FOURTH REPUBLIC
7TH NATIONAL ASSEMBLY
THIRD SESSION
NO. 58



# HOUSE OF REPRESENTATIVES
# FEDERAL REPUBLIC OF NIGERIA

## VOTES AND PROCEEDINGS

Tuesday, 11 February, 2014

1. The House met at 11.51a.m. Mr Speaker read the Prayers.

2. **Votes and Proceedings:**
Mr Speaker announced that he had examined and approved the *Second Votes and Proceedings* of Tuesday, 4 February, 2014.

*By unanimous consent, the Votes and Proceedings was adopted.*

3. **Announcement:**
(*a*) ***Appointment of Deputy Clerk*:**
Mr Speaker informed the House that Mr Basil Edhere has been appointed as the new Deputy Clerk of the House.

(*b*) ***Visitors in the Gallery*:**
Mr Speaker recognized the presence of the following:

(*i*) Staff and Students of Goshen Montessori Schools, Kubwa, Abuja;

(*ii*) Staff and Students of Classical Nursery and Primary School, Mararaba Gurku, Nasarawa State.

(*c*) ***Change of Political Party*:**
Mr Speaker read letters from the under-listed Hon. Members announcing their defection from their respective political parties:

(1) Hon. Lawan Shehu Bichi (*Bichi Federal Constituency*), from All Progressives Congress (APC) to Peoples Democratic Party (PDP).

(2) Hon. Abdulsalam Adamu (*Tsanyawa/Kunchi Federal Constituency*), from All Progressives Congress (APC) to Peoples Democratic Party (PDP).

(3) Hon. Sani Umar Dangaladima (*Kaura Namoda/Birnin Magaji Federal Constituency*), from All Nigeria Peoples Party (ANPP) to Peoples Democratic Party (PDP).

(4) Hon. Ibrahim Shehu Gusau (*Gusua Federal Constituency*), from All Nigeria Peoples Party (ANPP) to Peoples Democratic Party (PDP).

(5) Hon. Umar Mohammed Bature (*Sokoto North/Sokoto South Federal Constituency*), from All Progressives Congress (APC) to Peoples Democratic Party (PDP).

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(6) Hon. Isa Mohammed Ashiru (*Makarfi/Kudan Federal Constituency*), from Peoples Democratic Party to All Progressives Congress (APC)

**4. Petition:**

A petition was presented and laid by Hon. Mohammed Umaru Bago (*Chanchaga Federal Constituency*) from Anthony Okafor Wetife, praying the House to redress his dismissal from the service of the Nigeria Police.

*Petition referred to the Committee on Public Petitions.*

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

(*i*) Citing Standing Order VIII, Rule 46, Hon. Sani Ibrahim (*Bungudu/Maru Federal Constituency*) drew the attention of the House to the Daily Trust newspaper of Tuesday, 11 February, 2014 where it was reported that about 20 persons were killed by gunmen in some communities of Maru Local Government Area, Zamfara State. He decried the increasing trend of banditry in the State and stressed the need to curb the menace. He therefore urged the House to consider the matter as one of urgent public importance and to suspend Order VIII, Rule 46 (3) so that the matter could be debated immediately.

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

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

**The Recent Attacks on Tungar Rakumi and its Neighbouring Communities in Bingi Ward of Maru Local Government Area, Zamfara State:**

The House:

*Notes* with dismay the recent attacks and killing of over 24 persons in Tungar Rakumi and Mallamawa communities in Binji Ward of Maru Local Government Area, Zamfara State including Police, whereby the entire Tungar Rakumi village was turned to ashes;

*Condemned* this act of barbaric killing and the destructions of the communities and all their belongings including a Police Pick-up stationed at the community;

*Resolves to*:

(*i*) urge the Inspector-General of Police, the State Security Services to as a matter of urgency fish out the perpetrators of this acts and bring them to justice;

(*ii*) commiserate and condole the bereaved families of those who lost their loved ones and indeed the Government and people of Zamfara State;

(*iii*) urge the National Emergency Management Agency (NEMA) to provide relief materials to the surviving members of Tungar Rakumi and Mallamawa communities (*Hon. Sani Ibrahim — Bungudu/Maru Federal Constituency*).

*Question put and agreed to.*

*Referred to the Committee on Emergency and Disaster Preparedness* (**HR. 11/2014**).

(*ii*) Citing Standing Order VIII, Rule 46, Hon. Patrick Ikhariale (*Esan Central/Esan West/Igueben Federal Constituency*) drew the attention of the House to the resurgence of new cases of leprosy in Nigeria. He noted that about 3,805 new cases of the disease were recorded in 2013. He thus urged the House to consider the matter as one of urgent public importance and to suspend Order VIII, Rule 46 (3) so that the matter could 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.*

**Urgent Need to Check the Resurgence of Leprosy in Nigeria:**

The House:

*Notes* that during the 61st world leprosy day the National Director of the Leprosy Mission in Nigeria raised alarm over new cases of leprosy saying that about 3,805 new cases of the disease were recorded in 2013;

*Further notes* that the North East Zone accounted for most of the cases, that out of 3,805, 10% were children and 12% were already deformed as a result of lack of care;

*Aware* that leprosy is a chronic infectious disease caused by "mycobacterium leprae" which mainly affects the skin, the peripheral nerves, mucosa of the upper respiratory tract and the eyes;

*Disturbed* that the increasing number of Nigerians affected annually with leprosy as reported in several of our national dailies, the most recent were reported in Vanguard Newspaper of the 28th day of January, 2013, where it was reported that 3,805 Nigerians are affected annually;

*Concerned* that this deadly disease is transmitted via droplets, from the nose and mouth during close and frequent contacts with untreated cases, that can cause progressive and permanent damage to the skin, nerves, limbs and eyes, the World Health Organization (WHO), has stated that early diagnosis and treatment with multi drug therapy remains the only key elements in eliminating the disease;

*Further concerned* that Nigerians should watch out for any strange lightening of the skin, skin lesion, white patches on the skin, loss of sensation, persistent upper respiratory infections and swelling of the nerves at the early stages of the disease;

*Anxious* to ensure a more vigorous strategy to stop the further spread of the disease and to also ensure that human and financial resources are available to curtail its continuous spread;

*Resolves to*:

(*i*) urge the Federal Ministry of Health to as a matter of National importance set up more treatment centres across the country's geopolitical zones for early treatment and control;

(*ii*) mandate the Committees on HIV/AIDS, Tuberculosis and Malaria Control, and Health to ensure compliance and report back to the House (*Hon. Patrick Ikhariale — Esan Central/Esan West/Igueben Federal Constituency*).

*Question put and agreed to.*

*Motion referred to Committees on HIV/AIDS, Tuberculosis and Malaria Control, and Health* (**HR. 12/2014**).

(***iii***) Citing Standing Order VIII, Rule 46, Hon. Chris Emeka Azugbogu (*Nnewi North-South/Ekwusigo Federal Constituency*) drew the attention of the House to a publication in the ThisDay newspaper of Friday, 7 February, 2014 where it was reported that some private companies have bided for the proposed auction of 2.3 GHz broadband spectrum by the Nigerian Communication Commission (NCC). He noted that the pre-qualification requirements for companies bidding for the broadband spectrum are insufficient and could negatively impact on the nation's Communication sector. He thus urged the House to consider the matter as one of urgent public importance and to suspend Order VIII, Rule 46 (3) to enable the matter 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.*

**The Proposed Auction of 2.3GHZ Broadband Spectrum by the Nigerian Communications Commission:**

The House:

*Notes* with significant concern the proposed 2.3GHz broadband spectrum auction by the Nigerian Communications Commission;

*Further notes* that the proposed auction of the broadband spectrum and related licences represents the most important transfer of telecommunications licences by the NCC since the auction of the Digital Mobile Licence (DML) in January 2001;

*Aware* that the Nigerian Communications sector has grown to become one of the largest and most consistently profitable sectors of the nation's economy; generating massive profits for the private investors in the sector;

*Further Aware* that most of the major players in the industry — MTN, Airtel, Etisalat, etc. all of whom have indicated a desire to participate in the auction are privately held companies that are not subject to the corporate governance and full disclosure standards that are obligatory for publicly listed companies;

*Concerned* that in the absence of these standards, our prime national telecommunications assets are being transferred to companies without proper authentication of their financial health status, verification of their rules of corporate governance, tax classifications and corroboration of their business conditions and practices, in contravention of the requirements of Section 16 (2) (*a*), (*b*) and (*c*) of the Constitution of the Federal Republic of Nigeria;

*Saddened* by the state of affairs in which it would appear that the regulator has become a captive to the industry (too heavily influenced by and subject to the manipulations of the industry they are supposed to supervise and increasingly isolated from the concerns, of the public regarding the deficiencies in the services offered by these companies);

*Conscious* that this state of events is dangerous to the well-being of the communications industry, capable of sabotaging our national economy by creating avenues for capital flight and mismanagement, massive losses of job;

*Anxious* that further auctions of critical communications licences to unquoted companies is not in the best interest of the Nigerian state, because of lack of full disclosure requirements, it is impossible to determine whether or not the bidding firms have the true financial capacity to sustain investment in the acquired assets;

*Resolves to*:

Mandate the Committee on Communications to review the pre-qualification criteria for companies that wish to participate in this, and future auctions of national telecommunications assets, with a view to including a requirement that they be listed on the Nigerian Stock Exchange, and subject to the regulatory authority of the Securities and Exchange Commission (SEC) and report back to the House within two (2) weeks (*Hon. Chris Emeka Azugbogu — Nnewi North-South/Ekwusigo Federal Constituency*).

*Question put and agreed to.*

*Motion referred to the Committee on Communication pursuant to Standing Order VIII, Rule* 51 (5) (**HR. 13/2014**).

(*iv*) Citing Standing Order VIII, Rule 46, Hon. Yakubu Ali (*Nangere/Potiskum Federal Constituency*) recalled that in 2005 the Federal Government appointed a liquidator to sell all non-core assets of the Nigerian Telecommunication Limited (NITEL) and Mobile Telecommunication Limited (M-TEL) which amounted to billions of Naira. He noted that the huge some of money from the sale of the non-core assets was not accounted for. He stressed the need for transparency and accountability on the proceed and thus urged the House to consider the matter as one of urgent public importance.

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

*Matter to stand over till the next legislative day.*

6. **Presentation of Reports:**

(*i*) ***Committee on Public Petitions*:**
**Report of the Petition by Mr Emmanuel Adeniyi Ajibade:**
*Motion made and Question proposed*, "That this House do receive the Report of the Committee on Public Petitions on the Petition by Mr Emmanuel Adeniyi Ajibade against the Central Bank of Nigeria (CBN) on wrongful dismissal from Service" (*Hon. Akpan Micah Umoh — Ikot Abasi/Mkpat Enin/Eastern OboloFederal Constituency*).

*Question put and agreed to.*

*Report laid.*

(*ii*) ***Committee on Public Petitions*:**
**Report of the Petition by Mobola Bada and Associates on behalf of Omoniyi Alabi Ogutuga:**
*Motion made and Question proposed*, "That this House do receive the Report of the Committee on Public Petitions on the Petition by Mobola Bada and Associates on behalf of Omoniyi Alabi Ogutuga against the Nigerian Railway Corporation on Alleged Wrongful Dismissal/Nonpayment of Benefits" (*Hon. Akpan Micah Umoh — Ikot Abasi/Mkpat Enin/Eastern OboloFederal Constituency*).

*Question put and agreed to.*

*Report laid.*

(*iii*) ***Committee on Public Petitions*:**
**Report of the Petition by Orakwe A. Ejike:**
*Motion made and Question proposed*, "That this House do receive the Report of the Committee on Public Petitions on the Petition by Orakwe A. Ejike against the Nigerian National Petroleum Corporation (NNPC) on Alleged Wrongful Retirement from Service" (*Hon. Akpan Micah Umoh — Ikot Abasi/Mkpat Enin/Eastern OboloFederal Constituency*).

*Question put and agreed to.*

*Report laid.*

(*iv*) ***Committee on Public Petitions*:**
**Report of the Petition by Mr Anthony Ositadimma Ugwueke:**
*Motion made and Question proposed*, "That this House do receive the Report of the Committee on Public Petitions on the Petition by Anthony Ositadimma Ugwueke against the Central Bank of Nigeria (CBN) on Wrongful dismissal from Service" (*Hon. Akpan Micah Umoh — Ikot Abasi/Mkpat Enin/Eastern OboloFederal Constituency*).

*Question put and agreed to.*

*Report laid.*

7. **A Bill for an Act to authorize the issue from the Consolidated Revenue Fund of the Federation the total sum of ₦4,642,960,000,000 (Four Trillion, Six Hundred and Forty-Two Billion, Nine Hundred and Sixty Million Naira) only, of which ₦399,687,801,891 (Three Hundred and Ninety-Nine Billion, Six Hundred and Eighty-Seven Million, Eight Hundred and One Thousand, Eight Hundred and Ninety-One Naira) only, is for Statutory Transfers, ₦712,000,000,000 (Seven Hundred and Twelve Billion Naira) only, is for Debt Service, ₦2,430,665,361,597 (Two Trillion, Four Hundred and Thirty Billion, Six Hundred and Sixty-Five Million, Three Hundred and Sixty-One Thousand, Five Hundred and Ninety-Seven Naira) only, is for Recurrent (Non-Debt) Expenditure while the balance of ₦1,100,606,836,512 (One Trillion, One Hundred Billion, Six Hundred and Six Million, Eight Hundred and Thirty-Six Thousand, Five Hundred and Twelve Naira) only, is for contribution to the Development Fund for Capital Expenditure for the year ending on the 31st day of December, 2014 — *Second Reading*:**

Mr Speaker recalled that on Thursday, 4 February, 2014 he constituted an *Ad-hoc* Committee of 6 members to advise him on the matter of law raised by Hon. Emmanuel Jime to block the Second Reading of the Appropriation Bill 2014. He then invited a member of the Committee, Hon. Albert T. Sam-Tsokwa to brief the House on its advise:

Hon. Albert T. Sam-Tsokwa informed the House that in the course of its assignment, the Committee relied on the 1999 Constitution (Section 4, 59 and 81), the Fiscal Responsibility Act (Sections 21, 39 and 51), and the House Standing Orders (Order XII, Rule 97) and the attachment to the 2014 Appropriation Bill. He stated that while Section 81 of the Constitution requires Mr President to cause to be prepared and laid before the National Assembly the Appropriation Bill, Section 21 of the Fiscal Responsibility Act requires that in complying with Section 81 of the Constitution the Minister should ensure that the budget estimates of 31 Government Corporations named in the Act are attached to the Bill.

He recalled that the contentious issue is whether Section 21 of the Act was complied with or not. He stressed that the attachment of the abridged or summary copy of the budget of government-owned corporation to the Appropriation Bill falls short of what Section 21 (3) of the Act mandatorily stipulates and thus constituted fundamental breach which could rub and deny the House the necessary materials for debating the Appropriation Bill during the Second Reading stage.

Hon. Albert Sam-Tsokwa disclosed that the *Ad-hoc* Committee therefore concluded that in view of the sensitive nature of the Appropriation Bill and in difference to the overriding national interest, the House should proceed with the consideration of the Bill, while the Minister of Finance should be requested to comply fully with the mandatory provisions of Section 21 of the Fiscal Responsibility Act.

Mr Speaker presented his ruling on the matter as follows:

*Let me begin by thanking members of this Ad-hoc Committee who worked dispassionately on this matter for their diligence service to our country.*

2. *I have no doubt that this report will further guide the House on how best to proceed on the* 2014 *Budget whose passage is now an urgent responsibility.*

3. *There is no doubt that our nation's democracy is today at a precarious stage. The jockeying for offices as the* 2015 *elections draw near has made a lot of people desperate, forgetting even the basic rules of decency. Many people are willing to allow their personal ambitions to stand in the way of their patriotism and even common sense.*

4. *As members of the National Assembly, especially the House of Representatives, we cannot afford such a luxury. We have an obligation to keep our heads above the tussle no matter how many people seemed to be losing theirs.*

5. *Over the years, this House has come to represent the true face of our democracy, and the people have come to invest their hope on us in the belief that whatever challenges we face as a nation, their representatives will not succumb to pettiness and abandon their real duties.*

6. *Honourable Members, we need to know where we are coming from and where we are going. More than this, we need to know how best to get there. Therefore I urge all of us to moderate how we approach issues on the floor of the House.*

7. *Luckily for us, we inherited a proud legacy. History has shown that whenever it really matters and the well-being of the nation is at stake, the House of Representatives has been able to work together to chart the right course of action. And they have done so through mutual respect for one another and a sense of charity that is unknown in Nigerian politics.*

8. *About years ago, Honourable colleagues, we proved that we were worthy of that legacy when we put aside all political, religious and ethnic differences to choose the way we wished to conduct our affairs, and the way we want the House of Representatives to be remembered.*

*This I believe should be our guiding principles at all times.*

*Thank you.*

*Motion made and Question proposed*, "That a Bill for an Act to authorize the issue from the Consolidated Revenue Fund of the Federation the total sum of ₦4,642,960,000,000 (Four Trillion, Six Hundred and Forty-Two Billion, Nine Hundred and Sixty Million Naira) only, of which ₦399,687,801,891 (Three Hundred and Ninety-Nine Billion, Six Hundred and Eighty-Seven Million, Eight Hundred and One Thousand, Eight Hundred and Ninety-One Naira) only, is for Statutory Transfers, ₦712,000,000,000 (Seven Hundred and Twelve Billion Naira) only, is for Debt Service, ₦2,430,665,361,597 (Two Trillion, Four Hundred and Thirty Billion, Six Hundred and Sixty-Five Million, Three Hundred and Sixty-One Thousand, Five Hundred and Ninety-Seven Naira) only, is for Recurrent (Non-Debt) Expenditure while the balance of ₦1,100,606,836,512 (One Trillion, One Hundred Billion, Six Hundred and Six Million, Eight Hundred and Thirty-Six Thousand, Five Hundred and Twelve Naira) only, is for contribution to the Development Fund for Capital Expenditure for the year ending on the 31st day of December, 2014 be now read a Second Time" (*Hon. Mulikat Akande-Adeola — House Leader*).

*Debate*:

*Debate adjourned till the next legislative day.*

**9. Adjournment:**

*That the House do adjourn till Wednesday*, 12 *February*, 2014 *at* 11.00 *a.m.* (*Hon. Mulikat Akande-Adeola — House Leader*).

*The House adjourned accordingly at* 2.24 *p.m.*

**Aminu Waziri Tambuwal**
*Speaker*