



HOUSE OF REPRESENTATIVES FEDERAL REPUBLIC OF NIGERIA

FIRST VOTES AND PROCEEDINGS

Wednesday, 10 July, 2013

1. The House met at 12.04 p.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 Tuesday, 9 July, 2013.
By unanimous consent, the Votes and Proceedings was adopted.
3. **Announcement:**
Bereavement:
Mr Deputy Speaker announced the death of Sen. Tony Anyanwu, who represented Ówerri Senatorial District (1979 - 1983), which occurred on Sunday, 16 June, 2013.
A minute silence was observed in honour of the deceased, and Hon. John Enoh prayed for the repose of his soul.
4. **Petition:**
A petition was presented and laid by Hon. Saviour Udoh (*Ikot Ekpene/Essien/Essien Udim/Obot Akara Federal Constituency*) from Upper Chamber & Co., on behalf of Mr Etim Ukpong Ibang, seeking the intervention of the House in the termination of his appointment by the Independent National Electoral Commission (INEC), with a view to reinstating him.
Petition referred to the Committee on Public Petitions.
5. **Matter of Urgent Public Importance:**
Citing Standing Order VIII, Rule 46, Hon. Albert T. Sam-Tsokwa (*Dunga/Ussa/Takum Federal Constituency*) called the attention of the House to alarming developments in the Rivers State House of Assembly on Tuesday, 9 July, 2013, whereby the Members broke into a fracas throwing chairs and breaking heads, while five (5) out of thirty-two (32) Members of the Assembly, purportedly impeached the Speaker and installed one of the five members as Speaker. He stressed that the action contradicts the provisions of the Constitution of the Federal Republic of Nigeria and therefore urged the House to consider the matter as one of urgent public importance and to suspend Order VIII, Rule 46 (3) and any other relevant Rules, 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.
Rising on Standing Order IX, Rule 57 (6), Hon. Kingsley Chinda recalled that the House had earlier considered a motion on the same subject matter, and directed a Committee of the House to liaise with relevant authorities with a view to arriving at amicable solutions. He therefore prayed the House to reject the motion as it was in conflict with the Rules of the House.

Mr Deputy Speaker's Ruling: He pointed out that the matter raised by Hon. Albert T. Sam-Tsokwa contained fresh developments depicting further degeneration of the situation, which the House could not ignore; and further recalled the earlier suspension of all the relevant Rules of the House to enable the House consider the matter. He therefore ruled Hon. Kingsley Chinda out of order.

Threat to Democracy and Inability of the House of Assembly of Rivers State to Sit and Transact Legislative Business:

The House:

Notes that on July 9, 2013 it was widely reported that hoodlums and thugs aided by five (5) out of thirty two (32) Honourable Members of the House of Assembly of Rivers State invaded the House of Assembly of Rivers State and beat up other Honourable members of the House of Assembly of Rivers State, with one of the five (5) members of the House seizing a gun from a Policeman and threatening other Members of the House including smashing the Speaker's car;

Recalls that the House of Assembly of Rivers State had on previous occasions tried to hold its normal sittings and transact Parliamentary business but was unable to do so as a result of the presence of hoodlums in the precincts of the House and the inability of the Nigeria Police to provide the legitimate authorities of the House with Security;

Worried that the Rivers State Police Command which had pledged to provide security for the sitting of the Honourable House watched the violence unleashed on members of the State House of Assembly without any form of intervention;

Further worried, that in a situation where the Commissioner of Police, Rivers State is alleged to have taken sides, and five (5) out of a (32) Members House procured thugs and hoodlums to disrupt the sitting of the House and prevented the State House of Assembly from performing its Constitutional functions;

Concerned that five (5) out of the (32) Members of the House of Assembly of Rivers State purportedly attempted unsuccessfully to remove the Speaker and Leadership of House of Assembly of Rivers State;

Further concerned that if the situation prevailing in the House of Assembly of Rivers State is allowed to continue, it will lead to a serious threat to our democracy which Nigerians fought hard to earn;

Aware that the National Assembly has a duty to invoke its authority under Section 11 (4) of the Constitution;

Convinced that given the above scenario the House of Assembly of Rivers State may be unable to perform its Constitutional functions.

Resolves to:

- (i) Condemn in very strong terms the failure of the Nigeria Police Force, Rivers State Command, to provide security for the Rivers State House of Assembly which has led to the disruptions of the sittings of the House;
- (ii) urge the Inspector General of Police (IGP) to provide security for the House of Assembly of Rivers State to enable it carry out its constitutional functions;
- (iii) constitute an *Ad-hoc* Committee to visit the House of Assembly of Rivers State on a fact-finding mission and report back to the House within seven (7) days (*Hon. Albert T. Sam-Tsokwa — Dunga/Ussa/Takum Federal Constituency*).

Debate:

Amendments Proposed:

- (i) *Leave out* all the words in Prayer (ii) and *insert* as follows instead thereof:
 “Urge the Inspector-General of Police (IGP) to redeploy the Commissioner of Police in Rivers State, for dereliction of duty” (*Hon. Emmanuel Jime — Makurdi/Guma Federal Constituency*).

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

- (ii) *Leave out* all the words in Prayer (iii) and *insert* as follows instead thereof:
 “The National Assembly pursuant to Section 11 (4) of the Constitution of the Federal Republic of Nigeria hereby declares that the House of Assembly of Rivers State is unable to perform its functions and consequently and immediately assumes the legislative functions and law making power of the House of Assembly of Rivers State until such a time as the House is able to resume its functions” (*Hon. Emmanuel Jime — Makurdi/Guma Federal Constituency*).

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

- (iii) *Leave out* all the words in Prayer (ii) as amended, and *insert* as follows instead thereof:
 “to invoke Section 11 (4) of the Constitution of the Federal Republic of Nigeria, 1999 (as Amended), to take over the functions of the Rivers State House of Assembly until such a time as it may become possible and conducive for the Rivers State House of Assembly to carry-out its constitutional responsibility” (*Hon. Peter Edeh — Ezza North/Ishielu Federal Constituency*).

Question that the amendment be made, put and negatived.

- (iv) *Insert* a new Prayer (iv) as follows:
 “urge the House to liaise with the Senate of the Federal Republic of Nigeria to give effect to Prayer (iii) as amended” (*Hon. Peter Edeh — Ezza North/Ishielu Federal Constituency*).

Question that the amendment be made, put and negatived.

Main Question as amended, put and agreed to.

The House:

Noted that on July 9, 2013 it was widely reported that hoodlums and thugs aided by five (5) out of thirty two (32) Honourable Members of the House of Assembly of Rivers State invaded the House of Assembly of Rivers State and beat up other Honourable members of the House of Assembly of Rivers State, with one of the five (5) members of the House seizing a gun from a Policeman and threatening other Members of the House including smashing the Speaker's car;

Recalled that the House of Assembly of Rivers State had on previous occasions tried to hold its normal sittings and transact Parliamentary business but was unable to do so as a result of the presence of hoodlums in the precincts of the House and the inability of the Nigeria Police to provide the legitimate authorities of the House with Security;

Worried that the Rivers State Police Command which had pledged to provide security for the sitting of the Honourable House watched the violence unleashed on members of the State House of Assembly without any form of intervention;

Further worried, that in a situation where the Commissioner of Police, Rivers State is alleged to have taken sides, and five (5) out of a (32) Members House procured thugs and hoodlums to disrupt the sitting of the House and prevented the State House of Assembly from performing its Constitutional functions;

Concerned that five (5) out of the (32) Members of the House of Assembly of Rivers State purportedly attempted unsuccessfully to remove the Speaker and Leadership of House of Assembly of Rivers State;

Further concerned that if the situation prevailing in the House of Assembly of Rivers State is allowed to continue, it will lead to a serious threat to our democracy which Nigerians fought hard to earn;

Aware that the National Assembly has a duty to invoke its authority under Section 11 (4) of the Constitution;

Convinced that given the above scenario the House of Assembly of Rivers State may be unable to perform its Constitutional functions.

Resolved:

- (i) To condemn in very strong terms the failure of the Nigeria Police Force, Rivers State Command, to provide security for the Rivers State House of Assembly which has led to the disruptions of the sittings of the House;
- (ii) to urge the Inspector-General of Police (IGP) to redeploy the Commissioner of Police in Rivers State, for dereliction of duty;
- (iii) That the National Assembly pursuant to Section 11 (4) of the Constitution of the Federal Republic of Nigeria hereby declares that the House of Assembly of Rivers State is unable to perform its functions and consequently and immediately assumes the legislative functions and law making power of the House of Assembly of Rivers State until such a time as the House is able to resume its functions (HR. 24/2013).

6. **Adjournment of First Sitting:**

That the House do adjourn the First Sitting till 2.15 p.m. to enable it approve the First Votes and Proceedings of the day (Hon. Mulikat Akande-Adeola — House Leader).

The House adjourned accordingly at 2.10 p.m.

Chukwuemeka Nkem Ihedioha
Deputy Speaker

CORRIGENDA

In the *Votes and Proceedings* of Tuesday, 9 July, 2013, on:

- (i) page 74, item 13, line 9, immediately after the words "Rules and Business", *insert* the words "to determine whether another Bill on the same subject matter is pending before the House".
- (ii) page 75, item 14, line 11, immediately after the words "Rules and Business to" *leave out* all the other words and *insert* instead thereof the words "determine the Constitutionality of the Bill".