FOURTH REPUBLIC
7TH NATIONAL ASSEMBLY
SECOND SESSION
NO. 42

HOUSE OF REPRESENTATIVES

FEDERAL REPUBLIC OF NIGERIA

VOTES AND PROCEEDINGS

Tuesday, 11 December, 2012

1. The House met at 11.37 a.m. Mr Speaker read the Prayers.

2. **Votes and Proceedings:**
Mr Speaker announced that he had examined and approved the Second Votes and Proceedings of Thursday, 29 November, 2012.

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

December 5, 2012

Rt. Hon. Aminu Waziri Tambuwa, CFR
Speaker of the House of Representatives,
National Assembly Complex,
Three Arms Zone, Abuja.

Your Excellency,

***REQUEST FOR SUPPLEMENTARY BUDGET FOR* 2012**

The Rt. Hon. Speaker will recall that as part of the 2012 *Budget framework, a provision of* ₦888.1 *billion was made for payment of fuel subsidy for the nation. I wish to intimate the Honourable House of Representatives of the fact that following the forensic audit carried out, the provision for fuel subsidy in the* 2012 *Budget was underestimated.*

As at now, the sum of ₦880,264,243,683.61 *has been paid out, leaving a balance of* ₦7,735,756,316.39. *In order to accommodate the outstanding arrears resulting from the forensic audit exercise and the remaining period of the year* 2012, *an additional sum of* ₦161,617,364,911 *over and above what was programmed in the* 2012 *framework is required.*

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Given the need to maintain a steady flow of petroleum products, especially in the run-up to the festive season, it is my hope that the Honourable Members will kindly accord this request their traditional expeditious consideration and approval.

Accordingly, I hereby forward copies of the Supplemental Request for the additional subsidy payment for 2012.

Please accept, Mr Speaker, the assurances of my highest consideration and warm regards.

Yours Sincerely,

(*Signed*)

GOODLUCK EBELE JONATHAN

4. Announcement:

***Visitor*:**

Mr Speaker recognized the presence of Staff and Students of Capital Science Academy, Abuja who were seated in the Gallery.

5. Petitions:

The following petitions were presented and laid by:

(*i*) Hon. Eddie Mbadiwe (*Ideato Federal Constituency*) on behalf of Chief C. O. C. Ezerebo, praying the House to redress the injustice done to him by the Nigeria Police;

(*ii*) Hon. Ganama Titsi Kwaga (*Madagali/Michika Federal Constituency*) on behalf of G. O. Chukwurah, praying the House to intervene in the non-payment of monies due to him by the Ministry of Police Affairs, with a view to paying him;

(*iii*) Hon. Uzoma Nkem-Abonta (*Ukwa East/Ukwa West Federal Constituency*) on behalf of Falana & Falana's Chambers for Herbertech Nigeria Limited, praying the House to investigate the non-payment for dully executed contract by the Niger Delta Development Commission, with a view to paying the money.

Petitions referred to the Committee on Public Petitions.

6. Matters of Urgent Public Importance:

(*i*) Citing Standing Order VIII, Rule 46, Hon. Ndudi Godwin Elumelu (*Aniocha North/Aniocha South/Oshimili North/Oshimili South Federal Constituency*) informed the House, that equipment ordered by the Federal Government for its Primary Health Care Programme is scheduled to arrive the country shortly. He stated that the contract for the construction of Primary Health Care facilities in the six geopolitical zones where the equipment will be installed had been awarded. He noted that the completion of the facilities will take some time and, that if preemptive steps are not taken to protect the equipment on arrival, they could fall into a state of disrepair. He urged the House to consider the matter as one of urgent public importance and to suspend Order VIII, Rule 46 (3) to enable the House debate it 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.*

(*a*) Urgent need to keep and warehouse for safe custody Primary Health Care Equipments procured by the National Health Care Development Agency:

The House:

Notes that National Primary Health Care Development Agency (NPHCDA) has awarded contracts to deserving contractors for the construction of Primary Health Care Centres and supply of Primary Health Care Equipment in all the six geopolitical zones in the country;

Further notes that the said projects are those that impact directly on the people at the grass root with the total value of the sum of ₦5,850,142,688 (five billion, eight hundred and fifty million, one hundred and forty-two thousand, six hundred and eighty-eight Naira) as appropriated in the Year 2012 budget;

Aware that the Primary Health Care Centres where the equipment would be utilized are under construction, and yet to be completed by the various contractors, while the Primary Health Care Equipment are in the process of being supplied to National Primary Health Care Development Agency (NPHCDA) by the contractors;

Further aware that there is an urgent need to ensure the proper safe custody of the equipment pending the completion of the Primary Health Care Centres where the equipment would be utilized;

Disturbed that National Primary Health Care Development Agency (NPHCDA) does not have warehouse in the six geopolitical zones of the country to keep the Primary Health Care Equipment pending the completion of the Primary Health Care Centres;

Further disturbed that unless pro-active steps are taken to ensure the safe custody of the equipment, the primary care equipments may be destroyed or vandalized upon delivery to National Primary Health Care Development Agency (NPHCDA) for lack of space and storage facilities;

Informed that there are Federal Medical Centres and Teaching Hospital within the vicinity of the benefitting communities where these Primary Health Care Centres are being constructed and such Federal Medical Centres and Teaching Hospitals have enough space and adequate storage facilities and warehouses to keep the Primary Health Care Equipment pending the completion of the Primary Health Care Centres within their vicinity.

Resolves to:

(*i*) Urge the National Primary Health Care Development Agency (NPHCDA) to keep and warehouse for safe custody of the Primary Health Care Equipment with Federal Medical Centres and/or Teaching Hospitals within the vicinity of communities where Primary Health Care Centres are currently being constructed under year 2012 budget;

(*ii*) further urge all Chief Medical Directors of Federal Medical Centres and Teaching Hospitals in the country to accept for safe custody of the Primary Health Care Equipment from the National Primary Health Care Development Agency (NPHCDA) and its authorized agents whenever such equipments are delivered to them by National Primary Health Care Development Agency (NPHCDA) pending the construction of Primary Health Care Centres in their vicinity (*Hon. Ndudi Godwin Elumelu — Aniocha North/Aniocha South/Oshimili North/Oshimili South Federal Constituency*).

Question put and agreed to.

Resolution referred to the Committee on Health pursuant to Standing Order VIII, Rule 51 (5) **(HR. 196/2012)**.

(*ii*) Also citing Standing Order VIII, Rule 46, Hon. Abdul Rahaman Abba Terab (*Bama/Ngala/Kalabalge Federal Constituency*) drew the attention of the House to the poor implementation of the 2012 Budget. He noted that the real essence of annual budget is to ensure the provision of services for the development of the economy while meeting the social needs of the citizenry. He bemoaned the poor implementation of budget without any justifiable reason and urged the House to consider the matter as one of urgent public importance and to suspend Order VIII, Rule 46 (3) to enable the House debate it 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.*

(*b*) Need to Ensure the Conclusive Implementation of the 2012 Appropriation Act:

The House:

Notes that while the Annual Budget provides for the planning and equitable allocation of resources for the purpose of development, it is the implementation of such plan as proposed, that ensures the actual achievements captured in the Budget for that fiscal season; Government budget being very significant in meeting the social and economic needs of the people through the provision of public goods and services;

Further notes that when the national budget is well formulated and effectively implemented, it will lead to the achievement of development objectives, such as strong economic growth, equitable distribution of income and wealth creation, poverty reduction, reduced unemployment rate, and maintain internal and external balance for economic stability;

Aware that Nigeria has an Infrastructural deficit of over four trillion Naira and a very high unemployment rate of over 70%;

Concerned that Nigeria's Budget Based Growth Indices have in the recent past laid more emphasis on foreign influenced economic models based on *GNP or the Gross National Product*, rather than *Human Development Index* and *Infrastructural Growth Index* which impact more on the internal factors that reduce poverty, create jobs and encourage industrial growth;

Further concerned that irrespective of the fact that the Revenue receipts so far for 2012, were confirmed to be higher than what was projected for the 2012 fiscal regime, the fourth quarter capital releases made to MDA's just this December were still inadequate on the percentage of budget implementation, and found to be inconsistent, hence only about 30% of the allocated value were actually remitted to the MDAs, hence, at this moment in December, we cannot fully claim capital releases to average 60% across the board to MDAs;

Disturbed that various sums of *money saved* from recovery exercises, non oil excess revenues, and the 2012 unspent revenues and others like the IPPIS, Pension Reform and fake subsidy claims are neither captured in the 2013 appropriation nor are they provided as *opening balances* in the 2013 expenditure accounts;

Further disturbed that the executive once blamed its poor releases and subsequent implementation on *Constitue ncy Projects,* where monies were appropriated for basic grassroots social services like water, roads, schools and hospitals;

Worried that most if not all *Capital Projects* captured in the 2012 Appropriation Act, will remain *abandoned,* resulting in the *waste of all the resources* that we labored to commit in the 2012 budget, thus contributing to the huge pile of abandoned projects and increase in our infrastructural deficit which is almost insurmountable, thereby implying that our 2012 growth projections will be completely eroded and difficult to justify;

Further worried that if this House does not come to the rescue of the 2012 budget, the dream of Nigeria becoming one of the 20 great economies by the year 2020 can no longer be achievable, because consistent missing of target plans only translates to failure to achieve the desired result;

Committed henceforth to establish achievements on actual facts and figures in our real sector.

Resolves to:

Direct the Committees on Finance and Appropriations to compile and present a comprehensive report on the revenues, expenditures, and any unforeseen savings in the 2012 budget implementation, and carve out a solution on the outstanding capital releases in the 2012 Appropriation Act with a view to ensure its full implementation, and submit to the House within one week (*Hon. Abdul Rahaman Abba Terab — Bama/Ngala/Kalabalge Federal Constituency*).

Question put and agreed to.

The House:

Noted that while the Annual Budget provides for the planning and equitable allocation of resources for the purpose of development, it was the implementation of such plan as proposed, that ensures the actual achievements captured in the Budget for that fiscal season; Government budget being very significant in meeting the social and economic needs of the people through the provision of public goods and services;

Further notes that when the national budget was well formulated and effectively implemented, it will lead to the achievement of development objectives, such as strong economic growth, equitable distribution of income and wealth creation, poverty reduction, reduced unemployment rate, and maintain internal and external balance for economic stability;

Aware that Nigeria had an Infrastructural deficit of over four trillion Naira and a very high unemployment rate of over 70%;

Concerned that Nigeria's Budget Based Growth Indices had in the recent past laid more emphasis on foreign influenced economic models based on *GNP or the Gross National Product*, rather than *Human Development Index* and *Infrastructural Growth Index* which impact more on the internal factors that reduce poverty, create jobs and encourage industrial growth;

Further concerned that irrespective of the fact that the Revenue receipts so far for 2012, were confirmed to be higher than what was projected for the 2012 fiscal regime, the fourth quarter capital releases made to MDA's just this December were still inadequate on the percentage of budget implementation, and found to be inconsistent, hence only about 30% of the allocated value were actually remitted to the MDAs, hence, at this moment in December, we cannot fully claim capital releases to average 60% across the board to MDAs;

Disturbed that various sums of *money saved* from recovery exercises, non oil excess revenues, and the 2012 unspent revenues and others like the IPPIS, Pension Reform and fake subsidy claims are neither captured in the 2013 appropriation nor are they provided as *opening balances* in the 2013 expenditure accounts;

Further disturbed that the executive once blamed its poor releases and subsequent implementation on *Constitue ncy Projects,* where monies were appropriated for basic grassroots social services like water, roads, schools and hospitals;

Worried that most if not all *Capital Projects* captured in the 2012 Appropriation Act, would remain *abandoned,* resulting in the *waste of all the resources* that we labored to commit in the 2012 budget, thus contributing to the huge pile of abandoned projects and increase in our infrastructural deficit which was almost insurmountable, thereby implying that our 2012 growth projections would be completely eroded and difficult to justify;

Further worried that if this House does not come to the rescue of the 2012 budget, the dream of Nigeria becoming one of the 20 great economies by the year 2020 could no longer be achievable, because consistent missing of target plans only translates to failure to achieve the desired result;

Committed henceforth to establish achievements on actual facts and figures in our real sector.

Resolved to:

Direct the Committees on Finance and Appropriations to compile and present a comprehensive report on the revenues, expenditures, and any unforeseen savings in the 2012 budget implementation, and carve out a solution on the outstanding capital releases in the 2012 Appropriation Act with a view to ensure its full implementation, and submit to the House within one week (**HR. 197/2012**).

7. **Briefing by the Chairman, Committee on Finance on the Revenue Framework of Government:**
The Chairman, Committee on Finance, Hon. Abdulmumuni Jibrin, informed the House that his Committee had requested all Revenue Generating Agencies of Government to submit their revenue profile and projected remittances to the Federal Treasury to enable it analyze the Revenue Framework for the 2013 budget as submitted by the Federal Ministry of Finance. He noted that there was gross under-remittance of internally generated revenue to the Federal Treasury as only about ₦11.8 billion was remitted out of about ₦125.6 billion generated by 36 Agencies surveyed by the Committee in 2012. He stressed the need to capture the internally generated revenues in the Revenue Framework of the country and prayed the House to request all affected Agencies to account for their Revenue Framework.

Ordered, That the Committee on Finance make formal application for Warrant to compel the appearance of the affected Government Agencies.

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

(*i*) Workman (Unpaid Wages Prohibition) Bill, 2012 (HB. 372).

(*ii*) Economic Stimulus Bill, 2012 (HB. 409).

(*iii*) Constitution of the Federal Republic of Nigeria (Alteration) Bill, 2012 (HB. 406).

(*iv*) Nigerian Law Reform Commission Act (Amendment) Bill, 2012 (HB. 405).

(*v*) Constitution of the Federal Republic of Nigeria 1999 (Alteration) Bill, 2012 (HB. 387).

(*vi*) Joint Admission and Matriculation Board Act (Amendment) Bill, 2012 (HB. 390).

(*vii*) Penalties Review Bill, 2012 (HB. 377).

(*viii*) Security Services Welfare Infrastructure Development Commission Bill, 2012 (HB. 380).

(*ix*) Federal Character Commission Act (Amendment) Bill, 2012 (HB. 404).

(*x*) Commodity Board Act (Amendment) Bill, 2012 (HB. 389).

(*xi*) Lobbyist (Registration and Regulation) Bill, 2012 (HB. 403).

(*xii*) Chartered Institute of Public Management (Establishment) Bill, 2012 (HB. 422).

(*xiii*) Cyber Security and Data Protection Agency (Establishment, etc.) Bill, 2012 (HB. 407).

(*xiv*) National Automotive Design and Development Council Bill, 2012 (HB. 408).

9. **Channelization of Forcados/Odimodi/Ogulagha Access Way:**
Motion made and Question proposed:

The House:

Notes that the Forcado/Odimodi/Ogulagha routes serves for the receipt of crude oil from Delta and its neighbouring States, delivery, loading and transportation of same out of the country through the Forcados terminal;

Further notes that due to the frequent and constant build up of silts as a result of the sea erosion, along this route, it has become dangerously shallow for navigation;

Worried that this has caused great hindrance to the movement of boats and vessels thereby disallowing them the access to the base;

Further worried that a continuous build up presently experienced will lead to a permanent shut out of these locations thereby foreclosing any economic activities and causing great loss to the National Revenue;

Aware that the Federal Government is making efforts towards increased daily production of Crude and its delivery out of the country;

Concerned that this route is the only access through which export is made daily and shall attract negative economic consequences in the nearest future if not timely attended to.

Resolves to:

Mandate the Committees on Petroleum (Upstream) and Environment to liaise with the Committee on Appropriations to ensure that adequate funds are provided to allow for the channelization of this route in the 2013 Budget (*Hon. Francis Enekorogha — Burutu Federal Constituency*).

Question put and agreed to.

Resolution referred to the Committee on Petroleum Resources (Up Streams) pursuant to Standing Order VIII, Rule 51 (5) (**HR. 198/2012**).

10. **Need to Investigate the activities of the Niger Delta Development Commission (NDDC):**

Order read; by leave of the House, deferred.

11. **Need to Further Strengthen Security Checks Around the National Assembly Complex and Strategic Entry Points:**

Order read; by leave of the House, deferred.

12. **A Bill for an for Act to Provide for the Establishment of the Food Security Advancement Fund (FOSAF) for the Purpose of ensuring Food Security, Local Production of Imported Food items, Empowerment of Peasant Farmers, and Arresting Capital Flight through Food item Import and for Other Matters Connected Therewith (HB. 355) — *Second Reading*:**

Order read; by leave of the House, deferred.

13. **A Bill for an Act to Establish the Nigerian Institute of Social Work and Regulate the Practice of Professional Social Work in Nigeria and for Other Related Matters (HB. 365) — *Second Reading*:**
Motion made and Question proposed, "That a Bill for an Act to Establish the Nigerian Institute of Social Work and Regulate the Practice of Professional Social Work in Nigeria and for Other Related Matters (HB. 365) be now read a Second Time" (*Hon. Ossai N. Ossai — Ndokwa East/Ndokwa West/Ukwuani Federal Constituency*).

Debate:

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

Bill read the Second Time and referred to the Committees on Commerce, Labour, Employment and Productivity, and Women Affairs and Social Development.

14. **A Bill for an Act to Provide Free Integrated Maternal, Newborn and Child Health Care Programme for Women and Children in all Government Controlled Medical Facilities and for Related Matters (HB. 199) — *Second Reading*:**
Motion made and Question proposed, "That a Bill for an Act to Provide Free Integrated Maternal, Newborn and Child Health Care Programme for Women and Children in all Government Controlled Medical Facilities and for Related Matters (HB. 199) be now read a Second Time" (*Hon. Kigbu Joseph Haruna — Lafia/Obi Federal Constituency*).

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 Health.

15. Adjournment:
That this House do adjourn till Wednesday, 12 *December*, 2012 *at* 11.00 *a.m.* (*Hon. Mulikat Akande-Adeola — House Leader*).

The House adjourned accordingly at 2.02 *p.m.*

Aminu Waziri Tambuwal
Speaker