



EDO STATE

**EDO STATE HOUSE OF ASSEMBLY
FEDERAL REPUBLIC OF NIGERIA
FIFTH ASSEMBLY
FIRST SESSION
SECOND QUARTER**

NO. 48

VOTES AND PROCEEDINGS

Tuesday, 22nd November, 2011

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1. The House met at 12.10 p.m. Mr. Speaker took his seat and prayers were said.
 2. **Roll Call of Honourable Members:** The Roll Call of Honourable Members was taken as follows:

PRESENT

<u>S/NO.</u>	<u>NAME</u>	<u>CONSTITUENCY</u>
1.	Hon. (Alhaji) ADJOTO, Kabiru	<i>Akoko-Edo 1</i>
2.	Hon. AGHEDO, Sunday	<i>Ovia South-West</i>
3.	Hon. AISOWIEREN, Patrick	<i>Orhionmwon I</i>
4.	Hon. (Barr.) ALIU, Peter	<i>Etsako East</i>
5.	Hon. (Mrs.) ATIVIE, U. Elizabeth	<i>Uhunmwode</i>
6.	Hon. EBEA, Festus	<i>Esan South-East</i>
7.	Hon. EDOROR, Victor S.	<i>Esan Central</i>
8.	Hon. EHIGIAMUSOR, Kingsley	<i>Igueben</i>
9.	Hon. IGBE, Uyigue	<i>Oredo West</i>
10.	Hon. ILUOBE, Patrick E.	<i>Esan North-East I</i>
11.	Hon. ISE-IDEHEN, Jude	<i>Ikpoba-Okha</i>
12.	Hon. MOMOH, Abdulrazak Awu	<i>Etsako West I</i>
13.	Hon. OGEDENGBE, Foly Joseph	<i>Owan East</i>
14.	Hon. OGIERHIAKHI, Friday	<i>Orhionmwon II</i>
15.	Hon. OHIO-EZOMO, Michael	<i>Owan West</i>
16.	Hon. OKODUWA, Emmanuel	<i>Esan North-East II</i>
17.	Hon. (Barr.) OHONBAMU, Paul	<i>Egor</i>
18.	Hon. OSAYANDE, Noghayin Bright	<i>Ovia North-East II</i>
19.	Hon. SHAIBU, Philip	<i>Etsako West II</i>

ON OFFICIAL ASSIGNMENT

1. Hon. EHIGHALUA, Monday E. *Esan West*

ABSENT WITH APOLOGY

1. Hon. OGHUMA, Johnson Egwakhide *Etsako Central*
2. Hon. OSAYIMWEN, Patrick *Oredo East*
3. Hon. OSAZEMWINDE, Sunday *Ovia North-East I*

ABSENT

1. Hon. OLORUNTOBA, Simon Bamidele *Akoko-Edo II*

SUMMARY

i.	Hon. Members Present	=	19
ii.	Hon. Members on Official Assignment	=	1
iii.	Hon. Members Absent With Apology	=	3
iv.	Hon. Members Absent	=	<u>1</u>
	Total	=	<u>24</u>

3. Approval of Votes and Proceedings of Monday, 21st November, 2011.

Mr. Speaker announced that he had read through, and was satisfied with the Votes and Proceedings of Monday, 21st November, 2011, which was thereafter approved by unanimous consent, subject to the following amendments.

(i) On page 9; line 12 to *delete* the Clause “**or his designate**” from the amendment proposed and credit same to “**Hon. Iluobe, Patrick E. (Esan North East I)**”.

4. Other Announcement by Mr. Speaker:

Mr. Speaker announced the presence of the Students and Staff of Faith Immaculate College, located at Faith Avenue, Evbuomonre Quarters, Benin City, led by their Teachers, Mr. Frank Chikoju and Mrs. Inegbenoghu who were at the public Gallery to watch the day’s Proceedings.

5. Petition:

Mr. Speaker announced the receipt of a petition and directed the Clerk to give the synopsis thus: “**Petition Against the Local Government Service Commission for the Non Release of My Promotion Result from GL 15 To GL 16 To Enable Me Process my Retirement Benefits dated 22nd November, 2011 and signed by one A. O. Uzzi, KSP, MNIM**”.

Mr. Speaker thereafter referred the petition to the House Standing Committee on Local Government and Chieftaincy Affairs with a directive to report back to the House within two (2) weeks.

6. A Bill for a Law to Make Provisions for the Establishment of Edo State Information and Communication Technology Agency and for matters connected therewith, HA. 4, 2011 (2nd Reading)

On Order being read, the 2nd Reading of the Bill was deferred till next week. Mr. Speaker thereafter directed the Rules and Business Committee to take steps to slate it for future discussion.

7. Consideration of the Bill for A Law to make Provision for the Establishment of a Body to be Known as Edo State Rural Water and Hygiene Agency. HA. 41, 2011 (2nd Allotted day)

Motion made and Question Proposed; That the House do now resolve into a Committee of the Whole to consider the Bill.

Hon. Shaibu, Philip (Etsako West II)

Question put and ***agreed to Resolved in the Affirmative***

Motion made and Question Proposed; That Mr. Speaker leaves his Seat and resume as Mr. Chairman to consider the Bill.

Question put and ***agreed to Resolved in the Affirmative***

Mr. Speaker leaves his seat and resumed as Mr. Chairman

(In the Committee)

**Clause 11
Functions of
the Agency**

(1) The Agency shall carry out regular Advocacy and Sensitization on Hygiene practices in Rural Schools and Communities within the State, and also provide Hand Washing Facilities, Urinals and Toilets as well as other related facilities for public schools, and other public places.

(2) The Agency shall assist in the enforcement of Edo State Environmental and Sanitation Laws.

(3) The Agency shall in each financial year, prepare a detailed estimate of its revenue and expenditure for the next financial year and shall submit same through the appropriate authority to the Executive Council, for onward transmission to the House of Assembly.

(4) The Agency shall collaborate with all relevant International and National Donor Agencies with a view to meeting their laid down requirements particularly in the area of having separate accounts for the Agency to access funds for the execution of projects in their areas of interest in the Rural Communities.

(5) The Agency shall liaise with the Rural Water Supply and Sanitation Department of the Local Government Areas in the State on issues relating to rural Water and Hygiene activities in the respective Local Government Areas.

(6) The establishment of working contact with all Local Governments on issues of Rural Water Supply, Sanitation and Hygiene.

(7) Assisting Local Governments to take inventory of existing Rural Water Supply and Sanitation facilities and the rehabilitation and improvement of existing source.

(8) Supporting the Local Governments to take inventory of existing Rural Water Supply and Sanitation coverage use and maintenance status.

(9) The establishment of an award scheme to recognize Local Government achievement in hygiene education, water and sanitation coverage.

- (10) The setting-up of maintenance of minimum standards for all Rural Water Supply and Sanitation works in the State.
- (11) The establishment and maintenance of a core capacity for Drilling works in all Local Government Areas and the provision of a benchmark cost and minimum quality standard for boreholes, hand pumps to be followed by private contractors.
- (12) Collaborate with other Agencies to facilitate the activities of the environmental sanitation in the areas of safe water, sanitation, hygiene education and community mobilization.
- (13) Monitoring the state of repairs of all rural supply and school/community based sanitation facilities and the report of Local Government performance to the State Government and the Committee in charge of Energy and Water Resources in the House of Assembly.
- (14) The organization of training for hand pumps maintenance within the State and recommendation to the Local Government's expert contractors to be used for such works.
- (15) Collaboration with other Agencies in ensuring that Guinea worm and other water, sanitation and hygiene related diseases are eradicated/controlled through Hygiene education and campaigns.
- (16) Ensuring greater participation of women in the Agency's project.
- (17) Liaising with the Federal Ministry of Water Resources for national guidelines and reporting up-to-date on Water Supply, Sanitation and Hygiene coverage to the Ministry's Monitoring Unit through the State parent's Ministry at quarterly intervals.
- (18) The compilation and maintenance of a State wide inventory of Rural Water Supply and Sanitation sources including condition, type of pumps and source.
- (19) The training on a continuous basis of Local Government Artisans on Hand dug-well and Manual Rig teams, Sanitation artisans/promoters, community based Hygiene Education Facilitators and village level operation and maintenance (VLOM) Artisans.
- (20) Supporting the Local Governments that wish to have their own wells and manual rig terms to procure and maintain such equipment.
- (21) Assisting Local Governments to plan and implement their Rural Water Supply Sanitation and Hygiene Education programmes, by devising schemes which will allow community participation in terms of capacity building and maintenance.
- (22) Assisting Local Governments with diagnostic surveys to estab-

lish local conditions and attitudes related to water use, Sanitation and Hygiene practices.

(23) The Construction of low cost technology latrines such as the Sanitation platform (SANPLAT), ventilated improved pit latrine (VIP) latrines and demonstrated toilet units in strategic places in the Local Government Areas.

(24) The development of alternative Rural Water Supply sources and improvement on the existing native water supply sources for communities, e.g. Rain-water Harvestation, spring development, slow sand filtration galleries etc.

(25) The co-ordination of activities of all rural water supply, sanitation and hygiene department in the state, including collaboration with non-governmental and civil society organizations.

Motion Made and Question Proposed; That Clause 11 stands part of the Bill.

Hon. Uyigue, Igbe (*Oredo West*)

Debate Arising:

(i) **Amendment Proposed;** To expunge sub section 6 from the Bill.

Hon. Ogedengbe, Foly Joseph (*Owan East*)

Debate Arising:

Question put and ***agreed to Resolved in the affirmative***

(ii) **Amendment Proposed;** To change the numbering of the sub section in Roman figure to numeral form.

Hon. Shaibu, Philip (*Etsako West II*)

Debate Arising:

Question put and ***agreed to Resolved in the affirmative***

(iii) **Amendment Proposed;** In new sub section 13 to delete the word “hand” and insert the word “Water”.

Hon. Adjoto Kabiru (*Akoko Edo I*)

Question put and ***agreed to Resolved in the affirmative***

Main Motion Made and Question Proposed; That Clause 11, as amended stands part of the Bill.

Hon. Uyigue, Igbe (*Oredo West*)

Question put and **agreed to Resolved in the affirmative**

Motion Made and Question Proposed; That a new Clause 12 be created thus: **“The Secretariat of the Agency shall be the Head Office”**.

Hon. Aliu, Peter (*Etsako East*)

New Clause 12

Office of The Agency The Secretariat of the Agency shall be the Head Office.
Hon. Aliu, Peter (*Etsako East*)

Motion Made and Question Proposed; That a new Clause 12 stands part of the Bill.

Hon. Uyigue, Igbe (*Oredo West*)

Debate Arising

Question put and **agreed to Resolved in the Affirmative**

Clause 12 now 13

- Meetings of the Agency**
- (1) The Agency shall meet at such time, place and period as the Managing Director may determine.
 - (2) An emergency meeting shall be summoned at any time at the request of the Honorable Commissioner, the Managing Director or majority of the members of the Agency.
 - (3) All documents of meeting are to be prepared and circulated by the Secretary of the Agency.
 - (4) The Managing Director shall preside at all meetings of the Agency, and in the absence of the Managing Director, members shall elect one of them to preside at the meeting.
 - (5) Every question for decision by the Agency shall be by simple majority of members present and voting.
 - (6) The Managing Director or member presiding in his absence shall, at any meeting where there is equality of votes, cast a deciding vote.

Motion Made and Question Proposed; That Clause 12 now 13 stands part of the Bill

Hon. Uyigue, Igbe (*Oredo West*)

Debate Arising:

(i) **Amendment Propsoed;** That in Clause 12 now 13, sub section (1), to delete the word “**place**” and to recast it thus, “**The Agency shall meet at such time, and period as the Managing Director may deterrmine and such meetings shall be at the Headquarters of the Agency**”.
Hon. Ehigiamusor, Kingsley (*Igueben*)

Question put and ***agreed to Resolved in the affirmative***

(ii) **Amendment Proposed;** To recast Clause 12 now 13, sub section (3) thus, “**All documents of meeting are to be prepared and circulated by the Secretary of the Agency, and in the absence of the Secretary, the Agency shall appoint a temporary Secretary, until when the Agency is able to comply with Section 8 of this law**”.
Hon. Shaibu, Philip (*Etsako West II*)

Question put and ***agreed to Resolved in the affirmative***

Main Motion Made and Question Proposed; That Clause 12 now 13 as amended stands part of the Bill.
Hon. Uyigue, Igbe (*Oredo West*)

Question put and ***agreed to Resolved in the affirmative***

Clause 13 now 14

Quorum The Agency shall form a quorum with at least four (4) for seven of its members or three (3) for five of its members.

Motion Made and Question Proposed; That Clause 13 now 14 stands part of the Bill.
Hon. Uyigue, Igbe (*Oredo West*)

Debate Arising

Amendment Proposed; To delete “**or three (3) for five of its members**”
Hon. Ohio-Ezomo, Michael (*Owan West*)

Question put and ***agreed to Resolved in the affirmative***

Main Motion Made and Question Proposed; That Clause 13 now 14 as amended stands part of the Bill.
Hon. Uyigue, Igbe (*Oredo West*)

Question put and ***agreed to Resolved in the affirmative.***

Clause 14 now 15

Validity of

Proceedings

The validity of proceedings of the Agency shall not be affected by any vacancy in the membership of the Agency or any defect in the appointment of the member or by reason that a person who is not entitled to take part in the proceedings did so.

Motion Made and Question Proposed; That Clause 14 now 15 stands part of the Bill.

Hon. Uyigue, Igbe (Oredo West)

Debate Arising:

Question put and **agreed to**

Resolved in the affirmative

Clause 15 now 16

Edo State Rural

Water Supply and

Hygiene Bye-Laws

and Regulations

Every Local Government Legislature in Edo State shall, subject to this Law, initiate legislation by way of Bye-Laws as may be necessary to all Local Government Areas to all Rural Water Supply and Hygiene Agency activities within the Local Government Areas.

Motion Made and Question Proposed; That Clause 15 now 16 stands part of the Bill.

Hon. Uyigue, Igbe (Oredo West)

Debate Arising:

Amendment Proposed; To recast Clause 15 now 16, thus: “**Every Local Government Legislature in Edo State shall, subject to this Law, make Bye-Laws as may be necessary to all Local Government Areas to all Rural Water Supply and Hygiene Agency activities within the Local Government Areas**”.

Hon. Ogedengbe, Foly Joseph (Owan East)

Question put and **agreed to**

Resolved in the affirmative

Main Motion Made and Question Proposed; That Clause 15 now 16 as amended stands part of the Bill.

Hon. Uyigue, Igbe (Oredo West)

Question put and **agreed to**

Resolved in the affirmative.

PART III

Clause 16 now 17

Financial Provision

The funds and resources of the Agency shall consist of:

(a) Such funds as may be appropriated from time to time by the State Government.

(b) All other funds which may in any manner be payable to the Agency.

Motion Made and Question Proposed; That Clause 16 now 17 stands part of the Bill.

Hon. Uyigue, Igbe (*Oredo West*)

Debate Arising:

Question put and **agreed to**
Resolved in the affirmative

Clause 17 now 18

Appointment of Financial Controller and Internal Auditor

(1) There shall be appointment for the Agency, an Officer to be known as Financial Controller who shall be in charge of the Finances of the Agency.

(2) There shall be appointment for the Agency, an Internal Auditor who shall carry out periodic Auditing of the revenue and expenditures of Agency and present an Annual Report to Government.

(3) The appointment of the Financial Controller and Internal Auditor shall be by deployment from the offices of the Accountant General and Auditor General respectively.

Motion Made and Question Proposed; That Clause 17 now 18 stands part of the Bill.

Hon. Uyigue, Igbe (*Oredo West*)

Debate Arising:

Amendment Proposed; That Clause 17 now 18 sub section 3 to add a phrase “or by direct employment”.

Hon. Aliu, Peter (*Etsako East*)

Question put and **agreed to**
Resolved in the affirmative

Main Motion Made and Question Proposed; That Clause 17 now 18 as amended stands part of the Bill.

Hon. Uyigue, Igbe (*Oredo West*)

Question put and **agreed to**
Resolved in the affirmative.

Clause 18 now 19

Accounts and Audit

(1) The Agency shall keep proper accounts of its revenue from time to time and shall within three months after the end of each financial year, prepare an annual statement of accounts showings the financial position of the Agency.

(2) The annual statement of account shall be audited by an Auditor approved by the Agency from the list of Auditors recommended by the State Auditor General.

(3) On completion of the auditing of the annual statement of accounts, the Agency shall forward copies of the Audited Report to the State House of Assembly through the Auditor General of the State.

Motion Made and Question Proposed; That Clause 18 now 19 stands part of the Bill.

Hon. Uyigue, Igbe (*Oredo West*)

Debate Arising:

Question put and ***agreed to Resolved in the affirmative***

PART IV - GENERAL PROVISIONS

**Clause 19 now 20
Establishment of
Department, Divisions
and Sections by
the Agency**

The Board shall have power to establish and maintain such Departments, Divisions and Sections devise and implement all other administrative arrangements as may, in the opinion of the Agency, be necessary or expedient for the performance of its functions under this Law.

Motion Made and Question Proposed; That Clause 19 now 20 stands part of the Bill.

Hon. Uyigue, Igbe (*Oredo West*)

Debate Arising:

Amendment Proposed; To delete the word “**Board**” and insert the word “**Agency**”.

Hon. Aliu, Peter (*Etsako East*)

Question put and ***agreed to Resolved in the affirmative***

Main Motion Made and Question Proposed; That Clause 19 now 20 as amended stands part of the Bill.

Hon. Uyigue, Igbe (*Oredo West*)

Question put and ***agreed to Resolved in the affirmative***

**Clause 20 now 21
Powers To Make
Regulations**

The Agency shall subject to this Law, have powers to make regulations as may be necessary to carry into effect the provision of this Law.

Motion Made and Question Proposed; That Clause 20 now 21 stands part of the Bill.

Hon. Uyigwe, Igbe (*Oredo West*)

Debate Arising:

Question put and **agreed to Resolved in the affirmative**

Motion Made and Question Proposed; To add additional new Clause 22 to the Bill.

Hon. Shaibu, Philip (*Etsko West II*)

Question put and **agreed to Resolved in the affirmative**

PART V - PENALTY

New Clause 22

Penalty

The Agency shall subject to this law, have powers to make regulations as may be necessary to carry into effect the provisions of this law, impose fines and prosecute an errying person(s) and organization(s) in any court of law in the State.

Motion Made and Question Proposed; That new Clause 22 stands part of the Bill.

Hon. Uyigwe, Igbe (*Oredo West*)

Debate Arising:

Question put and **Negative.**

Motion Made and Question Proposed; That the Chairman leaves his seat and resumes as Mr. Speaker to report Progress.

Hon. Shaibu, Philip (*Etsko West II*)

Question put and **agreed to Resolved in the affirmative**

Mr. Chairman leave his Chair

Mr. Speaker resumed his seat and reported Progress.

Motion Made and Question Proposed; That the Bill as amended be given its Third Reading and passed into Law.

Hon. Uyigwe, Igbe (*Oredo East*)

Question put and **agreed to Resolved in the affirmative**

The Bill was accordingly given its Third Reading and passed into Law.

Mr. Speaker, thereafter directed that clean copies of the Bill as amended be sent to His Excellency, the Executive Governor of Edo State, Comrade Adams Aliyu Oshiomhole for his assent.

8. Adjournment:

Motion made and Question Proposed; That this Honourable House do now adjourn sitting till Monday, 28th November, 2011 at 10.00 a.m. prompt.

Hon. Ohonbamu, Paul (*Egor*)

Question put and ***agreed to***
Resolved in the affirmative

Sitting Accordingly Adjourned At Twenty Minutes Past Two O'Clock In The Afternoon.

RT. HON. UYIGUE, IGBE
(SPEAKER)