HOUSE OF REPRESENTATIVES

FEDERAL REPUBLIC OF NIGERIA

VOTES AND PROCEEDINGS

Tuesday, 28 July, 2015

1. The House met at 11.42 a.m. Mr Speaker read the Prayers.

2. **Votes and Proceedings:**
Mr Speaker announced that he had examined and approved the *Votes and Proceedings* of Thursday, 25 June, 2015.

By unanimous consent, the Votes and Proceedings was adopted.

3. **Oaths of Allegiance and Membership:**
A Member-elect, Lynda Chuba Ikpeazu (*Onitsha North/Onitsha South Federal Constituency*) took and subscribed the Oaths as prescribed by law.

4. **Message:**
Mr Speaker read a message from the President and Commander-in-Chief of the Federal Republic of Nigeria:

PRESIDENT,
FEDERAL REPUBLIC OF NIGERIA

14 *July*, 2015

Right Honourable Yakubu Dogara
Speaker, House of Representatives
National Assembly Complex
Three Arms Zone
Abuja.

APPOINTMENT OF THE CHIEF OF DEFENCE STAFF AND SERVICE CHIEFS FOR THE ARMED FORCES OF THE FEDERAL REPUBLIC OF NIGERIA

In compliance with the provisions of Section 18 (1) *of the Armed Forces Act, Cap. A.*20, *Laws of the Federation of Nigeria*, 2004, *I hereby forward the names of the under listed officers for the kind*

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confirmation of the House of Representatives of the Federal Republic of Nigeria for appointments as Chief of Defence Staff and Service Chiefs of the Armed Forces of the Federal Republic of Nigeria.

1.	*Major General Abayomi Gabriel Olonisakin*	—	*Chief of Defence Staff*
2.	*Major General Tukur Yusufu Buratai*	—	*Chief of Army Staff*
3.	*Rear Admiral Ibok-Ete Ekwe Ibas*	—	*Chief of Navy Staff*
4.	*Air Vice Marshall Sadique Baba Abubakar*	—	*Chief of Air Staff*

I look forward, Honourable Speaker, to the usual kind expeditious consideration of the above request by the House of Representatives of the Federal Republic of Nigeria.

Please accept, as always, the assurances of my highest regards and esteem.

(*Signed*)

MUHAMMADU BUHARI

5. Announcement:

(*a*) *Ad-hoc Committee on the screening of Mr President's nominees for the Office of the Chief of Defence Staff and Service Chiefs of the Armed Forces of the Federal Republic of Nigeria*:

Mr Speaker named the Membership of the *Ad-hoc* Committee as follows:

(1)	Hon. Garba Datti	—	*Chairman*
(2)	Hon. Femi Fakeye	—	*Member*
(3)	Hon. Segun Odebunmi	—	*Member*
(4)	Hon. Kolawole Faleke	—	*Member*
(5)	Hon. Phillip Shuaibu	—	*Member*
(6)	Hon. Sam Ikoh	—	*Member*
(7)	Hon. Blessing Nsiegbe	—	*Member*
(8)	Hon. Goni Bukar	—	*Member*
(9)	Hon. Danjuma Shiddi	—	*Member*
(10)	Hon. Aishatu Dukku	—	*Member*
(11)	Hon. Kingsley Ebenyi	—	*Member*
(12)	Hon. Onyenwuchi Ezenwa	—	*Member*
(13)	Hon. Nkiru Onyejeocha	—	*Member*
(14)	Hon. Ahmed Idris Wase	—	*Member*
(15)	Hon. T. J. Yusuf	—	*Member*
(16)	Hon. Funke Adedoyin	—	*Member*
(17)	Hon. Kabiru Achida Marafa	—	*Member*
(18)	Hon. Nasiru Ali Ahmed	—	*Member*
(19)	Hon. Jagaba Adams Jagaba	—	*Member*

Mr Speaker ordered the Ad-hoc Committee to submit its report within 7 days.

(*b*) *Principal Officers of the House*:

Mr Speaker announced that the Majority Party and the Minority Parties have agreed on their respective leadership positions in the House as follows:

(*i*) Leadership of the Majority Party:

(1)	Hon. Femi Gbajabiamila	—	*House Leader*
(2)	Hon. Alhassan Ado Garba	—	*Chief Whip*
(3)	Hon. Buba Jubrin	—	*Deputy House Leader*
(4)	Hon. Pally Iriase	—	*Deputy Whip.*

(*ii*) **Leadership of the Minority Parties:**

(1)	Hon. Leo Okuweh Ogor	—	*Minority Leader*
(2)	Hon. Yakubu Umar Barde	—	*Minority Whip*
(3)	Hon. Chukwuma Onyema	—	*Deputy Minority Leader*
(4)	Hon. Binta Bello	—	*Deputy Minority Whip*.

(*c*) ***Visitors in the Gallery*:**
Mr Speaker recognized the presence of members of the National Association of Banking and Finance Students, Imo State University (IMSU), Owerri.

(*c*) ***Committee on Selection*:**
Mr Speaker announced that the Committee on Selection would be constituted by Wednesday, 29 July, 2015 and ordered State Caucuses that were yet to forward their nominees on the Committee, to do so before the end of day's Sitting.

6. Welcome Address by Mr Speaker:
Mr Speaker addressed the House as follows:

Protocols.

It is my pleasure, my dear Honorable colleagues, to welcome all of us back from the July working recess. I appreciate the Almighty God for bringing all of us safely back to this hallowed Chamber.

2. *When we departed for this recess, it was not in the most honorable of circumstances for which I had cause to apologize to Nigerians in that behalf. Today as we resume, I am not ashamed to once again reiterate our unreserved apologies to the people of Nigeria for that unfortunate incidence and promise that we shall be the vibrant House of the Nigerian people that we are.*

3. *My dear colleagues, the Eight Assembly has a very crucial role in the political history of our dear country: we are saddled with the responsibility and special privilege to midwife the first government of complete democratic transition in which an opposition party has assumed the realm of government, the first in our political experience. Furthermore, we are a product of an overwhelming mandate of change from the people of Nigeria. Indeed we are called to national service at a time when public expectation for good governance is at its peak and the peoples patience with government is on the edge.*

4. *I make bold to state that if the public expectation on previous legislatures was one hundred percent, then the expectation on this Eight Assembly must be anything but not less than two hundred percent! Therefore we can neither afford to abuse the confidence reposed in us nor can we dare to expose ourselves to the cruel judgment of history.*

5. *We had started on an excellent note, or so I thought, having spent a whole legislative day conducting free, fair and transparent elections to elect the two Presiding Officers, at the end of which both those who won and those who did not win exercised great maturity in respecting the will of the majority. How come then that this spirit of maturity and democratic culture suddenly appears to be eluding us in our effort to conclude the composition of Principal Officers to facilitate smooth take off?*

6. *Our great party, the All Progressives Congress APC along with Mr President and other party leaders exhibited uncommon democratic tradition by abstaining from direct interference in the process and given the manner we conducted the election in this Chambers on 9th June, I am persuaded that they do not regret reposing such confidence in us. In this regard we owe them, ourselves, and indeed all Nigerians a duty to prove that we can conclude this process rancor free and without denting our party's democratic credentials. This we can do and I am I confident that we shall.*

7. *Today marks the 49th day since 9th June, it would appear it has been all about our selves and our personal ambitions. My dear colleagues the mandate we hold is not about our personal ambitions it is all about the people, the people, and the people, indeed it is about Nigeria: as representatives of the people therefore, we must be the manifestation of their high expectations of good governance, probity, transparency and accountability ; we must be the manifestation of their unmitigated impatience against dormancy in governance and above all we must resonate their pain of poverty, squalor and insecurity.*

8. *During the period of the working Recess we inaugurated a group of Experts on Law Review and Reform of the various Laws in our Statute books, some of which have become obsolete and outdated. The Committee will advise the Hon. Speaker and the House of Representatives on the legislative action required to achieve this.*

9. *I need hardly restate the fact of the enormity of the task before us. Let us therefore resolve here and now to activate our mandate by kick starting the real business of the people and our nation. May the Almighty God help us to humble ourselves and to dedicate our all to diligence in the task head.*

10. *God bless us all and God bless the Federal Republic of Nigeria.*

7. Presentation of Bills:

The following Bills were presented and read the *First Time*:

(*i*) Federal Competition Commission (Establishment) Bill, 2015 (HB. 01).

(*ii*) Data Protection Bill, 2015 (HB. 02).

(*iii*) Public Interest Disclosure Bill, 2015.

(*iv*) Subsidiary Legislation (Regulation) Bill, 2015 (HB. 04).

(*v*) Constitution of the Federal Republic of Nigeria (Alteration) Bill, 2015 (HB. 05).

8. Personal Explanation (Order VIII, Rule 47):

Hon. Alhassan Ado Garba (*Doguwa/Tudun Wada Federal Constituency*) recalled the rowdy proceeding of the House of Thursday, 25 June, 2015, which tended to bring the House into disrepute in the eyes of the public. He expressed regrets for his role and the role of other Members in the incident of that day, and rendered his unreserved apology to the Hon. Speaker, the House and the nation.

Mr Speaker noted and accepted the apology.

9. Need for Intervention of the House in the Closure of the Federal Medical Centre, Owerri:

Motion made and Question proposed:

The House:

Notes that the Federal Medical Centre (FMC), Owerri is a public health institution established to take care of the health needs of the people, especially those living in Imo State and its environs;

Concerned that the Centre has been shut down for over three months now due to a strike action by aggrieved workers;

Worried that both the striking workers and the Management of the Centre have failed to reach a truce and have also refused to heed appeals by stakeholders, including the Nigerian Labour Congress (NLC), the Federal and State Government Authorities, as well as the Board of the said institution, to resolve the matter and call off the strike;

Also worried that the strike action could adversely affect the health care delivery system of the Federal Government and has been causing untold hardship to indigenes of the State and other Nigerians who use the Centre;

Also concerned that the continued closure of the Centre has contributed to the dilapidation of state-of-the-art health care facilities procured with huge public funds;

Resolves to:

Set up an *Ad-hoc* Committee to intervene in the matter with a view to finding a lasting solution to the problem and report back to the House within one (1) month (*Hon. Raphael Nnanna Igbokwe — Ahiazu Mbaise/Ezinihitte Federal Constituency*).

Question put and agreed to.

Motion referred to the Committee on Health when constituted (**HR. 07/2015**).

10. **Urgent Need for the National Electricity Regulatory Commission (NERC) to better Protect the Nigerian Public from Certain Unwholesome Practices of Electricity Distribution Companies (DISCOs) in Nigeria:**
Motion made and Question proposed:

The House:

Aware that item 13 (*a*), Part II of the Second Schedule to the Constitution of Nigeria empowers the National Assembly to make laws for the Federation or any part thereof with respect to generation, transmission and distribution of electricity;

Also aware that section 32 (2) (*f*) of the Electric Power Sector Reform Act, Cap. E7, Laws of the Federation of Nigeria, 2004 empowers the Nigerian Electricity Regulatory Commission (NERC) to monitor and regulate the electricity industry in Nigeria;

Further aware that the NERC, in the exercise of its powers, licensed a number of Companies as Electricity Distribution Companies (DISCOs) in the Nigerian Electricity Industry;

Disturbed by the avalanche of complaints by electricity consumers about the unwholesome practices of the DISCOs which fall short of standards established by the National Electricity Regulatory Commission and do not also meet up to global best practices, thereby failing in the discharge of their contractual obligations to the Nigerian public;

Conscious of the responsibility of the House to ensure that electricity consumers are protected by NERC from the unwholesome practices of the Electricity Distribution Companies.

Resolves to:

(*i*) Urge the National Electricity Regulatory Commission (NERC) to immediately enforce the abolishment of fixed charges being collected from electricity consumers across the nation;

(*ii*) also urge NERC to direct the Electricity Distribution Companies (DISCOs) to discontinue the practice of compulsory bulk metering of villages and communities in the rural areas as a consumer should have the right to elect to be part of bulk metering scheme or not;

(*iii*) further urge NERC to ensure that until twenty-four (24) hours electricity supply is guaranteed, DISCOs should give consumers an advance monthly schedule of distribution of electricity which will include the precise time and duration of availability of electricity to enable consumers plan their affairs and NERC must ensure that the notice is regarded as an enforceable component of the supply contract existing between the DISCOs and the consumers, except in the event of a force majeure;

(*iv*) call on National Electricity Regulatory Commission to sensitize electricity consumers on the remedies available to them in the event of inefficient services by the Distribution Companies;

(*v*) also call on NERC to strive to break the monopoly of Distribution Companies by putting in place Electricity Distribution Open Access Regulation, thereby creating an opportunity for consumers to have the right to choose the company to supply their electric power, wherein the current (primary) Distribution Companies should be mandated to allow new DISCOs access (at a regulated fee per maintenance), to poles and wires connected to premises and all other electricity distribution assets of the primary DISCOs;

(*vi*) further call on NERC to make a regulation to mandate the DISCOs to discontinue the practice of making consumers pay for meters, poles and transformers which by law, are properties of the DISCOs; but where the consumers purchase those items, they should give notice of the purchase to the DISCOs and should be entitled to recover their expenses from subsequent consumption of electricity;

(*vii*) equally call on NERC to bring an end to the monopoly of DISCOs on the sales of energy meters to enable consumers purchase them either from the DISCOs or from any other supplier, subject to the regulation and specification of the NERC;

(*viii*) request NERC to ensure that consumers are granted the right to have their meters tested for accuracy upon payment of necessary fees to the Distribution Companies or at any other independent facility approved for that purpose by the National Electricity Regulatory Commission and to receive the report of the test within eight (8) weeks so as to eliminate the issue of inaccurate billings; and

(*ix*) also request NERC to set up an electricity Ombudsman which shall have offices in the thirty-six (36) States of the Federation and the Federal Capital Territory, Abuja and also to maintain an online interactive electronic platform for consumers to interface with the Distribution Companies under the supervision of the Ombudsman (*Hon. Phillip Shaibu — Etsako East/Etsako West Central Federal Constituency*).

Debate:

Amendment Proposed:

Leave out all the prayers in the motion and *insert* as follow:
"Set up an *Ad-hoc* Committee to investigate the activities of the DISCOs pertaining to infrastructure, and billing, and report back to the House within 3 weeks" (*Hon. Ossai Nicholas Ossai — Ndokwa/Ukwuani Federal Constituency*).

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

Main Question as amended, put and agreed to.

The House:

Aware that item 13 (*a*), Part II of the Second Schedule to the Constitution of Nigeria empowers the National Assembly to make laws for the Federation or any part thereof with respect to generation, transmission and distribution of electricity;

Also aware that section 32 (2) (*f*) of the Electric Power Sector Reform Act, Cap. E7, Laws of the Federation of Nigeria, 2004 empowers the Nigerian Electricity Regulatory Commission (NERC) to monitor and regulate the electricity industry in Nigeria;

Further aware that the NERC, in the exercise of its powers, licensed a number of Companies as Electricity Distribution Companies (DISCOs) in the Nigerian Electricity Industry;

Disturbed by the avalanche of complaints by electricity consumers about the unwholesome practices of the DISCOs which fall short of standards established by the National Electricity Regulatory Commission and do not also meet up to global best practices, thereby failing in the discharge of their contractual obligations to the Nigerian public;

Conscious of the responsibility of the House to ensure that electricity consumers are protected by NERC from the unwholesome practices of the Electricity Distribution Companies.

Resolved to:

Set up an *Ad-hoc* Committee to investigate the activities of the DISCOs pertaining to infrastructure, and billing, and report back to the House within 3 weeks (**HR. 08/2015**).

11. Urgent Need for the Federal Government to Devise a Rescue Plan to Bail out the Twenty-Two (22) State Governments that are Owing Salaries to Workers:

Motion withdrawn by leave of the House.

12. Need for Publication of the Handover Note of the Administration of Former President Goodluck Ebele Jonathan, GCFR, in the Official Gazette of the Federation:

Motion made and Question proposed:

The House:

Notes that on the expiration of the tenure of former President Goodluck Ebele Jonathan, GCFR, on 29 May, 2015, he presented a Handover Note of the stewardship of his Administration to President Muhammadu Buhari;

Also notes that the Handover Note would expectedly have captured the activities, projects, programmes, achievements and constraints of the last Administration, including counsel to the new Administration on the way forward;

Aware that the Handover Note is a public document and that some extant laws may place restrictions on the publication of some contents of the document;

Realizes that notwithstanding any such legal restrictions, it is apparent that only officials of the Presidency have access to the Handover Note, at the moment;

Worried that Members of the National Assembly, most of whom are new to the legislative business, require authentic information to ascertain the actual state of the nation, without which they may not be able to perform their legislative functions effectively;

Desirous of encouraging and empowering ordinary Nigerians to actively monitor the activities of government;

Also desirous of the need to maintain the integrity of the Handover Note for reference purposes and to enable interested individuals or group of persons to verify the authenticity or otherwise of the contents of the document;

Resolves to:

(*i*) Urge the Executive Arm of Government to Publish, in the official gazette of the Federation, save for information restricted by law, the Handover Note and the accompanying documents of the Administration of former President Goodluck Ebele Jonathan, GCFR, to enable interested Nigerians and other residents access it for information and record purposes;

(*ii*) urge the Executive Arm of Government to provide copies of the Handover Note to all Members of the National Assembly to enable them determine, individually or collectively, the state of the Nation as at 29 May, 2015 (*Hon. Uzoma Nkem-Abonta — Ukwa East/Ukwa West Federal Constituency*).

Debate:

Question put and agreed to.

The House:

Noted that on the expiration of the tenure of former President Goodluck Ebele Jonathan, GCFR, on 29 May, 2015, he presented a Handover Note of the stewardship of his Administration to President Muhammadu Buhari;

Also noted that the Handover Note would expectedly have captured the activities, projects, programmes, achievements and constraints of the last Administration, including counsel to the new Administration on the way forward;

Aware that the Handover Note is a public document and that some extant laws may place restrictions on the publication of some contents of the document;

Realized that notwithstanding any such legal restrictions, it is apparent that only officials of the Presidency have access to the Handover Note, at the moment;

Worried that Members of the National Assembly, most of whom are new to the legislative business, require authentic information to ascertain the actual state of the nation, without which they may not be able to perform their legislative functions effectively;

Desirous of encouraging and empowering ordinary Nigerians to actively monitor the activities of government;

Also desirous of the need to maintain the integrity of the Handover Note for reference purposes and to enable interested individuals or group of persons to verify the authenticity or otherwise of the contents of the document;

Resolved to:

(*i*) Urge the Executive Arm of Government to Publish, in the official gazette of the Federation, save for information restricted by law, the Handover Note and the accompanying documents of the Administration of former President Goodluck Ebele Jonathan, GCFR, to enable interested Nigerians and other residents access it for information and record purposes;

(*ii*) urge the Executive Arm of Government to provide copies of the Handover Note to all Members of the National Assembly to enable them determine, individually or collectively, the state of the Nation as at 29 May, 2015 **(HR. 09/2015)**.

13. **Draft Legislative Framework/Agenda of the House of Representatives of the 8th National Assembly:**
Motion made and Question proposed, "That the House do resume debate on the Draft Legislative Framework/Agenda of the House of Representatives of the 8th National Assembly" (*Hon. Yussuff Sulaimon Lasun — Irepodun/Olorunda/Osogbo/Orolu Federal Constituency*).

Question put and agreed to.

Debate resumed:

Debate adjourned.

14. **Adjournment:**
That the House do adjourn till Wednesday, 29 *July*, 2015 *at* 10.00 *a.m.* (*Hon. Orker-Jev Emmanuel Isah — Buruku Federal Constituency*).

The House adjourned accordingly at 3.19 *p.m.*

Yakubu Dogara
Speaker