



# HOUSE OF REPRESENTATIVES FEDERAL REPUBLIC OF NIGERIA

## VOTES AND PROCEEDINGS

Thursday, 23 October, 2008

1. The House met at 10.48 a.m. Mr Speaker read Prayers.
2. **Votes and Proceedings:**  
Mr Speaker announced that he had examined and approved the Votes and Proceedings of Wednesday, 22 October, 2008.

*By unanimous consent, the Votes and Proceedings was adopted.*

3. **Message:**  
Mr Speaker read the following Message from the President of the Federal Republic of Nigeria:



**PRESIDENT,**  
FEDERAL REPUBLIC OF NIGERIA

October-20, 2008

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

*Dear brother,*

### **2008 SUPPLEMENTARY APPROPRIATION BILL**

*I forward herewith, for your kind consideration and passage into law. the 2008 Supplementary Appropriation Bill.*

*It is my hope that the Bill will receive the usual expeditious consideration of the Honourable Members of the House of Representatives of the Federal Republic of Nigeria.*

*Please accept, Honourable Speaker, the assurance of my highest consideration.*

*Yours sincerely,*

*(Signed)*

**UMARU MUSA YAR'ADUA**

**4. Announcement:**

***Bereavement:***

Mr Speaker announced with regrets the deaths of:

- (a) Hon. Muazu Abimaje (*Ankpa/Omala/Olamabora Federal Constituency*), 1999 - 2003, who died on Monday, 20 October, 2008.
- (b) Senator Dagogo Princewill, Senator of the Federal Republic of Nigeria, 1979 - 1983 who died on Wednesday, 10 September, 2008.

*A minute in silence was observed in honour of the deceased and prayers were offered for the repose of their souls.*

**5. Petitions:**

The following petitions were received and referred to the Committee on Public Petitions:

- (i) Hon. Chuka Onyema (*Ogbaru Federal Constituency*), from Adokson Engineering Co. Limited, praying the House to intervene and allow justice to prevail in the alleged illegal handling of the Due Process exercise, which short changed their position as the duly confirmed preferred bidders *ab-initio*;
- (ii) Hon. Duro Faseyi (*Ekiti Nordi Federal Constituency*), from Mr E. B. Dada, praying the House to investigate his alleged unlawful retirement by the Nigerian Railway Corporation, with a view to reinstating him and granting me other reliefs sought therein;
- (Hi) Hon. Mohammed Almakura (*Lafia/Obi Federal Constituency*), from Mr Nuhu A, Masin and Mr Alphonsus Njoku, praying the House to intervene in the alleged unlawful retirement from the Federal Airports Authority of Nigeria (FAAN), with a view to reinstating them.

**6. Matter of Urgent Public Importance:**

Rising on Order VIII, Rule 4, Hon. John Owan Eno referred the House to the just adopted Conference Report on the 2008 Appropriation Amendment Bill and a Message from Mr President presenting the 2008 Supplementary Appropriations Bill. He noted that the provisions of sections 14 and 18 of the Fiscal Responsibility Act which must apply before presentation of the 2009 Appropriation Bill were yet to be complied with by the Executive arm of Government and sought leave of the House to discuss this as a matter of urgent public importance, especially in view of the fact that the Appropriation Bill 2009 would soon be laid before the House.

*Question that the matter be considered as one of urgent public importance, put and agreed to.*

*Question that Order VIII, Rule 4 (3) be suspended to enable the House consider the matter forthwith, put and agreed to.*

**7. The Fiscal Responsibility Act and the Preparation of Annual Budgets within the Medium Term Expenditure Framework:**

*Motion made and Question proposed,*

The House:

*Notes the adoption of the Report of the Conference Committee on the Appropriations Act, 2008 (Amendment) Bill, 2008;*

*Aware that the Fiscal Responsibility Act had become effective since July 2007;*

*Further aware* that sections 14 and 18 of the Fiscal Responsibility Act, 2007 provided for the "laying before each House of the National Assembly, a Medium Term Expenditure Framework before the end of the second quarter of each financial year, and which shall be the basis for the preparation of the Appropriation Bill to be laid before the National Assembly";

*Notes that* the Appropriation Bill, 2009 would soon be laid before the National Assembly for consideration;

*Worried that* failure by the Executive to lay before the House, a Medium Term Expenditure Framework as provided for in the Fiscal Responsibility Act might delay passage of the 2009 Appropriation Bill;

*Resolves to:*

- (i) Request the Finance Minister to immediately submit to the National Assembly the Medium Term Expenditure Framework, 2009 - 2011 for consideration;
- (ii) Mandate the House Committee on Legislative Compliance to ensure the full implementation of the provisions of the Fiscal Responsibility Act, 2007 (*Hon. John Owan Eno*).

*Debate:*

**Amendment Proposed:**

*Inserts new Prayer (in) as follows:*

"Urge Mr President to present to the House a fiscal profile along with the 2009 Appropriation Bill" (*Hon. Solomon U. Agidani*).

*Question put and negatived.*

*Main Question put and agreed to.*

The House:

*Notes* the adoption of the Report of the Conference Committee on the Appropriations Act, 2008 (Amendment) Bill, 2008;

*Aware that* the Fiscal Responsibility Act had become effective since July 2007;

*Further aware* that sections 14 and 18 of the Fiscal Responsibility Act, 2007 provided for the "laying before each House of the National Assembly, a Medium Term Expenditure Framework before the end of the second quarter of each financial year, and which shall be the basis for the preparation of the Appropriation Bill to be laid before the National Assembly";

*Notes that* the Appropriation Bill, 2009 would soon be laid before the National Assembly for consideration;

*Worried that* failure by the Executive to lay before the House, a Medium Term Expenditure Framework as provided for in the Fiscal Responsibility Act might delay passage of the 2009 Appropriation Bill;

*Resolved to:*

- (i) Request the Finance Minister to immediately submit to the National Assembly the Medium Term Expenditure Framework 2009 - 2011 for consideration;
- (ii) Mandate the House Committee on Legislative Compliance to ensure the full implementation of the provisions of the Fiscal Responsibility Act, 2007 (**HR. 58/2008**).

**8. Privilege:**

Rising on Order V, Rule 4, Hon. Dino Melaye drew the attention of the House to a publication in *The Nation Newspaper* edition of Thursday, October 23, 2008, captioned "National Assembly Members Unfit to Amend Constitution" credited to Mr Adams Oshiomole. Hon. Dino Melaye stated that the Constitution amendment is the constitutional responsibility of the National Assembly and that for Oshiomole to make the statement was unfortunate and a breach of the privilege of the House. He urge the House to refer the matter to the House Committee on Ethics and Privileges for consideration.

*Mr Speaker in his ruling, noted the high expectation of Nigerians from the Legislature, but urged Members to remain focused as the House was too busy with its constitutional duties and not to waste time on distractions.*

**9. Presentation of Bills:**

- (i) National Institute of Credit Administration (Establishment) Bill, 2008 — *Read the First Time.*
- (ii) Chemical Wastes Management Commission Bill, 2008 — *Read the First Time.*
- (iii) Petroleum Equalization (Amendment) Bill, 2008 — *Read the First Time.*
- (iv) Memorandum of Understanding Agency (Establishment) Bill, 2008 — *Read the First Time.*
- (v) National Products Development Commission (Establishment) Bill, 2008 — *Read the First Time.*

**10. Presentation of Reports:**

- (i) **Committee on Privatisation and Commercialization:**  
*Motion made and Question proposed, "That this House do receive the 2007/2008 Sessional Report of the Committee on Privatization and Commercialization" (Hon. Ahmed Njidda Gella).*

*Question put and agreed to.*

*Report laid.*

- (ii) **Committee on Sports:**  
*Motion made and Question proposed, "That this House do receive the 2007/2008 Sessional Report of the Committee on Sports" (Hon. Sulaiman Mohammed Bello).*

*Question put and agreed to.*

*Report laid.*

- (iii) **Committee on Customs and Excise:**  
*Motion made and Question proposed, "That this House do receive the 2007/2008 Sessional Report of the Committee on Customs and Excise" (Hon. Yakubu Dogara).*

*Question put and agreed to.*

*Report laid.*

- (iv) **Committee on Police Affairs:**  
*Motion made and Question proposed, "That this House do receive the 2007/2008 Sessional Report of the Committee on Police Affairs" (Hon. Abdul A. Ningi).*

*Question put and agreed to.*

*Report laid.*

- (v) **Committee on Commerce:**  
*Motion made and Question proposed, "That this House do receive the 2007/2008 Sessional Report of the Committee on Commerce" (Hon. Gilbert Nnaji).*

*Question put and agreed to.*

*Report laid.*

- (vi) **Committee on Agriculture:**  
*Motion made and Question proposed, "That this House do receive the 2007/2008 Sessional Report of the Committee on Agriculture" (Hon. Gbenga Mekanjuola).*

*Question put and agreed to.*

*Report laid.*

(vii) **Committee on Water Resources:**

*Motion made and Question proposed*, "That this House do receive the 2007/2008 Sessional Report of the Committee on Water Resources" (*Hon. Tsegba Terngu*).

*Question put and agreed to.*

*Report laid.*

11. **A Bill for an Act to Establish the National Commission for Conciliation and Arbitration, National Labour Council, the office of the Registrar of Trade Unions, etc. to Administer the Provisions of Labour Laws in Nigeria and for Matters Connected Therewith, 2008 — Second Reading-**

*Order read, deferred.*

12. **A Bill for an Act to Amend the Police Act, Cap. P19, Laws of the Federation of Nigeria, 2004 by Transferring the Prosecutorial Right of the Police Officers to the Ministry of Justice and for Related Matters, 2008 — Second Reading:**

*Motion made and Question proposed*, "That a Bill for an Act to Amend the Police Act, Cap. P19, Laws of die Federation of Nigeria, 2004 by Transferring the Prosecutorial Right of the Police Officers to the Ministry of Justice and for Related Matters, 2008, be now read a Second Time" (*Hon. Tunde Akogun*).

*Debate:*

*Question that the Bill be now read a Second Time put and agreed to.*

*Bill read a Second Time and referred to the Joint Committee on Police Affairs and Justice.*

13. **A Bill for an Act to Establish the National Agriculture Development Fund and for Matters Connected Therewith, 2008 — Second Reading:**

*Motion made and Question proposed*, "That a Bill for an Act to Establish the National Agriculture Development Fund and for Matters Connected Therewith, 2008, be now read a Second Time" (*Hon. Tunde Akogun*).

*Debate:*

*Question that the Bill be now read a Second Time put and agreed to.*

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

14. **A Bill for an Act to Amend the Petroleum Production and Distribution (Anti-Sabotage) Act, Cap. P12 Laws of the Federation 2004 to Provide for New Offences Under the Act; to Establish the Task Force for the Monitoring of Petroleum Installations in the Country, and for Matter Related Thereto, 2008 — Second Reading:**

*Motion made and Question proposed*, "That a Bill for an Act to Amend the Petroleum Production and Distribution (Anti-Sabotage) Act, Cap. P12 Laws of die Federation 2004 to Provide for New Offences Under the Act; to Establish the Task Force for the Monitoring of Petroleum Installations in the Country, and for Matter Related Thereto, 2008, be now read a Second Time" (*Hon. Samuel B. Aro*).

*Debate:*

*Question that the Bill be now read a Second Time put and agreed to.*

*Bill read a Second Time and referred to die Joint Committee on Petroleum Resources (Downstream) and Justice.*

15. **Adjournment:**

That this House do now adjourn till Tuesday, 28 October, 2008 at 10.00 a.m. (*Hon. Tunde Akogun*).

*Adjourned accordingly at 1.10 p.m.*