



HOUSE OF REPRESENTATIVES FEDERAL REPUBLIC OF NIGERIA

ORDER PAPER

Wednesday, 27 November, 2013

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1. Prayers
 2. Approval of the Votes and Proceedings
 3. Oaths
 4. Message from the President of the Federal Republic of Nigeria (*if any*)
 5. Message from the Senate of the Federal Republic of Nigeria (*if any*)
 6. Other Announcements (*if any*)
 7. Petitions (*if any*)
 8. Matter(s) of Urgent Public Importance
 9. Personal Explanation
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PRESENTATION OF BILLS

1. Road Sector Reform Bill, 2013 (HB. 563) (*Hon. Gideon Gwani*) — *First Reading*.
2. Constitution of the Federal Republic of Nigeria 1999 (Alteration) Bill, 2013 (HB. 590) (*Hon. Mohammed Mukhtar Ahmed and 50 Others*) — *First Reading*.
3. Nigerian Institute of Management Act (Amendment) Bill, 2013 (HB. 591) (*Hon. Mohammed Mukhtar Ahmed*) — *First Reading*.
4. Federal Capital Territory Border Communities Development Commission Bill, 2013 (HB. 592) (*Hon. Mohammed Mukhtar Ahmed and 52 Others*) — *First Reading*.
5. Chartered Institute on Loan and Risk Management of Nigeria Bill, 2013 (HB. 593) (*Hon. Ekpenyong Essien Ayi*) — *First Reading*.
6. Merchant Shipping Act (Amendment) Bill, 2013 (HB. 594) (*Hon. Karimi S. Sunday*) — *First Reading*.
7. Nigerian Maritime Administration and Safety Agency Act (Amendment) Bill, 2013 (HB. 595) (*Hon. Karimi S. Sunday*) — *First Reading*.
8. Federal Highway Act (Amendment) Bill, 2013 (HB. 596) (*Hon. Karimi S. Sunday*) — *First Reading*.
9. Commodity and Grain Board (Establishment) Bill, 2013 (HB. 575) (*Hon. Ifeoluwa A. Arowosoge and 4 Others*) — *First Reading*.

ORDERS OF THE DAY

MOTIONS

1. **Reconsideration of Outstanding Bills from the Preceding Assembly:
(National Boundary Commission Act (Amendment) Bill, 2013 (HB.573):
Hon. Warman Weri Ogoriba:**

The House:

Notes that pursuant to Order XII, Rule 94 of the Standing Orders of the House, Bills passed by the preceding Assembly and forwarded to the Senate for concurrence for which no concurrence were made or negatived, or passed by the Senate and forwarded to the House for which no concurrence were made or negatived or which were passed by the National Assembly and forwarded to the President for assent but for which assent or withholding thereof was not communicated before the end of the tenure of the Assembly, the House may resolve that such Bills, upon being re-gazetted or clean copy circulated, be reconsidered in Committee of the Whole without being commenced *de-novo*;

Further notes that the National Boundary Commission Act (Amendment) Bill, 2013 was passed by the previous House and forwarded to the Senate for concurrence but no concurrence was made by the Senate before the end of the tenure of the last Assembly;

Aware that the Bill has been re-gazetted and read for the first time.

Resolves to:

Consider the Bill in the Committee of Whole.

2. **Urgent Need to Investigate the Expenditure and Subsidy on Kerosene (HHK, DPK)
Hon. AdeyinkaAjayi:**

The House:

Notes that every year, the National Assembly approves, through the National Budget, a given amount of money as subsidy on Petrol (Premium Motor Spirit — PMS) and Kerosene (HHK or DPK) to shield Nigerians from global fluctuations in the Price of crude oil and its attendant effects;

Further notes that kerosene, which is supposedly sold to marketers at ₦40.90, hardly gets to the consumers at the regulated price as it is only the Nigerian National Petroleum Corporation (NNPC) retail outlets that sell the product at ₦50 per litre while other major and independent marketers retail the product at between ₦130 - ₦135 per litre;

Aware that recently, the Chairman, Committee on Petroleum Resources (Downstream) stated that the country had spent over 634bn Naira on subsidizing kerosene in the last 3 years, i.e. 2010, 2011 and 2012 at the sums of 110bn, 320bn and 200bn respectively for those years;

Further aware that the Hon. Minister of Finance recently appeared before the Senate Committee on Appropriations where she reportedly denied paying any subsidy on kerosene in the last two years;

Worried that the Hon. Minister allegedly stated that the annual budgetary subsidy provision does not include subsidy for kerosene and is therefore not being handled by the Petroleum Products Price Regulatory Agency (PPPRA), which is the agency mandated to handle the processing of subsidy payments;

Further worried that there are conflicting claims by the Hon. Minister and the Nigerian National Petroleum Corporation (NNPC) on the source of money through which kerosene is subsidized and the amount involved therein as the Office of the Hon. Minister was said neither to have been aware of nor had it authorized any such payment;

Concerned about the alleged racketeering going on at the Nigerian National Petroleum Corporation (NNPC), where allegations are rife that kerosene is purchased from the depot by dealers at between ₦65 to ₦75 per liter which in turn makes it commercially impossible to resell to Nigerians at the recommended retail price of ₦50;

Convinced that an investigation into these issues will promote transparency and accountability, and may result in a process which will ensure that the product which is supplied for consumption locally by the Nigerian National Petroleum Corporation (NNPC) is delivered to the masses of Nigeria at the stipulated price, thereby reducing the use of non-Eco friendly alternative sources of energy such as firewood, sawdust and charcoal;

Resolves to:

Mandate the Committee on Petroleum Resources (Downstream) to conduct an Investigative Hearing into this matter to:

- (i) establish the actual amount spent on kerosene subsidy from 2010 to 2013;
- (ii) establish the source of the money used in financing kerosene subsidy and the relevant budgetary approval;
- (iii) determine the companies benefiting from kerosene subsidy;
- (iv) establish the extent (if at all) to which the subsidized kerosene gets to the consumers at the regulated price and;
- (v) investigate all incidental issues relating to kerosene supply and distribution and report back to the House within 4 weeks.

BILLS

3. A Bill for an Act to Provide for the Establishment of the Institute of Co-operative Professionals of Nigeria and for Other Matters Connected Therewith (HB. 530) — *Second Reading*.
4. A Bill for an Act to Repeal the Miscellaneous Offences Act, Cap M17 LFN, 2004 to make Comprehensive Provisions for Miscellaneous Offences, Abolish life Sentence for Miscellaneous Offences and for Other Related Matters (HB. 330) and a Bill for an Act to Amend the Miscellaneous Offences Act and for Other Matters Connected Therewith (HB. 532) — *Second Reading*.
5. A Bill for an Act to Establish the Federal Capital Territory Private Schools Regulatory Board charged with the Responsibility of Regulating the activities of Private Primary and Secondary Schools and monitor its General Development and for Related Matters (HB. 401) — *Second Reading*.
6. A Bill for an Act to Provide for Improved Aid Effectiveness, Accountability and Co-operation for Donor, Receipt and for Other Matters Connected Therewith (HB. 518) — *Second Reading*.

CONSIDERATION OF REPORTS

7. **Committee on Interior:**

Hon. Umar Bature:

“That this House do Resume the consideration of the Report of the Committee on Interior on a Bill for an Act to Repeal the Immigration Act of 1963 and Enact the Immigration Bill 2012 and Other Related Matters (HB. 61) and approve the Recommendations therein” (*Adjourned Consideration: 12/11/2013*).

*Provisions of the Deferred Sections**Committee's
Recommendations*

97. **Establishment and Management of Objects of Smuggled Migrants Trust Fund.** Retained.
- (1) There is established the Objects of Smuggling of Migrants Trust Fund, into which all proceeds of the sale of assets and properties of smugglers shall be paid from the Consolidated Revenue Fund of the Federation into which they were initially paid. (1) **There is established the Objects of Smuggling of Migrants Trust Fund, into which all proceeds of the sale of assets and properties of smugglers shall be paid.**
- (2) The Fund shall be managed by a Management Board which shall comprise — Retained.
- (a) the Comptroller General of Immigration, who shall be the chairman; Retained.
- (b) representative of the Federal Ministry of Interior; Retained.
- (c) representative of the Federal Ministry of Health; Retained.
- (d) representative of the Federal Ministry of Finance; Retained.
- (e) representative of the Federal Ministry of Women Affairs and Social Development; Retained.
- (f) representative of the Office of the Accountant-General of the Federation; Retained.
- (g) representative of the Office of the Auditor-General of the Federation; Retained.
- (h) representative of the Central Bank of Nigeria; Retained.
- (i) representative of National Agency for the Prohibition of Trafficking in Persons (NAPTIP);
- (i) Deputy Comptroller General — Finance and Accounts; Retained.
- (l) Deputy Comptroller General — Migration; and Retained.
- (k) Comptroller in charge of the Section on Administration, who shall be the Secretary. Retained.
- (3) The Minister shall make regulations and issue guidelines for the management of the Fund established under subsection (1) of this section, or any other fund assigned to the Board for its management under this Act, and other related matters. Retained.
102. **Public Private Partnership and Sharing Formula and Expense.** Retained.
- (1) The Service shall collaborate with Public and Private Sector interest groups on a Public-Private Partnership Platform to attract funds for acquisition, provision and development of infrastructure and equipment to enable the Service provide appropriate professional skills and modern migration management facilities.

(2) All revenue accruing from the Public-Private Partnership Platform shall be shared in the following manner: 40% to the Federal Government, 30% to the Service Provider or providers, and 30% to the Nigeria Immigration Service: Provided that the revenue accruing to the Service under this subsection, as well as that accruing from all fines collected by virtue of the provisions of this Act, shall be managed by the Management Board established under Section 97 of this Bill.

Retained.

(3) There shall be defrayed out of funds provided by the National Assembly any expenses incurred for the purpose of this Act by the Minister and the Comptroller-General of Immigration.

Retained.

8. Committee on Agriculture:

Hon. Mohammed Tahir Monguno:

“That this House do consider the Report of the Committee on Agriculture on a Bill for an Act to Amend the Nigerian Institute of Animal Science Act, No. 26 of 2007 to properly define the Institute's Regulatory Role, Enforce the Provisions of the Act and Provide Penalties for Breach Thereof and for Other Related Purposes (HB. 478) and approve the Recommendations therein” (*Laid: 13/11/2013*)

9. Committee on Public Petitions:

Report on the Petition by Mr Tamuno Inabiebu Taylor:

Hon. Uzo Azubuiké:

“That this House do consider the Report of the Committee on Public Petitions on the Petition by Mr Tamuno Inabiebu Taylor (a Distance Learning Student) against the University of Abuja on his Alleged Expulsion by the University of Abuja Authorities and approve the Recommendation therein” (*Laid: 14/3/2013*):

Urge the University of Abuja to absolve the petitioner, Inabiebu Taylor of the alleged offence of examination malpractices and the consequent punishment, and release petitioner's Degree Result and Certificate.

10. Committee on Public Petitions:

Report on the Petition by SPR Tuku Paul:

Hon. Uzo Azubuiké:

“That this House do consider the Report of the Committee on Public Petitions on the Petition by SPR Tuku Paul against the Nigerian Army on Alleged Non-Reinstatement into the Nigerian Army and approve the Recommendation therein” (*Laid: 27/3/2013*):

The House discountenances the petition for lack of merit, since it was clearly established that the petitioner was on AWOL/desertion from the Army for over three months and other acts of indiscipline while in the service.

11. Committee on Public Petitions:

Report on the Petition by Ex-Cpl Maria Ikhimi:

Hon. Uzo Azubuiké:

“That this House do consider the Report of the Committee on Public Petitions on the Petition by Ex-Cpl Maria Ikhimi against the Nigerian Army on Alleged Dismissal from the Services of Nigerian Army and approve the Recommendation therein” (*Laid: 27/3/2013*):

Urge the Chief of Army Staff to review the case of the Ex-Cpl Maria Ikhimi.

12. Committee on Public Petitions:

Report on the Petition by ABZ Integrated Limited:

Hon. Uzo Azubuiké:

“That this House do Resume the consideration of the Report of the Committee on Public Petitions on the petition by ABZ Integrated Limited against the Economic and Financial Crimes Commission (EFCC) on Non-payment of Consultancy Fees and approve the Recommendations Therein” (*Adjourned Consideration: 19/9/2013*):

- (i) that the sum of \$6.5M recovered from Chevron as a result of the investigations by the petitioner which was admitted by Economic and Financial Crime Commission (EFCC) in 2005, a 10% commission be paid to the petitioner in line with obtainable practices by the Federal Inland Revenue Service (FIRS);
- (ii) that as a result of Nigeria Extractive Industries Transparency Initiative's (NEITI) confirmation of the companies tax evasion and liabilities amounting to about \$1.465B (based on the HART Group audit) as a result of the petitioner's investigations for which about \$866M had been recovered, the petitioner should be paid 10% commission;

- (iii) that since Economic and Financial Crime Commission (EFCC) is an agency of the Federal Government and acts as such, the Federal Government is vicariously liable for the contractual or financial obligations of Economic and Financial Crime Commission (EFCC);
- (iv) that instances of forgery, diversion and concealment of government funds as elicited in the document submitted by the petitioner should further be investigated by the law enforcement agencies and possible prosecution;
- (v) that since the Economic and Financial Crime Commission (EFCC) is unable to pay the petitioner his rightful commission, the Federal Government should authorize payment through provision in the annual

or supplementary budget as judgment debt, as supervised by the office of the Attorney General of the