FOURTH REPUBLIC
7TH NATIONAL ASSEMBLY
THIRD SESSION
NO. 1

HOUSE OF REPRESENTATIVES
FEDERAL REPUBLIC OF NIGERIA

VOTES AND PROCEEDINGS

Tuesday, 25 June, 2013

1. The House met at 11.47 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 Thursday, 6 June, 2013.

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

10*th June*, 2013

Right Honourable Aminu Waziri Tambuwal, CFR
Speaker, House of Representatives,
National Assembly Complex,
Three Arms Zone,
Abuja.

Your Excellency,

***RE: STATE OF THE NATION ADDRESS BILL*, 2013**

May I draw Your Excellency's attention to the aforementioned Bill that was transmitted to me on 16*th May*, 2013 *by the Clerk of the National Assembly, and received on* 22*nd May*, 2013, *for assent.*

I have examined the Bill and the objectives for which it is being proposed and wish to draw your kind attention to section 67 *of the Constitution of the Federal Republic of Nigeria* 1999 *which provides that* ***"the President may attend any joint meeting of the National Assembly or any meeting of either House of the National Assembly, either to deliver an address on national affairs including fiscal measures, or to make such statement on the policy of government as he considers to be of national importance"***.

Your Excellency, in view of the express provisions of section 67 above, I am of the considered opinion that the 1999 Constitution has made ample provision for the kind of address contemplated by the Bill. It would therefore amount to a duplication to enact legislation on the same subject matter. This is more so as the proposed legislation seeks to circumscribe the President's discretion regarding whether or not, he should attend the joint meeting of the National Assembly or of any meeting or either House of National Assembly; the time to present the address; his determination of which policy of government is of 'national importance' for the purpose of an address; in addition to the threat of the use of coercive powers in the event of non compliance. This in my humble view is inconsistent with the doctrine of separation of powers and the letter and spirit of the Constitution.

The foregoing notwithstanding, I am inclined to accede to the Bill subject to the incorporation of some fundamental amendments proposed to bring the Bill in conformity with the dictates of the Constitution, especially the discretion conferred on the President by section 67 of the Constitution of the Federal Republic of Nigeria 1999.

I therefore humbly propose a redraft of the following clauses:

(*i*) *Clause 1 (2) should be redrafted to make it more flexible by substituting it with the following words:*

"The State of the Nation Address shall be delivered to a joint sitting of the National Assembly within 30 days of the commencement of the legislative year".

(*ii*) *Clause 3, which purports to empower the National Assembly to summon the President where he decides not to make the address, should be substituted with a clause that accords with the language of the Constitution. The following text is therefore proposed:*

"Where for any reason the President is unable to present an Address in accordance with section 1 of this Act, the President shall in writing inform the President of the Senate and the Speaker of the House of Representatives and either:

(*a*) ***designate the Vice-President to present the address on his behalf; or***

(*b*) ***transmit to the President of the Senate and the Speaker of the House of Representatives, the text of the Address".***

(*iii*) *To ensure symmetry with the above-proposed Clauses as well as give effect to their general intendment, Clause 5 should be amended to read as follows:*

"The National Assembly shall have power to regulate its procedure with respect to the provisions of this Act".

(*iv*) *Clause 6 of the Bill should be deleted, as the provision will no longer be consistent with the proposed amendment to Clause 3 above.*

Please accept, Your Excellency, the assurances of my highest esteem and warm regards.

Yours Sincerely,

(Signed)

GOODLUCK EBELE JONATHAN

4. Announcement:
***Visitors in the Gallery*:**
Mr Speaker recognized the presence of the following visitors:

(*a*) Staff and Pupils of the Executive Creche Nursery and Primary School, Deidei, Abuja;

(*b*) Staff and Students of WhitePlains British School, Jabi, Abuja;

(*c*) Members of National Association of Political Science Students, Nnamdi Azikiwe University, Awka, Anambra State.

5. Welcome Address by Mr Speaker:

Mr Speaker read the following address to welcome Members to a new legislative session:

IN TOGETHERNESS WE DELIVER ON OUR MANDATE

Protocols:

I am glad to welcome us back from the end of session break. I give thanks to the almighty God for protecting and bringing all us back safely to commence this third session.

2. *We can all recall with some level of appreciation that when we started out this journey on 6th of June* 2011, *the situation looked terribly daunting and unassailable given the myriad of challenges that stared us in the face: we instantaneously found ourselves at the crossroads of decision between law and whims of individuals and cartels, on a critical but all important issue as to who determines for us as an institution who our leaders should be. In togetherness' as democrats, we opted to choose our own leaders and God blessed our decision that we were right in our togetherness. It was a decision about institutional self identity not of selfish individual aggrandizement.*

3. *Again we were in the quagmire of a highly depleted and fast dwindling public image, confidence and goodwill, the process of redemption called for unmitigated self sacrifice and absolute commitment to the pursuit of the public good. In togetherness' we willingly chose modesty and self discipline as a deliberate operating strategy, God who deciphers the inner conviction of man prospered our cause and thus, while we may not yet have attained the object of total image redemption, in togetherness we are told we have, at least, arrested the drift.*

4. *These experiences have shown that there is power In togetherness, that there is accomplishment in togetherness and above all that there is victory in togetherness. Surely the challenges ahead are more formidable than those gone bye but I am confident that together we can achieve and deliver on our mandate.*

5. *My dear Honourable Colleagues, I refer to the sheer number of critical bills awaiting passage such as the Constitutional Amendment Bill, the Petroleum Industry Bill, Electoral Act (Amendment) Bill among others; in the area of oversight you are aware of our resolve to step up activity in order to ensure improved budget performance,' probity and good governance generally. Accordingly in a matter of days the House will suspend plenary and embark on oversight of the* 2013 *budget implementation. I need not remind us of the need to hold tenaciously the representation duty of promoting and protecting the interest of our Constituents and the Nigerian people at large. We must respond promptly to their concerns and plight and at all times insist on accountability, probity and good governance.*

6. *As we commence the second half of our tenure, we must sustain our focus on the ultimate objective of dealing decisively with unemployment, poverty and insecurity. As I observed recently we must not allow insecurity to overwhelm us in our drive towards economic prosperity. The Legislative Agenda we fashioned for ourselves has guided us thus far and we hope to stick to it subject to whatever modification we might effect in view of the mid-term review and inputs received from members of the public.*

7. *It is also appropriate to remind ourselves that beyond the challenges routine to our functions as Legislators, an even bigger challenge is fast approaching. I am referring to* 2015 *and the gathering clouds of politicking: first we must resist the temptation to beat the gun, we have an electoral umpire whose gun sound we must await; secondly we must resist being distracted from the execution of our mandate which is only half done and finally but perhaps' more importantly we must make a difference by rising against every attempt to cause disaffection among Nigerians.*

8. *Preparatory to* 2015, *many have started introducing political doctrines that are alien to democracy and destructive to peaceful social coexistence in a civilized society, they are busy fanning the embers of partisan hate and strife. According to this new doctrine, it is a political offense for a member of one political party to exchange greetings with someone In another political party, it is indeed a heinous crime for one to visit, attend the burial, birthday, coronation wedding or any such ceremony of someone in an opposing political party. The proponents of this shameful doctrine not only offend our sensibilities they constitute an affront on the whole essence of democracy and civilized coexistence and must be halted before they do incalculable damage to our polity. My dear colleagues we refuse to be students of this school of thought.*

9. *At this juncture I am strongly persuaded to state once again that from the little that we know, there is dichotomy between politics and governance. Thus there is a difference between a candidate in electoral contest on the platform of a political party and an elected official who has assumed a non partisan responsibility and taken oath to protect and preserve the Constitution, to serve the people and the nation. While the former is not merely at liberty but under a duty to be partisan, the latter must conduct himself in a manner worthy of the call to non partisanship in governance. Needless to say that generally whenever partisan interests conflict with national interest it is partisan interests that must be sacrificed in the preservation of the national interest. The oath we take is that of constitutionalism and national service and not of suffocating partisanship.*

10. *Again ,while we are clamouring for the deepening of democracy including internal party democracy, there has arisen a new group championing the obnoxious cause of the deepening of internal party autocracy and demogoguery. This is inexcusable and indeed reprehensible at this time in our history. Dissent is a healthy element in any democratic setting and those w3ho equate4 loyalty to sycophantic followership not only miss the point but put democracy at risk.*

11. *For our part we should continue the struggle for promotion of the building of strong institutions rather than strong men both at the level of government as well as political parties. That is where the salvation of our democracy and indeed our nation rests. Furthermore institutions are creations of the law and they must be run in accordance with the prescriptions of the laws establishing them rather than on makeshift expediencies.*

12. *To all Nigerians we wish to most sincerely appreciate y our partnership, cooperation, confidence and goodwill in spite of our limitations. Let me assure once again that we are determined more than ever before to meet your yearnings and aspirations. We cannot afford to squander your goodwill by doing less than we have pledged to do. As long as our people remain hungry, as long as people continue to die needlessly from violent crimes, and as long as our people continue to live in poverty and want in a nation blessed with such abundance, we cannot kill the man in us by keeping silent.*

13. *To our media and civil society partners we commend you for commitment, dedication and patriotism. Rest assured that the good people of Nigeria whom you serve appreciate the good work you have been doing and we can only urge you to keep up the spirit.*

14. *My dear Honourable Colleagues as we begin the second half of our journey, we must resolve to rededicate ourselves to making the legislature the cornerstone of our nation's revival and the bulw[illegible] democracy. Once again thank you, on behalf of leadership, for your support, trust and maturity. [illegible] mutual trust that has bound us together from the beginning abide with us till the end of our journey.*

15. *May God Almighty prosper our efforts and grant us a most eventful third session.*

16. *Thanks and God bless you all.*

6. **Admittance into the Chamber:**
***The Chief of Defence Staff, and other Security Chiefs*:**
Motion made and Question proposed, "That this House do suspend Order XIX, Rule 217 (*xi*) to admit into the Chamber, the Service Chiefs and Heads of Para-military Agencies to brief the House, in a closed session, on the security situation in the country" (*Hon. Albert T. Sam-Tsokwa — Dunga/Ussa/Takum Federal Constituency*).

Question put and agreed to.

House in Closed Session — **12. 06 *p.m.***

House in Open Session — **04. 05 *p.m.***

7. **Adjournment:**
That the House do now adjourn till Wednesday, 26 *June*, 2013 *at* 11.00 *a.m.* (*Hon. Leo Ogor — Deputy House Leader*).

The House adjourned accordingly at 4.10 *p.m.*

Aminu Waziri Tambuwal
Speaker