FOURTH REPUBLIC
7TH NATIONAL ASSEMBLY
THIRD SESSION
NO. 29

HOUSE OF REPRESENTATIVES
FEDERAL REPUBLIC OF NIGERIA

VOTES AND PROCEEDINGS

Tuesday, 5 November, 2013

1. The House met at 11.33 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, 31 October, 2013.

By unanimous consent, the Votes and Proceedings was adopted.

3. **Announcement:**
***Bereavement*:**
Mr Deputy Speaker read a communication from Hon. Salihu Adamu Shedafi (*Bosso/Paikoro Federal Constituency*) announcing the demise of his father, Alhaji Adamu Shau, aged 80 years.

A minute silence was observed in honour of the deceased.

4. **Matter of Urgent Public Importance:**
Citing Standing Order VIII, Rule 46, Hon. Mohammed Sani Legbo Kutigi (*Edati/Lavun/Mokwa Federal Constituency*) drew the attention of the House to the incident of Sunday, 3 November, 2013 whereby men of the Nigeria Police stormed the Kano State Governor's Lodge, Asokoro District, Abuja, and disrupted the meeting of Group of Seven (G-7) Governors and some Members of the National Assembly. He noted that the action was a violation of Section 40 of the Constitution of the Federal Republic of Nigeria, 1999 (as amended), which guarantees right to peaceful assembly and association. He stressed that if the violation of rights and privileges of Governors and Members of the National Assembly is allowed to continue in that manner, it will impact negatively on the nation's democracy. 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 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.*

Impunity and Disregard to the Constitution of the Federal Republic of Nigeria, 1999 (as Amended) by the Nigeria Police Force:

The House:

Notes with concern the action of the Nigeria Police Force, which violated the provision of the Constitution of Nigeria 1999 (as amended), specifically sections 40 and 308 (1) (*a*) and (3);

Further notes that as Members of the House of Representatives of the Federal Republic of Nigeria, we swore to defend and protect the Constitution of the Federal Republic of Nigeria, 1999;

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Recalls that on Sunday, 3 November, 2013 when the G-7 Governors and Members of the National Assembly were holding a meeting at the Kano State Governor's Lodge, Asokoro, the Divisional Police Officer, Asokoro Division stormed the lodge midway into the meeting with instruction from the villa to disperse or arrest the Governors if they refuse to stop the meeting;

Acknowledged that the meeting was convened to fashion out a lasting solution to the lingering crises in the Peoples' Democratic Party (PDP);

Disturbed by the continued impunity and disregards for the constituted authority by the men and officers of the Nigeria Police Force;

Further disturbed that the Police Authorities have in recent times disrupted several meetings of these Governors by ceiling the meeting venues;

Concerned that a Police Officer of the rank of Chief Superintendent of Police (CSP) boldly attempted to arrest and disrupt the meeting of the G-7 Governors in disregard to their constitutional immunity in section 308 of the 1999 Constitution;

Alarmed at the way and manner the Nigeria Police treats elected Representatives of Nigerians, amounting to a total disregard to the Constitution of the Federal Republic of Nigeria;

Regrets that if the rights and privileges of these Governors and Members of the National Assembly can be so threatened, then an ordinary man in Nigeria has no hope and confidence in the Nigeria Police Force.

Resolves to:

(*i*) Condemn in strongest term the actions of the Nigeria Police Force,

(*ii*) mandate the Committee on Police Affairs to invite the Inspector General of Police to ascertain the circumstances leading to the invasion of the Kano's Governor's Lodge by the men and officers of the Nigeria Police Force under the command of a Divisional Police Officer (DPO) and report back to the House within two weeks (*Hon. Mohammed Sani Legbo Kutigi — Edati/Lavun/Mokwa Federal Constituency and* 61 *Others*).

Motion referred to the Committee on Police Affairs, pursuant to Standing Order VIII, Rule 51 (5) (**HR. 65/2013**).

5. **Presentation of Report:**
Committee on Health:
That this House do receive the Report of the Committee on Health on a Bill for an Act to Provide for the Protection, Promotion and Maintenance of Health in Matters Relating to Housing, Food and Generally for the Protection of the Environment and for the Control of Services, Activities and Other Matters Connected Therewith (HB. 20).

Order read; by leave of the House, deferred.

6. **Failure of the Executive Arm of Government to Implement Successive approved Budgets and its Implication on the Nigerian People:**

Motion made and Question proposed:

The House:

Notes that the budget is government's most important social contract and economic development tool as it translates government's policies, political commitments and goals into decisions on how much revenue and how to use these funds to meet the nation's competing needs; ranging from providing security to improving healthcare, alleviating poverty and meeting the yearnings and aspirations of the governed;

Further notes that a budget system that functions well is crucial in developing sustainable fiscal policies and economic growth and development of any nation; hence the importance of the government's budget to the citizenry is predicated on its ability to touch the lives of the people in areas of job creation, provision of infrastructure, enhanced security of lives and property, food security, etc.;

Aware that given the wide-ranging implications for the citizens of a country, the budget should be the subject of significant scrutiny, relentless debate and vigorous application by the executive arm which is constitutionally saddled with the function of budget implementation;

Further aware that the executive arm has always alleged extensive tinkering with the budget proposal by the legislature as the reason behind its failure to implement approved and signed budgets, prompting the National Assembly to pass the 2013 budget proposals almost as it was presented with very minimal alterations;

Concerned that every year the poor implementation of annual budget in Nigeria is always mired in unnecessary controversy, accounting for the reason Nigeria has not been able to attain any tangible socio-economic development that would have impacted on the lives of the citizens;

Recalls that the 2012 budget was very poorly implemented by the executive arm, leading to several expressions of concern and invitations of the Minister of Finance and Coordinating Minister of the Economy, and other key officials of the economic management team by the House for explanations on the reasons behind the poor implementation of the budget;

Further recalls that the 2013 Appropriation Bill was subsequently signed into law by the President on Tuesday, 26th of February, 2013, thereby making it a valid Act of the National Assembly to which every officer or organ of government is bound to obey to the letter without any hesitation whatsoever;

Worried that despite the fact that the budget has become law, thus deserving absolute obedience and stringent implementation, the executive arm is once again bent on a replication of its failure to do the right thing by implementing the budget as approved;

Further disturbed that going by the executive arm's current circus in respect of the 2013 budget, Nigerians are once again facing another year of poor budget implementation, thereby prolonging their forgettable experience of economic and social stagnation which has continued to bedevil the Nigerian system for long.

Resolves to:

Mandate the Committees on Appropriation, Finance and Judiciary to investigate the poor implementation of the 2012 and 2013 budgets and to determine whether the failure to fully implement those budgets do not amount to illegality and gross misconduct as contemplated by Section 143 (2) (*b*) of the Constitution of the Federal Republic of Nigeria, 1999 (as amended) (*Hon. Ben Nwankwo — Orumba North/Orumba South Federal Constituency*).

Motion stood down by leave of the House because of the need to conclude the ongoing collation of reports of Standing Committees on the implementation of 2013 *budget.*

Mr Deputy Speaker directed that all Standing Committees whose oversight reports on the implementation of the 2013 *budget are still outstanding, should endeavour to submit same to the Committees on Legislative Budget and Research, and Legislative Compliance not later than Wednesday,* 6 *November,* 2013.

7. **Urgent Need to Forestall the Alleged Plan to Sell the Official Residence of Nigeria's Permanent Representative to the United Nations (UN) in Tarry town, New York:**
Motion made and Question proposed:

The House:

Notes that in order to make a dignified presence at the United Nations, the Federal Government in 1961embarked on a sound policy to acquire a befitting structure to serve as the official residence of the Permanent Representative of the Permanent Mission of Nigeria to the United Nations, in New York;

Further notes that the Government of late Sir Abubakar Tafawa Balewa was able to secure a historic edifice which was built in the middle of the 19th Century and lastly owned by the famed Rockefeller family for that purpose;

Aware that the said property sits on an area of over 16.6 acres of land and is located in Tarry town in Westchester County of New York, an exclusive and exquisite preserve of the ultra-wealthy in New York;

Further aware that all past Permanent Representatives of Nigeria to the United Nations, except for the current Permanent Representative, had lived there and do have very fond and nostalgic memories of their residence in the property. They never expressed any need, whatsoever, to rent other apartments in New York for purposes of residence;

Cognizant that due to a period of deliberate neglect, the property needs some repairs up to the tune of about ₦350,000,000 (Three Hundred Fifty Million Naira), which is about $2,000,000 (Two Million Dollars) only;

Concerned that in a bid to sell off the property very cheaply, an estimated repair bill of ₦2,754,700,000 (Two Billion, Seven Hundred and Fifty Four Million, Seven Hundred Thousand Naira), which is $16,900,000 (Sixteen Million, Nine Hundred Thousand Dollars) has been prepared so that the Government will be discouraged from carrying out the needed repairs and sell off the property which prospective buyer is already said to be waiting for the signal to commence purchase processes and payment;

Further concerned that this seems to be the pattern with Nigeria's national landed assets all over the world whose proceeds after sales never come into the coffers of the Government but are usually used to pay for one purported legal debt or the other. Sometimes they are said to be have been seized by phantom creditors who would be said to have rendered one service or the other;

Worried that if this trend is not stopped, we may one day find out that even our Embassies and other diplomatic missions may be sold and the proceeds frittered away under one flimsy excuse or the other;

Convinced that Nigeria which is already enjoying a non-vetoing and non-permanent Security Council sat in the United Nations, which is a step towards achieving our desire to secure a permanent Security Council seat, therefore needs a respectable residential address for her Permanent Representative, which Tarrytown provides as, indeed, there are very few addresses more eminent than that in New York.

Resolves to:

(*i*) Mandate the Committee on Foreign Affairs to conduct a Public Hearing into the matter to establish the veracity or otherwise of these allegations and to report back within one month;

(*ii*) ensure that, as a matter of urgency, adequate resources are allocated in the 2014 Budget to undertake critical and serious repairs and renovations of the property so that the Permanent Representative can swiftly move into the residence;

(*iii*) urge the Ministry of Foreign Affairs to stop every lease or renting agreements of any apartment, whatsoever, for the Permanent Representative at the expiration of such current leases or renting agreements;

(*iv*) further urge the Ministry to ensure that subsequently all Permanent Representatives reside in the residence since that was the purpose for which it was acquired, in the first place (*Hon. Yakubu Dogara — Bogoro/Dass/Tafawa Balewa Federal Constituency and* 18 *Others*)

Debate:

Question put and agreed to.

The House:

Noted that in order to make a dignified presence at the United Nations, the Federal Government in 1961embarked on a sound policy to acquire a befitting structure to serve as the official residence of the Permanent Representative of the Permanent Mission of Nigeria to the United Nations, in New York;

Further noted that the Government of late Sir Abubakar Tafawa Balewa was able to secure a historic edifice which was built in the middle of the 19th Century and lastly owned by the famed Rockefeller family for that purpose;

Aware that the said property sits on an area of over 16.6 acres of land and is located in Tarry town in Westchester County of New York, an exclusive and exquisite preserve of the ultra-wealthy in New York;

Further aware that all past Permanent Representatives of Nigeria to the United Nations, except for the current Permanent Representative, had lived there and do have very fond and nostalgic memories of their residence in the property. They never expressed any need, whatsoever, to rent other apartments in New York for purposes of residence;

Cognizant that due to a period of deliberate neglect, the property needs some repairs up to the tune of about ₦350,000,000 (Three Hundred Fifty Million Naira), which is about $2,000,000 (Two Million Dollars) only;

Concerned that in a bid to sell off the property very cheaply, an estimated repair bill of ₦2,754,700,000 (Two Billion, Seven Hundred and Fifty Four Million, Seven Hundred Thousand Naira), which is $16,900,000 (Sixteen Million, Nine Hundred Thousand Dollars) has been prepared so that the Government will be discouraged from carrying out the needed repairs and sell off the property which prospective buyer is already said to be waiting for the signal to commence purchase processes and payment;

Further concerned that this seems to be the pattern with Nigeria's national landed assets all over the world whose proceeds after sales never come into the coffers of the Government but are usually used to pay for one purported legal debt or the other. Sometimes they are said to be have been seized by phantom creditors who would be said to have rendered one service or the other;

Worried that if this trend is not stopped, we may one day find out that even our Embassies and other diplomatic missions may be sold and the proceeds frittered away under one flimsy excuse or the other;

Convinced that Nigeria which is already enjoying a non-vetoing and non-permanent Security Council sat in the United Nations, which is a step towards achieving our desire to secure a permanent Security Council seat, therefore needs a respectable residential address for her Permanent Representative, which Tarrytown provides as, indeed, there are very few addresses more eminent than that in New York.

Resolved to:

(*i*) Mandate the Committee on Foreign Affairs to conduct a Public Hearing into the matter to establish the veracity or otherwise of these allegations and to report back within one month;

(*ii*) ensure that, as a matter of urgency, adequate resources are allocated in the 2014 Budget to undertake critical and serious repairs and renovations of the property so that the Permanent Representative can swiftly move into the residence;

(*iii*) urge the Ministry of Foreign Affairs to stop every lease or renting agreements of any apartment, whatsoever, for the Permanent Representative at the expiration of such current leases or renting agreements;

(*iv*) further urge the Ministry to ensure that subsequently all Permanent Representatives reside in the residence since that was the purpose for which it was acquired, in the first place (**HR. 66/2013**).

8. Need to Investigate the Destructive Impact of the Lagdo Dam in Cameroon and Its Consequences on Humans, Agriculture, Environment and Commerce in Nigeria:
Motion made and Question proposed:

The House:

Notes with regret the destruction of lives and properties due to widespread flooding that wreaked havoc in almost two-thirds of the States particularly Borno, Gombe, Adamawa, Taraba, Benue, and other adjoining States following the release of flood waters from the Lagdo Dam in Cameroon;

Further notes that the Lagdo Dam, which was built in Northern part of Cameroon between 1977 and 1982 was originally designed to irrigate about 15,000 hectares of farmland Upstream. However, the government of Cameroon went ahead to restructure the dam for electricity generating purposes, thereby diverting water upstream of the River Benue, and retaining the quantum round the year without due consultation with the Nigerian government;

Informed that given the coordinates of the Lagdo Dam/Reservoir, Latitude 8°S3N and Longitude 13°S8E, it lies very close to the Northern border between Nigeria and Cameroon, meaning that a major impact of releasing water from the Lagdo Dam will be felt downstream, which is within Nigerian territory, and the Impact on the environment can be extremely devastating as was the case with the 2012 floods in several Nigerian States;

Aware that under International Law, Article 4 (1) of the United Nations Convention on the Law of Non-Navigational Uses of International Watercourses, for which Nigeria and Cameroon are both signatories, provides that every watercourse State is entitled to participate in the negotiation of, and to become a party to any watercourse agreement that applies to the entire international watercourse, as well as to participate in any relevant consultations;

Worried that Nigeria (being the lateral state, which means the final country that discharges the Benue River into the Sea) was not properly consulted by the Government of Cameroon before the Dam was constructed. This is in light of The United Nations Convention on the Law of the Non-Navigational Uses of International Watercourses, which provides that every country with a Common River must consider the usage of water in a way that does not adversely affect any countries' socioeconomic and environmental wellbeing;

Further worried that Cameroon claims that there was an agreement between the governments of Cameroon and Nigeria, but there is hardly any evidence to this fact. Also there was no thorough Environmental Impact Assessment done before the construction of the Lagdo Dam. This violates the internationally accepted report of the World Commission on Dams (WCD), that if any country wants to build any big Dam, it must consult with the country with which the river basin is shared;

Observes that for several years now, the Lagdo Dam incursion and diversion during the dry season and ove r flooding during the rainy season has negatively affected the economic viability of communities in Nigeria who rely heavily on the River Benue. These impacts include:

(*i*) dwindling fishing communities due to drying up of the Benue River flow in some areas,

(*ii*) reduced water supply to farmers for irrigation in some farming communities,

(*iii*) reduction of marine transportation for the haulage of goods and services,

(*iv*) the washing away of thousands of hectares of farmlands due to release of excessive water,

(*v*) deaths and destruction of lives and property to the tune of billions of dollars,

Recent statistics put the number of Nigerians whose livelihood have been destroyed by the operations of the Dam at approximately 15 million, and it is estimated that the cost of such destruction is over $5 Billion;

Believes that it is in the best interest of Nigeria that the existence of the Lagdo Dam be revisited with the aim of assessing its real socio-economic and environmental impact on Nigeria as well as to demand a proper cause of action, which might include demanding compensation from Cameroon for the affected communities, under Article 7 (2) of the United Nations Convention on the Law of the Non-Navigational Uses of International Watercourses which provides that:

> "*Where significant harm nevertheless is caused to another watercourse State, the States whose use causes such harm shall, in the absence of agreement to such use, take all appropriate measures, having due regard for the provisions of articles 5 and 6, in consultation with the affected State, to eliminate or mitigate such harm and, where appropriate, to discuss the question of compensation*".

Resolves to:

Constitute an *Ad-hoc* Committee with membership drawn from the Committees on Water Resources, Environment, Treaties and Agreement, Foreign Affairs, Agriculture and Rural Development, Emergency and Disaster Preparedness, Science and Technology, Marine Transport and Special Duties to:

(*a*) investigate the level of negligence on the part of the Nigerian government that encouraged Cameroon to construct a Dam that has proven to endanger the lives of Nigerians as well as destroy their livelihood;

(*b*) further investigate and determine the appropriate amount of compensation that Nigeria should demand from the Government of Cameroon;

(*c*) determine the impact of the Lagdo Dam on Nigeria's environment, agriculture, commerce, and communities since its construction in view of recommended necessary course of action; and report back to the House in four (4) weeks (*Hon. Robinson Uwak — Oron/Mbo/Okobo/Udung Uko/Urue Offong/Oruko Federal Constituency*).

Debate:

Question put and agreed to.

The House:

Noted with regret the destruction of lives and properties due to widespread flooding that wreaked havoc in almost two-thirds of the States particularly Borno, Gombe, Adamawa, Taraba, Benue, and other adjoining States following the release of flood waters from the Lagdo Dam in Cameroon;

Further noted that the Lagdo Dam, which was built in Northern part of Cameroon between 1977 and 1982 was originally designed to irrigate about 15,000 hectares of farmland Upstream. However, the government of Cameroon went ahead to restructure the dam for electricity generating purposes, thereby diverting water upstream of the River Benue, and retaining the quantum round the year without due consultation with the Nigerian government;

Informed that given the coordinates of the Lagdo Dam/Reservoir, Latitude 8°S3N and Longitude 13°S8E, it lies very close to the Northern border between Nigeria and Cameroon, meaning that a major impact of releasing water from the Lagdo Dam will be felt downstream, which is within Nigerian territory, and the Impact on the environment can be extremely devastating as was the case with the 2012 floods in several Nigerian States;

Aware that under International Law, Article 4 (1) of the United Nations Convention on the Law of Non-Navigational Uses of International Watercourses, for which Nigeria and Cameroon are both signatories, provides that every watercourse State is entitled to participate in the negotiation of, and to become a party to any watercourse agreement that applies to the entire international watercourse, as well as to participate in any relevant consultations;

Worried that Nigeria (being the lateral state, which means the final country that discharges the Benue River into the Sea) was not properly consulted by the Government of Cameroon before the Dam was constructed. This is in light of The United Nations Convention on the Law of the Non-Navigational Uses of International Watercourses, which provides that every country with a Common River must consider the usage of water in a way that does not adversely affect any countries' socioeconomic and environmental wellbeing;

Further worried that Cameroon claims that there was an agreement between the governments of Cameroon and Nigeria, but there is hardly any evidence to this fact. Also there was no thorough Environmental Impact Assessment done before the construction of the Lagdo Dam. This violates the internationally accepted report of the World Commission on Dams (WCD), that if any country wants to build any big Dam, it must consult with the country with which the river basin is shared;

Observed that for several years now, the Lagdo Dam incursion and diversion during the dry season and over flooding during the rainy season has negatively affected the economic viability of communities in Nigeria who rely heavily on the River Benue. These impacts include:

(*i*) dwindling fishing communities due to drying up of the Benue River flow in some areas,

(*ii*) reduced water supply to farmers for irrigation in some farming communities,

(*iii*) reduction of marine transportation for the haulage of goods and services,

(*iv*) the washing away of thousands of hectares of farmlands due to release of excessive water,

(*v*) deaths and destruction of lives and property to the tune of billions of dollars,

Recent statistics put the number of Nigerians whose livelihood have been destroyed by the operations of the Dam at approximately 15 million, and it is estimated that the cost of such destruction is over $5 Billion;

Believed that it is in the best interest of Nigeria that the existence of the Lagdo Dam be revisited with the aim of assessing its real socio-economic and environmental impact on Nigeria as well as to demand a proper cause of action, which might include demanding compensation from Cameroon for the affected communities, under Article 7 (2) of the United Nations Convention on the Law of the Non-Navigational Uses of International Watercourses which provides that:

"Where significant harm nevertheless is caused to another watercourse State, the States whose use causes such harm shall, in the absence of agreement to such use, take all appropriate measures, having due regard for the provisions of articles 5 and 6, in consultation with the affected State, to eliminate or mitigate such harm and, where appropriate, to discuss the question of compensation".

Resolved to:

Constitute an *Ad-hoc* Committee with membership drawn from the Committees on Water Resources, Environment, Treaties and Agreement, Foreign Affairs, Agriculture and Rural Development, Emergency and Disaster Preparedness, Science and Technology, Marine Transport and Special Duties to:

(*a*) investigate the level of negligence on the part of the Nigerian government that encouraged Cameroon to construct a Dam that has proven to endanger the lives of Nigerians as well as destroy their livelihood;

(*b*) further investigate and determine the appropriate amount of compensation that Nigeria should demand from the Government of Cameroon;

(*c*) determine the impact of the Lagdo Dam on Nigeria's environment, agriculture, commerce, and communities since its construction in view of recommended necessary course of action; and report back to the House in four (4) weeks (**HR. 67/2013**).

9. **A Bill for an Act to Amend the Counterfeit and Fake Drugs and unwholesome Processed Foods (Miscellaneous Provisions) Act, Cap. C34 Laws of the Federation 2004 to increase the Penalties for Offences under the Act, to make Comprehensive Provisions for Asset Forfeiture, compensation and for Other Matters Connected Therewith (HB. 446) — *Second Reading*:**
Motion made and Question proposed, "That a Bill for an Act to Amend the Counterfeit and Fake Drugs and unwholesome Processed Foods (Miscellaneous Provisions) Act, Cap. C34 Laws of the Federation 2004 to increase the Penalties for Offences under the Act, to make Comprehensive Provisions for Asset Forfeiture, compensation and for Other Matters Connected Therewith (HB. 446) 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.

10. **A Bill for an Act to Provide for the Prohibition of Monetary Imposition by the Police on any Person who is in Custody before Admission of such Person to Bail, and for Connected (HB. 499) — *Second Reading*:**

Order read; by leave of the House, deferred to enable the sponsor make further consultation with the Committee on Justice.

11. **A Bill for an Act to Establish the Chartered Institute of Human Capital Development of Nigeria charged among other things, with the Responsibility of Entrenching Professional Excellence, enhancing competence and setting the Standards for best practices in Learning and Performance among other Human Capital Development Practitioners in Nigeria and for Matters Connected Therewith (HB. 542) — *Second Reading*:**
Motion made and Question proposed, "That a Bill for an Act to Establish the Chartered Institute of Human Capital Development of Nigeria charged among other things, with the Responsibility of Entrenching Professional Excellence, enhancing competence and setting the Standards for best practices in Learning and Performance among other Human Capital Development Practitioners in Nigeria and for Matters Connected Therewith (HB. 542) be now read a Second Time" (*Hon. Aminu Jonathan — Mangu/Bokkos 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 Commerce.

12. **A Bill for an Act to Establish Unclaimed and Abandoned Property Trust Fund to be charged with the responsibility of Identifying and Administration of Unclaimed Dividends and Abandoned Property and for Related Matters (HB. 568) — *Second Reading*:**

Order read; by leave of the House, deferred.

13. **Consideration of Reports:**

(*i*) ***Committee on Legislative Budget and Research*:**

Motion made and Question proposed, "That this House do consider the Report of the Committee on Legislative Budget and Research on a Bill for an Act to Establish an Independent National Assembly Budget and Research Office, which shall provide the National Assembly with objective, timely and Non-Partisan Analysis needed for Economic and Budge decisions and Other Related Matters (HB. 454) and approve the Recommendations therein' (*Hon. Michael Opeyemi Bamidele — Ado Ekiti/Irepodun/Ifelodun/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 ESTABLISHING AN INDEPENDENT NATIONAL ASSEMBLY BUDGET AND RESEARCH OFFICE, WHICH SHALL PROVIDE THE NATIONAL ASSEMBLY WITH OBJECTIVE, TIMELY AND NON-PARTISAN ANALYSIS NEEDED FOR ECONOMIC AND BUDGET DECISIONS AND OTHER RELATED MATTERS

***Committee Recommendation*:**

Clause 1: Establishment of the office.

(1) There is established under this Bill the National Assembly Budget and Research Office (in this Bill referred to as "NABRO").

(2) NABRO shall be a body corporate with perpetual succession, an official seal, and shall have power to sue and be sued in its corporate name (*Hon. Michael Opeyemi Bamidele — Ado Ekiti/Irepodun/Ifelodun Federal Constituency*).

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

***Committee Recommendation*:**

Clause 2: Functions.

The functions of NABRO shall be to —

(*a*) provide independent, unbiased and non-partisan analysis of the national budget estimates;

(*b*) provide independent unbiased analysis of the budget of the National Assembly and assist all the committees of the National Assembly in developing their annual budgets;

(*c*) provide independent and continuous review of the budget of the Federal Government including monitoring of existing and proposed programme and budgets;

(*d*) provide assistance to all committees in both Chambers of the National Assembly, including —

(*i*) information with respect to budget and all bills relating to new budget heads;

(*ii*) information with respect to estimated future revenue and changing revenue conditions;

(*iii*) aggregate of all current liabilities and existing financial commitments; and

(*iv*) any related information as the committees may request.

(*e*) provide analysis of the economic implication on the private sector, the budgetary and financial implication on States and Local Governments of any proposed legislation

(*f*) prepare and present to the National Assembly periodic forecasts of economic trends and alternative fiscal policies

(*g*) provide the National Assembly with cost estimates including an analysis of the inflationary impact of any proposed legislation;

(*h*) submit to both Chambers of the National Assembly, (not later than June every year), a report of —

(*i*) all items funded in the preceding financial year for which no appropriation was made by the National Assembly; and

(*ii*) all items contained in the Appropriation Act in the preceding financial year but which were not funded by the Federal Government.

(*i*) publish and disseminate on its website information it generates including reports, analysis, forecasts, etc.; and

(*j*) carry out any other functions as the Board may direct from time to time (*Hon. Michael Opeyemi Bamidele — Ado Ekiti/Irepodun/Ifelodun Federal Constituency*).

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

Clause 3: **Responding to requests.**
In responding to requests, the Office shall provide its services in the following order of priority —

(*a*) shall provide all information in its possession to its appropriate committees in both Senate and House of Representatives;

(*b*) assist all committees of the National Assembly especially Legislative Budget and Research, Finance, Appropriation, Public Accounts and National Planning Committees on all matters within their jurisdiction; and

(*c*) provide to members of the National Assembly available information.

***Committee Recommendation*:**
Leave out the provisions of Clause 3 (*Hon. Ibrahim Shehu-Gusau — Gusau/Tsafe Federal Constituency*) — *Agreed to.*

***Committee Recommendation*:**
Clause 4: **Power of the Office.**
The Office shall have the power to do all things necessary to or in connection with the performance of its functions, including, but not limited to the power to -

(*a*) enter into agreement, acquire, hold and dispose of property;

(*b*) procure the services of experts, consultants and organisations;

(*c*) enter into partnership or affiliation with any company, firm, organization, agency or person, which in its opinion will facilitate the discharge of its functions;

(*d*) request for and obtain, from any public enterprise, statistical and other information including reports, memoranda, audited accounts and other information relevant to its functions;

(*e*) liaise with relevant bodies or institutions, national or international for effective performance of its functions;

(*f*) conduct any study necessary, to enable it fulfil its mandate; and

(*g*) determine the methodologies needed for use in its works (*Hon. Michael Opeyemi Bamidele — Ado Ekiti/Irepodun/Ifelodun Federal Constituency*).

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

***Committee Recommendation*:**

Clause 5: **Governing Board.**

(1) There shall be for the Office, a Governing Board (in this Bill referred to as "the Board").

(2) The Board shall comprise a Chairman and 6 members representing the 6 geopolitical zones of the country and representatives of Clerk of National Assembly not below the rank of a Director:

(*i*) chairman and 6 members representing each of the geopolitical zones

(*ii*) the Director General of the Office

(*iii*) three *ex-Officio* members comprising the Rep of Clerk to the National Assembly and the two Executive Directors of the Office

(3) The Chairman and members of the Board shall be appointed by both the Senate President and the Speaker of the House of Representatives

(4) The Chairman and members of the Board shall hold office for a single tenure of 5 years only.

(5) The Chairman and members of the Board shall be part-time members.

(6) The provision of the Schedule to this Bill shall apply with respect to proceedings of the Board (*Hon. Michael Opeyemi Bamidele — Ado Ekiti/Irepodun/Ifelodun Federal Constituency*).

Question that Clause 5 *stand part of the Bill, put and agreed to.*

***Committee Recommendation*:**

Clause 6: **Qualification for membership.**

Members of the Board shall have relevant professionals qualification and experience (*Hon. Michael Opeyemi Bamidele — Ado Ekiti/Irepodun/Ifelodun Federal Constituency*).

Question that Clause 6 *stand part of the Bill, put and agreed to.*

Clause 7: **Disqualification.**

(1) No person shall be appointed as a member of the Board if within the preceding 10 years, he had been removed as a member of any of the bodies established by section 153 of the Constitution of the Federal Republic of Nigeria, or as the holder of any other office on grounds of misconduct.

(2) All disqualification classifications shall apply including those stated in Section 66 of the Constitution regarding membership of the National Assembly as well as conviction by a court of competent jurisdiction for involvement in terrorist activities.

(3) Where a person is engaged on a full-time basis in the Public Service of the Federal, or of a State government or Local Government, he shall, on acceptance of his appointment, be deemed to have resigned or retired from his former office as of the date of such appointment.

***Committee Recommendation*:**

Leave out the provisions of Clause 7 (*Hon. Michael Opeyemi Bamidele — Ado Ekiti/Irepodun/Ifelodun Federal Constituency*) — *Agreed to*.

Committee Recommendation:

Clause 8 **Removal from Office.**

The Chairman or any member of the Board other than *ex-officio* members shall be removed from office, by simple majority votes of each chambers of National Assembly (*Hon. Michael Opeyemi Bamidele — Ado Ekiti/Irepodun/Ifelodun Federal Constituency*).

Question that Clause 8 *stand part of the Bill, put and agreed to.*

Committee Recommendation:

Clause 9: **Allowances and Remunerations of Members of the Board.**

There shall be paid to every member of the Board except the Director-General, such remunerations, allowances and expenses as determined by the Revenue Mobilisation Allocation and Fiscal Commission (*Hon. Michael Opeyemi Bamidele — Ado Ekiti/Irepodun/Ifelodun Federal Constituency*).

Question that Clause 9 *stand part of the Bill, put and agreed to.*

Committee Recommendation:

Clause 10: **Powers and functions of the governing Board.**

The Governing Board shall have supervisory authority over the Office and shall exercise the following powers —

(*a*) appointment and discipline of Directors in accordance with internationally acceptable transparency standards;

(*b*) approval and ratification of appointments, promotion and discipline of Professional Analysts and other professional staff of the Office, as may be recommended by the Management Committee and in accordance with internationally acceptable transparency standards;

(*c*) approval of the Office budget subject to ratification by National Assembly;

(*d*) to make regulations and guidelines for the operation of the Office;

(*e*) approval of establishment of departments as the need arises; and

(*f*) to take any action necessary for the proper functioning of the Office (*Hon. Michael Opeyemi Bamidele — Ado Ekiti/Irepodun/Ifelodun Federal Constituency*).

Question that Clause 10 *stand part of the Bill, put and agreed to.*

Committee Recommendation:

Clause 11: **Establishment and functions of the management Committee.**

(1) There shall be for the Office a Management Committee comprising the Director-General and the Directors who shall be responsible for —

(*a*) the implementation of the requests from the committees of the National Assembly and the day-to-day administration of the Office;

(*b*) making recommendations to the Governing Board on appointment, promotion and discipline of professional staff other than Directors, and

(*c*) any other duties as the Governing Board may direct.

(2) The Office shall be structured into functional departments each headed by a Director.

(3) Subject to the power of the Governing Board to create additional departments, the following departments shall exist —

(*a*) Budget Analysis Department;

(*b*) Research Analysis Department; and

(*c*) Administrative and Services Department.

(4) Functions and duties of each department shall be as defined in an operational manual approved by the Governing Board (*Hon. Michael Opeyemi Bamidele — Ado Ekiti/Irepodun/Ifelodun Federal Constituency*).

Question that Clause 11 *stand part of the Bill, put and agreed to.*

***Committee Recommendation*:**

Clause 12: Appointment, duties, tenure and removal of the Director-General.

(1) The Director-General who shall be the Chief Executive and Accounting Officer of the Office.

(2) The Director-General shall be appointed upon a resolution of a simple majority of both Chambers sitting separately after considering recommendation of the appropriate committees in both Senate and House of Representatives; and the appointment shall be based solely on professional competence and qualification.

(3) The Director-General shall be a person of proven integrity who has had at least 15 years post bachelor's degree career with not less than a Masters degree qualification in the field of either economics, finance, accountancy, business administration, public administration.

(4) The Director-General shall not be a member of a political party.

(5) The Director-General shall hold office for a period of 4 years, and may be eligible for reappointment for one more term of 4 years only, provided the Governing Board considers his performance satisfactory.

(6) The Director-General shall be responsible for the overall operations of the Office including but not limited to —

(*a*) steering and overseeing the provision of analysis of the annual budget estimates of the Federal Government and the implementation of the requests or directives of Legislative Committees;

(*b*) general management and administration of the Office;

(*c*) controlling and disbursing amounts from funds established in accordance with this Bill; and

(*d*) performance of such other duties as may be specified, directed and determined by the Governing Board, and

(7) The Director-General may be removed from office upon a resolution of the appropriate committees in both Senate and House of Representatives on consideration of a recommendation of the Governing Board for the Director-General's inability to discharge the function of the office or for misconduct.

(8) The Director-General may resign from office upon giving 3 months written notice of resignation to the Governing Board or payment of 3 months basic salaries in lieu of notice (*Hon. Michael Opeyemi Bamidele — Ado Ekiti/Irepodun/Ifelodun Federal Constituency*).

Question that Clause 12 *stand part of the Bill, put and agreed to.*

***Committee Recommendation*:**

Clause 13: Appointment, duties, tenure and removal of Directors.

(1) The Directors for the Departments shall be appointed by the Governing Board in a transparent manner and the appointments shall be based solely on professional competence and qualification.

(2) The Directors shall be professionals in the relevant fields and shall be persons of proven integrity with at least a Master's degree and a minimum of 15years post qualification and relevant experience.

(3) The Directors shall not be members of a political party.

(4) The Directors may be removed from office by the Governing Board upon recommendation of the Director-General for inability to discharge the function of the office or for misconduct.

(5) A Director may resign his office upon giving 3 months written notice of resignation to the Governing Board or payment of 1 month basic salary in lieu of notice (*Hon. Michael Opeyemi Bamidele — Ado Ekiti/Irepodun/Ifelodun Federal Constituency*).

Question that Clause 13 *stand part of the Bill, put and agreed to.*

***Committee Recommendation*:**

Clause 14: Other Staff.

(1) The Management Committee shall appoint such other staff as may be necessary to carry out the duties and functions of the Office; in accordance with internationally acceptable transparency standards and such appointments shall be made solely on the basis of qualification and competence.

(2) In carrying out the duties and functions of the Office, the Management Committee may procure the services of experts or consultants by contract, subject to ratification by the Governing Board (*Hon. Michael Opeyemi Bamidele — Ado Ekiti/Irepodun/Ifelodun Federal Constituency*).

Question that Clause 14 *stand part of the Bill, put and agreed to.*

Clause 15: Remuneration of Director-General.

The Governing Board shall, in consultation with the Revenue Mobilisation Allocation and Fiscal Commission, determine the salary and other allowances of the Director-General.

***Committee Recommendation*:**

Leave out the provision of Clause 15 (*Hon. Michael Opeyemi Bamidele — Ado Ekiti/Irepodun/Ifelodun Federal Constituency*) — *Agreed to.*

***Committee Recommendation*:**

Clause 16: Remuneration of Directors, Professional Analysts and Professional Staff.

(1) The Directors, Professional Analysts and Professional Staff of the Office shall receive such remuneration as shall be determined by the Governing Board.

(2) Such remuneration shall be competitive (*Hon. Michael Opeyemi Bamidele — Ado Ekiti/Irepodun/Ifelodun Federal Constituency*).

Question that Clause 16 *stand part of the Bill, put and agreed to.*

***Committee Recommendation*:**

Clause 17: Remuneration of other Staff Pension Cap 4 LFN.

(1) Service in the Office shall be approved service for the purpose of the Pensions Act, and accordingly, officers and other persons employed in the Office in respect of their service shall be entitled to pension, gratuities and other retirement benefits as are enjoyed by persons holding equivalent grades in the public service of the Federation.

(2) Nothing in subsection (1) of this section shall prevent the appointment of a person in the Office on terms, which preclude the grant of a pension or gratuity in respect of service in the Office (*Hon. Michael Opeyemi Bamidele — Ado Ekiti/Irepodun/Ifelodun Federal Constituency*).

Question that Clause 17 *stand part of the Bill, put and agreed to.*

***Committee Recommendation*:**

Clause 18: Regulations.

The Governing Board may by regulations, first laid before the National Assembly, and published in the Gazette prescribe the —

(*a*) duties and responsibilities of the Director-General, Directors, Professional Analysts, Professional Staff and other Staff of the Office;

(*b*) disciplinary control of employees of the Office and mode of appeal by such employees against dismissals or other disciplinary measure;

(*c*) administrative or organizational structure of the Office;

(*d*) romotion and staff welfare; and

(*e*) and other guidelines (*Hon. Michael Opeyemi Bamidele — Ado Ekiti/Irepodun/Ifelodun Federal Constituency*).

Question that Clause 18 *stand part of the Bill, put and agreed to.*

***Committee Recommendation*:**

Clause 19: Funds, estimates of expenditure, etc.

(1) The Office shall derive its Fund from —

(*a*) such monies as may in each year be approved by the National Assembly under the Appropriation Act for the purposes of carrying out the duties and functions of the Office;

(*b*) such monies as may from time to time, be granted or deposited with the Office by the National Assembly or anybody or institution within the country;

(*c*) all monies raised for the purposes of the Office by way of gifts, loans, grants-in-aid, testamentary dispositions or otherwise;

(*d*) proceeds from other assets that may from time to time accrue to the Office.

(2) Such monies derived for the purpose of running the Office shall be declared to the National Assembly who shall then appropriate such funds before spending except for grants in aids attached to programme or projects.

(3) The Office shall defray from the Fund all expenditures incurred by it and shall include —

(*a*) the cost of administration;

(*b*) the payment of salaries, fees or other remunerations or allowances and pensions and gratuities payable to members and employees of the Office; and

(*c*) anything done in connection with any of its functions under this Bill.

(4) The Director-General shall prepare not later than 31stJune of each year, an estimate of the expenditure and income of the Office for the succeeding year which shall be submitted to Clerk to the National Assembly through the Governing Board for approval for appropriation.

(5) The Director-General shall keep accounts and receipts, payments, assets and liabilities and shall in respect of each year prepare a statement of account in such form as the National Assembly may direct.

(6) The Director-General shall within 3months after the end of the financial year to which the account relates, cause the account to be audited by auditors appointed from the list and in accordance with guidelines supplied by the Auditor-General of the Federation (*Hon. Michael Opeyemi Bamidele — Ado Ekiti/Irepodun/Ifelodun Federal Constituency*).

Question that Clause 19 *stand part of the Bill, put and agreed to.*

Committee Recommendation:

Clause 20: **Obtaining of data by the Director-General.**

The Director-General may, for the purpose of coordinating the operations of the Office with those of the National Assembly Agencies, obtain information, data, estimates and statistics developed by the Committees, Clerk and all other offices of the National Assembly (*Hon. Michael Opeyemi Bamidele — Ado Ekiti/Irepodun/Ifelodun Federal Constituency*).

Question that Clause 20 *stand part of the Bill, put and agreed to.*

Committee Recommendation:

Clause 21: **Obtaining of data from public bodies.**

(1) The Director-General shall obtain information, data, estimates and statistics directly from ministries, extra-ministerial departments, Government parastatals, agencies, commissions and establishments; and all such ministries, extra-ministerial departments, Government parastatals, agencies, commissions and establishments shall furnish the Director-General with all materials that are necessary in the performance of his duties.

(2) The Director-General may, upon agreement with the head of any Ministry, Extra-Ministerial departments, parastatals, agency, commission or establishment, utilize its services, facilities and personnel as needed by the Office.

(3) The Director-General may assign Professional and other staff of the Office to any Ministry, Extra-Ministerial department, parastatals, agency, commission or establishment including joint ventures where Government is a party for the purpose of obtaining primary data and statistics.

(4) The Director-General may assign Professional Staff or Consultants to conduct surveys as may be required by the Office.

(5) It shall be mandatory for any MDAs to submitinformation, data, estimates and statistics as requested by the Office.Failure of compliance will be reported to the Senate President and the Speaker (*Hon. Michael Opeyemi Bamidele — Ado Ekiti/Irepodun/Ifelodun Federal Constituency*).

Question that Clause 21 *stand part of the Bill, put and agreed to.*

Clause 22: **Making information available to the public.**

The Director-General shall make all information, data and statistics obtained pursuant to its work available to the public as provided in the Freedom of Information Act.

***Committee Recommendation*:**

Leave out the provision of Clause 22 (*Hon. Michael Opeyemi Bamidele — Ado Ekiti/Irepodun/Ifelodun Federal Constituency*) — *Agreed to.*

Clause 9: **Report on the fiscal policy of government.**

Upon submission of the report on the annual fiscal policy by the Federal Government, the Director-General shall submit to the Committees on Appropriations and Finance of both Chambers of the National Assembly, and House Committee on Legislative Budget and Research, a projection for the fiscal year commencing on 1st of January of the following year, on the fiscal policy and the permissible aggregate Government Expenditure and Core Revenue.

***Committee Recommendation*:**

Leave out provision of Clause 23 (*Hon. Michael Opeyemi Bamidele — Ado Ekiti/Irepodun/Ifelodun Federal Constituency*) — *Agreed to.*

Committee Recommendation:

Clause 24: **Interpretation.**

In this Bill —

"committees" means committees established under the rules of both Chambers (*Hon. Michael Opeyemi Bamidele — Ado Ekiti/Irepodun/Ifelodun Federal Constituency*).

Question that the meaning of the word "committees" be as defined in the interpretation to this Bill, put and agreed to.

"core revenue" means accruable revenue (*Hon. Michael Opeyemi Bamidele — Ado Ekiti/Irepodun/Ifelodun Federal Constituency*).

Question that the meaning of the words "core revenue" be as defined in the interpretation to this Bill, put and agreed to.

"economic related committees" mean committees on Aids, Loans and Debt Management; Appropriation; Banking and Currency; Capital Market; Finance; Legislative Budget and Research; National Planning and Population; Public Accounts; and any other committee(s) that may be established according to the Standing Orders of either House of National Assembly (*Hon. Michael Opeyemi Bamidele — Ado Ekiti/Irepodun/Ifelodun Federal Constituency*).

Question that the meaning of the word "economic related committees" be as defined in the interpretation to this Bill, put and agreed to.

"misconduct" as provided in the Code of Conduct for Public Officers (*Hon. Michael Opeyemi Bamidele — Ado Ekiti/Irepodun/Ifelodun Federal Constituency*).

Question that the meaning of the word "misconduct" be as defined in the interpretation to this Bill, put and agreed to.

"permissible aggregate government expenditure" means the total spending ceilings or limits (*Hon. Michael Opeyemi Bamidele — Ado Ekiti/Irepodun/Ifelodun Federal Constituency*).

Question that the meaning of the words "permissible aggregate government expenditure" be as defined in the interpretation to this Bill, put and agreed to.

"property" means land or building and includes intellectual property (*Hon. Michael Opeyemi Bamidele — Ado Ekiti/Irepodun/Ifelodun Federal Constituency*).

Question that the meaning of the word "property" be as defined in the interpretation to this Bill, put and agreed to.

"Public Bodies" means any corporation, board, company or parastatals established by, or under enactment in which the Government of the Federation, a Ministry, or Extra-Ministerial Department, agency, or equity interest and include a partnership, joint venture, or any form of business arrangement or organization (*Hon. Michael Opeyemi Bamidele — Ado Ekiti/Irepodun/Ifelodun Federal Constituency*).

Question that the meaning of the words "Public Bodies" be as defined in the interpretation to this Bill, put and agreed to.

"the Office" means National Assembly Budget and Research Office (*Hon. Michael Opeyemi Bamidele — Ado Ekiti/Irepodun/Ifelodun Federal Constituency*).

Question that the meaning of the words "the Office" be as defined in the interpretation to this Bill, put and agreed to.

Question that Clause 24 *stand part of the Bill, put and agreed to.*

Committee Recommendation:

Clause 25: **Citation.**

This Bill may be cited as the National Assembly Budget and Research Office Establishment Bill, 2013 (*Hon. Michael Opeyemi B amidele — A do E kiti/Irepodun/Ifelodun Federal Constituency*).

Question that Clause 25 *stand part of the Bill, put and agreed to.*

SCHEDULE

SUPPLEMENTARY PROVISION RELATING TO THE BOARD, ETC.

1. (1) At any meeting of the Board, the Chairman shall preside and in his/her absence, such member of the Board as the other members may elect from among themselves for that purpose.

(2) The Director-General shall be the Secretary; and shall provide secretariat services for all meetings of the Governing Board.

(3) Subject to this Bill and section 27 of the Interpretation Act, the Board may make standing orders regulating its proceeding or those of any of its Committees.

2. The Quorum of the Board shall be the Chairman and 3 other members of the Board.

3. The Board may appoint one or more Committees to carry out, on behalf of the Board, such of its functions as the Board may determine, but no decision of any such Committee shall have effect unless ratified by the Board.

4. The Board may co-opt persons who are not members of the Board to any meeting of the Board or any Committee and such persons may take part in the deliberations of the Board or any Committee but shall not be entitled to vote.

5. The fixing of the seal of office shall be authenticated by the Signature of the Chairman or any other member of the Board generally or, specifically authorized by the Board to act for that purpose and the Director-General —

(*a*) a document purporting to be a document duly executed under the seal of the Office shall be received in evidence and shall, unless and until the contrary is proved, be presumed so executed.

6. The validity of any proceedings of the Board or a Committee shall not be adversely affected by —

(*a*) the validity in the membership of the Board or Committee;

(*b*) a defect in the appointment of a member of the Board or Committee; or

(*c*) reason that a person not entitled to do so, took part in the proceeding of the Board or Committee (*Hon. Michael Opeyemi Bamidele — Ado Ekiti/Irepodun/Ifelodun Federal Constituency*).

Question that the provisions of the Schedule stand part of the Bill, put and agreed to.

Long Title:

A Bill for an Act Establishing an Independent National Assembly Budget and Research Office, which shall Provide the National Assembly with Objective, Timely and Non-partisan Analysis Needed for Economic and Budget Decisions and Other Related Matters (*Hon. Michael Opeyemi Bamidele — Ado Ekiti/Irepodun/Ifelodun 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 the Committee of Whole considered the Report of the Committee on Legislative Budget and Research on a Bill for an Act to Establish an Independent National Assembly Budget and Research Office, which shall Provide the National Assembly with Objective, Timely and Non-Partisan Analysis Needed for Economic and Budget Decisions and Other Related Matters and approved Clauses 1 - 25, the Schedule and the Long Title of the Bill.
Question that the House do adopt the Report of the Committee of the Whole, put and agreed to.

(*ii*) ***Committees on Information Technology and Justice*:**
Motion made and Question proposed, "That this House do consider the Report of the Committees on Information Technology and Justice on a Bill for an Act to ensure the Continued Free Flow of Business within Nigeria and with its Global Trading Partners through secure Cyber Communications, to Provide for the Continued Development and exploitation of the Internet and Internet Communications for such Purposes, to Provide for the development of a Cadre of information Technology Specialists to improve and Maintain effective Cyber Security Defences against disruption and for Other Matters Connected Therewith (HB. 84) and approve the Recommendations therein" (*Hon. Ibrahim Shehu-Gusau — Gusau/Tsafe 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 FOR THE ESTABLISHMENT OF THE CYBER SECURITY COUNCIL: TO PROVIDE ADVISORY SERVICES IN THE AREA OF CYBER SECURITY AND COUNTER MEASURE; TO PROMOTE INTER-AGENCY COLLABORATION IN THE AREA OF CYBER SECURITY AND COUNTER MEASURES IN NIGERIA; TO COORDINATE INFORMATION SHARING AMONG LAW ENFORCEMENT AND INTELLIGENCE AGENCIES; TO PROMOTE RESEARCH AND DEVELOPMENT AND ESTABLISH STANDARDS AND REGULATIONS IN THE AREA OF CYBER SECURITY; AND OTHER MATTERS CONNECTED THEREWITH

***Committee Recommendation*:**
Clause 1: Establishment of the Council.

(1) There is hereby established a Cyber Security Advisory Council (in this Bill referred to as "the Council") which shall have the functions and powers conferred on it by this Bill.

(2) The President —

(*a*) shall appoint as members of the Council representatives of industry, academia, non-profit organisations, interest groups and advocacy organisation, and State and Local Governments who are qualified to provide advice and information on Cyber Security Research, Development, Demonstrations, Education, Technology Transfer, Commercial Application, or Societal and Civil Society concerns; and shall consist of the following —

(*i*) a Chairman,

(*ii*) (*a*) two representatives of the Federal Government, NITDA and NCC,

(*b*) four representatives from law enforcement, intelligence, defence and internal security,

(*c*) one representative of academia,

(*d*) two representatives from ICT industry association (CPN and NCS),

(*e*) one representative of the financial sector (CBN), and

(*f*) the Executive Secretary.

(3) The Council shall be a body corporate, with perpetual succession, a common seal and may sue and be sued in its corporate name (*Hon. Ibrahim Shehu-Gusau — Gusau/Tsafe Federal Constituency*).

Amendment Proposed:
In subclause (2) (*d*), line 2, *leave out* the words "CPN and NCS" and *insert* the words "Cyber security professionals" instead thereof (*Hon. Ibrahim Shehu-Gusau — Gusau/Tsafe Federal Constituency*).

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

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

***Committee Recommendation*:**
Clause 2: **Membership Status of the Council.**
Membership of the Council shall be on part time status (*Hon. Ibrahim Shehu-Gusau — Gusau/Tsafe Federal Constituency*).

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

***Committee Recommendation*:**
Clause 3: **Membership Status of the Executive Secretary.**
The Executive Secretary shall be on full time status (*Hon. Ibrahim Shehu-Gusau — Gusau/Tsafe Federal Constituency*).

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

***Committee Recommendation*:**
Clause 4: **Functions.**
(1) The Council may, through the President, or directly seek/receive and give consideration to recommendations from the National Assembly, Industry, the Cyber Security Community, the Defence Community, State and Local governments, and other appropriate organizations.

(2) The Council shall advise the President on matters relating to the National Cyber Security Programme and Strategy and shall assess —

(*a*) trends and Developments in Cyber Security Science Research and Development;

(*b*) progress made in implementing the strategy;

(*c*) the need to revise the strategy;

(*d*) the balance among the components of the National strategy, including funding for programme components;

(*e*) whether the strategy, priorities, and goals are helping to maintain Nigeria's regional leadership aspirations and its defence in Cyber Security;

(*f*) the management, coordination, implementation, and activities of the strategy; and

(*g*) whether societal and civil society concerns are adequately addressed.

(3) The Council shall report not less frequently than twice a year and maximum of four times a year, to the President on its assessments under subsection (2) and its recommendations for ways to improve the strategy (*Hon. Ibrahim Shehu-Gusau — Gusau/Tsafe Federal Constituency*).

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

***Committee Recommendation*:**
Clause 5: **Tenure of Office.**

(1) Subject to the provisions of Section 6 of this Bill, the Chairman and members of the Council shall each hold office —

(*a*) for a term of (4) years and may be reappointed for a further term of four (4) years and no more; and

(*b*) on such terms and conditions as may be specified in their letters of appointment (*Hon. Ibrahim Shehu-Gusau — Gusau/Tsafe Federal Constituency*).

Question that Clause 5 *stand part of the Bill, put and agreed to.*

***Committee Recommendation*:**
Clause 6: **Cessation of Membership of Council.**

(1) A person shall cease to hold office as a member of the council on the occurrence of any of following —

(*a*) he dies;

(*b*) he becomes bankrupt;

(*c*) he is convicted of a felony or any offence involving dishonesty or fraud;

(*d*) he becomes of unsound mind or is incapable for any reason of carrying out his duties;

(*e*) he is guilty of a serious misconduct in relation to his duties;

(*f*) in the case of a person possessed of a Professional qualification, he is disqualified or suspended from practicing his profession in any part of the world by an order of a competent authority made in respect of that member; or

(*g*) he resigns his appointment by written notice under his hand to the President (*Hon. Ibrahim Shehu-Gusau — Gusau/Tsafe Federal Constituency*).

Question that Clause 6 *stand part of the Bill, put and agreed to.*

***Committee Recommendation*:**
Clause 7: **Replacement of Membership.**

Where a member ceases to hold office for any reason before the expiration of his term, another person representing the same interest as that member shall be appointed in his place to finish the unexpired residue of term within 90 days of cessation of membership (*Hon. Ibrahim Shehu-Gusau — Gusau/Tsafe Federal Constituency*).

Question that Clause 7 *stand part of the Bill, put and agreed to.*

***Committee Recommendation*:**
Clause 8: **Removal of Member.**

The President may remove a member if he is satisfied that it is not in the interest of the Council or the public that the member continues in office (*Hon. Ibrahim Shehu-Gusau — Gusau/Tsafe Federal Constituency*).

Question that Clause 8 *stand part of the Bill, put and agreed to.*

***Committee Recommendation*:**
Clause 9: **Remuneration of Members.**

The Chairman and members of the Council shall be paid such allowances as may be determined by the Revenue Mobilisation, Allocation and Fiscal Commission (*Hon. Ibrahim Shehu-Gusau — Gusau/Tsafe Federal Constituency*).

Question that Clause 9 *stand part of the Bill, put and agreed to.*

Committee Recommendation:
Clause 10: **Executive Secretary.**
There shall be an Executive Secretary of the Council, who shall be appointed by the President (*Hon. Ibrahim Shehu-Gusau — Gusau/Tsafe Federal Constituency*).

Question that Clause 10 *stand part of the Bill, put and agreed to.*

Committee Recommendation:
Clause 11: **Function of the Executive Secretary.**
(1) The Executive Secretary shall be —

(*a*) the Chief Executive and accounting officer of the Council;

(*b*) responsible to the Council for the execution of the policies and administration of the daily affairs of the Council; and

(*c*) a graduate with at least 15 years cognate experience in Information and Communication Technology Industry, 5 of which should be in cyber security (*Hon. Ibrahim Shehu-Gusau — Gusau/Tsafe Federal Constituency*).

Question that Clause 11 *stand part of the Bill, put and agreed to.*

Committee Recommendation:
Clause 12: **Tenure of Office.**
The Executive Secretary shall be appointed for a term of five (4) years in the first instance and may be reappointed for a further term of five (4) years and no more (*Hon. Ibrahim Shehu-Gusau — Gusau/Tsafe Federal Constituency*).

Question that Clause 12 *stand part of the Bill, put and agreed to.*

Committee Recommendation:
Clause 13: **Remuneration of the Executive Secretary.**
The Executive Secretary shall be paid such remuneration as may be contained in his letter of appointment or as may be determined by the Revenue Mobilisation, Allocation and Fiscal Commission (*Hon. Ibrahim Shehu-Gusau — Gusau/Tsafe Federal Constituency*).

Question that Clause 13 *stand part of the Bill, put and agreed to.*

Committee Recommendation:
Clause 14: **Cessation of Office.**
The Executive Secretary shall cease to hold office if any of the conditions contained in Section 6 of this Bill pertaining to cessation of membership of the Council applies to him (*Hon. Ibrahim Shehu-Gusau — Gusau/Tsafe Federal Constituency*).

Question that Clause 14 *stand part of the Bill, put and agreed to.*

Committee Recommendation:
Clause 15: **Resignation of appointment.**
The Executive Secretary may resign his appointment by written notice under his hand delivered to the President (*Hon. Ibrahim Shehu-Gusau — Gusau/Tsafe Federal Constituency*).

Question that Clause 15 *stand part of the Bill, put and agreed to.*

Committee Recommendation:
Clause 16: **Other staff.**
(1) The council shall appoint such number of employees as may in its opinion be expedient and necessary for proper and effective performance of its function under this Bill.

(2) The terms and condition of service (including terms and conditions as to remuneration, allowances, retiring benefits and discipline) of the staff of the Council shall be such as may be determined from time to time by the Council.

(3) The Council shall determine the remuneration, allowances and tenure of its employees.

(4) The Council may accept any member of staff by way of transfer, secondment or deployment from any public service of the Federal, State or Local Government approved establishments (*Hon. Ibrahim Shehu-Gusau — Gusau/Tsafe Federal Constituency*).

Question that Clause 16 *stand part of the Bill, put and agreed to.*

***Committee Recommendation*:**
Clause 17: Appointment and Secondment from Public Service.

(1) Notwithstanding the provisions of Section 17, the Council shall have power to appoint either directly or on secondment from any public service of Federation, such number of employees (as may, in the opinion of the Council) be required to assist it in the discharge of any of its functions under this Bill.

(2) The person so seconded under Section 18 of this Bill may elect to be transferred to the service of the Council and the previous service he may have rendered in the public service shall count as service to the Council for the purposes of any pension subsequently payable by the Council (*Hon. Ibrahim Shehu-Gusau — Gusau/Tsafe Federal Constituency*).

Question that Clause 17 *stand part of the Bill, put and agreed to.*

***Committee Recommendation*:**
Clause 18: Pension Reform Act 2004.

Service in the Council shall be approved service for the purpose of the Pension Reform Act 2004, and accordingly, officers employed in the Council shall in respect of their service in the Council be entitled to Pension, Gratuity and other retirement benefits enjoyed by persons holding equivalent grades in the public service of the Federation (*Hon. Ibrahim Shehu-Gusau — Gusau/Tsafe Federal Constituency*).

Question that Clause 18 *stand part of the Bill, put and agreed to.*

***Committee Recommendation*:**
Clause 19: Directorates, Departments, Units and Committees.

Notwithstanding the provisions of relevant sections of this Bill, there shall be established in the Headquarters of the Council, such Departments, Directorates, Units and Committees as the Council may deem necessary to carry out its functions (*Hon. Ibrahim Shehu-Gusau — Gusau/Tsafe Federal Constituency*).

Question that Clause 19 *stand part of the Bill, put and agreed to.*

***Committee Recommendation*:**
Clause 20: Funds of the Council.

(1) The council shall establish and maintain a fund in which all monies accruing to it shall be paid or from which shall be defrayed all expenditure incurred by the council.

(2) The Funds of the Council shall consist of —

(*a*) all subventions and budgetary allocations provided by the Federal Government through the appropriation by the National Assembly;

(*b*) sums accruing to the Council by way of donations, gifts, endowment, bequest or otherwise;

(*c*) interest and revenue accruing from savings and investments made by the Council;

(*d*) other revenues accruing to the council under section 2204 this Bill.

(3) There shall be a fund in which a levy of 1.5% Profit before tax of companies in the ICT sector, financial sector, and oil and gas sector would be paid. The annual turnover of companies eligible for the levy should not be less than ₦100,000.00 (*Hon. Ibrahim Shehu-Gusau — Gusau/Tsafe Federal Constituency*).

Consideration deferred.

***Committee Recommendation*:**

Clause 21: Budgetary estimates.

The Council shall, not later than 30th September of each year, submit to the National Assembly, through the Minister, an estimate of the projected expenditure of the Council during the succeeding year and shall include a copy of the audited accounts of the preceding year and a copy of the Auditor's Report (*Hon. Ibrahim Shehu-Gusau — Gusau/Tsafe Federal Constituency*).

Question that Clause 21 *stand part of the Bill, put and agreed to.*

***Committee Recommendation*:**

Clause 22: Gift to the Council.

(1) The Council may accept gifts of money, land or other property on such terms and conditions, if any, as may be specified by the person or organisation making the gift.

(2) The Council shall not accept any gift if the conditions attached thereto are inconsistent with the functions of the Council under this Bill (*Hon. Ibrahim Shehu-Gusau — Gusau/Tsafe Federal Constituency*).

Question that Clause 22 *stand part of the Bill, put and agreed to.*

***Committee Recommendation*:**

Clause 23: Expenditure and Account.

The Council shall approve any expenditure and shall —

(*a*) issue proper accounts and records of the transactions and affairs of the Council and ensure that all expenditure is duly authorised

(*b*) prepare in respect of each financial year, a statement of account in such form as the Auditor-General may direct (*Hon. Ibrahim Shehu-Gusau — Gusau/Tsafe Federal Constituency*).

Question that Clause 23 *stand part of the Bill, put and agreed to.*

***Committee Recommendation*:**

Clause 24: Audit of Account.

The audit of the Council shall be in accordance with the provisions of the Constitution of the Federal Republic of Nigeria, 1999 (*Hon. Ibrahim Shehu-Gusau — Gusau/Tsafe Federal Constituency*).

Question that Clause 24 *stand part of the Bill, put and agreed to.*

***Committee Recommendation*:**

Clause 25: Acquisition of Land in Land for Office use.

(1) For the purpose of providing offices and premises necessary for the performance of its functions under this Bill, the Council may, subject to the Land Use Act —

(*a*) purchase or lease any interest in land or other property; and

(*b*) construct offices and premises, equip and maintain them

(2) The Council may, subject to the Land Use Act, sell or lease out any offices or premises held by it, which offices or premises is no longer required for the performance of its fun ctions under this Bill (*Hon. Ibrahim Shehu-Gusau — Gusau/Tsafe Federal Constituency*).

Question that Clause 25 *stand part of the Bill, put and agreed to.*

Committee Recommendation:
Clause 26: **Legal Proceeding against the Council.**
The provision of the Public Officer's Protection Act shall apply in relation to any suit instituted against any officer or employee of the Council in his capacity as such (*Hon. Ibrahim Shehu-Gusau — Gusau/Tsafe Federal Constituency*).

Question that Clause 26 *stand part of the Bill, put and agreed to.*

Committee Recommendation:
Clause 27: **Indemnity of officers.**
A member of the council, the Executive Security or an employee of the council acting in good faith shall be indemnified out of the funds of the council against any reasonable expenses incurred by him in defending any proceeding, whether civil or criminal, if such proceeding is brought against him for acts done in good faith in his capacity as a member, Executive Secretary or employee of the council (*Hon. Ibrahim Shehu-Gusau — Gusau/Tsafe Federal Constituency*).

Amendment Proposed:
Leave out all the words in and Clause 27 and *insert* as follows instead thereof:
"A member of the Council, the Executive Secretary of an employee of the Council shall be indemnified out of the funds of the Council against any reasonable expenses incurred by him in defending any proceedings whether civil or criminal, if such proceeding is brought against him for acts done in good faith in the discharge of his duty" (*Hon. Uzo Azubuike — Aba North/Aba South Federal Constituency*).

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

Question that Clause 27 *as amended, stand part of the Bill, put and agreed to.*

Committee Recommendation:
Clause 28: **Service of documents.**
A notice, summons or other documents required or authorised to be served upon the Council under the provisions of this Bill or any other law or enactment may be served by delivering it to the Executive Secretary or a principal officer in a branch office or by sending it by registered post and addressed to the executive Secretary at the principal office of the Council (*Hon. Ibrahim Shehu-Gusau — Gusau/Tsafe Federal Constituency*).

Question that Clause 28 *stand part of the Bill, put and agreed to.*

Committee Recommendation:
Clause 29: **Power of the President to give Directions to the Council.**
Subject to the provision of this Bill, the President shall issue to the Council direction of a general nature in relation to the performance of its function and it shall be the duty of the Council to comply (*Hon. Ibrahim Shehu-Gusau — Gusau/Tsafe Federal Constituency*).

Question that Clause 29 *stand part of the Bill, put and agreed to.*

Committee Recommendation:
Clause 30: **Cyber Security Status and Vulnerability Information.**
The Minister of Communication Technology shall —

(*a*) in consultation with the Relevant Ministries, Departments and Agencies (MDAs), develop a plan within 90 days after the date of enactment of this Bill to implement a system to provide dynamic, comprehensive, real-time cyber security status and vulnerable information of all Federal Government Information System and networks; and

(*b*) implement the plan within 1 year after the date of enactment of this Bill (*Hon. Ibrahim Shehu-Gusau — Gusau/Tsafe Federal Constituency*).

Question that Clause 30 *stand part of the Bill, put and agreed to.*

Committee Recommendation:

Clause 31: **Regional Cyber Security enhancement programme.**

The Council in collaboration with National Information Technology Development Agency (NITDA) shall provide assistance for the creation and support of Regional Cyber Security Centres for the promotion and implementation of Cyber Security standards. Each Centre shall be affiliated with a Nigeria-based non-profit institution or organisation, or consortium thereof, that applies for and is awarded financial assistance under this section (*Hon. Ibrahim Shehu-Gusau — Gusau/Tsafe Federal Constituency*).

Question that Clause 31 *stand part of the Bill, put and agreed to.*

Committee Recommendation:

Clause 32: **Standard development and compliance.**

(1) Within 1 year after the date of enactment of this Bill, the Council in collaboration with National Information Technology Development Agency (NITDA) shall establish measurable and auditable Cyber Security standards for all Federal Government Ministries, Departments and Agencies, government contractor, or grantee of critical infrastructure information systems and networks in the following areas:

(*a*) the Council shall establish a research programme to develop Cyber Security metrics and benchmarks that can assess the economic impact of Cyber Security. These metrics should measure risk reduction and the cost of defence. The research shall include the development of automated tools to assess vulnerability and compliance.

(*b*) the Ministry shall establish standards for continuously measuring the effectiveness of a prioritised set of security controls that are known to block or mitigate known attacks.

(*c*) the Council shall establish standards for measuring the software security using a prioritised list of software weaknesses known to lead to exploited and exploitable vulnerabilities.

(*d*) the Council shall also establish a separate set of such standards for measuring security in embedded software such as that found in industrial control systems.

(*e*) the Council shall establish standard computer-readable language for completely specifying the configuration of software on computer systems widely used in the Federal Government, by government contractors and grantees, and in private sector owned critical infrastructure information systems and networks.

(*f*) the Council shall establish standard configurations consisting of security settings for operating system software and software utilities widely used in the Federal Government, by government contractors and grantees, and in private sector owned critical infrastructure information systems and networks.

(*g*) the Council shall establish standard computer-readable language for specifying vulnerabilities in software to enable software vendors to communicate vulnerability data to software users in real time.

(*h*) National compliance standards for all software —

(*i*) the Council shall establish a standard testing and accreditation protocol for software built by or for the Federal Government, its contractors, and grantees, and private sector owned critical infrastructure information systems and networks to ensure that it —

(1) meets the software security standards of subsection (1) (*b*) of this Section; and

(2) does not require or cause any changes to be made in the standard configurations described in subsection (1) (*e*) of this Section.

(*ii*) the Council shall develop a process or procedure to verify that —

(1) software development organisations comply with the protocol established under Sub-section (h) (i) of this Section during the software development process; and

(2) testing results showing evidence of adequate testing and defect reduction are provided to the Federal Government prior to deployment of software.

(2) Notwithstanding any other provision of law (including any Executive Order), rule, regulation, or guideline, in establishing standards under this Section, the Council shall disregard the designation of an information system or network as a national security system or on the basis of presence of classified or confidential information, and shall establish standards based on risk profiles.

(3) The Council, in coordination with appropriate Federal agencies, shall be responsible for Nigeria's representation in all International Standards Development related to Cyber Security, and shall develop and implement a strategy to optimise the Nigerian position with respect to International Cyber Security Standards.

(4) The Council shall —

(*a*) enforce compliance with the standards it has developed under this section by software manufacturers, distributors, and vendors; and

(*b*) shall require each Federal agency, and each operator of an information system or network designated by the Federal Government as a critical infrastructure information system or network, periodically to demonstrate compliance with the standards established under this section.

(5) In developing a national broadband plan, the National Communications Commission (NCC), through the Ministries of Information and Communication Technology, shall report to the Council on the most effective and efficient means to ensure the Cyber Security of commercial broadband networks, including consideration of consumer education and outreach programmes (*Hon. Ibrahim Shehu-Gusau — Gusau/Tsafe Federal Constituency*).

Question that Clause 32 *stand part of the Bill, put and agreed to.*

***Committee Recommendation*:**

Clause 33: Licensing and Certification of Professionals and Mandatory Licensing.

(1) Within 1 year after the date of enactment of this Bill, the Council, through the Ministries of Information and Communication Technology, and in collaboration with NITDA, shall develop or coordinate and integrate a National licensing, certification, and periodic recertification programme for Cyber Security professionals.

(2) Beginning from three (3) years after the date of enactment of this Bill, it shall be unlawful for any individual to engage in business in Nigeria, or to be employed in Nigeria, as a provider of Cyber Security services to any Federal agency or an information system or network designated by the Federal Government, as a critical infrastructure information system or network, who is not licensed and certified under the programme (*Hon. Ibrahim Shehu-Gusau — Gusau/Tsafe Federal Constituency*).

Consideration deferred.

Committee Recommendation:

Clause 34: Renewal of domain name and approval procedure.

(1) No action by the Minister or Minister of State for Communications Technology, through the necessary Departments and agencies of the Federal Government, after the date of enactment of this Bill with respect to the renewal or modification of a contract related to the operation of Domain Names, shall be final until the Advisory Council—in collaboration with National Information Technology Development Agency (NITDA) —

(*a*) has reviewed the action;

(*b*) considered the commercial and national security implications of the action; and

(*c*) approved the action.

(2) If the Advisory Council in collaboration with NITDA does not approve such an action, it shall immediately notify the Minister or Minister of State in writing of the disapproval and the reasons thereof. The Advisory Council in collaboration with NITDA may provide recommendations to the Minister or Minister of State in the notice for any modifications it deems necessary to secure approval of the action (*Hon. Ibrahim Shehu-Gusau — Gusau/Tsafe Federal Constituency*).

Amendment Proposed:

In subclause (1), line 1, *leave out* the words "or Minister of State for" and *insert* the words "in charge of" instead thereof (*Hon. Uzo Azubuike — Aba North/Aba South Federal Constituency*).

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

Question that Clause 34 *as amended, stand part of the Bill, put and agreed to.*

Committee Recommendation:

Clause 35: Secure domain name addressing system.

(1) Within 3 years after the date of enactment of this Bill, the Minister or Minister of State of Commerce for Communications and Information shall in collaboration with National Information Technology Development Agency (NITDA) develop a strategy to implement a secure domain name addressing system for onward implementation by the Council. The Minister or Minister of State shall publish notice of the system requirements in the Federal Gazette together with an implementation schedule for Federal agencies and information systems or networks designated by the Federal Government, as critical infrastructure information systems or networks.

(2) The President or his representative shall ensure that each Federal agency and each such system or network implements the secure domain name addressing system in accordance with the schedule published by the Minister or Minister of State (*Hon. Ibrahim Shehu-Gusau — Gusau/Tsafe Federal Constituency*).

Question that Clause 35 *stand part of the Bill, put and agreed to.*

Committee Recommendation:

Clause 36: Promoting Cyber Security awareness.

The Minister of Communications Technology shall develop and implement a national Cyber Security awareness campaign, through the Council, that —

(1) is designed to heighten public awareness of Cyber Security issues and concerns;

(2) communicates the Federal Government's role in securing the Internet and protecting privacy and civil rights with respect to Internet-related activities; and

(3) utilises public and private sector means of providing information to the public, including public service announcements (*Hon. Ibrahim Shehu-Gusau — Gusau/Tsafe Federal Constituency*).

Question that Clause 36 *stand part of the Bill, put and agreed to.*

Clause 37: Research and Development.

(1) The National Office for Technology Acquisition and Promotion shall give priority to computer and information science, communication technology and engineering research to ensure substantial support is provided to meet the following challenges in Cyber Security:

(*a*) how to design and build complex software-intensive systems that are secure and reliable when first deployed.

(*b*) how to test and verify that software, whether developed locally or obtained from a third party, is free of significant known security flaws.

(*c*) how to test and verify that software obtained from a third party correctly implements stated functionality, and only that functionality.

(*d*) how to guarantee the privacy of an individual's identity, information, or lawful transactions when stored in distributed systems or transmitted over networks.

(*e*) how to build new protocols to enable the Internet to have robust security as one of its key capabilities.

(*f*) how to determine the origin of a message transmitted over the Internet.

(*g*) how to support privacy in conjunction with improved security.

(*h*) how to address the growing problem of insider threat.

(2) The Council shall support researches that evaluate selected secure coding education and improvement programmes. It shall also support researches on new methods of integrating secure coding improvement into the core curriculum of computer science programmes and of other programmes where graduates have a substantial probability of developing software after graduation.

(3) Within one year after the date of enactment of this Bill, the Council, through the Minister, shall submit to the National Assembly a report on the state of secure coding education in the Universities and Colleges for each school that received any Special Funding for Science in excess of ₦5,000,000 during the immediate past fiscal year. The report shall include —

(*a*) the number of students who earned undergraduate degrees in computer science, information and communication technology or in each other programme where graduates have a substantial probability of being engaged in software design or development after graduation;

(*i*) the percentage of those students who completed substantive secure coding education or improvement programmes during their undergraduate experience; and

(*c*) descriptions of the length and content of the education and improvement programmes, and a measure of the effectiveness of those programmes in enabling the students to master secure coding and design.

(4) The Council shall establish a programme to award grants to institutions of higher education to establish Cyber Security testbeds capable of realistic modelling of real-time Cyber attacks and defences. The purpose of this programme is to support the rapid development of new Cyber Security defences, techniques, and processes by improving understanding and assessing the latest technologies in a real-world environment. The testbeds shall be sufficiently large in order to model the scale and complexity of real world networks and environments.

(5) The Council will maintain and run a Computer and Network Security Research Grant

(6) The Council shall also set up Network Security Centres which shall serve as monitoring units and feeder outpost to the Main Framework

(7) The Council shall award grants to institutions and organisations to develop their Computer and Network Security Capacity Building activities for national use.

(8) The Council shall ensure that more grants are available for Scientific and Advanced Technology researches in the various research centres and institutions of higher education.

(9) The Council shall promote Graduate Traineeships in Computer and Network Security Research and Cyber Security Faculty Development Traineeship Programme.

(10) The Council shall establish a Network and Information and Communication Technology Research and Development Programme.

***Committee Recommendation*:**
Leave out the provisions of Clause 37 (*Hon. Ibrahim Shehu-Gusau — Gusau/Tsafe Federal Constituency*) — *Agreed to*.

Clause 38: Cyber Scholarship for Service Programme.

(1) The Council shall establish a Federal Cyber Scholarship-for-Service programme to recruit and train the next generation of Federal information technology workers and security managers.

(2) The programme —

(*a*) shall provide scholarships, that provide full tuition, fees, and a stipend, for at least 50 undergraduate and 10 graduate students per year in their pursuit of undergraduate or graduate degrees in the Cyber Security field;

(*b*) shall require scholarship recipients, as a condition of receiving a scholarship under the programme, to agree to serve in the Federal information technology workforce for a period equal to the length of the scholarship following graduation if offered employment in that field by a Federal agency;

(*c*) shall provide opportunities for students to receive temporary appointments for meaningful employment in the Federal information technology workforce during school vacation periods and for internships;

(*d*) shall provide a procedure for identifying promising Senior Secondary School Class 3 students for participation in summer work and internship programmes that would lead to certification of Federal information technology workforce standards and possible future employment; and

(*e*) shall examine and develop, if appropriate, programmes to promote computer security awareness in secondary school classrooms.

(3) For purposes of any law or regulation governing the appointment of individuals in the Federal Civil Service, upon the successful completion of their studies, students receiving a scholarship under the programme shall be hired under the authority to be exempt from competitive service. Upon fulfilment of the service term, such individuals shall be converted to a competitive service position without competition if the individual meets the requirements for that position.

(4) To be eligible to receive a scholarship under this section, an individual shall —

(*a*) be a citizen of Nigeria; and

(*b*) demonstrate a commitment to a career in improving the Nation's cyber defences.

(5) In making selections for scholarships under this section, the Council shall —

(*a*) consider, to the extent possible, a diverse pool of applicants whose interests are of an interdisciplinary nature, encompassing the social, scientific as well as the technical dimensions of Cyber Security; and

(*b*) give preference to applicants that have participated in the competition and challenge described in Section 39.

(6) The Council shall, through the Ministry, evaluate and report to the National Assembly on the success of recruiting individuals for the scholarships.

(7) There shall be authorised annual appropriation to the Council to carry out this section

***Committee Recommendation*:**
Leave out the provisions of Clause 38 (*Hon. Ibrahim Shehu-Gusau — Gusau/Tsafe Federal Constituency*) — *Agreed to*.

Clause 39: Competition and challenges.

(1) The Council in consultation with other relevant Federal Government agencies, shall directly or through appropriate Federal entities, establish Cyber Security competitions and challenges with cash prizes in order to —

(*a*) attract, identify, evaluate, and recruit talented individuals for a Federal Information Technology workforce; and

(*b*) stimulate innovation in basic and applied Cyber Security research, technology development, and prototype demonstration that have the potential for application to the Federal information technology activities of the Federal Government.

(2) The Council shall establish different competitions and challenges targeting the following groups:

(*a*) Secondary school students.

(*b*) Undergraduate students.

(*c*) Graduate students.

(*d*) Academic and research institutions.

(3) In selecting topics for prize competitions, the Council shall consult widely both within and outside the Federal Government, and may empanel Ad-Hoc or Standing Committees.

(4) The Council shall widely advertise prize competitions, in coordination with the awareness campaign under Section 36, to encourage participation.

(5) For each prize competition, the Council shall publish a notice in the Federal Gazette or at least three (3) National Newspapers announcing the subject of the competition, the rules for being eligible to participate in the competition, the amount of the prize, and the basis on which a winner will be selected.

(6) To be eligible to win a prize under this section, an individual or entity —

(*a*) shall have registered to participate in the competition pursuant to any rules promulgated by the Council under Subsection (4);

(*b*) shall have complied with all the requirements under this Section;

(*c*) in the case of a private entity, shall be incorporated in and maintain a primary place of business in Nigeria, and in the case of an individual, whether participating singly or in a group, shall be a citizen or permanent resident of Nigeria; and

(*d*) shall not be a Federal entity or Federal employee acting within the scope of his employment.

(7) For each competition, the Council shall, either directly or through an agreement under Subsection (8), assemble a panel of qualified judges to select the winner or winners of the prize competition. Judges for each competition shall include individuals from the private sector. A judge may not —

(*a*) have personal or financial interests in, or be an employee, officer, member, or agent of any entity that is a registered participant in a competition; or

(*b*) have a familial or financial relationship with an individual who is a registered participant.

(8) The Council may enter into an agreement with a private, non-profit entity to administer the prize competition, subject to the provisions of this Section.

(9) Finding —

(*a*) prizes under this Section may consist of Federal appropriated funds and funds provided by the private sector for such cash prizes. The Council may accept funds from other Federal agencies for such cash prizes. The Council may not give special consideration to any private sector entity in return for a donation.

(*b*) notwithstanding any other provision of law, funds appropriated for prize awards under this Section shall remain available until expended, and may be transferred, reprogrammed, or expended for other purposes only after the expiration of 10 fiscal years after the fiscal year for which the funds were originally appropriated and at that by a resolution of the National Assembly. No provision in this Section permits obligation or payment of funds in violation of any extant laws of the Federation.

(*c*) no prize may be announced until all the funds needed to pay out the announced amount of the prize have been appropriated or committed in writing by a private source. The Council may increase the amount of a prize after an initial announcement is made under Subsection (4) if —

(*i*) notice of the increase is provided in the same manner as the initial notice of the prize; and

(*ii*) the funds needed to pay out the announced amount of the increase have been appropriated or committed in writing by a private source.

(*d*) no prize competition under this Section may offer a prize in an amount greater than ₦5,000,000 unless 30 days have elapsed after written notice has been transmitted to the National Assembly.

(*e*) no prize competition under this section may result in the award of more than ₦2,000,000 in cash prizes without the approval of the Council.

(10) A registered participant in a competition under this section may use any Federal agency's name, initials, or insignia only after prior review and written approval by the agency's leadership.

(11) The Federal Government shall not, by virtue of offering or providing a prize under this Section, be responsible for compliance by registered participants in a prize competition with Federal law, including licensing, export control, and non-proliferation laws and related regulations.

(12) Funds shall be authorised to be appropriated to the Council to carry out this Section annually.

***Committee Recommendation*:**
Leave out the provisions of Clause 39 (*Hon. Ibrahim Shehu-Gusau — Gusau/Tsafe Federal Constituency*) — *Agreed to*.

***Committee Recommendation*:**
Clause 40: Public — Private Clearing House.

(1) The Council shall serve as the clearinghouse of Cyber Security threat and vulnerability information to Federal Government and private sector owned critical infrastructure information systems and networks.

(2) The Council —

(*a*) shall have access to all relevant data concerning such networks without regard to any provision of law, regulation, rule, or policy restricting such access;

(*b*) shall manage the sharing of Federal Government and other critical infrastructure threat and vulnerability information between the Federal Government and the persons primarily responsible for the operation and maintenance of the networks concerned.

(3) Within 90 days after the date of enactment of this Bill, the Minister shall publish in the Federal Gazette or at least three (3) National Newspapers a draft description of rules and procedures on how the Federal Government will share Cyber Security threat and vulnerability information with private sector critical infrastructure information systems and networks owners. After a 30 day comment period, the Minister shall publish a final description of the rules and procedures. The description shall include —

(*a*) the rules and procedures on how the Federal Government will share Cyber Security threat and vulnerability information with private sector critical infrastructure information systems and networks owners;

(*b*) the criteria in which private sector owners of critical infrastructure information systems and networks shall share actionable Cyber Security threat and vulnerability information and relevant data with the Federal Government; and

(*c*) any other rule or procedure that will enhance the sharing of Cyber Security threat and vulnerability information between private sector owners of critical infrastructure information systems and networks and the Federal Government (*Hon. Ibrahim Shehu-Gusau — Gusau/Tsafe Federal Constituency*).

Question that Clause 40 *stand part of the Bill, put and agreed to.*

Clause 41: **Risk management report.**
Within 1 year after the date of enactment of this Bill, the President, or his representative, shall report to the National Assembly on the feasibility of —

(*a*) creating a market for Cyber Security risk management, including the creation of a system of civil liability and insurance (including government reinsurance); and

(*b*) requiring Cyber Security to be a factor in all bond ratings.

***Committee Recommendation*:**
Leave out the provisions of Clause 41 (*Hon. Ibrahim Shehu-Gusau — Gusau/Tsafe Federal Constituency*) — *Agreed to.*

Clause 42: **Legal framework review.**
(1) Within 1 year after the date of enactment of this Bill, the President, or his representative, through an appropriate entity, shall complete a comprehensive review of the Federal statutory and legal framework applicable to cyber-related activities in Nigeria, including:

(*a*) any other Federal law bearing upon cyber-related activities; and

(*b*) any applicable Executive Order or agency rule, regulation, or guideline.

(2) Upon completion of the review, the President, or his representative, shall submit a report to the National Assembly containing his, or his representative's, findings, conclusions, and recommendations.

***Committee Recommendation*:**
Leave out the provisions of Clause 42 (*Hon. Ibrahim Shehu-Gusau — Gusau/Tsafe Federal Constituency*) — *Agreed to.*

Clause 43: **Authentication and Authority.**
Within 1 year after the date of enactment of this Bill, the President, or his representative, shall review, and report to the National Assembly, on the feasibility of an identity management and authentication programme, with the appropriate Civil Rights and privacy protections, for government and critical infrastructure information systems and networks.

***Committee Recommendation*:**
Leave out the provisions of Clause 43 (*Hon. Ibrahim Shehu-Gusau — Gusau/Tsafe Federal Constituency*) — *Agreed to.*

Clause 44: **Responsibilities and authority.**
The President —

(*a*) within 1 year after the date of enactment of this Bill, shall develop and implement a comprehensive national Cyber Security strategy, which shall include —

(*i*) a long-term vision of the Nation's Cyber Security future; and

(*ii*) a plan that shall encompass all aspects of national security, including the participation of the private sector, including critical infrastructure operators and managers;

(*b*) may declare a Cyber Security emergency and order the limitation or shutdown of Internet traffic to and from any compromised Federal Government or national critical infrastructure information system or network;

(*c*) shall designate an agency to be responsible for coordinating the response and restoration of any Federal Government or national critical infrastructure information system or network affected by a Cyber Security emergency declaration under subsection (1) (*b*);

(*d*) shall, through the appropriate department or agency, review equipment that would be needed after a Cyber Security attack and develop a strategy for the acquisition, storage, maintenance and periodic replacement of such equipment;

(*e*) shall direct the periodic mapping of Federal Government and national critical infrastructure information systems or networks, and shall develop metrics to measure the effectiveness of the mapping process;

(*f*) may order the disconnection of any Federal Government or national critical infrastructure information systems or networks in the interest of national security;

(*g*) shall, through National Policies on Information and Communications Technology, direct an annual review of all Federal Cyber technology research and development investments;

(*h*) may delegate original classification authority to the appropriate Federal official for the purposes of improving the Nation's Cyber Security posture;

(*i*) shall, through the appropriate department or agency, promulgate rules for Federal professional responsibilities regarding Cyber Security, and shall present to the National Assembly an annual report on Federal agency compliance with those rules;

(*j*) shall withhold additional compensation, direct corrective action for Federal personnel, or terminate a Federal contract in violation of Federal rules, and shall report any such action to the National Assembly in an unclassified format within 48 hours after taking any such action; and

(*k*) shall notify the National Assembly within 48 hours after providing a Cyber-related certification of legality to a Nigerian.

***Committee Recommendation*:**

Leave out the provisions of Clause 44 (*Hon. Ibrahim Shehu-Gusau — Gusau/Tsafe Federal Constituency*) — *Agreed to*.

Clause 45: Periodic review.

(1) Every four years thereafter, the President, or his representative, shall complete a review of the Cyber posture of Nigeria, including an unclassified summary of roles, missions, accomplishments, plans, and programmes. The review shall include a comprehensive examination of the cyber strategy, force structure, modernisation plans, infrastructure, budget plan, the nation's ability to recover from a Cyber Emergency, and other elements of the Cyber programme and policies with a view toward determining and expressing the Cyber strategy of Nigeria and establishing a revised Cyber programme for the next 4 years.

(2) (*a*) The President, or his representative, shall apprise the Cyber Security Advisory Council established or designated under Section 1, on an ongoing basis, of the work undertaken in the conduct of the review.

(*b*) Not later than 1 year before the completion date for the review, the Chairman of the Advisory Council shall submit to the President, or his representative, the Council's assessment of work undertaken in the conduct of the review as of that date and shall include in the assessment the recommendations of the Council for improvements to the review, including recommendations for additional matters to be covered in the review.

(3) Upon completion of the review, the Chairman of the Council, on behalf of the Council, shall prepare and submit to the President, or his representative, an assessment of the review in time for the inclusion of the assessment in its entirety in the report under subsection (4).

(4) Every 4 years the President, or his representative, shall submit to the National Assembly a comprehensive report on the review. The report shall include —

(*a*) the results of the review, including a comprehensive discussion of the National Cyber strategy and the collaboration between the public and private sectors best suited to implement that strategy;

(*b*) the threats examined for purposes of the review and the scenarios developed in the examination of such threats;

(*c*) the assumptions used in the review, including assumptions relating to the cooperation of other countries and levels of acceptable risk; and

(*d*) the Advisory Council's assessment.

***Committee Recommendation*:**
Leave out the provisions of Clause 45 (*Hon. Ibrahim Shehu-Gusau — Gusau/Tsafe Federal Constituency*) — *Agreed to*.

Clause 46: **Joint Intelligent Threat Assessment.**
The Minister of Defence, the National Security Adviser and the Minister of Communication Technology shall jointly submit to the National Assembly an annual assessment of, and report on, Cyber Security threats to and vulnerabilities of critical national information, communication, and data network infrastructure.

***Committee Recommendation*:**
Leave out the provision of Clause 46 (*Hon. Ibrahim Shehu-Gusau — Gusau/Tsafe Federal Constituency*) — *Agreed to*.

Clause 47: **International norms and deterrence measures.**
The Council shall —

(*a*) work with representatives of foreign governments —

(*i*) to develop norms, organisations, and other cooperative activities for international engagement to improve Cyber Security; and

(*ii*) to encourage international co-operation in improving Cyber Security on a global basis; and

(*b*) present an annual report to the National Assembly on the progress of international initiatives undertaken pursuant to subsection (1) (*a*) (*i*).

***Committee Recommendation*:**
Leave out the provisions of Clause 47 (*Hon. Ibrahim Shehu-Gusau — Gusau/Tsafe Federal Constituency*) — *Agreed to*.

Clause 48: **Security products and services acquisition unit.**
(1) There shall be established a Secure Products and Services Acquisition Unit in the Council. The Unit shall be responsible for Cyber Security review and recommend the approval or otherwise of high value products and services acquisition and, in co-ordination with the Ministries of Information and Communication Technology, for the establishment of appropriate standards for the validation of software to be acquired by the Federal Government. The Council shall develop the review process and provide guidance to the Unit. In reviewing software under this Subsection, the Unit may consider independent secure software validation and verification as a key factor for recommendation for approval.

(2) The Minister, in cooperation with the Bureau for Public Procurement and other appropriate Federal agencies, shall ensure that the Unit's recommendation for approval is included as a prerequisite to the acquisition of any product or service —

(*a*) subject to review by the Council; and

(*b*) subject to Federal acquisition and procurement standards.

(3) After the publication of the standards developed under Subsection (1), any proposal submitted in response to a request for proposals issued by a Federal agency shall demonstrate compliance with any such applicable standard in order to ensure that Cyber Security products and services are designed to be an integral part of the overall acquisition and procurement

***Committee Recommendation*:**
Leave out the provisions of Clause 48 (*Hon. Ibrahim Shehu-Gusau — Gusau/Tsafe Federal Constituency*) — *Agreed to*.

***Committee Recommendation*:**
Clause 49: Definitions.

(1) In this Bill:

(*a*) the term 'Advisory Council' means the Cyber Security Advisory Council as established under Section 1 (*Hon. Ibrahim Shehu-Gusau — Gusau/Tsafe Federal Constituency*).

Question that the meaning of the words "Advisory Council" shall be as defined in the interpretation to this Bill, put and agreed to.

(*b*) the term 'Cyber' means —

(*i*) any process, programme, or protocol relating to the use of the Internet or an Intranet, automatic data processing or transmission, or telecommunication *via* the Internet or an Intranet; and

(*ii*) any matter relating to, or involving the use of, computers or computer networks (*Hon. Ibrahim Shehu-Gusau — Gusau/Tsafe Federal Constituency*).

Question that the meaning of the word "Cyber" shall be as defined in the interpretation to this Bill, put and agreed to.

(*c*) the term 'Federal Government and national critical infrastructure information systems and networks' includes —

(*i*) Federal Government information systems and networks; and

(*ii*) State, Local, and non-governmental information systems and networks in Nigeria designated by the President as critical infrastructure information systems and networks (*Hon. Ibrahim Shehu-Gusau — Gusau/Tsafe Federal Constituency*).

Question that the meaning of the words "Federal Government and national critical infrastructure information systems and networks" shall be as defined in the interpretation to this Bill, put and agreed to.

(*d*) 'Internet' means a worldwide publicly accessible system of interconnected computer networks (*Hon. Ibrahim Shehu-Gusau — Gusau/Tsafe Federal Constituency*).

Question that the meaning of the word "Internet" shall be as defined in the interpretation to this Bill, put and agreed to.

(*e*) 'Intranet' means a worldwide publicly accessible system of intra-connected computer networks within the same system (*Hon. Ibrahim Shehu-Gusau — Gusau/Tsafe Federal Constituency*).

Question that the meaning of the word "Intranet" shall be as defined in the interpretation to this Bill, put and agreed to.

(*f*) 'Network' means a group of both inter and intra-connected computers (*Hon. Ibrahim Shehu-Gusau — Gusau/Tsafe Federal Constituency*).

Question that the meaning of the word "Network" shall be as defined in the interpretation to this Bill, put and agreed to.

(*g*) 'Testbed' means platform for experimentation of large development projects which allows for rigorous, transparent and replicable testing of scientific theories, computational tools, and other new technologies (*Hon. Ibrahim Shehu-Gusau — Gusau/Tsafe Federal Constituency*).

Question that the meaning of the word "Testbed" shall be as defined in the interpretation to this Bill, put and agreed to.

(*h*) 'He' and all other male human forms in this Bill also refer to 'She' and all other female human forms whenever and wherever applicable (*Hon. Ibrahim Shehu-Gusau — Gusau/Tsafe Federal Constituency*).

Question that the meaning of the word "He" shall be as defined in the interpretation to this Bill, put and agreed to.

(*i*) unless otherwise stated, "Minister" means the Minister of Communications Technology or any other Minister performing such function (*Hon. Ibrahim Shehu-Gusau — Gusau/Tsafe Federal Constituency*).

Question that the meaning of the word "Minister" shall be as defined in the interpretation to this Bill, put and agreed to.

Question that Clause 49 *stand part of the Bill, put and agreed to.*

***Committee Recommendation*:**

Clause 50: **Citation.**

This Bill may be cited as the Cyber Security Bill of 2013 (*Hon. Ibrahim Shehu-Gusau — Gusau/Tsafe Federal Constituency*).

Question that Clause 50 *stand part of the Bill, put and agreed to.*

Long Title:

A Bill for an Act for the Establishment of the Cyber Security Council: to Provide Advisory Services in the Area of Cyber Security and Counter Measure; to Promote Inter-Agency Collaboration in the Area of Cyber Security and Counter Measures in Nigeria; to Coordinate Information Sharing among Law Enforcement and Intelligence Agencies; to Promote Research and Development and Establish Standards and Regulations in the Area of Cyber Security; and Other Matters Connected Therewith (*Hon. Ibrahim Shehu-Gusau — Gusau/Tsafe 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 the Committee of Whole considered the Report of the Committees on Information Technology and Justice on a Bill for an Act to ensure the continued free flow of Business within Nigeria and with its Global Trading Partners through Secure Cyber Communications, to Provide for the Continued Development and Exploitation of the Internet and Internet Communications for such Purposes, to Provide for the Development of a Cadre of Information Technology Specialists to Improve and Maintain Effective Cyber Security Defences against Disruption and for Other Matters Connected Therewith and approved Clause 1 as amended, approved Clauses 2 - 19, deferred Clause 20, approved Clauses 21 - 26, approved Clause 27 as amended, approved Clauses 28 - 32, deferred Clause 33, approved Clause 34 as amended, approved Clause 35 - 50, and the Long Title of the Bill.

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

(*iii*) ***Committee on Public Petitions*:**
Report of the Petition by the Akwa Ibom Patriotic Citizens Forum:
Motion made and Question proposed, "That this House do consider the Report of the Committee on Public Petitions on the Petition by the Akwa Ibom Patriotic Citizens Forum on Non-Inclusion of Former Niger Delta Agitators from Akwa Ibom State in the Federal Government Amnesty Programme and approve the Recommendations therein" (*Hon. Uzo Azubuike — Abia North/Abia 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*)

***Recommendation* (*i*):**
"Urge the Federal Government to integrate the One Thousand, Six Hundred and Fifty-Three (1,653) ex-militants from the Akwa Ibom State into the Amnesty Programme of the Federal Government after proper verification and documentation by relevant Agency of the Federal Government" (*Hon. Uzo Azubuike — Abia North/Abia South Federal Constituency*).

Question put and agreed to.

***Recommendation* (*ii*):**
"Urge the ex-agitators to remain law abiding and patriotic citizens of Nigeria" (*Hon. Uzo Azubuike — Abia North/Abia South Federal Constituency*).

Question put and agreed to.

Chairman to report proceedings.

(HOUSE IN PLENARY)

Mr Deputy Speaker in the Chair, reported that the House in Committee of the Whole House do considered the Report of the Committee on Public Petitions on the Petition by the Akwa Ibom Patriotic Citizens Forum on Non-Inclusion of Former Niger Delta Agitators from Akwa Ibom State in the Federal Government Amnesty Programme and approved all the Recommendations of the Report.

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

(*iv*) ***Committee on Public Petitions*:**
Report of the Petition by over 5,000 Ex-Militants in Abia State:
Motion made and Question proposed, "That this House do consider the Report of the Committee on Public Petitions on the Petition by over 5,000 Ex-Militants in Abia State against the Federal Government over their Non-Inclusion in the Federal Government Amnesty Programme and approve the Recommendations therein" (*Hon. Uzo Azubuike — Abia North/Abia 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*)

***Recommendation* (*i*):**
"Urge the Federal Government to integrate the One Thousand, Eight Hundred and Ninety-Five Thousand (1,895) Ex-Militants from the Abia State into the Amnesty Programme of the Federal Government after proper verification and documentation by relevant Agency of the Federal Government" (*Hon. Uzo Azubuike — Abia North/Abia South Federal Constituency*).

Question put and agreed to.

Recommendation (ii):
"Urge the Ex-agitators to remain law abiding and patriotic citizens of Nigeria" (*Hon. Uzo Azubuike — Abia North/Abia South Federal Constituency*).

Question put and agreed to.

Chairman to report proceedings.

(HOUSE IN PLENARY)

Mr Deputy Speaker in the Chair, reported that the House in Committee of the Whole House considered the Report of the Committee on Public Petitions on the Petition byover 5,000 Ex-Militants in Abia State against the Federal Government over their Non-Inclusion in the Federal Government Amnesty Programme and approved all the Recommendations of the Report.

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

(*v*) ***Committee on Public Petitions*:**
Report of the Petition by C. O. Edezie:
Motion made and Question proposed, "That this House do consider the Report of the Committee on Public Petitions on the Petition by C. O. Edezie on behalf of Occupants of No. 41 Kingsway Road and 25 Illabere Street, Ikoyi, Lagos against the Federal Government on Alleged Re-Development and Threat of Ejection of Occupants and approve the Recommendation therein" (*Hon. Uzo Azubuike — Abia North/Abia 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*)

***Recommendation*:**
"Urge the House to approve the amicable resolution of the matter by the parties and direct that the offer letter be delivered to the real civil servant/sitting tenant of the plots in issue, in the presence of their counsel who represents them at all times in pursuing this matter before the implementation Committee and this Committee" (*Hon. Uzo Azubuike — Abia North/Abia South Federal Constituency*).

Question put and agreed to.

Chairman to report proceedings.

(HOUSE IN PLENARY)

Mr Deputy Speaker in the Chair, reported that the House in Committee of the Whole House considered the Report of the Committee on Public Petitions on the Petition by C. O. Edezie on behalf of Occupants of No. 41 Kingsway Road and 25 Illabere Street, Ikoyi, Lagos against the Federal Government on Alleged Re-Development and Threat of Ejection of Occupants and approved all the only Recommendation of the Report.

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

(*vi*) ***Committee on Public Petitions*:**
Report of the Petition by A. A. Alabi, Gimmy Ayuba, Leo A. Abimbola and I. Y. Kanoba:
Motion made and Question proposed, "That this House do consider the Report of the Committee on Public Petitions on the Petition by A. A. Alabi, Gimmy Ayuba, Leo A. Abimbola knd I. Y. Kanoba against the Federal Civil Service Commission and the Office of the Accountant General of the Federation on wrongful Retirement from Service and approve the Recommendation therein" (*Hon. Uzo Azubuike — Abia North/Abia 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*)

***Recommendation*:**
"Urge the Office of the Accountant General of the Federation (OAGF) and the Federal Civil Service Commission (FCSC) to review the case of the petitioners" (*Hon. Uzo Azubuike — Abia North/Abia South Federal Constituency*).

Question put and agreed to.

Amendment Proposed:
In the Recommendation, line 1, *leave out* the word "urge" (*Hon. Yakubu Dogara — Bogoro/Dass/Tafawa Balewa Federal Constituency*).

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

Chairman to report proceedings.

(HOUSE IN PLENARY)

Mr Deputy Speaker in the Chair, reported that the House in Committee of the Whole House considered the Report of the Committee on Public Petitions on the Petition by A. A. Alabi, Gimmy Ayuba, Leo A. Abimbola and I. Y. Kanoba against the Federal Civil Service Commission and the Office of the Accountant General of the Federation on wrongful Retirement from Service and amended the only Recommendation of the Report.

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

14. **Adjournment:**
That this House do adjourn till Wednesday, 6 *November*, 2013 *at* 11.00 *a.m.* (*Hon. Mulikat Akande-Adeola — House Leader*).

The House adjourned accordingly at 3.12 *p.m.*

Chukwuemeka Nkem Ihedioha
Deputy Speaker