FOURTH REPUBLIC
7TH NATIONAL ASSEMBLY
THIRD SESSION
NO. 7

HOUSE OF REPRESENTATIVES
FEDERAL REPUBLIC OF NIGERIA

VOTES AND PROCEEDINGS

Tuesday, 9 July, 2013

1. The House met at 11.46 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, 4 July, 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 and Students of Light of Day School, Senior College, Kubwa, Abuja;

(*b*) Members of the Students' Representative Council, Students' Union Government, Rufus Giwa Polytechnic, Owo, Ondo State.

(*ii*) ***Conference Committee on the Bill for an Act to Prohibit Marriage or Civil Union entered into between Persons of Same Sex, Solemnization of same and Other Matters Related Therewith*, 2013 (HB. 197):**
Mr Deputy Speaker announced the membership of the Conference Committee as follows:

(1)	Hon. Uzoma Nkem-Abonta	—	*Chairman*
(2)	Hon. Murtala Kayode Busari	—	*Member*
(3)	Hon. Aishatu Dahiru Ahmed	—	*Member*
(4)	Hon. Nkoyo Toyo	—	*Member*
(5)	Hon. Gambo Musa Dan-Musa	—	*Member*
(6)	Hon. Davematics E. Omgugadu	—	*Member*

(*iii*) ***Conference Committee on the Bill for an Act to Repeal the Prisons Act, Cap. P29 Laws of the Federation*, 2004 *and Enact the Nigerian Prisons and correction service to make Comprehensive Provision for the Administration of Prisons in Nigeria; and related Purposes*, 2013 (*HB.* 107):**
Mr Deputy Speaker also announced the Membership of the Conference Committee as follows:

(1)	Hon. Umar Bature	—	*Chairman*
(2)	Hon. Dan Asuquo	—	*Member*
(3)	Hon. Peter Edeh	—	*Member*
(4)	Hon. James Abiodun Faleke	—	*Member*
(5)	Hon. Monguno Mohammed Tahir	—	*Member*
(6)	Hon. Emmanuel Udende	—	*Member*

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4. **Petition:**

A petition was presented and laid by Hon. Ndudi Godwin Elumelu (*Aniocha North/Aniocha South/Oshimili North/Oshimii South Federal Constituency*) on behalf of Ms Theresa Ifeoma Obi, praying the House to prevail on the authority of the University of Benin to release her M. Sc. degree in Sociology and Anthropology and grant other reliefs sought.

Petition referred to the Committee on Public Petitions.

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

(*i*) Citing Standing Order VIII, Rule 46, Hon. Ali Yakubu (*Nangere/Potiskum Federal Constituency*) drew the attention of the House to the gruesome killing of students and a teacher of the Government Secondary School, Mamudo, Potiskum, Yobe State, on Saturday, 6 July, 2013, by unidentified gunmen. He decried such barbaric killing of innocent school children 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.

The Gruesome Killings of Students of Government Secondary School, Mamudo, Potiskum, Yobe State:

The House:

Notes that on Saturday, 6th July 2013, 26 Students and a Teacher of Government Secondary School, Mamudo, Potiskum in Yobe State died in an attack by unknown gunmen which left many other students injured despite the State of Emergency currently in force in three States of the North Eastern States of Nigeria;

Disturbed that the attack was carried out between 6.00 p.m. and 6.00 a.m. in the night when the curfew imposed on the State was still on, thereby rendering the victims helpless;

Further disturbed that as a result of the *switching off* of the Global System of Mobile Telecommunations (GSM) services in these States under a state of emergency, residents were unable to report suspicious movements or give useful information to the security agents;

Worried that, this inhuman and barbaric treatment of innocent school children and prospective leaders of this great country is capable destroying the future of generation of our people.

Resolves to:

(*i*) Commend the efforts of the security personnel working under the emergency rule and urge them to intensify their surveillance and monitoring activities to halt the trend and bring the perpetrators to justice;

(*ii*) urge the President, Commander-in-Chief of the Armed Forces to cause the restoration of the GSM services in the areas to enable the circulation of useful security information and encourage community participation in the fight against the insurgents;

(*iii*) further urge the House to commiserate with the parents and families of the deceased and observe a minute silence to pray for the repose of the souls of the deceased (*Hon. Ali Yakubu — Nangere/Potiskum Federal Constituency*).

Debate:

Amendment proposed:

Insert a new Prayer (*iv*) as follows:

"That the House should not move that the curfew in Yobe State be lifted, since curfew helps in checking the terrorists, rather the use of communication equipments be allowed for use by some notable individuals" (*Hon. Fort Dike — Ihiala Federal Constituency*).

Question that the amendment be made, put and negatived.

Main Question put and agreed to.

The House:

Noted that on Saturday, 6th July 2013, 26 Students and a Teacher of Government Secondary School, Mamudo, Potiskum in Yobe State died in an attack by unknown gunmen which left many other students injured despite the State of Emergency currently in force in three States of the North Eastern States of Nigeria;

Disturbed that the attack was carried out between 6.00 p.m. and 6.00 a.m. in the night when the curfew imposed on the State was still on, thereby rendering the victims helpless;

Further disturbed that as a result of the *switching off* of the Global System of Mobile Telecommunations (GSM) services in these States under a state of emergency, residents were unable to report suspicious movements or give useful information to the security agents;

Worried that, this inhuman and barbaric treatment of innocent school children and prospective leaders of this great country is capable destroying the future of generation of our people.

Resolved to:

(*i*) Commend the efforts of the security personnel working under the emergency rule and urge them to intensify their surveillance and monitoring activities to halt the trend and bring the perpetrators to justice;

(*ii*) urge the President, Commander-in-Chief of the Armed Forces to cause the restoration of the GSM services in the areas to enable the circulation of useful security information and encourage community participation in the fight against the insurgents;

(*iii*) further urge the House to commiserate with the parents and families of the deceased and observe a minute silence to pray for the repose of the souls of the deceased (**HR. 21/2013**).

A minute silence was observed in honour of the deceased, and Hon. Chinenye Ike prayed for the repose of the souls.

(*ii*) Also citing Standing Order VIII, Rule 46, Hon. Robinson Edet Uwak (*Oron/Mbo/Okobo/Udung Uko/Urue Offong/Oruko Federal Constituency*) informed the House that on 23 June, 2013, a heavy rainfall caused a landslide in Oron Local Government Area of Akwa Ibom State which created a gully on the Oron/Isangedighi road, and displaced over 200 residents among other socio-economic hardships. He called on the House to consider the matter as one of urgent public importance.

Question that the matter be considered as one of urgent public importance, put and agreed to.

Matter to stand over till the next Legislative Day.

(*iii*) Further citing Standing Order VIII, Rule 46, Hon. Akpan Micah Umoh (*Ikot Abasi/Mkpat Enin/Eastern Obolo Federal Constituency*) called the attention of the House to alleged unwholesome practices in the Union Bank of Nigeria Plc under its current management. He recalled that the Bank was rescued from imminent collapse in 2009 on grounds of inadequate liquidity and poor corporate governance. He stated that the management of the Bank seems to be treading on the same path of distress once again. He called on the House, to save the Bank's depositors from losing their money. 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.*

Alleged Unwholesome Practices in Union Bank of Nigeria Plc under the Funke Osibodu Management:

The House:

Seized with information that in spite of all genuine efforts by Government to sanitize the banking sector, certain Chief Executives and managements have sought to undermine such efforts;

Amazed, particularly that during the Funke Osibodu (MD) led Management team at Union Bank Plc, the operators of the bank were fraught with unwholesome practices detrimental to the interest of shareholders and the nation in general;

Concerned that in the face of bare facts that the Central Bank of Nigeria's intervention in the UBN in 2009 was premised on the charges of inadequate liquidity, poor corporate Governance and inadequate Capital, a Chief Executive of the same financial institution would embark on a voyage along the same path of ruin intended to be cured, including but limited to: skewed book keeping to create the false impression that the bank was run down; failure to write back to banks profit and loss account loans recovered from Transcorp and Global Fleet Oil and Gas, asset stripping by fraudulent reduction of book value from ₦79.22 billion to ₦62.111 billion; manipulating AMCON purchase of alleged non-functioning loans to facilitate the giving away of the bank at a paltry ₦48 billion when it still had a value of over ₦238bn; unprecedented jumbo pay to Directors; and unaccounted transfer of USD500 m through UBN UK Plc to another foreign bank.

Resolves to:

Empanel an *Ad-hoc* Committee to thoroughly investigate the entire operation of the bank during the period covered by the Funke Osibodu tenure and report back to the House within 21 days (*Hon. Akpan Micah Umoh.— Ikot Abasi/Mkpat Enin/Eastern Obolo Federal Constituency*).

Debate:

Amendment Proposed:
Leave out the words "*Ad-hoc* Committee" and *insert* the words "Committee on Banking and Currency" instead thereof (*Hon. Umar Mohammed Bago — Chanchaga Federal Constituency*).

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

Main Question as amended, put and agreed to.

The House:

Seized with information that in spite of all genuine efforts by Government to sanitize the banking sector, certain Chief Executives and Managements have sought to undermine such efforts;

Amazed, particularly that during the Funke Osibodu (MD) led Management team at Union Bank Plc, the operators of the bank were fraught with unwholesome practices detrimental to the interest of shareholders and the nation in general;

Concerned that in the face of bare facts that the Central Bank of Nigeria's intervention in the UBN in 2009 was premised on the charges of inadequate liquidity, poor corporate Governance and inadequate Capital, a Chief Executive of the same financial institution would embark on a voyage along the same path of ruin intended to be cured, including but limited to: skewed book keeping to create the false impression that the bank was run down; failure to write back to banks profit and loss account loans recovered from Transcorp and Global Fleet Oil and Gas, asset stripping by fraudulent reduction of book value from ₦79.22 billion to ₦62.111 billion; manipulating AMCON purchase of alleged non-functioning loans to facilitate the giving away of the bank at a paltry ₦48 billion when it still had a value of over ₦238bn; unprecedented jumbo pay to Directors; and unaccounted transfer of USD500 m through UBN UK Plc to another foreign bank.

Resolved to:

Empanel the Committee on Banking and Currency to thoroughly investigate the entire operation of the bank during the period covered by the Funke Osibodu tenure and report back to the House within 21 days (**HR. 22/2013**).

(*iv*) Still citing Standing Order VIII, Rule 46, Hon. Victor Afam Ogene (*Ogbaru Federal Constituency*) directed the attention of the House to the blatant disregard of Government directive by some Federal Universities on their cut-off marks in respect of the Universal Tertiary Matriculation Examination (UTME) for admission. He stressed the need to call defaulting institutions to order, and 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.*

Blatant Disregard of Government Directive on JAMB Cut-Off Mark for Federal Universities: Need to Call Defaulting Universities to Order:

The House:

Notes that the statute setting up Federal Universities in Nigeria makes the President of the Federal Republic of Nigeria, the visitor to the Federal Universities in Nigeria and confers on him the powers of financier and regulator of those Universities;

Further notes that the President has delegated those regulatory powers over the Federal Universities and tertiary education at the Federal level, to the Federal Minister of Education, to execute on his behalf;

Aware that the Federal Minister of Education, Prof. Ruquayat Ahmed Rufai, on Tuesday, June 17, 2013 at the Fourth Combined Policy Meeting on Admission into National Diploma (ND), Nigeria Certificate of Education (NCE) and National Innovation Diploma (NID) of awarding Institutions, in Abuja, announced the Government approved cut-off mark for Universities as 180 and Polytechnics/Colleges of Education at 150 respectively, for the current 2013/2014 admission exercise in Nigeria, and "implored all stakeholders to follow the Federal Government's guidelines";

Worried that current admission requirements by several Federal Government owned Universities, as published widely in the Media, are totally disregarding this directive;

Aware that while 180 cut-off marks was approved by the Government, the eligibility for post-UTME entrance examination into Federal Universities, such as the Federal University of Technology, Akure (FUTA), University of Lagos (UNILAG), University of Benin (UNIBEN), Obafemi Awolowo University (OAU), University of Nigeria, Nsukka (UNN) are pegged at 200 marks and above, while the Federal University of Technology, Minna and Nnamdi Azikiwe University, Awka (UNIZIK) put theirs at 190 and 200 for science courses respectively;

Also aware that the introduction of post-UTME examinations as part of admission requirements into Nigeria tertiary institutions in 2005 is designed to function as internal quality control mechanism in these institutions, such that the Unified Tertiary Matriculation Examination (UTME) result alone does not guarantee admission, but rather grants a candidate eligibility to sit for the post-UTME test of institutions of his choice;

Concerned that unless the Government guideline of 180 marks for Universities and 150 marks for Polytechnics and Colleges of Education are strictly adhered to by these Federal Institutions, many Nigerian youths who scored less than 200 marks, but met the Government approved cut-off marks of 180 marks and 150 marks respectively, for University and Polytechnic/Colleges of Education, will be denied possible admission into their chosen tertiary institutions, as a result of this blatant disregard of the directive of the Government.

Resolves to:

(*i*) Urge the Federal Ministry of Education to urgently call the defaulting Federal Institutions to order, so as not to deny innocent candidates who met the government approved cut-off points the opportunity to write post-UTME examinations which are currently being conducted across the nation;

(*ii*) mandate the Committee on Education to interface with both the Ministry of Education and the authorities of Federal Universities and allied institutions, with regards to ensuring strict adherence to Government policy on education, especially when it is not in conflict with the provisions of the Nigerian constitution (*Hon. Victor Afam Ogene — Ogbaru Federal Constituency*).

Debate:

Question put and agreed to.

The House:

Noted that the statute setting up Federal Universities in Nigeria makes the President of the Federal Republic of Nigeria, the visitor to the Federal Universities in Nigeria and confers on him the powers of financier and regulator of those Universities;

Further noted that the President has delegated those regulatory powers over the Federal Universities and tertiary education at the Federal level, to the Federal Minister of Education, to execute on his behalf;

Aware that the Federal Minister of Education, Prof. Ruquayat Ahmed Rufai, on Tuesday, June 17,2013 at the Fourth Combined Policy Meeting on Admission into National Diploma (ND), Nigeria Certificate of Education (NCE) and National Innovation Diploma (NID) of awarding Institutions, in Abuja, announced the Government approved cut-off mark for Universities as 180 and Polytechnics/Colleges of Education at 150 respectively, for the current 2013/2014 admission exercise in Nigeria, and "implored all stakeholders to follow the Federal Government's guidelines";

Worried that current admission requirements by several Federal Government owned Universities, as published widely in the Media, are totally disregarding this directive;

Aware that while 180 cut-off marks was approved by the Government, the eligibility for post-UTME entrance examination into Federal Universities, such as the Federal University of Technology, Akure (FUTA), University of Lagos (UNILAG), University of Benin (UNIBEN), Obafemi Awolowo University (OAU), University of Nigeria, Nsukka (UNN) are pegged at 200 marks and above, while the Federal University of Technology, Minna and Nnamdi Azikiwe University, Awka (UNIZIK) put theirs at 190 and 200 for science courses respectively;

Also aware that the introduction of post-UTME examinations as part of admission requirements into Nigeria tertiary institutions in 2005 is designed to function as internal quality control mechanism in these institutions, such that the Unified Tertiary Matriculation Examination (UTME) result alone does not guarantee admission, but rather grants a candidate eligibility to sit for the post-UTME test of institutions of his choice;

Concerned that unless the Government guideline of 180 marks for Universities and 150 marks for Polytechnics and Colleges of Education are strictly adhered to by these Federal Institutions, many Nigerian youths who scored less than 200 marks, but met the Government approved cut-off marks of 180 marks and 150 marks respectively, for University and Polytechnic/Colleges of Education, will be denied possible admission into their chosen tertiary institutions, as a result of this blatant disregard of the directive of the Government.

Resolved to:

(*i*) Urge the Federal Ministry of Education to urgently call the defaulting Federal Institutions to order, so as not to deny innocent candidates who met the government approved cut-off points the opportunity to write post-UTME examinations which are currently being conducted across the nation;

(*ii*) mandate the Committee on Education to interface with both the Ministry of Education and the authorities of Federal Universities and allied institutions, with regards to ensuring strict adherence to Government policy on education, especially when it is not in conflict with the provisions of the Nigerian constitution (**HR. 23/2013**)

6. **Matter Requiring the Attention of the House:**
Citing Standing Order VIII. Rule 47, Hon. Uchendu Andrew (*Ikwerre/Emoha* Federal Constituency) recalled that the House on Wednesday, 3 July, 2013 considered a Motion on the "Need to avert descent into anarchy in Rivers State" and had mandated the Committee on Police Affairs to among others liaise with the office of the Inspector-General of Police, and other relevant stakeholders on the emerging conflicts in the State. He informed the House that there was a new threat to peace in the State as hoodlums and militants invaded the House of Assembly, on the 9 July, 2013, disrupting lawful activities and harassing Hon. Members and staff with impunity. He called on the House to direct the Committee to expedite action on its referral to help restore order in the State.

Mr Deputy Speaker ordered the Committee on Police Affairs to accelerate action on the referral order and report back to the House by Tuesday, 16 July, 2013.

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

(*i*) Federal Capital Territory Transport Authority (Establishment) Bill, 2013 (HB. 434).

(*ii*) Chartered Institute of Human Capital Development of Nigeria Bill, 2013 (HB. 542).

(*iii*) National Orientation Agency Act (Amendment) Bill, 2013 (HB. 543).

(*iv*) Constitution (Alteration) Bill, 2013 (HB. 545).

(*v*) Nigerian Communications Commission Act (Amendment) Bill, 2013 (HB. 545).

8. **Presentation of Report:**
***Ad-hoc Committee on Malabu Oil and Gas Limited*:**
Motion made and Question proposed, "That this House do receive the Report of the *Ad-hoc* Committee on Transaction involving the Federal Government and Shell/Agip Companies and Malabu Oil and Gas Limited in respect of Oil Block OPL 245 (**HR. 111/2012**)" (*Hon. Leo Ogor — Isoko North/Isoko South Federal Constituency*).

Question put and agreed to.

Report laid.

9. **Presentation and Adoption of the Conference Committee Report on a Bill for an Act to Repeal the Customs and Excise Management Act, Cap. C45, Laws of the Federation of Nigeria, 2004 and Other Customs and Excise Laws; to establish the Nigeria Customs Service, Reform the Administration and Management of Customs and Excise in Nigeria and for Other Related Matters, 2013:**
Motion made and Question proposed:

The House:

Notes that the Nigeria Customs Service Bill, 2012 was passed by the House on Wednesday, 6 June, 2012 and transmitted to the Senate for concurrence;

The Senate passed same with some differences;

The Conference Committee met in Conference on Wednesday, 3 July, 2013 and adopted a harmonised version of the Bill;

A clean copy of the Conference Report is ready for presentation and adoption;

And in view of the importance of this Bill to the administration and management of Customs and Excise in Nigeria.

Resolves to:

Present and adopt the Conference Report on a Bill for an Act to Repeal the Customs and Excise Management Act, Cap. C45, Laws of the Federation of Nigeria, 2004 and Other Customs and Excise Laws; to establish the Nigeria Customs Service, Reform the Administration and Management of Customs and Excise in Nigeria and for Other Related Matters, 2013 (*Hon. Sabo Mohammed Nakudu — Birnin-Kudu/Buji Federal Constituency*).

Question put and agreed to.

10. **Abolition of Capital Punishment from Nigerian Statutes:**

Order read; by leave of the House, deferred.

11. **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*:**
Motion made and Question proposed, "That 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) be now read a Second Time" (*Hon. Aminu Shehu Shagari — Yabo/Shagari 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 Judiciary.

12. **A Bill for an Act to Amend Sections 2, 16 (5), 34 (1) - (2), 35, 46 (2), 48, 60, 61 and 62 of the Assets Management Corporation of Nigeria Act, 2010 (HB. 531) — *Second Reading*:**
Motion made and Question proposed, "That a Bill for an Act to Amend Sections 2, 16 (5), 34 (1) - (2), 35, 46 (2), 48, 60, 61 and 62 of the Assets Management Corporation of Nigeria Act, 2010 (HB. 531) be now read a Second Time" (*Hon. Chukwu Victor Oyereri — Nkwerre/Isu/Nwangele/Njaba 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 Banking and Currency.

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*:**
Motion made and Question proposed, "That 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) be now read a Second Time" (*Hon. Savior Udoh — Ikot Ekpene/Essien/Essien Udim/Obot Akara Federal Constituency*).

Debate:

Debate adjourned to enable Hon. Savior Udoh liaise with Committee on Rules and Business.

14. **A Bill for an Act to Provide for the Establishment of the Food Security Advancement Fund (FOSAF) for the Purpose of ensuring Food Security, Local Production of Imported Food items, Empowerment of Peasant Farmers, and Arresting Capital Flight through Food item Import and for Other Matters Connected Therewith (HB. 355) — *Second Reading*:**
Motion made and Question proposed, "That a Bill for an Act to Provide for the Establishment of the Food Security Advancement Fund (FOSAF) for the Purpose of ensuring Food Security, Local Production of Imported Food items, Empowerment of Peasant Farmers, and Arresting Capital Flight through Food item Import and for Other Matters Connected Therewith (HB. 355) be now read a Second Time" (*Hon. Kaka Kyari Gujubawu — Maiduguri (Metropolitan) Federal Constituency*).

Debate:

Debate adjourned to enable Hon. Kaka Kyari Gujubawu liaise with the Committee on Rules and Business to determining whether another Bill of the same subject matter is pending before the House.

15. **Adjournment:**
That the House do now adjourn till Wednesday, 10 July, 2013 *at* 11.00 *a.m.* (*Hon. Mulikat Akande-Adeola — House Leader*).

The House adjourned accordingly at 2.26 *p.m.*

Chukwuemeka Nkem Ihedioha
Deputy Speaker