FOURTH REPUBLIC
7TH NATIONAL ASSEMBLY
THIRD SESSION
NO. 4

HOUSE OF REPRESENTATIVES
FEDERAL REPUBLIC OF NIGERIA

VOTES AND PROCEEDINGS

Tuesday, 2 July, 2013

1. The House met at 11.44 a.m. Mr Deputy Speaker read the Prayers.

2. **Votes and Proceedings:**
Mr Deputy Speaker announced that he had examined and approved the *Votes and Proceedings* of Thursday, 27 June, 2013.

By unanimous consent, the Votes and Proceedings was adopted.

3. **Announcement:**
(*i*) ***Visitors in the Gallery*:**
Mr Deputy Speaker recognized the presence of the following visitors:

(*a*) Staff, Pupils and Students of White Dove Academy, Suleja, Niger State;

(*b*) Students of Faculty of Education, Library and Information Dept, Umaru Musa Yar'Adua University, Katsina State;

(*c*) Staff and Pupils of Morfol Cuddle Schools, Lugbe, Abuja.

(*ii*) **Bereavement:**
Mr Deputy Speaker read a communication from Hon. Austin Ogbaburhon (*Ughelli North/Ughelli South/Udu Federal Constituency*) announcing the death of Sen. Pius Akpo Ewherido (*Delta Central Senatorial District*) on Sunday, 30 June, 2013.

A minute silence was observed in honour of the deceased.

Hon. Samson Osagie prayed for the repose of his soul.

4. **Matters of Urgent Public Importance:**
(*i*) Citing Standing Order VIII, Rule 46, Hon. Osagie Raphael Samson (*Orhiorunwon/Uhunmwode Federal Constituency*) drew the attention of the House to the publication in some of the daily newspapers of today, 2 July, 2013, particularly the Leadership and Pilot newspapers, in which the Hon. Minister and Co-ordinating Minister of economy was quoted as have stated that the national economy would crumble if by September 2013, the National Assembly failed to pass the proposed amendments to the Appropriation Act, 2013. She was further quoted as having stated that without the approval of the proposed amendments it would be impossible for the Federal Government to pay salaries and wages of public servants for the remaining financial year. He condemned the statement and described it as an unwarranted attempt to incite the public servants against the National Assembly. 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.*

Attempt to incite Nigerian Workers against the National Assembly by the Minister of Finance, Mrs Ngozi Okonjo-Iweala:

The House:

Notes with regrets the assertion by the Hon. Minister of Finance, Mrs Ngozi Okonjo-Iweala to the effect that the nation would shut down by September 2013 if the National Assembly failed to pass the so called 2013 Budget Amendments;

Further notes that this assertion is intended not only to blackmail the National Assembly in the performance of its constitutional mandate but also to incite Nigerian workers against a legitimate and the most important institution of government — the National Assembly;

Aware that there is a subsisting and valid Appropriation Act, 2013 duly signed into Law by the President which is the operating budget for the Federal Republic of Nigeria for the Financial Year, 2013;

Further aware that from available field reports the Executive organ of government is deliberately delaying or exercising undue tardiness in the implementation of the 2013 budget;

Disturbed that the presentation of a budget amendment proposal before the Legislature is not an excuse for the non-implementation of the substantive budget;

Worried that the Minister of Finance had consistently insulted the sensibilities of the Institution of the National Assembly through her constant umbrage and blackmail of this Institution;

Cognizant of the fact that the National Assembly is alive to its responsibilities and will not be stampeded or blackmailed by any appointee of government in the discharge of its duties.

Resolves:

That there is a subsisting 2013 budget which the National Assembly insists must be implemented to the letter irrespective of the pendency of a Budget (Amendment) proposal.

Debate:

Question put and agreed to.

The House:

Noted with regrets the assertion by the Hon. Minister of Finance, Mrs Ngozi Okonjo-Iweala to the effect that the nation would shut down by September, 2013 if the National Assembly failed to pass the so called 2013 Budget Amendments;

Further noted that this assertion is intended not only to blackmail the National Assembly in the performance of its constitutional mandate but also to incite Nigerian workers against a legitimate and the most important institution of government - the National Assembly;

Aware that there is a subsisting and valid Appropriation Act, 2013 duly signed into Law by the President which is the operating budget for the Federal Republic of Nigeria for the Financial Year, 2013;

Further aware that from available field reports the Executive organ of government is deliberately delaying or exercising undue tardiness in the implementation of the 2013 budget;

Disturbed that the presentation of a budget amendment proposal before the Legislature is not an excuse for the non-implementation of the substantive budget;

Worried that the Minister of Finance had consistently insulted the sensibilities of the Institution of the National Assembly through her constant umbrage and blackmail of this Institution;

Cognizant of the fact that the National Assembly is alive to its responsibilities and will not be stampeded or blackmailed by any appointee of government in the discharge of its duties.

Resolved:

That there is a subsisting 2013 budget which the National Assembly insists must be implemented to the letter irrespective of the pendency of a Budget (Amendment) proposal (**HR. 11/2013**).

Ordered, That the Committees on Appropriations, Finance, and Legislative Compliance investigate the matter and report back to the House within one week.

(ii) Also citing Standing Order VIII, Rule 46, Hon. Aliyu Sani Madaki (*Dala Federal Constituency*) drew the attention of the House to the incessant theft of crude oil in the oil producing areas and the adverse effect on the nation's economy, which depends heavily on oil. He stressed the need for urgent measures to stop the trend, and 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.*

Incessant and Unbridled Theft of Crude Oil (Bunkering), a Clear and Present Danger; the Need for Urgent Action:

The House:

Notes the dwindling oil exploration in Nigeria and its attendant consequence on the economy,

Aware of the brazen and unbridled theft of Crude Oil (Bunkering) in Nigeria which is estimated at 300,000 barrels per day thus translated to 67 percent of our domestic consumption of 445,000 barrels per day,

Mindful of the need to boost the Nigerian oil revenue, the Federal Government in the discharge of its constitutional responsibility, awarded pipeline surveillance contract to protect the nation's water ways so that the theft of Crude Oil could be curbed;

Further notes that the Minister of Finance, Dr Ngozi Iweala revealed that the illegal oil theft (bunkering) could be as high as 400,000 barrels per day which led to a 17% fall in official sales of the Crude Oil in International Market;

Concerned that the volume of the oil theft has adversely affected the production with the attendant consequences;

Worried that owing to the incessant oil theft, Nigeria is losing to oil thieves about 300,000 barrels of Crude Oil per day which translates to the loss of $l billion in revenue per month and $12 billion per annum;

Commends the effort of an International Campaign by a group called "Stop the theft" led by the Former Special Adviser to President Obasanjo, Ambassador Patrick Dele Cole urging the G8 Leaders to put to an end the increasing rate of Crude Oil theft in Nigeria;

Recognizes the call by the "stop the theft foundation" for the establishment of an Intergovernmental Working Group to discuss how to investigate the Global Trade in stolen Nigerian Crude Oil from the ships used to transport it to the money used to pay for it;

Further aware that the amnesty program was conceived around "Let's Pay The Warlords" to settle their boys every month, this has created a set of people who don't pay the foot soldiers their full money, thus getting the boys frustrated and restive;

Further notes that Nigeria lack robust oversight system to verify actual production from oil wells, flow heads or export terminals;

Regrets that the Organisation of Petroleum Export Countries (OPEC), declared recently that supply in Nigeria has fallen in the last 4 months, following disruption by oil spill and theft thereby failing to meet its supply quota as expected by OPEC;

Concerned that engaging a private firm to man our nations water ways has worsen the level of the oil theft thereby making their presence unnecessary.

Resolves to:

(*i*) Urge the Federal Ministry of Petroleum to install an automated metering system for the purpose of verifying actual oil production from the oil wells, flow heads and export terminals;

(*ii*) further urge the Federal Government to partner with the Stop The Theft Foundation to sensitize the oil producing communities on the inherent danger of oil theft to their land values and environmental degradation;

(*iii*) also urge the Federal Government to fully equip the security forces in order to discharge their constitutional mandates as provided for in Section 217 (2) (*b*) of the Constitution;

(*iv*) again urge the Federal Government to deploy the Security Forces to man the nation's water ways as well as carry out pipeline surveillance of oil installations;

(*v*) urge the Federal Government to overhaul the *modus operandi* of the Joint Task Force (JTF) for the purpose of carrying out a more proactive and dynamic security check of all oil installations;

(*vi*) further urge the Federal Government to re-organise the activities of the amnesty programme by removing middlemen between the Government and the Beneficiaries, i.e. Government should deal directly with the Amnesty Programme Beneficiaries;

(*vii*) also urge the Federal Government to prosecute all those involved in oil theft no matter how highly placed so as to serve as deterrent to others;

(*viii*) set-up an *Ad-hoc* Committee to look into the propriety of contracting the protection of our water ways and oil pipelines to private firms;

(*ix*) mandate the *Ad-hoc* Committee to investigate the allegation made by DG (NIMASA), Dr Patrick Akpobolekemi, of the involvement of influential people in oil theft and the fact that his organisation has seized ships belonging to the oil thieves and report back to the House within two (2) weeks;

(*x*) further mandate the *Ad-hoc* Committee to ensure compliance on the issue of putting automated metering system on oil wells, flow heads and export terminals, so as to have accurate data on all processes, and report back to the House by end of January 2014 (*Hon. Aliyu Sani Madaki — Dala Federal Constituency*).

Debate:

Amendment Proposed:
Insert a new Prayer (*xi*) as follows:
"Invite the Military High Brass and the Chief Executive Officers of the Oil companies to a closed session" (*Hon. Sokonte Davies — Degema/Bonny Federal Constituency*).

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

Main Question as amended put and agreed to.

The House:

Noted the dwindling oil exploration in Nigeria and its attendant consequence on the economy,

Aware of the brazen and unbridled theft of Crude Oil (Bunkering) in Nigeria which is estimated at 300,000 barrels per day thus translated to 67percent of our domestic consumption of 445,000 barrels per day,

Mindful of the need to boost the Nigerian oil revenue, the Federal Government in the discharge of its constitutional responsibility, awarded pipeline surveillance contract to protect the nation's water ways so that the theft of Crude Oil could be curbed;

Further noted that the Minister of Finance, Dr Ngozi Iweala revealed that the illegal oil theft (bunkering) could be as high as 400,000 barrels per day which led to a 17% fall in official sales of the Crude Oil in International Market;

Concerned that the volume of the oil theft has adversely affected the production with the attendant consequences;

Worried that owing to the incessant oil theft, Nigeria is losing to oil thieves about 300,000 barrels of Crude Oil per day which translates to the loss of $1 billion in revenue per month and $12 billion per annum;

Commended the effort of an International Campaign by a group called "Stop the theft" led by the Former Special Adviser to President Obasanjo, Ambassador Patrick Dele Cole urging the G8 Leaders to put to an end the increasing rate of Crude Oil theft in Nigeria;

Recognized the call by the "stop the theft foundation" for the establishment of an Intergovernmental Working Group to discuss how to investigate the Global Trade in stolen Nigerian Crude Oil from the ships used to transport it to the money used to pay for it;

Further aware that the amnesty program was conceived around "Let's Pay The Warlords" to settle their boys every month, this has created a set of people who don't pay the foot soldiers their full money, thus getting the boys frustrated and restive;

Further noted that Nigeria lack robust oversight system to verify actual production from oil wells, flow heads or export terminals;

Regretted that the Organisation of Petroleum Export Countries (OPEC), declared recently that supply in Nigeria has fallen in the last 4 months, following disruption by oil spill and theft thereby failing to meet its supply quota as expected by OPEC;

Concerned that engaging a private firm to man our nations water ways has worsen the level of the oil theft thereby making their presence unnecessary.

Resolved to:

(*i*) Urge the Federal Ministry of Petroleum to install an automated metering system for the purpose of verifying actual oil production from the oil wells, flow heads and export terminals;

(*ii*) further urge the Federal Government to partner with the Stop The Theft Foundation to sensitize the oil producing communities on the inherent danger of oil theft to their land values and environmental degradation;

(*iii*) also urge the Federal Government to fully equip the security forces in order to discharge their constitutional mandates as provided for in Section 217 (2) (*b*) of the Constitution;

(*iv*) again urge the Federal Government to deploy the Security Forces to man the nation's water ways as well as carry out pipeline surveillance of oil installations;

(*v*) urge the Federal Government to overhaul the *modus operandi* of the Joint Task Force (JTF) for the purpose of carrying out a more proactive and dynamic security check of all oil installations;

(*vi*) further urge the Federal Government to re-organise the activities of the amnesty programme by removing middlemen between the Government and the Beneficiaries, i.e. Government should deal directly with the Amnesty Programme Beneficiaries;

(*vii*) also urge the Federal Government to prosecute all those involved in oil theft no matter how highly placed so as to serve as deterrent to others;

(*viii*) set-up an *Ad-hoc* Committee to look into the propriety of contracting the protection of our water ways and oil pipelines to private firms;

(*ix*) mandate the *Ad-hoc* Committee to investigate the allegation made by DG (NIMASA), Dr Patrick Akpobolekemi, of the involvement of influential people in oil theft and the fact that his organisation has seized ships belonging to the oil thieves and report back to the House within two (2) weeks;

(*x*) further mandate the *Ad-hoc* Committee to ensure compliance on the issue of putting automated metering system on oil wells, flow heads and export terminals, so as to have accurate data on all processes, and report back to the House by end of January 2014;

(*xi*) invite the Military High Brass and the Chief Executive Officers of the Oil companies to a closed session (**HR. 12/2013**).

(*iii*) Further citing Standing Order VIII, Rule 46, Hon. Chinda Kingsley (*Obio/Akpor Federal Constituency*) informed the House of the recent strike actions by the Academic Staff Union of Universities and the National Union of Petroleum and Natural Gas Workers (NUPENG). He pointed out that the incessant strikes action is worrisome in the areas of education and the oil industry, because of its negative impact on the socio-economic activities in the country. 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.*

Urgent Need by the Academic Staff Union of Universities (ASUU) and the National Union of Petroleum and Natural Gas Workers (NUPENG) to Call off the Recent Strike Actions Embarked upon by Them:

The House:

Notes with great concern and dismay the recent strike action emparked upon by the Academic Staff Union of Universities (ASUU) and the warning strike by the National Union of Petroleum and Natural Gas workers (NUPENG);

Also notes that the incidence of recurring strike actions in the country, particularly in the education and Oil industry is one too many and a sad development to us as a people;

Further notes that the said strike action by ASUU and NUPENG is certainly not in the best interest of Students and the teeming masses as it has paralyzed academic activities on University campuses as well as negatively affected the socio-economic activities across the country;

Aware that education is key to the development of any Nation, thus Section 13 of the Constitution of the Federal Republic of Nigeria, 1999 (as Amended) empowers all organs of government and all authorities and persons exercising legislative, executive or judicial powers to conform to, observe and apply the Educational objectives as enshrined in the Constitution of the Federal Republic of Nigeria, 1999; whilst Section 18 (1) of the said Constitution provides for the Educational objectives of the State towards its citizens;

Also aware that Section 14 (2) (*b*) of the Constitution of the Federal Republic of Nigeria, 1999 (as amended) provides that the security and welfare of the people shall be the primary purpose of government;

Further aware that whilst ASUU has embarked on the present strike action due to government's failure to implement an agreement reached with it in 2009 relating to 'earned salary', NUPENG is on a three (3) day warning strike in order to press home demand for government to end what it terms unfair labour practices' by some International Oil Companies (IOCs), including Shell Development Company of Nigeria Limited, Chevron Nigeria Limited, Nigeria Agip Oil Company Limited (NAOC), etc. towards its members;

Concerned that since the strike action by the two unions began yesterday, academic activities have been paralyzed in University campuses; and long queues have re-appeared at various fuel service stations across the country; whilst commuters and motorists suffer untold hardship;

Worried that Government's effort so far in addressing the problems raised by the two unions has been mere palliatives and for the most part very ineffective as it has failed to deal with the issues squarely;

Also worried that unless and until positive steps and efforts are taken to curb the incessant strike action in the Nation's Oil industry and Universities, Students, Parents, guardians and teeming Nigerian masses would continue to suffer the negative effects of these strikes;

Further worried that the present strike action by ASUU and NUPENG if not immediately checked or called off would again ground academic activities in virtually all the Universities as well ground socio-economic activities across the country and further compound the sufferings faced by Students, parents, guardians and teeming Nigerian masses.

Resolves to:

(*i*) Most passionately appeal to ASUU and NUPENG to call off the present strike action embarked upon by them in the interest of the Nation, Students, Parents and teeming Nigerian masses;

(*ii*) urge the Federal Government and all relevant Ministries, departments and agencies to immediately open discussions with ASUU and NUPENG so as to come up with a lasting solution that would adequately address the issues raised by both unions and forestall any further breakdown of academic and socio-economic activities in our Universities campuses and the Oil industry;

(*iii*) further urge the House committees on Education and Petroleum downstream respectively to investigate the issues raised by ASUU and NUPENG with a view to resolving the face-off and report to the House within 7 days (*Hon. Chinda Kingsley — Obio/Akpor Federal Constituency*).

Debate:

Question put and agreed to.

The House:

Noted with great concern and dismay the recent strike action emparked upon by the Academic Staff Union of Universities (ASUU) and the warning strike by the National Union of Petroleum and Natural Gas workers (NUPENG);

Also noted that the incidence of recurring strike actions in the country, particularly in the education and Oil industry is one too many and a sad development to us as a people;

Further noted that the said strike action by ASUU and NUPENG is certainly not in the best interest of Students and the teeming masses as it has paralyzed academic activities on University campuses as well as negatively affected the socio-economic activities across the country;

Aware that education is key to the development of any Nation, thus Section 13 of the Constitution of the Federal Republic of Nigeria, 1999 (as Amended) empowers all organs of government and all authorities and persons exercising legislative, executive or judicial powers to conform to, observe and apply the Educational objectives as enshrined in the Constitution of the Federal Republic of Nigeria, 1999; whilst Section 18 (1) of the said Constitution provides for the Educational objectives of the State towards its citizens;

Also aware that Section 14 (2) (*b*) of the Constitution of the Federal Republic of Nigeria, 1999 (as amended) provides that the security and welfare of the people shall be the primary purpose of government;

Further aware that whilst ASUU has embarked on the present strike action due to government's failure to implement an agreement reached with it in 2009 relating to 'earned salary', NUPENG is on a three (3) day warning strike in order to press home demand for government to end what it terms unfair labour practices' by some International Oil Companies (IOCs), including Shell Development Company of Nigeria Limited, Chevron Nigeria Limited, Nigeria Agip Oil Company Limited (NAOC), etc. towards its members;

Concerned that since the strike action by the two unions began yesterday, academic activities have been paralyzed in University campuses; and long queues have re-appeared at various fuel service stations across the country; whilst commuters and motorists suffer untold hardship;

Worried that Government's effort so far in addressing the problems raised by the two unions has been mere palliatives and for the most part very ineffective as it has failed to deal with the issues squarely;

Also worried that unless and until positive steps and efforts are taken to curb the incessant strike action in the Nation's Oil industry and Universities, Students, Parents, guardians and teeming Nigerian masses would continue to suffer the negative effects of these strikes;

Further worried that the present strike action by ASUU and NUPENG if not immediately checked or called off would again ground academic activities in virtually all the Universities as well ground socio-economic activities across the country and further compound the sufferings faced by Students, parents, guardians and teeming Nigerian masses.

Resolved to:

(*i*) Most passionately appeal to ASUU and NUPENG to call off the present strike action embarked upon by them in the interest of the Nation, Students, Parents and teeming Nigerian masses;

(*ii*) urge the Federal Government and all relevant Ministries, departments and agencies to immediately open discussions with ASUU and NUPENG so as to come up with a lasting solution that would adequately address the issues raised by both unions and forestall any further breakdown of academic and socio-economic activities in our Universities campuses and the Oil industry;

(*iii*) further urge the House committees on Education and Petroleum downstream respectively to investigate the issues raised by ASUU and NUPENG with a view to resolving the face-off and report to the House within 7 days (**HR. 13/2013**).

(*iv*) Still citing Standing Order VIII, Rule 46, Hon. Ibrahim Tukur El-Sudi (*Gashaka/Kurmi/Sardauna Federal Constituency*) referred to the recent judgment of the Federal High Court, which nullified the Presidential appointment of Service Chiefs for not complying with Section 18 (1) of the Armed Forces Act, Cap. A20 2004, which stipulates that the approval of the National Assembly is required for such appointment. He drew the attention of the House to the section of the law under reference in the Revised Edition of the Laws of the Federation of Nigeria, 2011 published by Lexis Nexis and alleged that the provision which required the approval of the National Assembly on the appointment of Service Chiefs has been removed. He noted that by provision of Section 4 of the 1999 Constitution no other Arm of Government apart from National Assembly has the power to amend an Act of National Assembly. 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.*

Need to Investigate the Amendment of the Armed Forces Act through the revision of the Laws of the Federation of Nigeria (LFN) 2004:

The House:

Notes that Section 4(1) of the Constitution of Federal Republic of Nigeria 1999 vest the legislative powers of the Federation in the National Assembly, *inter alia*;

> ***"The Legislative Powers of the Federal Republic of Nigeria shall be vested in the National Assembly for the Federation which shall consist of a Senate and a House of Representatives";***

Aware that Section 18 (1) of the Armed Forces Act as contained in Cap. A20 LFN 2004, published in June, 2004 states that:

> ***"The President may after consultation with the Chief of Defence Staff and subject to confirmation 'by the National Assembly, appoint such officers (in this Act referred to as the Service Chiefs) as he thinks fit, in whom the command of the Army, Navy and Air Force, as the case may be, and their Reserves shall be vested";***

Worried that in the updated Revised edition of the Laws of the Federation of Nigeria 2004 published in 2011, the Armed Forces Act Cap. A20 was amended. in Section 18 (1) as follows:

> ***"The President, may, after consultation with the Minister of Defence, appoint such Officers (in this Act referred to as "the Service Chiefs") as he thinks fit, in whom the command of the Army, Navy and Air Force, as the case may be, and their Reserves shall be vested";***

Further worried that, this amendment of the Armed Forces Act removing the powers of confirmation by the National Assembly was effected by the Law Revision Committee without resort to the National Assembly;

Further aware that there are also certain typographical and avoidable errors in this edition of the Laws of the Federation.

Resolves to:

Mandate the Committee on Justice to investigate this usurpation of the Constitutional Powers of the National Assembly and report back in 4 weeks (*Hon. Ibrahim Tukur El-Sudi — Gashaka/Kurmi/Sardauna Federal Constituency*).

Debate:

Question put and agreed to.

The House:

Noted that Section 4(1) of the Constitution of Federal Republic of Nigeria 1999 vest the legislative powers of the Federation in the National Assembly, *inter alia*;

> ***"The Legislative Powers of the Federal Republic of Nigeria shall be vested in the National Assembly for the Federation which shall consist of a Senate and a House of Representatives";***

Aware that Section 18 (1) of the Armed Forces Act as contained in Cap. A20 LFN 2004, published in June, 2004 states that:

> ***"The President may after consultation with the Chief of Defence Staff and subject to confirmation 'by the National Assembly, appoint such officers (in this Act referred to as the Service Chiefs) as he thinks fit, in whom the command of the Army, Navy and Air Force, as the case may be, and their Reserves shall be vested";***

Worried that in the updated Revised edition of the Laws of the Federation of Nigeria 2004 published in 2011, the Armed Forces Act Cap. A20 was amended. in Section 18 (1) as follows:

> ***"The President, may, after consultation with the Minister of Defence, appoint such Officers (in this Act referred to as "the Service Chiefs") as he thinks fit, in whom the command of the Army, Navy and Air Force, as the case may be, and their Reserves shall be vested";***

Further worried that, this amendment of the Armed Forces Act removing the powers of confirmation by the National Assembly was effected by the Law Revision Committee without resort to the National Assembly;

Further aware that there are also certain typographical and avoidable errors in this edition of the Laws of the Federation.

Resolved to:

Mandate the Committee on Justice to investigate this usurpation of the Constitutional Powers of the National Assembly and report back in 4 weeks (**HR. 14/2013**).

5. **Extension of Time: Brought pursuant to Rule 109 (*g*) of the Standing Orders of the House of Representatives:**
Motion made and Question proposed:

The House:

Notes that the House on 24 November, 2011 passed a Resolution (**HR. 78/2011**) mandating the Committee on Civil Society and Donor Agencies to "Critically examine all grants and assistance received from Donor Agencies, its application and implementation with a view to identifying if Donor Funds are deployed in accordance with International best practice and provisions of extant laws and agreements, and to articulate an effective, strategic and accountable manner on how these assistance could compliment government efforts and National Security and report to the House within four (4) Weeks";

Aware that the four (4) weeks earlier given by the House for the Committee to complete work on the assignment had since lapsed creating the problem of validity of the recommendations of the Committee to the House;

Disturbed that if the time is not extended for the Committee, the recommendations of the Committee may be jeopardized or encumbered as these would have been belated.

Resolves to:

Extend the time for the submission of the report of the Committee to the House by two months (*Hon. Ini Akpan Udoka — Ini/Ikono Federal Constituency*).

Question put and agreed to.

6. **Call on the Federal Government to take over Abia State Polytechnic, Aba:**
Motion made and Question proposed:

The House:

Notes the importance of education in the development of our country especially sound and qualitative polytechnic education which provides practical, technical knowledge and skills necessary for the agricultural, industrial, commercial and economic transformation of Nigeria;

Further notes that Aba which is strategic in the development of our economy because of its heavy Indigenous industrial and technical ingenuity, needs a Federal polytechnic to enhance technological and industrial development in that city and Nigeria at large;

Aware that Abia State Polytechnic situated in the heart of Aba and owned by the State Government has grown big and developed facilities but many approved courses cannot take off due to lack of funds to provide the requisite infrastructure and personnel;

Further aware that the only federal presence in Aba is the Nigeria Police and Federal Prisons and there is no federal polytechnic anywhere in Abia State;

Worried that the huge capital requirements for the proper running of the Abia State Polytechnic has become enormous for the state to shoulder vis-a-vis the limited finances of the State which habours enormous industrial and indigenous technological talents, moreover, every other State has a Federal Polytechnic;

Further worried that the total absence of a Federal Polytechnic in Abia State, while all other States Polytechnics have been taken over by the Federal Government, is not only discriminatory but would retard the indigenous technical and industrial development of Nigeria.

Resolves to:

Urge the Federal Government to take over the management of the Abia State Polytechnic and convert it into a Federal Institution (*Hon. Uzo Azubuike — Abia North/Abia South Federal Constituency*).

Question put and agreed to.

Motion referred to the Committee on Education, pursuant to Standing Order VIII, Rule 51 (5) (**HR. 15/2013**),

7. **Urgent Need to Prevail on the Bauchi State House of Assembly and the Governor to Halt the Breach of the Constitution of Nigeria in Relation to the Relocation of the Headquarters of Tafawa Balewa Local Government Area:**
Motion made and Question proposed:

The House:

Notes that Tafawa Balewa Local Government with headquarters in Tafawa Balewa was created in 1976 vide an Act which is protected by Sections 3(6), 8(5) and 315 of the 1999 Constitution;

Further notes that no State can alter the Name or Location of a Local Government Area except it requests for the amendment of relevant Sections of the Act creating them which is protected by the Sections of the Constitution above referred to;

Also notes that like other parts of Northern Eastern States of the country in recent times, Tafawa Balewa Local Government has been unfortunately embroiled in crises;

Aware that in Bauchi where the Governor hails from, Darazo, Misau, Ningi and Katagum Local Government Areas of the State where crises resulting in loss of lives and properties worth billions of Naira without the idea of relocating the Headquarters of these Local Governments have not been relocated;

Further aware that Emergency Rule has been declared in some States and Local Governments in the North but not in any part of Bauchi State because of repeated assurances by the State Government that Bauchi State was peaceful;

Worried that the State Assembly would by motion amend an Existing Law that is protected by the Constitution by relocating the headquarters of Tafawa Balewa Local Government on grounds that there was a breach of peace in Tafawa-Balewa occasioned by a savage attack on the town which the State Government claimed was an attack on a first generation bank in the town by armed robbers;

Further worried that the State Government is showing desperation in implementing this clearly unconstitutional resolution of the House of Assembly by proceeding to lay the foundation for a new Secretariat in a location not recognized by the Constitution thereby setting a very dangerous precedence for nascent democracy;

Concerned that unless men and women of goodwill prevail on the State Assembly and the Governor of Bauchi State, the travesty occasioned by the obvious rape of the Constitution may worsen the already fragile situation in the area thereby contributing to the security challenges in the North East Zone;

Further concerned that unless the National Assembly as the true Representative of the people and custodian of the Constitution prevails upon the authorities in Bauchi to rescind their decision, the unprecedented Constitution breach with regards to the relocation of Tafawa Balewa Local Government Area may subsist to our effective shame.

Resolves to:

Urge the House to constitute a delegation to engage and prevail on the Bauchi State House of Assembly and the State Governor to respect our Constitution and halt the unconstitutional relocation of the Headquarters of Tafawa Balewa Local Government Area and report to the House within three weeks (*Hon. Yakubu Dogara — Bogoro/Dass/Tafawa Balewa Federal Constituency*).

Debate:

Debate adjourned in the light of the information that the matter is currently before a court, pursuant to Order IX, Rule 57 (5).

8. **A Bill for an Act to Provide for the Establishment of the Federal Capital Territory College of Nursing and Midwifery and for Related Matters (HB. 201) — *Third Reading*:**
Motion made and Question proposed, "That a Bill for an Act to Provide for the Establishment of the Federal Capital Territory College of Nursing and Midwifery and for Related Matters (HB. 201) be now read the Third Time" (*Hon. Mulikat Akande-Adeola — House Leader*).

Question put and agreed to.

Bill read the Third Time and passed.

9. **A Bill for Act to Prohibit Marriage or Civil Union entered between Persons of Same Sex Solemnization of same and for Other Matters Related Therewith (HB. 197) — *Third Reading*:**
Motion made and Question proposed, "That a Bill for Act to Prohibit Marriage or Civil Union entered between Persons of Same Sex Solemnization of same and for Other Matters Related Therewith (HB. 197) be now read the Third Time" (*Hon. Mulikat Akande-Adeola — House Leader*).

Question put and agreed to.

Bill read the Third Time and passed.

10. **Consolidation of Bills:**
(*i*) *Motion made and question proposed*, "That a Bill for an Act to Establish the Microfinance Management Institute of Nigeria (Chartered) to Regulate and Control Entrance into the Industry and Profession, Setting Standard for Microfinance Institutions to Comply with and Promote Adherence to Professional Ethics among Microfinance Institutions and for Related Matters (HB. 421) and a Bill for an Act to Establish National Institute of Microfinance Bankers charged, among other things, with the responsibilities of Stimulating an Innovative and Sustainable Microfinance practices that guarantees Wealth Creation and determining the Knowledge and Skill required of persons seeking to become members and Other Related Matters (HB. 535) be now consolidated" (*Hon. Albert T. Sam-Tsokwa — Dunga/Ussa/Takum Federal Constituency*).

Question put and agreed to.

11. **A Bill for an Act to Alter Provisions of the Constitution of Federal Republic of Nigeria, 1999 (As Amended) and for Related Matters (HB. 77) — *Second Reading*:**
Motion made and Question proposed, "That a Bill for an Act to Alter Provisions of the Constitution of Federal Republic of Nigeria, 1999 (as Amended) and for Related Matters (HB. 77) be now read a Second Time" (*Hon. Peter Biye Gumtha — Damboa/Gwoza/Chibok 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 Ad-hoc Committee on Constitution Review.

12. **A Bill for an Act to Alter the Provisions of the Constitution of the Federal Republic of Nigerian 1999 to Allow for the Justifiability of some Parts of Chapter II of the Constitution (HB. 311) — *Second Reading*:**
Motion made and Question proposed, "That a Bill for an Act to Alter the Provisions of the Constitution of the Federal Republic of Nigerian 1999 to Allow for the Justifiability of some Parts of Chapter II of the Constitution (HB. 311) be now read a Second Time" (*Hon. Emmanuel Jime — Makurdi/Guma 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 Ad-hoc Committee on Constitution Review.

13. **A Bill for an Act to Alter the Constitution of the Federal Republic of Nigeria by Amending Second Schedule, Part II Section 14 (*b*) of the Constitution and Other Matters Connected Thereto (HB. 358) — *Second Reading*:**

Order by leave of the House deferred.

14. **A Bill for an Act to Amend the Criminal Justice (Release from Custody) (Special Provisions) Act, Cap. C40, LFN 2004 to include the Chief Judge of the Federal High Court in the list of persons authorised to Exercise the Powers to Order the Release of persons detained in Prisons in the circumstances specified in the Act (HB. 527) — *Second Reading*:**

Order read; by leave of the House deferred.

15. **Adjournment:**
That the House do now adjourn till Wednesday, 3 *July*, 2013 *at* 11.00 *a.m.* (*Hon. Leo Ogor — Deputy House Leader*).

The House adjourned accordingly at 2.24 *p.m.*

Chukwuemeka Nkem Ihedioha
Deputy Speaker

CORRIGENDUM

In the Votes and Proceedings of Thursday, 27 June, 2013, page 19, item (*iii*), line 2, *leave out* the words "Cross River" and *insert* the words "Akwa Ibom" instead thereof.