FOURTH REPUBLIC
7TH NATIONAL ASSEMBLY
THIRD SESSION
NO. 21

HOUSE OF REPRESENTATIVES
FEDERAL REPUBLIC OF NIGERIA

VOTES AND PROCEEDINGS

Wednesday, 2 October, 2013

1. The House met at 11.33 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, 19 September, 2013.

By unanimous consent, the Votes and Proceedings was adopted.

3. **Announcement:**
(*a*) ***Bereavement*:**
Mr Speaker read communications from:

(*i*) Hon. Jagaba Adams Jagaba (*Kachia/Kagarko Federal Constituency*) announcing the demise of his mother, Ya Kasuwa Jagaba, who died on Friday, 27 September, 2013;

(*ii*) Hon. Alphonsus Gerald Irona (*Ohaji/Egbema-Oguta-Oru West Federal Constituency*) announcing the death of his step father, Mr Uneanya Difu Benard, on Wednesday, 31 July, 2013;

(*iii*) Hon. Ben Nwankwo (*Orumba North/Orumba South Federal Constituency*) announcing the demise of his HRH, Igwe Peter C. Nwafor, the Ezeukwu Akpu in Orumba South Local Government Area of Anambra State; and

(*iv*) Hon. Omosule Eniolorunde (*Owo/Ose Federal Constituency*) informing the House of the death of a former Member, Hon. Zabdiel Olusesan Kolawole Adetula (*Owo Federal Constituency* 1979 - 1983), on Sunday, 21 July, 2013 after a brief illness.

Mr Speaker further recalled with regret the recent killing of some students of a College of Agriculture, Guijba, Yobe State, by suspected terrorists.

A minute silence was observed in honour of the deceased.

(*b*) ***Medium Term Expenditure Framework (MTEF) and Fiscal Strategy Paper (FSP)*:**
Mr Speaker recalled that on Tuesday, 17 September, 2013, the House received the 2014 - 2016 Medium Term Expenditure Framework (MTEF) and the Fiscal Strategy Paper (FSP) from the President of the Federal Republic of Nigeria; he referred the documents to the Committees on Finance, Legislative Budget and Research, and Aid, Loans and Debt Management for further legislative input.

4. **Matters of Urgent Public Importance:**
(*i*) Citing Standing Order VIII, Rule 46, Hon. Bilyaminu Yusuf (*Shinkafi/Zurmi Federal Constituency*) drew the attention of the House to the killing of some Nigerians in an uncompleted building in Apo

District, Abuja on Friday, 20 September, 2013 by officers of the Department of State Security and the Nigerian Army. He stated that 7 persons lost their lives in the operation, 12 others sustained various degrees of injuries and unconfirmed number were missing. He noted that most of the victims were duly registered tricycle operators and petty traders within the Apo District of Abuja. He stressed the need for thorough investigation into the matter and urged the House to consider it as one of urgent public importance and to suspend Order VIII, Rule 46 (3) to enable it be debated forthwith.

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.*

Mr Speaker noted that the Committee on Public Safety and National Security had already commenced investigation into the matter..

The Need for an Urgent Look into the Apo Joint Security Operation in an Uncompleted Building on Friday, 20th September, 2013:

The House:

Notes with serious concern the operation by Joint Security Team of the Nigeria Army and the department of State Security Service in an uncompleted building in Apo District on Friday, 20 September, 2013 in Abuja;

Further notes that after the attack, seven people lost their lives, 12 others sustained various degrees of bullet wounds, while unconfirmed number of people are missing;

Also notes that on Monday, 23 September, 2013, one of the injured victims also died at the Asokoro General Hospital after a surgery;

Observes that most of the victims who fall within the age of 20-28 years are duly registered Tricycle Operators and Petty Traders within the Apo District;

Worried about the conflicting reports gathered from our preiiminary investigation into sad incidence;

Also disturbed that if left unchecked, the sad event may be carried out in other locations v.ithm the country under the cover of security report.

Resolves to:

(*i*) Condemn the killing in its entirety.

(*ii*) direct the Committees on:

(*a*) Defence,

(*b*) Police,

(*c*) National Security and Public Safety,

(*d*) Judiciary,

(*e*) Human Right,

carry out thorough investigation into the matter;

(*iii*) make a list of the number of children involved;

(*iv*) urge the Federal Government to compensate the families of the victims;

(*v*) observes a minute silence in honour of the departed souls (*Hon. Bilyaminu Yusuf — Shinkafi/Zurmi Federal Constituency*).

Question put and agreed to.

The House:

Noted with serious concern the operation by Joint Security Team of the Nigeria Army and the department of State Security Service in an uncompleted building in Apo District on Friday, 20 September, 2013 in Abuja;

Further noted that after the attack, seven people lost their lives, 12 others sustained various degrees of bullet wounds, while unconfirmed number of people are missing;

Also noted that on Monday, 23 September, 2013, one of the injured victims also died at the Asokoro General Hospital after a surgery;

Observed that most of the victims who fall within the age of 20-28 years are duly registered Tricycle Operators and Petty Traders within the Apo District;

Worried about the conflicting reports gathered from our preiiminary investigation into sad incidence;

Also disturbed that if left unchecked, the sad event may be carried out in other locations v.ithm the country under the cover of security report.

Resolved to:

(*i*) Condemn the killing in its entirety.

(*ii*) direct the Committees on:

(*a*) Defence,

(*b*) Police,

(*c*) National Security and Public Safety,

(*d*) Judiciary,

(*e*) Human Right,

carry out thorough investigation into the matter;

(*iii*) make a list of the number of children involved;

(*iv*) urge the Federal Government to compensate the families of the victims;

(*v*) observed a minute silence in honour of the departed souls (**HR. 43/2013**).

(*ii*) Also Citing Standing Order VIII, Rule 46, Hon. Ibrahim Lawal Nuhu Kayarda (*Lere Federal Constituency*) informed the House of the incessant robbery attacks in Saminaka, headquarters of Lere Local Government Area of Kaduna State. He further noted that several banks have been robbed and several persons killed between 2012 and 2013 in the commercial city which borders Plateau, Bauchi and Kano States. He expressed concern that if a security formation is not immediately established in the area, lives and property will continue to be endangered. He thus urged the House to consider the matter as one of urgent public importance and to suspend Order VIII, Rule 46 (3) to enable it debate the matter immediately.

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

Question that the House do suspend Order VIII, Rule 46 (3) *to enable it debate the matter forthwith, put and agreed to.*

Robbery Attacks of Banks in Saminaka Lere Federal Constituency and the Need to Enhance Security Presence:

The House:

Notes that Saminaka Town is the Headquarters of Lere Local Government in Kaduna State. The town is a well known commercial city with a very large market for Agricultural product and other commercial activ ities, it boarders Bassa Local Government Area, Plateau State, Toro Local Government Area, Bauchi State and Doguwa Local Government Area, Kano State;

Also notes that sometimes in 2012 Armed robbers attacked the entire town and robbed the Branch of First Bank Nigeria Pic almost destroying the entire building of the Branch and cart away millions of Naira, in the process killing one civilian and a Police Officer;

Further notes that on Thursday, 26 September, 2013 Armed robbers attacked the entire town again in their attempt to Robbed other two Banks Keystone Bank and Ecobank Branches at the same time, and also in the process two police men and one soldier were killed;

Worried that the activities of the robbers in the town is causing a lot of disturbance to the peace and stability in the town and is capable of caring genuine business activities;

Further worried that if this is allowed to continue un-tackled, Banks operating in the town may closedown or new Banks may be scared to establish Branches in the town. This is however capable of coursing serious economic consequences in the area and the country at large.

Resolves to:

(*i*) Condemned the attack and urge the Inspector General of Police to take very serious proactive measures by establishing a strong security formation in the area;

(*ii*) constitute a powerful Delegation to visit the State and the Local Government to sympathise with the people of the area (*Hon. Ibrahim Lawal Nuhu Kayarda — Lere Federal Constituency*).

Question put and agreed to.

Motion referred to Committee on Police Affairs, pursuant to Standing Order VIII, Rule 51 (5) *for further legislative action* **(HR. 44/2013)**.

A minute silence was observed in honour of victims of the killings in Apo District, Abuja and Saminaka, Kaduna State.

5. **Privilege:**
Citing Order VI, Rules 19 and 22, Hon. Onawo Mohammed Ogoshi (*Awe/Doma/Keana Federal Constituency*) drew the attention of the House to an advertorial in the *Leadership* newspaper of Wednesday, 2 October, 2013, in which a congratulatory message for the President on the 53rd National Independence Anniversary was credited to a list of Members. He expressed dismay at the way his name was surreptitiously inserted on the list without his knowledge and consent. He noted that Mr President should have been congratulated on such important event by the entire House and frowned at a limited list which gave the impression of a divided House. He thus considered the publication as a breach of his privilege.

Mr Speaker advised that Hon. Members who wish to publish any statement in the media on behalf of their colleagues should obtain their consent and approval before including their names in such publication.

6. **Need to Check the Continuous Devaluation of the Naira:**

Order deferred by leave of the House.

7. **A Bill for an Act to Amend the Nigerian Communications Commission Act 2003 to empower the Police and Security Agencies to Track, Intercept, Monitor Conversation, Text Messages and Internet Communications involving suspected Terrorists Criminals and Other Related Matters (HB. 546) and a Bill for an Act to Amend the Nigerian Communications Commission Act, Cap. N97, Laws of the Federation of Nigeria, 2004 to Provide Automatic Access to the Database of all Subscribers to the Nigerian Police and Other Security Agencies and for Other Related Matters (HB. 552) — *Second Reading*:**

Motion made and Question proposed, "That a Bill for an Act to Amend the Nigerian Communications Commission Act 2003 to empower the Police and Security Agencies to Track, Intercept, Monitor Conversation, Text Messages and Internet Communications involving suspected Terrorists Criminals and Other Related Matters (HB. 546) and a Bill for an Act to Amend the Nigerian Communications Commission Act, Cap. N97, Laws of the Federation of Nigeria, 2004 to Provide Automatic Access to the Database of all Subscribers to the Nigerian Police and Other Security Agencies and for Other Related Matters (HB. 552) be now read a Second Time" (*Hon. Femi Gbajabiamila — Surulere I Federal Constituency*).

Debate:

Debate adjourned to enable the Committee on Rules and Business schedule all the Bills on same subject matter for consolidation.

8. **A Bill for an Act to Amend the National Agency for Food and Drugs Administration and Control Act, Cap. N1 Laws of the Federation of Nigerian 2004 and for Other Matters Connected Therewith (HB. 445) — *Second Reading*:**
Motion made and Question proposed, "That a Bill for an Act to Amend the National Agency for Food and Drugs Administration and Control Act, Cap. N1 Laws of the Federation of Nigerian 2004 and for Other Matters Connected Therewith (HB. 445) be now read a Second Time" (*Hon. Bassey Dan Abia — Eket/Onna/Esit Eket/Ibeno 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 Health.

9. **Consideration of Reports:**
(*i*) ***Committee on Justice*:**
"That this House do consider the Report of the Committee on Justice on a Bill for an Act to Amend the Criminal Code Act, Cap. C38, 2004, in order to provide for offences and penalties relating to computer misuse and Cybercrimes and Other Matters Connected Therewith (HB. 391) and approve the Recommendations therein" (*Hon. Ali Ahmad — Ilorin East/Ilorin South Federal Constituency*).

Question put and agreed to.

Question that the House do resolve into the Committee of the Whole to consider the Report, put and agreed to.

(HOUSE IN COMMITTEE)

(Mr Deputy Speaker in the Chair)

A BILL FOR AN ACT TO AMEND THE CRIMINAL CODE ACT, CAP. C38 LAWS OF THE FEDERATION OF NIGERIA, 2004 IN ORDER TO PROVIDE FOR OFFENCES AND PENALTIES RELATING TO COMPUTER MISUSE AND CYBERCRIMES

Debate:

Consideration adjourned till the next legislative day to enable Members properly study the Bill.

(*ii*) **Committee on Justice:**
"That this House do consider the Report of the Committee on Justice on a Bill for an Act to Amend the Penal Code (Northern States) Federal Provisions Act, Cap. P3 Laws of the Federation of Nigeria, 2004 in order to provide for offences and penalties relating to computer misuse and Cybercrime and Other Matters Connected Therewith (HB. 392) and approve the Recommendations therein" (*Hon. Ali Ahmad — Ilorin East/Ilorin South Federal Constituency*).

Question put and agreed to.

Question that the House do resolve into the Committee of the Whole to consider the Report, put and agreed to.

(HOUSE IN COMMITTEE)

(Mr Deputy Speaker in the Chair)

A BILL FOR AN ACT TO AMEND THE PENAL CODE (NORTHERN STATES) FEDERAL PROVISIONS ACT, CAP. P3 LAWS OF THE FEDERATION OF NIGERIA, 2004 IN ORDER TO PROVIDE FOR OFFENCES AND PENALTIES RELATING TO COMPUTER MISUSE AND CYBERCRIMES

Debate:

Consideration adjourned till the next legislative day to enable Members properly study the Bill.

(*iii*) ***Committee on Interior*:**
Motion made and Question proposed, "That this House do consider the Report of the Committee on Interior on a Bill for an Act to Amend the Passport (Miscellaneous Provision) Act, Cap. P1 Laws of the Federation of Nigeria 2004, so as to clearly Define Persons Eligible for the issuance of Diplomatic and Official Passport (HB. 103) and approve the Recommendations therein" (*Hon. Umar Bature — Sokoto North/Sokoto South Federal Constituency*).

Question put and agreed to.

Question that the House do resolve into the Committee of the Whole to consider the Report, put and agreed to.

(HOUSE IN COMMITTEE)

(*Mr Deputy Speaker in the Chair*)

A BILL FOR AN ACT TO AMEND THE PASSPORT (MISCELLANEOUS PROVISION) ACT, CAP. P1 LAWS OF THE FEDERATION OF NIGERIA 2004, SO AS TO CLEARLY DEFINE PERSONS ELIGIBLE FOR THE ISSUANCE OF DIPLOMATIC AND OFFICIAL PASSPORTS

***Committee Recommendation*:**
Clause 1: **Amendment of Marginal Note to Section 1.**
The Marginal Note to Section 1 of the Principal Act is hereby amended as follows —

"Certain offences in respect of passports and eligibility for the issuance of Diplomatic passports" (*Hon. Umar Bature — Sokoto North/Sokoto South Federal Constituency*).

Question that Clause 1 *stand part of the Bill, put and agreed to.*

***Committee Recommendation*:**
Clause 2: **Amendment of Section 1.**
Section 1 of the Principal Act is hereby amended by inserting immediately after the existing subparagraph (4), new paragraphs (5) and (6) as follows —

"(5) Notwithstanding the Provisions of any law in force, persons holding the offices hereinafter set out shall be eligible for the issuance of a diplomatic passport for the purposes of conducting their official duties —

(*i*) President, Commander-in-Chief and spouse;

(*ii*) Vice President and spouse;

(*iii*) Senate President;

(*iv*) Speaker of the House of Representatives;

(*v*) Chief Justice of the Federation;

(*vi*) Deputy Senate President;

(*vii*) Deputy Speaker of the House of Representatives;

(*viii*) State Governors;

(*ix*) former Head of States;

(*x*) former Vice Presidents;

(*xi*) former Presidents of the Senate;

(*xii*) former Speakers of the House of Representatives;

(*xiii*) State Deputy Governor;

(*xiv*) Members of the National Assembly;

(*xv*) Justices of Supreme Court;

(*xvi*) Presidents of the Court of Appeal;

(*xvii*) Ministers of the Federal Republic of Nigeria;

(*xviii*) Secretary to the Government of the Federation;

(*xix*) Head of Service to the Government of the Federation;

(*xx*) Clerk of the National Assembly;

(*xxi*) Service Chiefs;

(*xxii*) Inspector General of Police;

(*xxiii*) Heads of Para-Military Institutions

(*xxiv*) Heads of Mission and Foreign Service Officers accredited to Nigerian Missions abroad and their spouses;

(*xxv*) Defence Attaches and their Deputies in all Nigerian Mission's abroad;

(*xxvi*) Immigration, Information & Custom Attaches in Nigerian Mission's abroad;

(*xxvii*) Heads of Security Agencies in Nigeria;

(*xxviii*) Any person for whom the President of the Federal Republic of Nigeria using his prerogative specially approves the holding of Diplomatic Passport.

(6) Official passports shall be issued to such category of Public Officers only for the conduct of official duties as the Minister may deem fit in the circumstances, on the recommendation of the appropriate Minister or Head of the relevant Government Department or Agency (*Hon. Umar Bature — Sokoto North/Sokoto South Federal Constituency*).

Amendments Proposed:

(*i*) (*a*) In Clause 2, new paragraph (5):
Immediately after number (*vii*), *insert* a new number (*viii*) as follows:
"Members of the National Assembly" and renumber accordingly (*Hon. Umar Bature — Sokoto North/Sokoto South Federal Constituency*).

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

(*b*) *Leave out* number (*xiv*) — *Consequential Amendment.*

(*ii*) In number (*xxii*), *leave out* all the words and *insert* as follows instead thereof:
"Heads of the following Para-Military Institutions:
(*a*) Nigerian Customs Service;

(*b*) Nigerian Immigration Service; and

(*c*) Nigerian Prisons Service (*Hon. Umar Bature — Sokoto North/Sokoto South Federal Constituency*).

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

(*iii*) In number (*xxvii*) *leave out* all the words and *insert* as follows instead thereof:
"Heads of the following security agencies in Nigeria:
(*a*) Department of State Service;

(*b*) National Intelligence Agency; and

(c) Defence Intelligence Agency" (*Hon. Umar Bature — Sokoto North/Sokoto South Federal Constituency*).

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

(*iv*) In number (*xxviii*), lines 2 and 3, immediately after words "Diplomatic Passport", *insert* the words "for the sole purpose of Diplomatic Assignment" (*Hon. Femi Gbajabiamila — Surulere I Federal Constituency*).

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

Question that Clause 2 *as amended, stand part of the Bill, put and agreed to.*

Committee Recommendation:
Clause 3: **Amendment of Section 7.**
Section 7 of the Principal Act is hereby amended by inserting the word "amendment" in the short Title as follows (*Hon. Umar Bature — Sokoto North/Sokoto South Federal Constituency*).

Question that Clause 3 *stand part of the Bill, put and agreed to.*

Committee Recommendation:
Clause 4: **Short Title.**
This Bill may be cited as the Passport (Miscellaneous Provisions) (Amendment) Bill, 2013 (*Hon. Umar Bature — Sokoto North/Sokoto South Federal Constituency*).

Question that Clause 4 *stand part of the Bill, put and agreed to.*

Long Title:
A Bill for an Act to Amend the Passport (Miscellaneous Provision) Act, Cap. P1 Laws of the Federation of Nigeria 2004, so as to Clearly Define Persons Eligible for the Issuance of Diplomatic and Official Passports (*Hon. Umar Bature — Sokoto North/Sokoto South Federal Constituency*).

Question put and agreed to.

Chairman to report Bill.

(HOUSE IN PLENARY)

Mr Deputy Speaker in the Chair reported that the House in Committee of the Whole considered the Report of the Committee on Interior on a Bill for an Act to Amend the Passport (Miscellaneous Provision) Act, Cap. P1 Laws of the Federation of Nigeria 2004, so as to clearly Define Persons Eligible for the issuance of Diplomatic and Official Passport (HB. 103) and approved Clause 1, approved Clause 2 as amended, approved Clauses 3 - 4 and the Long Title.

Question that the House do adopt the Report of the Committee of the Whole, put and agreed to.

10. **Adjournment:**
That this House do adjourn till Thursday, 3 *October,* 2013 *at* 11.00 *a.m.* (*Hon. Mulikat Akande-Adeola — House Leader*).

The House adjourned accordingly at 2.22 *p.m.*

Aminu Waziri Tambuwal
Speaker