FOURTH REPUBLIC
7TH NATIONAL ASSEMBLY
SECOND SESSION
NO. 75

HOUSE OF REPRESENTATIVES
FEDERAL REPUBLIC OF NIGERIA

VOTES AND PROCEEDINGS

Thursday, 21 March, 2013

1. The House met at 11.34 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 Wednesday, 20 March, 2013.

By unanimous consent, the Votes and Proceedings was adopted.

3. **Announcement:**

(*i*) ***Bereavement*:**
Mr Speaker read a communication, from Hon. Abayomi Dauda Kako (*Mushin I Federal Constituency*) announcing the death of his mother, Alhaja Sikirat Kako Are on Wednesday, 13 March, 2013.

A minute silence was observed in honour of the deceased.

(*ii*) ***Conference Committee on a Bill for an Act to make Provision for the State of the Nation Address by the President and for Other Matters*:**
Mr Speaker announced Members of the Conference Committee as follows:

(1)	Hon. Uzoma Nkem Abonta	—	*Chairman*
(2)	Hon. Gambo Musa Dan-Musa	—	*Member*
(3)	Hon. Emmanuel M. Udende	—	*Member*
(4)	Hon. Monguno Mohammed Tahir	—	*Member*
(5)	Hon. Jude Akinloye	—	*Member*
(6)	Hon. Christopher Eta	—	*Member*

(*iii*) ***Committees' Appointment*:**
Mr Speaker announced the appointment of the Leadership of some Committees as follows:

(1)	Hon. Aminu Sulaiman	—	*Chairman, Committee on Education*
(2)	Hon. Akpan Micah Umoh	—	*Deputy Chairman, Committee on Public Petitions*
(3)	Hon. Bashir Baballe	—	*Deputy Chairman, Committee on Labour and Productivity*
(4)	Hon. Jephtha Foinga	—	*Deputy Chairman, Committee on Army*
(5)	Hon. Abdullahi Mohammed	—	*Deputy Chairman, Committee on Power*
(6)	Hon. Garba Gulma	—	*Deputy Chairman, Committee on Health*
(7)	Hon. Ibrahim Khalid	—	*Deputy Chairman, Committee on Environment*
(8)	Hon. Bello Kaoje	—	*Deputy Chairman, Committee on Special Duties.*

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4. **Petitions:**

The following petitions were presented and laid by:

(*i*) Hon. Abimbola Daramola (*Ikole/Oye North Federal Constituency*) on behalf of Adebola Alegbeleye and 9 Others, praying the House to redress in the non-payment of their terminal benefit by Spring Bank Plc, now Enterprise Bank Limited;

(*ii*) Hon. Fort Dike (*Ihiala Federal Constituency*) on behalf of:

(*a*) Ndubuisi Okolie, seeking the intervention of the House on the planned relocation of Nigerian Agriculture, Cooperative and Rural Development Bank from Ihiala Local Government Area;

(*b*) Ndubuisi Okolie, praying the House to intervene in the poor supply of electricity to Ihiala Local Government Area by Power Holding Company of Nigeria (PHCN), with a view to ensuring stable supply;

(*c*) Mr Val Obimma and C. I. Chukwu for Izu Umunne Association, praying the House to look into the deplorable state of Okija-Ihiala-Uli-Egbu road by Federal Road Maintenance Agency (FERMA).

Petitions referred to the Committee on Public Petitions.

5. **Matters of Urgent Public Importance:**

(*i*) Citing Standing Order VIII, Rule 46, Hon. Garba Datti Mohammed (*Sabon Gari Federal Constituency*) called the attention of the House to the habitual disregard of the House Resolutions by the Executive Arm of Government. He expressed regret on the trend and stressed its dysfunctional implication on the nation's democracy. He thus 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.*

The Blatant Disregard of Resolutions of the House of Representatives:

The House:

Notes with grave concern the persistent blatant disregard of the Resolutions of the House of Representatives;

Aware that most of these resolutions, though products of motions, hinge on fundamental public duty placed on public officers by the Constitution under the Fundamental Objectives and Directive Principles of State Policy;

Observes that the Motion urging the removal of Ms Arunmah Oteh, for instance, hinged on the fact that her appointment as Director-General of the Securities and Exchange Commission was a gross violation of the Commission's Act as she does not possess the minimum professional qualification prescribed for appointment to that position;

Alarmed that recently, the Executive Arm has adopted the dangerous and vexatious approach of picking and choosing the implementation of the Resolutions of the Senate on the dismissal of Abdulrasheed Maina which was passed much later in time while still disregarding the long pending Resolution on the removal of the Director-General of the Securities and Exchange Commission;

Persuaded that resolutions bordering on the breach of extant legislations should not be treated with levity as such tends to portray government in bad light.

Resolves to:

(*i*) Once again urge Mr President to implement the resolution of the House by removing Ms Arunmah Oteh from office on grounds of non-possession of the minimum professional qualification prescribed in the Securities and Exchange Commission Act for appointment to the office of Director-General;

(*ii*) direct the Committee on Legislative Compliance to monitor and report back to the House within 3 weeks (*Hon. Garba Datti Mohammed — Sabon Gari Federal Constituency*).

Debate:

Question put and agreed to.

The House:

Noted with grave concern the persistent blatant disregard of the Resolutions of the House of Representatives;

Aware that most of these resolutions, though products of motions, hinge on fundamental public duty placed on public officers by the Constitution under the Fundamental Objectives and Directive Principles of State Policy;

Observed that the motion urging the removal of Ms Arunmah Oteh, for instance, hinged on the fact that her appointment as Director-General of the Securities and Exchange Commission was a gross violation of the Commission Act as she does not possess the minimum professional qualification prescribed for appointment to that position;

Alarmed that recently the Executive has adopted the dangerous and vexatious approach of picking and choosing the implementation of resolutions of the Senate on the dismissal of Abdulrasheed Maina which was passed much later in time while still disregarding the long pending motion on the removal of the Director-General of the Securities and Exchange Commission;

Persuaded that resolutions bordering on the breach of extant legislations should not be treated with levity as such tends to portray government in bad light.

Resolved to:

(*i*) Once again urge Mr President to implement the resolution of the House by removing Ms Arunmah Oteh from office on grounds of non-possession of the minimum professional qualification prescribed in the Securities and Exchange Commission Act for appointment to the office of Director-General;

(*ii*) direct Committee on Legislative Compliance to monitor and report back to the House within 3 weeks (**HR. 75/2013**).

(*ii*) Also citing Standing Order VIII, Rule 46, Hon. Robinson Uwak (*Oron/Mbo/Okobo/Udung Uko/Urue Offong/Oruku Federal Constituency*) drew the attention of the House to the accident that occurred on Monday, 18 March, 2013 in which a boat conveying Nigerian citizens between Oron in Akwa Ibom State and Gabon capsized, killing 166 persons. He recalled an earlier Resolution of the House urging the Nigerian Inland Waterways Authority (NIWA) and the Nigerian Maritime Administration and Safety Agency (NIMASA) to effectively and pro-actively carry out their intervening and regulatory functions and expressed dismay over their inability to live up to expectation. 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.*

The Wanton Loss of Lives in the Recent Marine Accident and the Failure of NIWA and NIMASA to carry-out the Resolutions of the House of Representatives:

The House:

Notes with grave concern the tragedy which occurred on Monday, the 18 of July, 2013 involving Nigerian citizens traveling between Oron in Akwa Ibom State and Gabon, wherein the conveying vessel capsized, killing 166 passengers out of 168;

Further notes that the country has not, in its recent history, seen so many lives being lost in one single marine accident along its waterways;

Also notes that this, therefore is one incidence too many and an indication that travels within our waterways are getting riskier and more dangerous, given the increasing number of Nigerians dying due to boat mishaps;

Recalls that following a similar boat mishap of November 25, 2011, which claimed 35 lives, the House, on the 18th of January, 2012, deliberated and passed a Motion titled "*Neglect of Marine Transport, Wanton Loss of Lives, and Constraint of Commerce and Tourism in Nigeria*", and subsequently mandated the Committee on Marine Transport to urge the Nigerian Inland Waterways Authority (NIWA) to resume ferry services in the affected areas especially in the Oron route within 60 days, and to further urge the Nigerian Maritime Administration and Safety Agency (NIMASA) to increase the number of emergency rescue patrol boats, monitor the waterways and ensure that ferries and boats operating in the country, especially in the Oron area comply with safety standards and maintain manifests of all marine passengers;

Troubled that despite these Resolutions of the House, safety standards and rescue operations along our waterways are yet to be enforced or improved upon, showing relationship between the failure to carry-out these Resolutions by the concerned agencies and the increasing number of fatalities in these accidents;

Also troubled that what we have just witnessed again is not the failure of the people, but of the government to swiftly react to issues that border on the safety of lives and property of Nigerians, just like the Dana Aircraft accident of 3 June, 2012, which claimed about 150 lives involving high profile individuals was given so much attention and investigation, with the usual change in government policy to address future occurrences; but sadly, marine accidents are not given the same level of attention and change in government policy even though the accidents, when they occur claim more lives of ordinary and struggling citizen trying to make ends meet;

Further troubled that despite having effective and clear laws on marine transportation, there is a gross failure on the part of the concerned agencies to effectively and pro-actively carry-out their intervening and regulatory functions;

Acknowledges the functions and powers of NIWA, as stated in Part 2 of the National Inland Waterways Act of 1997, which expressly gives it power to license and regulate marine transportation, as well as operate ferry services within the inland waterways system;

Convinced that the House can put an end to all forms of marine accidents by ensuring that its Resolutions are promptly carried-out, and that matters that border on the safety of the lives and properties of Nigerians are given prompt and due attention.

Resolves to:

Mandate the Committee on Marine Transport to summon the National Inland Waterways Authority (NIWA), and the Nigerian Maritime Administration and Safety Agency (NIMASA) to investigate their failure to carry-out the resolutions of the House (*Hon. Robinson Uwak — Oron/Mbo/Okobo/Udung Uko/Urue Offong/Oruku Federal Constituency*).

Question put and agreed to.

Motion referred to the Committee on Committee on Police Affairs pursuant to Standing Order VIII, Rule 51 (5) **(HR. 76/2013)**.

A minute silence was observed in honour of the deceased.

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

(*i*) Nigerian Communications Commission Act (Amendment) Bill, 2013 (HB. 470).

(*ii*) National Cardiothoracic Centers (Establishment) Bill, 2013 (HB. 435).

(*iii*) National Emergency Telephone Number (Establishment) Bill, 2013 (HB. 438).

(*iv*) National Emergency Management Agency (Establishment, etc.) (Amendment) Bill, 2013 (HB. 440).

(*v*) Nigeria Security and Civil Defence Corps Act (Amendment) Bill, 2013 (HB. 476).

(*vi*) Institute of Animal Science Act (Amendment) Bill, 2013 (HB. 478).

(*vii*) Chartered Pension Institute of Nigeria (Establishment) Bill, 2013 (HB. 477).

(*viii*) Automobile Industry Bill, 2013 (HB. 475).

7. **Need for Urgent Construction/Expansion of Police Barracks in the Federal Capital Territory (FCT):**
Motion made and Question proposed:

The House:

Notes that most of the Police Barracks in the Federal Capital Territory (FCT) were constructed much earlier before the relocation of the seat of administration from Lagos to Abuja in 1991;

Further notes that the Federal Capital Territory (FCT) has witnessed great influx of policemen into it on posting from 1991 till date as a result of the relocation of the seat of power from Lagos to Abuja;

Aware that Officers and men of the Abuja Police Command are much more poorly accommodated than their counterparts in other Commands because the Nigeria Police has not made adequate provision to tackle the accommodation needs of its men in the face of the high cost of accommodation in the Federal Capital Territory (FCT);

Further aware that some lowly ranked policemen posted to the Federal Capital Territory (FCT) resort to living in disused and abandoned construction sites in the Federal Capital Territory (FCT) and its environs because of exorbitant accommodation cost;

Worried that from different locations, these policemen come to work in Wuse II, Maitama, Asokoro Districts of Abuja, where they guard and police the residents of these high brow settlements from intruders, thieves and miscreants who live in the same dilapidated construction sites with them;

Observes that the Federal Capital Territory (FCT) wing of the Garki Police Barrack has 14 blocks of 14 rooms each which officially was built to accommodate 196 Policemen and their household;

Concerned that over 2,000 Policemen and their household now live in the Federal Capital Territory (FCT) wing of the Garki Police Barrack while the Garki Police Station houses policemen in makeshift batchers inside the station;

Disturbed that some Policemen in the Garki Police Barrack have converted the stables meant for horses and police dogs to their abodes due to lack of accommodation;

Further disturbed that the police headquarters and its environs especially the Police Officers Wives Association School and some uncompleted buildings opposite the Police headquarters houses some newly posted but stranded policemen.

Resolves to:

Urge the Federal Government to make special budgetary provisions through a Supplementary Budget for the Nigeria Police Force and commence the construction and expansion of Police Barracks to take care of the accommodation needs of all rank and file of Police Personnel in the Federal Capital Territory (FCT) (*Hon. Ini A. Udoka — Ini/Ikono Federal Constituency*).

Question put and agreed to.

Motion referred to the Committee on Committee on Police Affairs pursuant to Standing Order VIII, Rule 51 5) **(HR. 77/2013).**

8. **Need to reverse the Zero Budget Allocation to the Distribution Companies (DISCOS) and Generation Companies (GENCOS) of Power Holding Company of Nigeria (PHCN) by the Executive in the 2013 Budget:**
Motion made and Question proposed:

The House:

Notes that the power sector is a critical sector of the economy with such pervasive influence on the other sectors that it qualifies to be called the master key that opens all the doors to our socio-economic, political and industrial dreams;

Further notes that as much as the policy and programme of privatisation in this sector are desirable as a logical necessity, their implementation must be done in such a manner that will not leave any gaps or vacuum in t he entire process of power generation, transmission and distribution as a "three-in-one package", such that what is generated can be evacuated and ultimately distributed to end-users;

Aware that there is need for parity of efficient performance in the three interrelated compartments of the power sector such that the gains in the generation of electricity per kilowatt is adequately transmitted and distributed;

Further aware that most Distribution Companies and Generation Companies awarded various contracts under the 2012 budget which have been completed but have not been paid for because the third and fourth quarters' releases from the 2012 budget which should have been used for that purpose, were never released with the result that the contractors are now on the necks of the Chief Executive Officers of the Distribution Companies and Generation Companies, particularly now that there is no provision for them at all in the 2013 budget;

Regrets that there are no budgetary provisions for the Distribution Companies and Generation Companies in the 2013 budget thereby creating a near situation of collapse in the operations of the Distribution Companies and Generation Companies across the length and breadth of the Nation as ordinary items such as fuses, cables, etc. are out of stock of the Discos, and since they were not accommodated at all in 2013 budget, they cannot replenish their stocks;

Disturbed that very shortly, whatever gains the Nation would have achieved in generation and transmission of electricity would have been lost as the Distribution Companies and Generation Companies with zero budget allocation in the 2013 budget, are financially incapacitated to distribute electricity to end users;

Further disturbed that unless there is a review by the Executive arm of the zero allocation to the Distribution Companies and Generation Companies in the 2013 budget so as to empower them to continue to function until such a time that the preferred bidders of these Distribution Companies will have functionally taken over, the Nation will likely undergo a massive failure in the Power sector with its resultant effects on the economy.

Resolves to:

Call on the Hon. Minister of Power and all the relevant authorities to accommodate the financial needs of all the Distribution Companies (DISCOS) and Generation Companies (GENCOS) in a supplementary budget to enable them discharge their functions of delivering electricity to the Nigerian people while the process of taking them over by the preferred bidders is being logically and functionally perfected (*Hon. Patrick A. Ikhariale — Esan Central/Esan West/Igueben Federal Constituency and* 17 *Others*).

Debate:

Amendment Proposed:
Leave out all the words in the Prayer and *insert* as follows instead therefore:
"Mandate the Committees on Power, Reform of Government Institutions, Finance, and Privatization to investigate the zero allocation to DISCOS and GENCOS and report back to the House within one week (*Hon. Matthew Omegara — Onuimo/Okigwe/Isiala Mbano Federal Constituency*).

Question that the amendment be made, put and agreed to.

Main Question as amended, put and agreed to.

The House:

Noted that the power sector is a critical sector of the economy with such pervasive influence on the other sectors that it qualifies to be called the master key that opens all the doors to our socio-economic, political and industrial dreams;

Further noted that as much as the policy and programme of privatisation in this sector are desirable as a logical necessity, their implementation must be done in such a manner that will not leave any gaps or vacuum in the entire process of power generation, transmission and distribution as a "three-in-one package", such that what is generated can be evacuated and ultimately distributed to end-users;

Aware that there is need for parity of efficient performance in the three interrelated compartments of the power sector such that the gains in the generation of electricity per kilowatt is adequately transmitted and distributed;

Further aware that most Distribution Companies and Generation Companies awarded various contracts under the 2012 budget which have been completed but have not been paid for because the third and fourth quarters' releases from the 2012 budget which should have been used for that purpose, were never released with the result that the contractors are now on the necks of the Chief Executive Officers of the Distribution Companies and Generation Companies, particularly now that there is no provision for them at all in the 2013 budget;

Regretted that there are no budgetary provisions for the Distribution Companies and Generation Companies in the 2013 budget thereby creating a near situation of collapse in the operations of the Distribution Companies and Generation Companies across the length and breadth of the Nation as ordinary items such as fuses, cables, etc. are out of stock of the Discos, and since they were not accommodated at all in 2013 budget, they cannot replenish their stocks;

Disturbed that very shortly, whatever gains the Nation would have achieved in generation and transmission of electricity would have been lost as the Distribution Companies and Generation Companies with zero budget allocation in the 2013 budget, are financially incapacitated to distribute electricity to end users;

Further disturbed that unless there is a review by the Executive arm of the zero allocation to the Distribution Companies and Generation Companies in the 2013 budget so as to empower them to continue to function until such a time that the preferred bidders of these Distribution Companies will have functionally taken over, the Nation will likely undergo a massive failure in the Power sector with its resultant effects on the economy.

Resolved to:

Mandate the committees on Power, Reform of Government Institutions, Finance, and Privatization to investigate the zero allocation to DISCOS and GENCOS and report back to the House within one week (**HR. 78/2013**).

9. **A Bill for an Act to Amend the National Emergency Management Agency (Establishment, etc.) Act, Cap. N34, LFN, 2004 and for Other Connected Purposes (HB. 376) — *Second Reading*:**

Bill deferred to allow for its consolidation with National Emergency Management Agency (Establishment, etc.) (Amendment) Bill, 2013 (*HB.* 440).

10. **A Bill for an Act to Repeal and Re-Enact the Tobacco Smoking (Control) Bill to among other things Provide for the Regulation of the Production, Importation, Advertising, Promoting, Sponsorship, Distribution, Sale and Designation of Areas where Tobacco Products may and may not be smoked and for Matters Connected Therewith (HB. 455) — *Second Reading*:**
Motion made and Question proposed, "That a Bill for an Act to Repeal and Re-Enact the Tobacco Smoking (Control) Bill to among other things Provide for the Regulation of the Production, Importation, Advertising, Promoting, Sponsorship, Distribution, Sale and Designation of Areas where Tobacco Products may and may not be smoked and for Matters Connected Therewith (HB. 455) be now read a Second Time" (*Hon. Yakub Abiodun Akanni Balogun — Lagos Island II 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 Health, and Justice.

11. **A Bill for an Act to Amend the Pre-Shipment of Exports Act, Cap. P25 LFN 2004; so as to Enhance the operations of the Nigerian Export Supervision Scheme for improved Performance and overall growth of the Economy; and for Related Matters (HB. 196) — *Second Reading*:**

Order deferred by leave of the House.

12. **A Bill for an Act to Establish the National Agriculture Development Fund and Matters Connected Therewith (HB. 104) — *Second Reading*:**
Motion made and Question proposed, "That a Bill for an Act to Establish the National Agriculture Development Fund and Matters Connected Therewith (HB. 104) be now read a Second Time" (*Hon. Bitrus Kaze — Jos South/Jos East 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 Agriculture.

13. **A Bill for an Act to Establish a National Commission for Youths Development and make Provision for its Administration and for Connected Purposes (HB. 129) — *Second Reading*:**
Motion made and Question proposed, "That a Bill for an Act to Establish a National Commission for Youths Development and make Provision for its Administration and for Connected Purposes (HB. 129) be now read a Second Time" (*Hon. Andrew Uchendu — Ikwerre/Emoha Federal Constituency*).

Debate:

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

Bill read the Second Time and referred to the Committee on Youth Development.

14. **Adjournment:**
That the House do now adjourn till Tuesday, 26 *March*, 2013 *at* 11.00 *a.m.* (*Hon. Mulikat Akande-Adeola — House Leader*).

The House adjourned accordingly at 2.28 *p.m.*

Aminu Waziri Tambuwal
Speaker