules, I do not know which part of the Rules we will suspend to enable us consolidate the two Bills. It appears that we are bringing it in through the back door.

The Deputy Speaker: If that is what you want to know, it is very easy. We can suspend the Rules.

Hon. Friday Itulah: We will continue to have this problem over and over again unless we address the issue of what we mean by a Session. If you look at the rules that have been quoted by him, the House is allowed to consider Bills that are of the same subject matter but the provision is that they must not be within the same session.

As we have agreed every Assembly has four sessions; the current session we have now is the Third

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Session of the Third Assembly and this Bill that Hon. Ita Enang quoted did not come during the session that we are in now.

The very rule that he quoted allows us to address Bills of the same subject provided they are not within the same Session.

The Deputy Speaker: Hon. Ita Enang, Hon. Halims Agoda was asking you about two weeks back what a session means and I could recall vividly that your response to that was that a session is one year out of the four years of every term and you said it begins on the 4th of June and ends on the 3rd of June the following year.

Now the argument you raised was that if a Bill is introduced within a particular session no other Bill of similar nature would be introduced within that session. You said that this Bill was introduced towards the end of 2007. That was a different session.

Hon. Ita Enang: Yes, Sir.

The Deputy Speaker: Do we say that your argument here does not hold water?

Hon. Ita Enang: What Hon. Itulah has said is correct. That Bill is still pending on the Floor of this House - the Report of the Committee on the Federal Character (Amendment) Commission. While that Bill is still pending, even if it is the third or fourth session, introducing another Bill on the same subject matter is not allowed no matter the time that it takes.

The Deputy Speaker: But the particular argument you are raising is not stated in our Rules.

Hon. Ita Enang: The Rules is not supposed to state argument on all the issues. While a Bill on the Amendment of Section 5 of the Constitution, for instance, is pending before the House of Representatives and the House refers it to a Committee, it takes two years to bring the report. Now, it would be unreasonable to introduce another Bill on the same subject matter while that Report is still pending before the House.

The Deputy Speaker: Hon. Ita Enang, since this particular session is talking about any Bill, if a Bill is introduced in a particular Session another Bill of the same substance cannot be introduced in the same Session again. Since this one is a different Session altogether we can introduce this one and consolidate the two Bills. We should neither withdraw the Bill nor suspend our Rules.

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Hon. Ita Enang: I rely on the ruling of the Chair.

Hon. Uzoma Abonta: Hon. Speaker, considering the time and the argument canvassed, I would also want to, in saving the time of this precious Chamber, request that the Bill even though similar but not on all fours in content be consolidated with the existing Bill mentioned by the Chairman, Committee on Rules and Business so that we may move forward.

Hon. Mohammed Sani Abdu (Alkaleri/Kirfi): I second the Motion moved by Hon. Abonta that the two Bills be consolidated.

The Deputy Speaker: Was that a Motion, Hon. Abonta?

Hon. Uzoma Abonta: Mr. Speaker, it is a Motion and the conclusion of my lead debate.

The Deputy Speaker: I think that your Motion will be taken after the Second Reading. If we put the question now and it is agreed to and I put the question on the Second Reading and it is negatived, then you have not done anything.

So I will put the question that this Bill be read the Second Time.

Question put and agreed to.

Bill read the Second Time and referred to the Committee on Federal Character.

The Deputy Speaker: You can move your Motion, Hon. Abonta.

Hon. Uzoma Abonta: Mr. Speaker, I move that a Bill for an Act to Amend the Federal Character Commission Act Cap F7 LFN 2004 for the Purpose of Strengthening Federalism and Inter-Governmental Relations in Nigeria; and for Other Matters 2009 be consolidated with the Bill pending before the House.

Hon. Mohammed Sani Abdu: I so second the Motion that the two Bills be consolidated.

Question put and agreed to.

Resolved: That a Bill for an Act to Amend the Federal Character Commission Act Cap F7 LFN 2004 for the Purpose of Strengthening Federalism and Inter-Governmental Relations in Nigeria; and for Other Matters 2009 be consolidated with the Bill pending before the House.

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Hon. Sokonte Davies (Degema/Bonny): Point of Order, Mr. Speaker!

The Deputy Speaker: What is your Point of Order, Hon. Sokonte Davies?

Hon. Sokonte Davies: It is Order VIII, Rule 5 of our Standing Orders at page 26 dealing with Personal Explanation. Last week we went through the rule book and found out some of these definitions and interpretations. We also saw that there were so many ambiguities and unexplained issues.

It is appropriate for the House to mandate the Committee on Rules and Business to go through this rule book again so that we would have something very comprehensive to enable us to avoid some of the problems that we have encountered in the past two weeks. This is necessary because if you go through this rule book, you would discover that what is listed in the content is not what you would find in the rule book itself. There are typographic errors or omissions.

Hon. Ita Enang: Point of Order, Mr. Speaker! We should as much as possible stick to our rules. For quite a while, we have been taking this matter of Personal Explanation out of context.

Let me refer this honourable House to Order VIII on page 23 of our Standing Orders which relates to the Arrangement of the Business of the House. Personal Explanation is an item which ought to be on the Order Paper. If there is notice to the Speaker, it ought to be on the Order Paper. The first item is formal entry of the Speaker.

The Deputy Speaker: The Order is sustained, Hon. Ita Enang. If it is Personal Explanation, it is on the Order Paper but if it is Matter of Privilege at any time of our sitting a Member can raise it. It becomes a problem when an hon. Member gets up and say Point of Order; you do not know what Order he would raise

We have some problems here and there in the Standing Orders. I do not want to believe that the way he suggested it is the way to look at it. I know there is a standard way of looking at it. We have to follow the standard way of looking at the problems.

It is not for the Committee to go and start changing whatever they feel that would favour their Committee. That is not how it is done. It is a Bill and it has to come to the Floor of the House first.

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CONSIDERATION OF REPORTS
Report of the Committee on Special Duties on the
National Boundary Commission (Amendment)
Act, 2006 No. 12 (Amendment) Bill, 2008

The Deputy Speaker: Hon. Colleagues, the fourth Order of the Day is consideration of the Report of the Committee on Special Duties on a Bill for an Act to Amend the National Boundary Commission (Amendment) Act, 2006 No. 12 so as to make appointment of some Members of the Commission to be full-time Commissioners, 2008 (HB. 153).

The Report was laid on Thursday, 8th October, 2009. I now invite Hon. Samson Osagie to move for the consideration of the Report.

Hon. Samson R. Osagie (Orhionmwon/Uhunmwode): Mr. Speaker, I have the honour and privilege to present for consideration the Report of the Committee on Special Duties on a Bill for an Act to Amend the National Boundary Commission (Amendment) Act, 2006 No. 12, so as to make appointment of some Members of the Commission to be full-time Commissioners, 2008.

Hon. Halims O. Agoda (Ethiophe East/Ethiophe West): Point of Order!

The Deputy Speaker: What is the Point of Order, Hon. Halims Agoda?

Hon. Halims O. Agoda: Mr. Speaker, my Point of Order is Order IV, Rule 4 of our Standing Orders at page 8.

The Deputy Speaker: What does it say?

Hon. Halims O. Agoda: If I am not right, I should be told. It reads:

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

It is very clumsy; what is the position, Sir? The issue is that the time is far spent for the Plenary to end.

The Deputy Speaker: Hon. Ita Enang, do you want to respond to that?

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Hon. Ita Enang: Mr. Speaker, the Rule says at 1.30 p.m. Therefore, my brother intending to raise the Point of Order should have raised it at exactly 1.30 p.m.

Hon. Mustapha Ahmed (Bauchi): Point of Order, Mr. Speaker!

The Deputy Speaker: What Point of Order?

Hon. Mustapha Ahmed: My Point of Order is the same Order cited by Hon. Halims Agoda. If we give it a literary interpretation, it means that whatever we do after 2.00 p.m. without extension of time is null and void.

The Deputy Speaker: No, it says that the Speaker shall suspend the sitting until 2.00 p.m.

Hon. Samson Osagie: What that position presupposes is that at 1.30 p.m. there shall be a recess for 30 minutes until 2.00 p.m. for the House to reconvene and begin the business until 6.00 p.m. which is contemplated here. It does not presuppose that anything done after 2.00 p.m. is null and void. That we have refused to go on recess at 1.30 p.m. is not illegal. We can still continue the business of the House, if it is the wish of the House.

Hon. Stanley O. Ohajuruka (Umuahia North/South Ikwuano): The intendment of the submission of our dear brother, Hon. Halims Agoda, goes to show that Parliamentarily, the Presiding Officer can choose any time. He has only reminded the Presiding Officer of what the Rule says. This presupposes that at 1.30 p.m., the House ought to have gone on a very brief recess.

What he has done now is to remind the Presiding Officer that we ought to go on recess and he is demanding that. If the Presiding Officer had forgotten that that should be done; he has been so reminded and what the Members are now expecting is that that particular provision of our rule book should be adhered to so that we will follow the intendment of the rules.

You are so reminded, Sir.

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

The Deputy Speaker: What is the Order, Hon. Sama'ila Mohammed?

Hon. Sama'ila Mohammed: My Point of Order is anchored on Order III, Rule 1 of our Standing Orders

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at page 6 and also Section 54 of the Constitution of the Federal Republic of Nigeria, 1999. I will read the relevant sections.

Rule 1(1) says:

The Quorum of the House shall not be less than one-third of all the members of the House.

Rule 1(2):

If any member draws the attention of the Speaker to the fact that a quorum of the House is not present, or if from the number of members taking part in a division, including those Members who declined to vote, it appears that a quorum is not constituted, the Speaker shall direct strangers to withdraw and cause members to be summoned as if for a division. At the expiration of five minutes from the order to strangers to withdraw, the Speaker shall count the House and, if a quorum is not then constituted, shall adjourn the House forthwith.

We are less than thirty-five in the House. Section 54 of the Constitution of Nigeria says:

The quorum of the Senate or of the House of Representatives shall be one-third of all the Members of the legislative House concerned.

It is rather sad that on many occasions the quorum is not formed.

The Deputy Speaker: Wait and let us determine how we get the quorum. You are jumping into conclusion, Hon. Samaila. How do you determine the quorum?

Hon. Sama'ila Mohammed: By counting the number of Members herein present.

The Deputy Speaker: That is not how we determine the quorum. We determine the quorum by the number of people registered in the register over there on the Table. That is how we determine the quorum. Have you counted the number of Members that registered today?

Hon. Sama'ila Mohammed: Sir, it should not be the issue of register but that of counting.

The Deputy Speaker: It is not counting; it is the Register.

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Hon. Sama'ila Mohammed: Is it the Register?

The Deputy Speaker: Yes.

Hon. Sama'ila Mohammed: As the Speaker, wishes.

The Deputy Speaker: So, you are ruled out of Order, Hon. Sama'ila. Going back to the point raised by Hon. Halims Agoda, I have been trying to see how I can deal with it unfortunately it appears that there is no way to escape from it.

Hon. Osagie, I believe you want your Report to be considered today but we have a constraint; that is our Rule. Unless I put the question for the suspension of the relevant Rule; we cannot continue with it.

Go ahead if you are moving a Motion for the suspension.

Hon. Raphael Samson Osagie: It seems that this House does not favour further consideration but I would have suggested that these Reports are also very important because they have been subjects of adjournment for the whole week and one wonders what we intend to achieve if we cannot consider Reports that have been funded and work done on it. So, I would urge my Colleagues to consider my plea; it is a very short Report. We can take it in less than ten minutes.

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The Deputy Speaker: Then you can move for the suspension of the relevant Rule.

Hon. Raphael Samson Osagie: To that extent, I rise to move that the relevant Rules of the House that may serve as impediment to the consideration of this Report be suspended.

Hon. H. S. Dickson (Ekeremor/Sagbama): I rise to second the Motion.

Question put and negatived.

ADJOURNMENT

Hon. Tunde Akogun (Akoko-Edo): Hon. Speaker, I move that the House do adjourn till Tuesday, 3rd November 2009 at 10.00 a.m.

Hon. Baba Shehu Agaie (Agaie/Lapai): I rise to second the Motion that this honourable House do adjourn till Tuesday, 3rd November 2009 at 10.00 a.m.

Question put and agreed to.

Resolved: That the House do stand adjourned till Tuesday, 3rd November 2009 at 10.00 a.m.

The House adjourned accordingly at 2.10 p.m.