FOURTH REPUBLIC
7TH NATIONAL ASSEMBLY
SECOND SESSION
NO. 59

HOUSE OF REPRESENTATIVES
FEDERAL REPUBLIC OF NIGERIA

VOTES AND PROCEEDINGS

Wednesday, 13 February, 2013

1. The House met at 11.41 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, 12 February, 2013.

By unanimous consent, the Votes and Proceedings was adopted.

3. **Admittance into the Chamber:**
The Nigerian Super Eagles, the Technical Crew of the Super Eagles, Officials of the Nigerian Football Federation and Members of the Nigerian Football and other Sports Supporters Association:
Motion made and Question proposed, "That this House do suspend Order XIX, Rule 217 to admit into the Chamber, the Nigerian Super Eagles, its Technical Crew, officials of the Nigerian Football Federation (NFF) and members of the Nigerian Football and other Sports Supporters Association" (*Hon. Mulikat Akande-Adeola — House Leader*).

Question put and agreed to.

The Nigerian Super Eagles, the Technical Crew of the Super Eagles, Officials of the Nigerian Football Federation and members of the Nigerian Football and other Sports Supporters Association admitted into the Chamber at 11.55 *a.m. with a standing ovation.*

4. **Goodwill and Welcome Message:**
Mr Speaker speech:

Protocols:

On behalf of all my colleagues, the Honourable Members of the House of Representatives and indeed the entire good people of Nigeria whom we represent, I hereby formally welcome to this hallowed Chambers, the irrepressible Champions of African Soccer and the latest continental football Champions of the world-the Super Eagles of the Federal Republic of Nigeria.

2. *This Special Session holds today to relish, cherish, celebrate and honour you for this uncommon achievement that no doubt marks a new beginning in the annals of Nigerian Soccer and the rebirth of our national pride and global image in this round leather game.*

3. *I know that we speak the minds of the Nigerian people if we state here that since Sunday*, 10 *February*, 2013, *when you lifted the reveled Trophy, the African Cup of Nations in far away South Africa, you literarily lifted the spirit of the Nation and altered the focus, from that of a slumbering giant consumed in the lamentations*

of hopelessness over the negative fate of an unenviable catalogue of failures that had befallen it to that of renascence in the thread of self confidence and successes of yesteryears, that nurtured our collective national pride.

4. *Your achievement is uncommon and outstanding on several accounts: firstly, when you left the shores of this nation, a few weeks ago, only a handful of optimists gave you any chance of progressing beyond the preliminaries of the competition, but you rode through in style humbling one after the other, the big boys of African Soccer and today we celebrate not only a trophy but Trophies — the fair play, the highest goal scorer and the mother of them all, the African Champions Cup. Secondly this marks the first time that the nation is lifting the cup under the midwifery of an entirely indigenous coaching crew led by an indigenous coach, Stephen Okechukwu Keshi.*

5. *To me, and I believe for many Soccer loving Nigerians, it is only now that we can truly say that we have come of age in the game, and never again shall we go cap in hand on a recruitment drive for foreign coaches. All we need do is to replicate the Keshis, the Amokachis, the Siasias and others, thirdly we we did not loose a single game throughout the competition, indeed the bigger the team, the more convincingly we beat them and when I say we, I mean we the Super Eagles for that is what we all are today.*

6. *Distinguished ladies and gentlemen, a bunch of youths have proven beyond any doubt that there is still hope for Nigeria and this hope rests on the enterprising spirit of her youth. This victory is a lesson, in self confidence rather than arrogance, a lesson in self respect, a lesson in shear doggedness, a lesson in personal sacrifice in the promotion of national interest, a lesson is unmitigated passion and above all a lesson in unity of purpose — for we prayed, as much in our Churches as we did in our Mosques and the Almighty God graciously honoured this spirit of unity. I only hope that henceforth, we shall not depart from this path.*

7. *Fellow Nigerians, as we bask in the euphoria of this victory we must quickly remind ourselves that the task ahead is more daunting. We seek not merely to be African Champions because that much we have been twice before, rather we seek to be the greatest. Our goal therefore must be to overtake whatever achievements in this continental soccer competition attained by other nations. In this regards, let us remind ourselves that Egypt has lifted the Trophy 7 times, Ghana and Cameroun have done so 4 times each and all these three countries have lifted the Trophy thrice back to back. I therefore charge us all thaqt for a start this trophy must not leave the shores of this great nation in the next 5 editions of the competition so that we shall not only have lifted it for the most number of times but become the first nation to lift it 6 times back to back.*

8. *This is doable not just in the field of soccer or sports but indeed in all spheres of human endeavour in our march to greatness as a nation — those who believe this say Aye ...*

9. *On behalf of the House of Representatives I promise that we shall do all within our competence to ensure that never again shall we be found slumbering as a nation.*

10. *Once again I congratulate the Super eagles and the entire Coaching Crew and officials for this gift of reawakening, may your zeal, passion and enterprising spirit never wane and may this fire of national reawakening burn henceforth forever.*

11. *Thank you, and congratulations Nigeria!*

5. The Victory of the Super Eagles at AFCON 2013 and the Lessons there in:
Motion made and Question proposed:

The House:

Notes the successful outing of the national team — the Super Eagles on Sunday, 10 February, 2013 in South Africa, where they emerged as African champions;

Recalls that the national team — the Super Eagles last won this trophy in 1994 in Tunisia, about 19 years ago;

Further recalls that the prime position of sports in general and football especially in bringing harmony, peace and unity to Nigerians who love football passionately;

Aware that the victory is significant milestone in the history of football in Nigeria, having a great potential in encouraging youths to aspire to football excellence;

Happy that the victory has brought Nigeria to a level where she can begin to aspire to greatness in other fields of endeavour.

Resolves to:

(*i*) Celebrate and encourage excellence in the players, coaching crew, the Nigerian Football Federation (NFF) and the Ministry so as to elevate Nigeria in the sporting map of the world;

(*ii*) encourage the development of sporting facilities in all parts of the country and facilitate access to them by the nation's teeming youths to have access to good sporting facilities;

(*iii*) encourage adequate funding of football and other Sports by Government to improve existing facilities and to develop new ones;

(*iv*) request members of the National Assembly to design and sponsor sporting activities in their various Constituencies to augment Government efforts;

(*v*) appreciates the Federal Government for the recognition, various gifts and awards given to the players and officials and further urge the Federal Government to name Streets in the FCT and the various State Capitals after the players;

(*vi*) call on private/corporate organizations to invest in sports sponsorship and development as their social responsibility to Nigeria; and

(*vii*) urge the Federal Government and private sectors to encourage development of local talents in Sports and other areas of National endeavours (*Hon. Godfrey Gaiya — Jaba/Zango Kataf F ederal Constituency*).

Debate:

Question put and agreed to.

The House:

Noted the successful outing of the national team — the Super Eagles on Sunday, 10 February, 2013 in South Africa, where they emerged as African champions;

Recalled that the national team — the Super Eagles last won this trophy in 1994 in Tunisia, about 19 years ago;

Further recalled that the prime position of sports in general and football especially in bringing harmony, peace and unity to Nigerians who love football passionately;

Aware that the victory is significant milestone in the history of football in Nigeria, having a great potential in encouraging youths to aspire to football excellence;

Happy that the victory has brought Nigeria to a level where she can begin to aspire to greatness in other fields of endeavour.

Resolved to:

(*i*) Celebrate and encourage excellence in the players, coaching crew, the Nigerian Football Federation (NFF) and the Ministry so as to elevate Nigeria in the sporting map of the world;

(*ii*) encourage the development of sporting facilities in all parts of the country and facilitate access to them by the nation's teeming youths to have access to good sporting facilities;

(*iii*) encourage adequate funding of football and other Sports by Government to improve existing facilities and to develop new ones;

(*iv*) request members of the National Assembly to design and sponsor sporting activities in their various Constituencies to augment Government efforts;

(*v*) appreciates the Federal Government for the recognition, various gifts and awards given to the players and officials and further urge the Federal Government to name Streets in the FCT and the various State Capitals after the players;

(*vi*) call on private/corporate organizations to invest in sports sponsorship and development as their social responsibility to Nigeria; and

(*vii*) urge the Federal Government and private sectors to encourage development of local talents in Sports and other areas of National endeavours (**HR. 33/2013**).

6. **Officials of the Supper Eagles of Nigeria addressed the House in the following order:**

(*i*) Stephen Okechukwu Keshi, Head Technical Team, Supper Eagles of Nigeria;

(*ii*) Dr Rafiu Oladipo, President General World Wide, Nigeria Football and Other Sports Supporters Association;

(*iii*) Mr Pat Ekeji, Director General, National Sports Commission;

(*iv*) Aminu Maigari, President, National Football Federation (NFF).

(*For details see Official Reports of Wednesday,* 13 *February,* 2013).

The Nigerian Super Eagles, the Technical Crew of the Super Eagles, Officials of the Nigerian Football Federation and members of the Nigerian Football and other Sports Supporters Association exited the Chamber at 1.00 *p.m.*

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

(*i*) Constitution of the Federal Republic of Nigeria, 1999 (Alteration) Bill, 2013 (HB. 415).

(*ii*) Constitution of the Federal Republic of Nigeria, 1999 (Fourth Alteration) Bill, 2013 (HB. 419).

(*iii*) Constitution of the Federal Republic of Nigeria (Alteration) Bill, 2013 (HB. 432).

(*iv*) Administration of Criminal Justice Bill, 2013 (HB. 433).

8. **Matter of Urgent Public Importance:**
Citing Standing Order VIII, Rule 46, Hon. Leo Ogor (*Isoko North/Isoko South Federal Constituency*) drew the attention of the House to the illegal sale and transfer of OML 26 and land leases agreements to First Hydrocarbon Nigeria Limited by Shell Petroleum Development Company of Nigeria (SPDC) in conjunction with Nigerian National Petroleum Corporation (NNPC). He stated that the agreement was done without the consent of the host communities and thus a betrayal of the trust given to SPDC. He therefore urged the House to consider the matter as one of urgent public importance and to suspend Order VIII, Rule 46 (3) to enable it debate the matter immediately.

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.

Illegal and Fraudulent Sale and Transfer of OML 26 and Land Leases Agreements to First Hydrocarbon Nigeria Limited:

The House:

Notes that, OML 26, comprising Ogini; Isoko Deep, Ofa and Ovo oil fields situates in Ozoro Kingdom, headquarters of Isoko North Local Government Area, Delta State;

Aware that, OML 26 is located in the land of the rightful owners, families and host communities of Ozoro Kingdom who by virtue of this privilege position are supposed, to be aware and notified about any transaction concerning OML 26;

Observe that land owners, families and host communities have nurtured the SPDC facilities in their area for decades and have suffered environmental degradation throughout and therefore ought to be given the right of first refusal;

Regrets that Shell Petroleum Company of Nigeria in conjunction with NNPC, in a desperate move, in secret and under questionable circumstances, without any notice to the public, land owners, families and host communities, sold OML 26 to an unknown third party, called First Hydrocarbon Nigeria Ltd;

Concerned that the action of Shell Petroleum Development Company has left the land owners, families and host community betrayed, dejected, depraved and deprived of full benefits of their God given natural resources;

Convinced that First Hydrocarbon Nigeria Limited is owned by persons who have served in Government in very high capacity and by virtue of the position they held has knowledge of the vast potentials of OML 26 and merely used their position to secretly and fraudulently buy OML 26, against office etiquette;

Also aware that the deprived land owners, families and host community are vexed, agitated and becoming very restive and the intervention of this honourable House is needed.

Resolves to:

Mandate the Committee on Gas to investigate the entire transaction in view of vast deposit of untapped Gas resources in the OML and the Secret, fraudulent and illegal sale of OML 26 to First Hydrocarbon Nigeria Limited and make appropriate recommendations to the House within four (4) weeks (*Hon. Leo Ogor — Isoko North/Isoko South Federal Constituency*).

Debate:

Question put and agree to.

The House:

Notes that, OML 26, comprising Ogini; Isoko Deep, Ofa and Ovo oil fields situates in Ozoro Kingdom, headquarters of Isoko North Local Government Area, Delta State;

Aware that, OML 26 is located in the land of the rightful owners, families and host communities of Ozoro Kingdom who by virtue of this privilege position are supposed, to be aware and notified about any transaction concerning OML 26;

Observe that land owners, families and host communities have nurtured the SPDC facilities in their area for decades and have suffered environmental degradation throughout and therefore ought to be given the right of first refusal;

Regrets that Shell Petroleum Company of Nigeria in conjunction with NNPC, in a desperate move, in secret and under questionable circumstances, without any notice to the public, land owners, families and host communities, sold OML 26 to an unknown third party, called First Hydrocarbon Nigeria Ltd;

Concerned that the action of Shell Petroleum Development Company has left the land owners, families and host community betrayed, dejected, depraved and deprived of full benefits of their God given natural resources;

Convinced that First Hydrocarbon Nigeria Limited is owned by persons who have served in Government in very high capacity and by virtue of the position they held has knowledge of the vast potentials of OML 26 and merely used their position to secretly and fraudulently buy OML 26, against office etiquette;

Also aware that the deprived land owners, families and host community are vexed, agitated and becoming very restive and the intervention of this honourable House is needed.

Resolves to:

Mandate the Committee on Gas to investigate the entire transaction in view of vast deposit of untapped Gas resources in the OML and the Secret, fraudulent and illegal sale of OML 26 to First Hydrocarbon Nigeria Limited and make appropriate recommendations to the House within four (4) weeks (**HR. 34/2013**).

9. **A Bill for an Act to Regulate the Naming of Public Infrastructures owned by the Federal Government after an Individual; to provide for the condition and procedure for the naming and to Provide for Matters Related Thereto (HB. 94) — *Second Reading*:**

Order read; by leave of the House, deferred.

10. **Consideration of Reports:**

(*i*) ***Committee on Customs and Excise*:**
Motion made and Question proposed, "That this House do consider the Report of the Committee on Customs and Excise on the Investigation on the Need to Prevent continued Loss of Revenue through Ports Inspection Contracts and approve the Recommendations therein" (*Hon. Chinda Kingsley Ogundu — Obio/Akpor Federal Constituency*).

Question put and agreed to.

Question that the House do resolve into Committee of the Whole to consider the Report, put and agreed to.

(HOUSE IN COMMITTEE)

(*Mr Deputy Speaker in the Chair*)

***Recommendation (i)*:**
"That the Nigeria Customs Service (NCS) should ensure that its officers trained by the various Service Providers are attached to the Service Providers in the interim to acquire more on the job training and not post them out to areas irrelevant to the training already received" (*Hon. Chinda Kingsley Ogundu — Obio/Akpor Federal Constituency*).

Question put and agreed to.

***Recommendation (ii)*:**
"That the Service Providers, including Webb Fontaine, COTECNA SGS and Global Scan should take steps to harmonize their different Risk platforms into a single window for the use of the Nigeria Customs Service. A Central Data Management System that will aid in harmonization and integration of all data from relevant agencies for effective monitoring should be immediately established" (*Hon. Chinda Kingsley Ogundu — Obio/Akpor Federal Constituency*).

Question put and agreed to.

***Recommendation (iii)*:**
"That pending the complete takeover of destination inspection services by the Nigeria Customs Service, an implementable transition timetable should be put in place to ensure orderly transition to the Nigeria Customs Service. That this transition should not extend beyond the end of 2013" (*Hon. Chinda Kingsley Ogundu — Obio/Akpor Federal Constituency*).

Question put and agreed to.

***Recommendation (iv)*:**
"That the Service Providers should ensure that there is no skills gap in the Nigeria Custom Service within the transition period. There should be harmonization of training standards by all the Service Providers" (*Hon. Chinda Kingsley Ogundu — Obio/Akpor Federal Constituency*).

Question put and agreed to.

***Recommendation (v)*:**
"That the Nigerian Customs Service should recruit younger officers with requisite qualification in Physics, Chemistry, Mechanical Engineering, Electrical/Electronic Engineering and related disciplines for training on the use and maintenance of scanners and other specialized equipment and operation" (*Hon. Chinda Kingsley Ogundu — Obio/Akpor Federal Constituency*).

Question put and agreed to.

Recommendation (vi):
"That the Government should ensure full implementation and enforcement of its trade policies and bilateral agreements as this will greatly enhance government revenue and good local economy" (*Hon. Chinda Kingsley Ogundu — Obio/Akpor Federal Constituency*).

Question put and agreed to.

Recommendation (vii):
"That all goods coming into Nigeria should be fully scanned for both security and revenue purposes, as against the present practice of scanning based on ASYCUDA random selectivity as most of the installed scanners by the Service Providers have the capacity to do so" (*Hon. Chinda Kingsley Ogundu — Obio/Akpor Federal Constituency*).

Question put and agreed to.

Recommendation (viii):
"That within the transition period, more scanners should be provided at all entry points at all the ports in Nigeria where they are not currently available. Measures should also be put in place to ensure that installed scanners are effectively utilized and properly maintained as the scanners are currently grossly unutilized" (*Hon. Chinda Kingsley Ogundu — Obio/Akpor Federal Constituency*).

Question put and agreed to.

Recommendation (ix):
"That since some of the ports such as Port Harcourt, Calabar, Warri and others are in every bad shape, the Nigerian Ports Authority and the Executive Arm of Government should be mandated to develop these ports by dredging and deepening the draughts to accommodate bigger vessels" (*Hon. Chinda Kingsley Ogundu — Obio/Akpor Federal Constituency*).

Question put and agreed to.

Recommendation (x):
"That the Foreign Exchange and trade facilitation documents like 'Form M', 'Form A', 'Form NXP' and 'Form NCX' should be automated immediately to enhance transparency, increased revenue generation and fraud-free operations" (*Hon. Chinda Kingsley Ogundu — Obio/Akpor Federal Constituency*).

Question put and agreed to.

Recommendation (xi):
"That consistent with government's local content development policy, it is recommended that within the transition period and thereafter, effort should be made to patronize Nigerian companies who have shown experience and capacity in destination inspection services. This will create more jobs and employment and enhance national economic growth" (*Hon. Chinda Kingsley Ogundu — Obio/Akpor Federal Constituency*).

Question put and agreed to.

Recommendation (xii):
"That the Executive arm of Government should ensure that all Service Providers who defaulted or evaded tax, should be made to pay up within the transition period. In future, Government should as a matter of policy enhance patronage of Nigerian companies as they are less likely to default or evade tax and could easily be made to pay whatever is being owed" (*Hon. Chinda Kingsley Ogundu — Obio/Akpor Federal Constituency*).

Question put and agreed to.

Chairman to report proceedings.

(HOUSE IN PLENARY)

Mr Deputy Speaker in the Chair, reported that the House in Committee of the Whole considered the Report of the Committee on Customs and Excise on its investigation on the Need to Prevent continued Loss of Revenue through Ports Inspection Contracts and approved Recommendations (*i*) - (*xii*) of the Report.

Question that the House do adopt the Report of the Committee of the Whole, put and agreed to.

(*ii*) **A Bill for an Act to Repeal the Banks and Other Financial Institutions Act 2004 and Re-Enact the Banks and Other Financial Institutions Act, 2011 and for Other Matters Connected Thereto (HB. 35) (*Committee of the Whole*) — (*Hon. Mulikat Akande-Adeola — House Leader*):**

Question put and agreed to.

Question that the House do resolve into Committee of the Whole to consider the Report, put and agreed to.

(HOUSE IN COMMITTEE)

(*Mr Deputy Speaker in the Chair*)

A BILL FOR AN ACT TO REPEAL THE BANKS AND OTHER FINANCIAL INSTITUTIONS ACT, 2004 AND RE-ENACT THE BANKS AND OTHER FINANCIAL INSTITUTIONS ACT, 2011 AND FOR OTHER MATTERS CONNECTED THERETO

CHAPTER A — BANKS

PART I — ESTABLISHMENT OF BANKS, ETC.

Clause 1: Functions, Powers and Duties of the Central Bank of Nigeria.

(1) The Central Bank of Nigeria (hereinafter referred to as "the Bank") shall have all the functions and powers conferred and the duties imposed on it by this Bill.

(2) The Bank shall in addition to the functions and powers conferred on it by this Bill, have the functions and powers conferred and the duties imposed on the Bank by the Central Bank of Nigeria Act.

(3) The Bank may authorise or instruct any officer or employee of the Bank to perform any of the functions, exercise any powers, or discharge any of its duties under this Bill.

(4) The Bank may, either generally or in any particular case, appoint any person who is not an officer or employee of the Bank, to render such assistance as it may specify in the exercise of its powers, the performance of its functions, or the discharge of its duties under this Bill, or the Central Bank of Nigeria Act, or to exercise, perform or discharge the functions and duties on behalf of and in the name of the Bank.

(5) For the purposes of this Bill, a person shall be deemed to be receiving money as deposits —

(*a*) if the person accepts deposits from the general public as a feature of its business or if it issues an advertisement or solicits for such deposit; and

(*b*) notwithstanding that it receives moneys as deposits which are limited to fixed amounts or that certificates or other instruments are issued in respect of any such amounts providing for the repayment to the holder thereof either conditionally or unconditionally of the amount of the deposits at specified or unspecified dates or for the payment of interest or dividend on the amounts deposited at specified intervals or otherwise, or that such certificates are transferable.

(6) Notwithstanding anything contained in this section to the contrary, the receiving of moneys against any issue of shares and debentures offered to the public in accordance with any enactment in force within the Federation shall not be deemed to constitute receiving moneys as deposits for the purposes of this Bill (*Hon. Mulikat Akande-Adeola — House Leader*).

Debate:

Further consideration deferred till Tuesday, 19 *February*, 2013.

Chairman to report progress.

(HOUSE IN PLENARY)

Mr Deputy Speaker in the Chair, reported that the House in Committee of the Whole considered a Bill for an Act to Repeal the Banks and Other Financial Institutions Act 2004 and Re-Enact the Banks and Other Financial Institutions Act, 2011 and for Other Matters Connected Thereto and deferred further consideration till Tuesday, 19 February, 2013.

Question that the House do adopt the Report of the Committee of the Whole, put and agreed to.

11. Adjournment:
That the House do now adjourn till Thursday, 14 *February*, 2013 *at* 11.00 *a.m.* (*Hon. Mulikat Akande -Adeola — House Leader*).

The House adjourned accordingly at 2.12 *p.m.*

Aminu Waziri Tambuwal
Speaker