HOUSE OF REPRESENTATIVES

FEDERAL REPUBLIC OF NIGERIA

VOTES AND PROCEEDINGS

Wednesday, 17 October, 2012

1. The House met at 11.38 a.m. Mr Speaker read the Prayers.

2. **Votes and Proceedings:**
Mr Speaker announced that he had examined and approved the Votes and Proceedings of Tuesday, 16 October, 2012.

By unanimous consent, the Votes and Proceedings was adopted.

3. **Announcement:**
(*i*) Mr Speaker read a communication from the Deputy Speaker and Chairman of the *Ad-hoc* Committee on the Review of the Constitution as follows:

HOUSE OF REPRESENTATIVES
FEDERAL REPUBLIC OF NIGERIA
***AD-HOC* COMMITTEE ON THE REVIEW OF THE CONSTITUTION**

October 17, 2012

PEOPLES' PUBLIC SESSIONS ON THE REVIEW OF THE 1999 CONSTITUTION IN ALL THE* 360 *FEDERAL CONSTITUENCIES IN NIGERIA

The House of Representatives is organizing "the Peoples' Public Sessions" on the Review of the Constitution in all the 360 *Federal Constituencies in Nigeria. The flag-off ceremony will hold on* ***Thursday, 8th November, 2012 in Meeting Room 231, New Building at 10.00 a.m.*** *while the actual Peoples' Public Session will hold simultaneously across the Federal Constituencies on* ***Saturday, 10th November, 2012 at 10.00 a.m.***

The Sessions are aimed at getting responses based on the demand by Nigerians for a more participatory, inclusive and transparent approach to the process leading to further amendment of the Constitution.

A set of Templates which the participants will vote on at the end of the Session has been drawn up. A set of guidelines for the Session has also been prepared, and will be made available to Members.

(Signed)
Deputy Speaker/Chairman

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(*ii*) ***Bereavement*:**
Mr Speaker read the following communications, from:

(*a*) Hon. Bassey Dan-Abia (*Eket/ Onna/Esit Eket/Ibeno Federal Constituency*), announcing the death of Hon. Awaekpo Udondem Awaekpo, Member of the House of Representatives (1979 - 1980), who passed away on 31 May, 2012;

(*b*) Hon. Ayi Essien Ekpenyong (*Calabar South/Akpabuyo/Bekwarra Federal Constituency*) announcing the demise of Hon. Daniel Bassy Ekpenyong, Member of the House of Representatives (1992).

A minute silence was observed in honour of the deceased.

4. Closed Session:
Motion made and Question proposed, "That the House do resolve into a Closed Session" (*Hon. Mulikat Adeola-Akande — House Leader*).

Question put and agreed to.

House in Closed Session — **11.43 *a.m.***

House in Open Session — **1.34 *p.m.***

5. Petitions:
The following petitions were presented and laid by:

(*i*) Hon. Ayi Essien Ekenyong (*Calabar South/Akpabuyo/Bekwarra Federal Constituency*), from Attah A. E., praying the House to investigate his dismissal by the Nigerian Custom Service, with a view to reinstating him;

(*ii*) Hon. Robinson Uwak (*Oron/Mbo/Okobo/Udung Uko/Urue Offong/Oruko Federal Constituency*), from Obuesi Philips on behalf of Community Agenda for peace a Non-Governmental Organisation (NGO) in Akwa Ibom, praying the House to look into their exclusion from the Federal Government Amnesty Programme, with a view to integrating them.

Petitions referred to the Committee on Public Petitions.

6. Matter of Urgent Public Importance:
Citing Standing Order VIII, Rule 46, Hon. Ossai Nicholas Ossai (*Ndokwa/Ukwuani Federal Constituency*) drew the attention of the House to the ongoing crisis in the Kogi State House of Assembly, which resulted in the purported removal of the Speaker by twelve (12) out of the twenty-five (25) Members of the Assembly. He noted that the Constitutional requirement for the removal of a Speaker is two-thirds (⅔) votes of all Members of the House. He warned that if such trend of illegality is not checked, it could jeopardize the development and stability of the nation's democracy. He therefore urged the House to consider the matter as one of urgent public importance and suspend Order VIII, Rule 46 (3) to enable it debate the matter forthwith.

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

Question that the House do suspend Order VIII, Rule 46 (3) *to enable it debate the matter forthwith, put and agreed to.*

Negating the Impeachment of Kogi State Speaker:

The House:

Notes that the effect of item 68 of the Exclusive Legislative List on section 11 (4) of the Constitution expects the National Assembly to take such pre-emptive steps as would prevent a situation in a State House of Assembly from degenerating to a level that could cause the National Assembly to assume the legislative duties of such a State as prescribed by the section;

Further notes that there has been a lingering leadership crisis in the Kogi State House of Assembly which has culminated in the purported removal of the Speaker of the House, Hon. Abdullahi Bello and some Principal Officers by twelve (12) of the twenty-five (25) Members of the State Assembly;

Aware that section 92 (2) (*c*) of the Constitution requires that the removal of the Speaker of a State House of Assembly shall be the vote of not less than two-thirds (⅔) majority of the Members of the House;

Disturbed that the development in the Kogi State House of Assembly has caused an unhealthy fractionalisation of the House, reminiscent of the cases in Ogun and Oyo States where the 6th Assembly had to take proactive position by adopting Resolutions similar to the Prayer of this Motion;

Mindful of its duty to protect the Constitution from every flagrant violation and ensure the prevalence of peace and order in any part of the country.

Resolves to:

Constitute a high-powered delegation to intervene and resolve the crisis (*Hon. Ossai Nicholas Ossai — Ndokwa/Ukwuani Federal Constituency*).

Debate:

Question put and agreed to.

The House:

Noted that the effect of item 68 of the Exclusive Legislative List on section 11 (4) of the Constitution expects the National Assembly to take such pre-emptive steps as would prevent a situation in a State House of Assembly from degenerating to a level that could cause the National Assembly to assume the legislative duties of such a State as prescribed by the section;

Further noted that there has been a lingering leadership crisis in the Kogi State House of Assembly which has culminated in the purported removal of the Speaker of the House, Hon. Abdullahi Bello and some Principal Officers by twelve (12) of the twenty-five (25) Members of the State Assembly;

Aware that section 92 (2) (*c*) of the Constitution requires that the removal of the Speaker of a State House of Assembly shall be the vote of not less than two-thirds (⅔) majority of the Members of the House;

Disturbed that the development in the Kogi State House of Assembly has caused an unhealthy fractionalisation of the House, reminiscent of the cases in Ogun and Oyo States where the 6th Assembly had to take proactive position by adopting Resolutions similar to the Prayer of this Motion;

Mindful of its duty to protect the Constitution from every flagrant violation and ensure the prevalence of peace and order in any part of the country.

Resolved to:

Constitute a high-powered delegation to intervene and resolve the crisis (**HR. 170/2012**).

7. **Membership of *Ad-hoc* Committee to Mediate in the Kogi State House of Assembly Crisis:**

Mr Speaker announced the Membership of the above *Ad-hoc* Committee as follows:

(1)	Hon. Mohammed Muktar Ahmed	—	*Chairman*
(2)	Hon. Ibrahim Tukur El-Sudi	—	*Member*
(3)	Hon. Ali Ahmed	—	*Member*
(4)	Hon. Uzoma Nkem-Abonta	—	*Member*
(5)	Hon. Pally Iriase	—	*Member*
(6)	Hon. Tajudeen Kareem	—	*Member*
(7)	Hon. Jagaba Adams Jagaba	—	*Member*
(8)	Hon. Sekonte Davies	—	*Member*

8. Presentation of Bills:
The following Bills were presented and read the *First Time*:

(*i*) Public Servants Foreign Education Prohibition Bill, 2012 (HB. 397).

(*ii*) Nigerian Constitution Studies (Inclusion in Schools Curriculum) Bill, 2012 (HB. 398).

(*iii*) Revision Edition (Laws of the Federation of Nigeria) Bill, 2012 (HB. 394).

(*iv*) Rehabilitation of Convicted Persons Bill, 2012 (HB. 395).

9. Reconsideration of the Outstanding Bills from the Preceding Assembly:
***Ecological Disaster (Control) Commission Bill*, 2012:**
Motion made and Question proposed:

The House:

Notes that pursuant to Order XII, Rule 94 of the House Standing Orders of the House of Representatives, Bills passed by the preceding Assembly and forwarded to the Senate for concurrence for which no concurrence were made or negatived, or passed by the Senate and forwarded to the House for which no concurrence were made or negatived or which were passed by the National Assembly and forwarded to the President for assent but for which assent or withholding thereof was not communicated before the end of the tenure of the Assembly, the House may resolve that such Bills upon being re-gazetted or clean copy circulated be re-considered in Committee of the whole without being commenced *de-novo*;

Further notes that the Ecological Disaster (Control) Commission Bill, was passed by the preceding House and forwarded to the Senate for concurrence for which no concurrence was made before the end of the last Assembly;

Aware that the Bill has been re-gazetted as (HB. 318) and was read the First Time on 19/7/2012;

Resolves to:

Consider the Bill in the Committee of the Whole (*Hon. Uche Lillian Ekwunife — Anaocha/Njikoka/Dunukofia Federal Constituency*).

Question put and agreed to.

Bill committed to the Committee of the Whole pursuant to Order XII, Rule 94.

10. A Bill for an Act to Authorize the issue from the Statutory Revenue Fund of the Niger Delta Development Commission (NDDC), the total sum of ₦250,857,925,434.00 (Two Hundred and Fifty Billion, Eight Hundred and Fifty-Seven Million, Nine Hundred and Twenty-Five Thousand, Four Hundred and Thirty-Four Naira) only, of which the sum of ₦10,218,480,000.00 (Ten Billion, Two Hundred and Eighteen Million, Four Hundred and Eighty Thousand Naira) only is for Personnel Costs, the sum of ₦7,565,400,000.00 (Seven Billion, Five Hundred and Sixty-Five Million, Four Hundred Thousand Naira) only is for Recurrent Expenditure, and ₦l,017,000,000.00 (One Billion, Seventeen Million Naira) is for Capital Expenditure while ₦232,056,220,000.00 (Two Hundred and Thirty-Two Billion, Fifty-Six Million, Two Hundred and Twenty Thousand Naira) only, is for Development Projects for the Service of the Niger Delta Development Commission for the Fiscal Year commencing 1st January, 2012 and Ending 31st December, 2012 (HB. 393) — *Second Reading*:
Motion made and Question proposed, "That a Bill for an Act to Authorize the issue from the Statutory Revenue Fund of the Niger Delta Development Commission (NDDC), the total sum of ₦250,857,925,434.00 (Two Hundred and Fifty Billion, Eight Hundred and Fifty-Seven Million, Nine Hundred and Twenty-Five Thousand, Four Hundred and Thirty-Four Naira) only, of which the sum of ₦10,218,480,000.00 (Ten Billion, Two Hundred and Eighteen Million, Four Hundred and Eighty Thousand Naira) only is for Personnel Costs, the sum of ₦7,565,400,000.00 (Seven Billion, Five Hundred and Sixty-Five Million, Four Hundred Thousand Naira) only is for Recurrent Expenditure, and ₦l,017,000,000.00 (One Billion, Seventeen Million Naira) is for Capital Expenditure while ₦232,056,220,000.00 (Two Hundred and Thirty-Two Billion, Fifty-Six Million, Two Hundred and Twenty Thousand Naira) only, is for Development Projects for the Service of the Niger Delta Development Commission for the Fiscal Year commencing 1st January, 2012 and Ending 31st December, 2012 (HB. 393) be now read a Second Time" (*Hon. Mulikat Akande-Adeola — House Leader*).

Debate:

Question that the Bill be now read a Second time, put and agreed to.

Bill read the Second Time and referred to the Committee on Niger Delta Development Commission.

11. **A Bill for an Act to Authorize the Issue from the Consolidated Revenue Fund of the Federation the total sum of ₦4,924,604,000,000.00 (Four Trillion, Nine Hundred and Twenty-Four Billion, Six Hundred and Four Million Naira) only, of which, ₦380,020,000,000.00 (Three Hundred and Eighty Billion, Twenty Million Naira) only, is for Statutory Transfers, ₦591,764,000,000.00 (Five Hundred and Ninety-One Billion, Seven Hundred and Sixty-Four Million Naira) only is for Debt Service, ₦2,412,046,000,000.00 (Two Trillion, Four Hundred and Twelve Billion, Forty-Six Million Naira) only, is for Recurrent (Non-Debt) Expenditure while the Balance of ₦1,540,774,000,000.00 (One Trillion, Five Hundred and Forty Billion, Seven Hundred and Seventy-Four Million Naira) only, is for Contribution to the Development Fund for Capital Expenditure for the Year Ending on the 31st day of December, 2013 (HB. 396)) — *Second Reading*:**
Motion made and Question proposed, "That a Bill for an Act to Authorize the Issue from the Consolidated Revenue Fund of the Federation the total sum of ₦4,924,604,000,000.00 (Four Trillion, Nine Hundred and Twenty-Four Billion, Six Hundred and Four Million Naira) only, of which, ₦380,020,000,000.00 (Three Hundred and Eighty Billion, Twenty Million Naira) only is for Statutory Transfers, ₦591,764,000,000.00 (Five Hundred and Ninety-One Billion, Seven Hundred and Sixty-Four Million Naira) only is for Debt Service, ₦2,412,046,000,000.00 (Two Trillion, Four Hundred and Twelve Billion, Forty-Six Million Naira) only, is for Recurrent (Non-Debt) Expenditure while the Balance of ₦1,540,774,000,000.00 (One Trillion, Five Hundred and Forty Billion, Seven Hundred and Seventy-Four Million Naira) only, is for Contribution to the Development Fund for Capital Expenditure for the Year Ending on the 31st day of December, 2013 (HB. 396) be now read a Second Time" (*Hon. Mulikat Akande-Adeola — House Leader*).

Resumption of Debate:

Debate adjourned till next Legislative Day.

12. **Adjournment:**
That this House do now adjourn till Thursday, 18 *October*, 2012 *at* 11.00 *a.m.* (*Hon. Mulikat Akande-Adeola — House Leader*).

The House adjourned accordingly at 2.52 *p.m.*

Aminu Waziri Tambuwal
Speaker