FOURTH REPUBLIC
7TH NATIONAL ASSEMBLY
FOURTH SESSION
NO. 21

HOUSE OF REPRESENTATIVES
FEDERAL REPUBLIC OF NIGERIA
VOTES AND PROCEEDINGS

Tuesday, 14 October, 2014

1. The House met at 11.43 a.m. Mr Speaker read the Prayers.

2. **Votes and Proceedings:**
Mr Speaker announced that he had examined and approved the *Votes and Proceedings* of Tuesday, 30 September, 2014.

By unanimous consent, the Votes and Proceedings was adopted.

3. **Message:**
Mr Speaker read the following Message from the President of the Federal Republic of Nigeria:

PRESIDENT,
FEDERAL REPUBLIC OF NIGERIA

September 30, 2014

Rt. Hon. Aminu Waziri Tambuwal, CFR
Speaker of the House of Representatives,
National Assembly Complex,
Three Arms Zone,
Abuja.

Your Excellency,

SUBMISSION OF* 2015 - 2017 *MEDIUM-TERM EXPENDITURE FRAMEWORK AND FISCAL STRATEGY PAPER

I am pleased to submit the 2015-2017 *Medium-Term Expenditure Framework (MTEF) and Fiscal Strategy Paper (FSP) to the House of Representatives and use this medium to express my gratitude for the enduring partnership between the Legislative and Executive arms of government. In particular, I note, with appreciation, the commitment and support that Honourable Members of the House have continued to demonstrate.*

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Pursuant to provisions of the Fiscal Responsibility Act, 2007, the preparation towards submission of the 2015 Budget to the National Assembly is progressing well. The MTEF and FSP were prepared against the backdrop of the global economic uncertainty and developments in the domestic environment to ensure that planned spending is set at prudent and sustainable levels and is consistent with Government's overall developmental objectives set out in the Transformation Agenda of this Administration.

Accordingly, I hereby forward the 2015-2017 MTEF and FSP to the National Assembly, and hope that it would be kindly considered and approved expeditiously in order to bring the 2015 FGN Budget preparation process to quick closure.

Please accept, Right Honourable Speaker, the assurances of my highest consideration.

Yours Sincerely,

(Signed)

GOODLUCK EBELE JONATHAN

4. **Announcements:**

(*a*) ***Defection*:**

Mr Speaker read a communication from Hon. Muhammad Bashir Galadanchi (*Gwale Federal Constituency*), announcing his defection from the Peoples Democratic Party (PDP) to the All Progressives Congress (APC).

(*b*) ***Bereavement*:**

Mr Speaker announced with regret the demise of the following former members:

(*i*) Hon. Peter Folayan Adeyemi, former member representing Ero South Federal Constituency (1983), who died on Saturday, 11 October, 2014;

(*ii*) Hon. Ibrahim Abubakar Ganyama, former member representing Dutse/Kiyawa Federal Constituency (1999 - 2003), who died on Wednesday, 8 October, 2014.

A minute silence was observed in honour of the deceased.

5. **Petitions:**

The following petitions were presented and laid by:

(*i*) Hon. Andrew Uchendu (*Ikwerre/Emoha Federal Constituency*) from Mr Price Egor, praying the House to redress wrongful dismissal from service by the Nigeria Police;

(*ii*) Hon. Emmanuel Ekon (*Abak/Etim Ekpo/Ika Federal Constituency*) from Mrs Eno Okon Etim, praying the House to prevail on the Nigerian Army to pay the death benefits of her husband, PTE Okon Etim;

(*iii*) Hon. Patrick A. Ikhariale (*Esan Central/Esan West/Igueben Federal Constituency*) from Festus Ehimare Edeawe, praying the House to prevail on the Nigerian Deposit Insurance Corporation (NDIC) to comply with a court order to re-instate him.

Petitions referred to the Committee on Public Petitions.

6. **Matters of Urgent Public Importance (Standing Order VIII, Rule 46):**

(*i*) Hon. Abdulrahman Badamasiuy (*Okehi/Adavi Federal Constituency*) drew the attention of the House to the deplorable condition of Lokoja - Okene - Auchi road, usually resulting in traffic jam and untold hardship to the inhabitants of the area. He noted the need for the Federal Government to urgently rehabilitate the road with a view to alleviating the hardship of motorists, and therefore urged the House to consider the matter as one of urgent public importance and suspend Order VIII, Rule 46 (3) so that it 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 Urgent Need for the Rehabilitation of the Lokoja-Okene-Auchi Federal Road:

The House:

Notes that the construction, rehabilitation and maintenance of all Trunk Roads are the responsibilities of the Federal Government of Nigeria via the Federal Ministry of Works and other related agencies;

Further notes that the Lokoja-Okene-Auchi Road which is one of the major roads linking the Northern and the Southern parts of the Country, falls under the mandate of the Federal Government;

Aware that the Lokoja-Okene-Auchi Road is one of the busiest roads used by Nigerians in the pursuit of then businesses and other human endeavours;

Further aware that the Federal Government has rehabilitated the road severally without providing adequate drainage facilities;

Alarmed that for over one week, there has been a complete blockage of the road which caused traffic jam by heavy trucks making it impassable to motorist and other users as a result of the bad nature of the road;

Worried that this unhealthy development has resulted to the complete collapse of the economic and social activities of the area which has resulted to the loss of lives and destruction of properties worth millions of Naira;

Further worried that some unscrupulous elements are using the unfortunate incident to unleash havoc on people seeking for assistance by extorting money from them as well as the incidences of armed robbery attacks;

Conscious that unless a workable solution is taken to address the problem, there is fear that the menace which has inflicted numerous ailments to the people will lead to epidemic diseases;

Resolves to:

(*i*) Urge the Federal Ministry of Works, FERMA, Road Safety Commission and other Security Agencies to as a matter of urgency, swing into action with a view to decongest, rehabilitate and provide adequate medical and security services to the affected areas;

(*ii*) Further urge the Federal Ministry of Works to as a matter of priority embark on sustainable drainage work as the entire area has been taken over by erosion (*Hon. Abdulrahman Badamasiuy — Adavi/Okehi Federal Constituency*).

Question put and agreed to.

Motion referred to Committees on Works, and Federal Road Maintenance Agency (FERMA), pursuant to Order VIII, Rule 51 (5) *for further legislative action* (**HR. 38/2014**).

(*ii*) Hon. Abdulrahman Terab (*Bama/Ngala/Kalabalge Federal Constituency*) invited the attention of the House to the continued siege on Bama, Ngala and Kalabalge Local Government Areas of Borno State and their environs by the Boko Haram insurgents. He noted the need for the Federal Government to reclaim the areas from the control of the insurgents and thus called on 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.

7. **Privilege (Standing Order VI, Rule 20):**
Hon. Femi Gbajabiamila (*Surulere I Federal Constituency*) drew the attention of the House to the publication in the Nation newspaper of Saturday, 11 October, 2014 where Hon. Leo Ogor — Deputy House Leader was alleged to have made a statement that "if smuggling arms into the country is the only alternative to defeat the insurgents, we owe no apology to anyone". He noted that the statement is suggestive that Members of the House of Representatives were in support of smuggling of arms into the country. He described the statement as an infraction on his privilege and the collective privilege of the House .

Hon. Leo Ogor, in his response, expressed profound disappointment at the publication and stressed that he was mischievously quoted out of context.

Mr Speaker generally cautioned Members on acting on unverified press reports and directed Hon. Leo Ogor and Hon. Femi Gbajabiamila to meet with him in his office on the matter.

8. **Presentation of Report:**
***Conference Committee on the Alteration of the* 1999 *Constitution*:**
Motion made and Question proposed, "That the House do receive the Report of the Conference Committee on a Bill for an Act to further Alter the Provisions of the Constitution of the Federal Republic of Nigeria, 1999 (as amended) and for Other Matters Connected Therewith" (*Hon. Chukwuemeka Nkem Ihedioha — Deputy Speaker*).

Question put and agreed to.

Report laid.

9. **Presidential Request for $1 billion dollar loan for Security matters:**
Pursuant to Order XVII, Rule 109 (*g*), Hon. Leo Ogor (*Isoko North/Isoko South Federal Constituency*) recalled that on Tuesday, 30 September, 2014, the House directed the Committees on Loan, Aids and Debt, and Finance to submit their report on the ***Presidential Request for* $1 *billion dollar loan for Security matters*** on Tuesday, 14 October, 2014 (*Votes and Proceedings* of Tuesday, 30 September, 2014). He appealed to Mr Speaker to enforce the decision of the House.

Mr Speaker invited the Chairman, Committee on Finance to brief the House on the status of the referral.

The Chairman Committee on Finance informed the House that the Committees were yet to conclude the number of hearings necessary for successful completion of the assignment. He noted that the Minister of Finance and other officials who were hitherto unavailable have been scheduled to meet with the Committees in the next few days. He therefore appealed that the Committees should be granted extension of time for another 2 weeks to complete their assignment.

Mr Speaker noted the importance of the assignment and the response by the Chairman, Committee on Finance, and directed that the Committees should submit their report unfailingly on Tuesday, 21 *October*, 2014.

10. **Urgent Need to Complete the Construction of Ibadan-Oyo-Ogbomosho-Ilorin Express Way:** *Motion made and Question proposed*:

The House:

Notes that the Contract for the construction of the road was awarded as far back as 2001 with the aim of completing the road in 2003;

Also notes that thirteen (13) years after the award of the contract, the Oyo/Ogbomosho axis of the road is yet to be completed;

Disturbed that the failure to complete that axis of the road has resulted in numerous accidents, leading to loss of lives, property and dislocation of the economy of the area;

Worried that over the years, inhabitants of the area have had to travel on the old road which is always being plied by heavy duty trucks and trailers which cause untold hardships to inhabitants;

Also worried that the link bridge on the old road has now collapsed, resulting in motorists and travellers spending two to three days on a stretch of about 30-40km of road, before getting to their destinations;

Concerned that further delay in completing the road would result into a complete isolation of a section of the South-West geopolitical zone from the Northern part of the country;

Desirous of putting an end to the hardship and economic losses being experienced by the inhabitants of the area and other road users;

Resolves to:

(*i*) Urge the Federal Roads Maintenance Agency (FERMA) to embark on an immediate rehabilitation of the old Oyo-Ogbomosho Road;

(*ii*) Mandate the Committee on Works to liaise with the Federal Ministry of Works to ensure that adequate provision is made in the 2015 Appropriation Act to complete the Ibadan-Oyo-Ogbomosho-Ilorin Expressway (*Hon. Mulikat Akande-Adeola — House Leader*).

Question put and agreed to.

Motion referred to Committees on Works, and Federal Road Maintenance Agency (FERMA), pursuant to Order VIII, Rule 51 (5) *for further legislative action* (**HR. 39/2014**).

11. **Rescission pursuant to Order 9, Rule 57 (6) of the Standing Orders of the House of Representatives on the Decision taken in the Committee of the Whole to Retain Clause 29 (1) (*b*) in the Proposed Amendment to Section 29 (1) of the Principal Act (Electoral Act, 2010):** *Motion made and Question proposed*:

The House:

Notes that by the provision of section 217 (1) of the Constitution of the Federal Republic of Nigeria, 1999 (as amended), there shall be an Armed Forces for the Federation, which function, by virtue of Section 217 (2) (*c*), includes suppressing insurrection and acting in aid of civil authorities to restore order when called upon to do so by the President, but subject to such CONDITIONS as may be prescribed by an Act of the National Assembly;

Also notes that by the provision of Section 218 (1) of the Constitution, the powers of the President as the Commander- in -Chief of the Armed Forces of the Federation shall include power to determine the operational use of the Armed Forces of the Federation;

Further notes that by the provision of Section 218 (3), the President may, by directions in writing and subject to such conditions as he may think fit, delegate to any member of the Armed Forces of the Federation, his powers relating to the operational use of the Armed Forces of the Federation and not to any other party other than those specified in the Constitution;

Convinced that by the provision of Section 218 (2) of the Constitution, the envisaged members of the Armed Forces of the Federation that the President can delegate his powers relating to the operational use of the Armed Forces of the Federation, in line with Section 218 (3), are the Chief of Defence staff, the Chief of Army staff, the Chief of Naval Staff and the Chief of Air Staff, and not to any other institution or head of any other agency of Government;

Also convinced that by the provisions of Sections 217 and 218 of the Constitution, an Act of the National Assembly cannot delegate to any other person not specified in the Constitution the discretional powers of the President and Commander-in-Chief as it relates to the operational use of the Armed Forces of the Federation;

Further convinced that retaining Clause 29 (1) (*b*) in the amendment of the Principal Act is tantamount to ceding the President's powers relating to the operational use of the Armed Forces to the Independent National Electoral Commission (INEC), against the provision of Section 218 of the Constitution;

Aware of the provision of Section 1 (3) of the Constitution which stipulates that if any other law is inconsistent with the provisions of this Constitution, the Constitution shall prevail and that other law shall, to the extent of the inconsistency, be void;

Resolves to:

Rescind its decision taken in the Committee of the Whole to retain Clause 29 (1) (*b*) in the proposed amendment to Section 29 (1) of the Principal Act and delete the said Clause 29 (1) (*b*) (*Hon. Leo Ogor — Isoko North/Isoko South Federal Constituency*).

Debate.

Question put and negatived.

12. **A Bill for an Act to Repeal the Advisory Council on Religious Affairs Act, Cap. A8, Laws of the Federation of Nigeria, 2004 and Enact the National Peace Council to Promote Peace and Religious Harmony in the Country and for Other Connected Purposes (HB. 744) — *Second Reading*:**

Order read; deferred by leave of the House.

13. **A Bill for an Act to Repeal the Traffic Warden Act, 1975 and to Provide for the Establishment of the Traffic Warden Service and for Other Matters Connected Therewith (HB. 619) — *Second Reading*:**

Order read; deferred by leave of the House.

14. **A Bill for an Act to Repeal Sections 59-69 of the Police Act, Cap. 359, Laws of the Federation of Nigeria, 2004 and to Enact the Traffic Warden Service Act which shall provide for the Appointment, Promotion and Discipline of Traffic Wardens, Issuance of Certificates of Appointment and discharge and for Other Matters Connected Therewith (HB. 681) — *Second Reading*:**

Order read; deferred by leave of the House.

15. **Consideration of Reports:**

(*i*) ***Committee on Electoral Matters*:**
That the House do resume consideration of the Report of the Committee on Electoral Matters on a Bill for an Act to further amend the Electoral Act, No. 6 of 2010 to ensure a level playing field for all participants in the Electoral Process and for a more Transparent Process of conducting Elections in Nigeria and for Other Matters Connected Therewith (HB. 718) and approve the recommendations therein.

Order read; deferred by leave of the House.

(*ii*) ***Committee on Public Petitions*:**
Report on the Petition by Ex-Lance Corporal Ijeoma Jonathan:
Motion made and Question proposed, "That the House do consider the Report of the Committee on Public Petitions on the petition by Ex-Lance Corporal Ijeoma Jonathan against the Nigerian Army on unfair treatment and unjust retirement from Service and approve the recommendations therein" (*Hon. Uzo Azubuike — Aba North/Aba 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*)

Debate:

Consideration deferred till next legislative day to enable the Committee on Public Petitions circulate copies of the Report and other Reports of the Committee listed on the Order Paper.

Chairman to report progress.

(HOUSE IN PLENARY)

Mr Deputy Speaker in the Chair reported that the House in Committee of the Whole deferred consideration of all the Reports of the Committee on Public Petitions till next legislative day to enable the Committee circulate copies of the Reports.

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

16. **Adjournment:**
That the House do adjourn till Wednesday, 15 *October*, 2014 *at* 10.00 *a.m.* (*Hon. Leo Ogor — Deputy House Leader*).

The House adjourned accordingly at 1.01 *p.m.*

Aminu Waziri Tambuwal
Speaker