FOURTH REPUBLIC
8TH NATIONAL ASSEMBLY
FIRST SESSION
NO. 73

HOUSE OF REPRESENTATIVES

FEDERAL REPUBLIC OF NIGERIA

VOTES AND PROCEEDINGS

Tuesday, 15 March, 2016

1. The House met at 11.16 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, 10 March, 2015.

By unanimous consent, the Votes and Proceedings was adopted.

3. **Message**
Mr Speaker read a message from the President of the Federal Republic of Nigeria as follows:

PRESIDENT,
FEDERAL REPUBLIC OF NIGERIA

14 *March*, 2016

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

Dear Right Hon. Speaker,

TRANSMISSION OF BILLS FOR ACTS TO PROVIDE FOR THE DOMESTICATION AND ENFORCEMENT IN NIGERIA OF THE AVOIDANCE OF DOUBLE TAXATION AGREEMENTS BETWEEN THE FEDERAL REPUBLIC OF NIGERIA AND THREE OTHER COUNTRIES (SOUTH KOREA, SPAIN AND SWEDEN)

The House of Representatives is invited to note that agreements for the avoidance of double taxation between countries facilitate inter-states trade, economic and business activities as well as enable prospective investors to know the income tax obligation in each country and the tax incentives available. They also ensure stable and reliable tax regimes and improve the cooperation between tax authorities through exchange of information among others.

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2. *Pursuant to above the Federal Government of Nigeria entered into agreements for the avoidance of double taxation with the* ***Kingdom of Sweden, Republic of South Korea nd Kingdom of Spain*** *which were duly executed on* 18*th November*, 2004; 6*th November*, 2006 *and* 23*rd June*, 2009 *respectively, after series of negotiations between Nigeria and each of these countries.*

3. *For the agreements to be enforceable in Nigeria, they must be domesticated in line with the Provisions of* ***Section*** **12 (1)** ***of the Constitution of the Federal Republic of Nigeria,*** **1999 (*as amended*)** *which states that* ***"No treaty between the Federation and any other country shall have the force of law to the extent that such treaty has been enacted into law by the National Assembly"****.*

4. *Bearing in mind the interest of Nigeria and each of the three countries to these agreements vis a vis the economic vision of this Government, the coming into the force of these agreements will no doubt facilitate the interchange of direct foreign investment.*

5. *Therefore, I have the pleasure to forward one copy each of the draft Bills for Acts to domesticate each of the agreements for consideration and enactment by the House of Representatives.*

6. *Please, accept as always the assurances of my esteemed consideration.*

Yours sincerely,

(*Signed*)

Muhammadu Buhari

4. Announcement

(*i*) ***Visitors in the Gallery*:**

Mr Speaker recognized the presence of the following visitors:

(*a*) Staff and Students of Intelligence Quotient Academy, Area 3, Garki, Abuja;

(*b*) Staff and Students of New Horizons College, Minna, Niger State;

(*c*) Staff and Students of St. Anthony's Nursery and Primary School, Angwan Barau, Suleja, Niger State.

(*ii*) ***Bereavement*:**

By leave of the House, Hon. Idisi Lovette (*Ethiope East/Ethiope West Federal Constituency*) announced the demise of Olorogun Felix Ovuodoroye Ibru, the first Executive Governor of Delta State, on Saturday, 12 March, 2016 at the age of 80. He noted that Olorogun Felix Ibru was a Stateman who represented Delta Central Senatorial District in the National Assembly between 2003 and 2007, and recorded numerous notable achievements. He called on the House to observe a minute silence in honour of the deceased.

A minute silence observed in honour of the deceased.

(*iii*) ***Ad-hoc Committee on Development and Standardization of Manuals and Templates for the House of Representatives*:**

Mr Speaker named the Membership of the above Committee as follows:

(1)	Hon. Aminu Shehu Shagari	—	*Chairman*
(2)	Hon. Oker-Jev Emmanuel Yisa	—	*Member*
(3)	Hon. Kingsley Ebenyi	—	*Member*
(4)	Hon. Philip Shaibu	—	*Member*
(5)	Hon. Olabode Ayorinde	—	*Member*
(6)	Hon. Lawal Abubakar Garba	—	*Member*
(7)	Hon. Razaq Olatunde Atunwa	—	*Member*

5. Petitions

(*i*) Petitions from the following persons were presented and laid by Hon. Rita Orji (*Ajeromi/Ifelodun Federal Constituency*):

(*a*) Agwulonu & Co. on behalf of Nwadike family against the Nigerian High Commission in Malaysia on the death of Mr Nwadike Stephen Chukwuemeka in a Malaysian Deportation Camp;

(*b*) Sergeant Oladipo Ogunrawo (*rtd*) on behalf of Old Military Pensioners on the non-implementation of the harmonized Military and Police salaries and other wages increased in their pension entitlements;

(*c*) Osita Osemene on behalf of Patriotic Citizen Initiatives concerning the awful conditions and experience of Nigerians trapped in China prisons;

(*ii*) A Petition from Comrade Nobel Ejisi on the inhuman treatment and victimization against him by the management of Nnamdi Azikiwe University, Awka, Anambra State, was presented and laid by Hon. Mojeed Alabi Olujinmi (*Ede North/Ede South/Egbedore/Ejigbo Federal Constituency*);

(*iii*) A Petition from Abdulhakeem Sarki Suleiman on behalf Victor Akinbo on medical negligence by First Accredited International Apollo Hospital, New Delhi, Indian, was presented and laid by Hon. Dozie Nwankwo (*Anaocha/Njikoka/Dunukofia Federal Constituency*);

(*iv*) A Petition from Tajudeen Balogun, father of Balogun Tarid Oludapo on the mishandling of his son's Universal Tertiary Matriculation Examinations (UTME) Result , 2016, was presented and laid by Hon. Babajimi Benson (*Ikorodu Federal Constituency*);

(*v*) A petition from Godwin Aganbi, and 2 others, on behalf of Eku Traditional Council, Eku Ethiope East Local Government Area, on attempted murder, promotion of communal war and threat to lives by officials of PRESCO Plc, and officers and men of the Nigeria Army, was presented and laid by Hon. Lovette Idisi (*Ethiope East/Ethiope We st Federal Constituency*):

(*vi*) Petitions from the following persons were presented and laid by Hon. Rasak Atunwa (*Asa/Ilorin West Federal Constituency*)

(*a*) Dr Bernard Omisore on the implementation of the 65years retirement age for certain category of lecturers, by the Centre for Management Development (CMD);

(*b*) Ikechukwu Ezechukwu on behalf of Mr O'Cornnor I. Nwankwo on the refusal by the Pipeline Products Marketing Company (PPMC) Ltd to comply with the House Resolution of Tuesday, 23 September, 2014;

(*c*) Okirika Timmy Okeoghene on the failure by Chevron Nigeria Ltd to comply with Orders of the National Assembly and the Ministry of Labour, to re-instate him and D Gilbert to their jobs with the Company;

(*d*) C. K. Maxwell on the refusal by the Nigeria Postal Services to comply with the Resolution of the House of Wednesday, 9 August, 2006;

(*e*) CPL Emmanuel Offong on his demotion in rank and eventual dismissal from the Nigeria Police;

(*f*) Olayinka Ibidapo and Yusuf Ibrahim on behalf of Youth Coalition for Change on the exclusion of Indigenous Contractors in the Tenders for the provision of Offshore Marine Patrol Vessels for SPECIN Offshore Operators;

Motion referred to the Committee on Works, pursuant to Order VIII, Rule 51 (5).

(*ii*) ***Call for Immediate Investigation into Compliance of the Presidential Amnesty Programme with the Public Procurement Act*, 2007:**
Hon. Solomon Bulus Maren (*Mangu/Bokkos Federal Constituency*) introduced the subject matter and prayed the House to:

(*a*) consider and approve the matter as one of urgent public importance; and

(*b*) suspend Order VIII, Rule 46 (3) to allow debate on the matter forthwith.

Question that the matter be considered as one of urgent public importance — Agreed to.

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

A Call for Immediate Investigation into Compliance of the Presidential Amnesty Programme with the Public Procurement Act, 2007 Owing to Deportation and Harassment of Beneficiaries from Aboard:

The House:

Recalls the good intention of the Federal Government of Nigeria underlying Amnesty Program Proclamation on 26 June, 2009 and the efforts and resources dedicated by the presidency in advancing the Amnesty Programme;

Notes that due to the violation of the Public Procurement Act, 2007, the entire Presidential Amnesty Programme has not been subjected to the statutory and mandatory public Procurement processes as a result most contracts between 2011 - 2015, were awarded to fictitious contractors;

Also notes with great concern the frustration and abandonment of the beneficiaries of the Amnesty Programme who regrettably are short - changed and sidelined by the non -payment of funds allocated for their welfare;

Concerned that the Federal Government has committed over Four Hundred billion Naira (₦400,000,000,000.00) since the inception of the Amnesty programme with the intention to among others provide education, vocational skill training and pay sixty five thousand Naira (₦65,000.00) to each beneficiary, however, it is disappointing that most of the beneficiaries of the programme are yet to receive any educational or vocational training as funds were not made available to them, while those who were paid received funds below the mandate of the Presidential Amnesty programme;

Also concerned that majority of the beneficiaries whose training contract were awarded between 2011 - 2015 to fictitious contractors are now been deported while some are stranded in foreign countries;

Worried that this has and continues to cause untold hardship on many of the aforementioned persons. Countless of them are being deprived of an alternative source of livelihood, academic or vocational training (as the case may be) and better opportunities. The continuous denial or withholding of necessary funds as seen in times past always results in the extremities exhibited by the former agitators. These reports from ex-agitators of complicity and short changing by persons in charge of disbursing funds must not be left unchecked, urgent action most be taken by the Federal Government, and we as representatives of the people must take necessary steps to have it resolved;

Resolves to:

Mandate the Committees on Public Procurement, and Niger Delta Affairs to investigate the alleged violation of the Public Procurement Act/abuses of the programme and report back to the House within Weeks for further legislative action (*Hon. Solomon Bulus Maren — Mangu/Bokkos Federal Constituency*).

Debate.

Question agreed to.

The House:

Recalled the good intention of the Federal Government of Nigeria underlying Amnesty Program Proclamation on 26 June, 2009 and the efforts and resources dedicated by the presidency in advancing the Amnesty Programme;

Noted that due to the violation of the Public Procurement Act, 2007, the entire Presidential Amnesty Programme has not been subjected to the statutory and mandatory public Procurement processes as a result most contracts between 2011 - 2015, were awarded to fictitious contractors;

Also noted with great concern the frustration and abandonment of the beneficiaries of the Amnesty Programme who regrettably are short - changed and sidelined by the non -payment of funds allocated for their welfare;

Concerned that the Federal Government has committed over Four Hundred billion Naira (₦400,000,000,000.00) since the inception of the Amnesty programme with the intention to among others provide education, vocational skill training and pay sixty five thousand Naira (₦65,000.00) to each beneficiary, however, it is disappointing that most of the beneficiaries of the programme are yet to receive any educational or vocational training as funds were not made available to them, while those who were paid received funds below the mandate of the Presidential Amnesty programme;

Also concerned that majority of the beneficiaries whose training contract were awarded between 2011 - 2015 to fictitious contractors are now been deported while some are stranded in foreign countries;

Worried that this has and continues to cause untold hardship on many of the aforementioned persons. Countless of them are being deprived of an alternative source of livelihood, academic or vocational training (as the case may be) and better opportunities. The continuous denial or withholding of necessary funds as seen in times past always results in the extremities exhibited by the former agitators. These reports from ex-agitators of complicity and short changing by persons in charge of disbursing funds must not be left unchecked, urgent action most be taken by the Federal Government, and we as representatives of the people must take necessary steps to have it resolved;

Resolved to:

Mandate the Committees on Public Procurement, and Niger Delta Affairs to investigate the alleged violation of the Public Procurement Act/abuses of the programme and report back to the House within Weeks for further legislative action (**HR. 97/2016**).

Motion referred to the Committees on Public Procurement, and Niger Delta Affairs.

7. **Consolidation of Bills**
Motion made and Question proposed, "That a Bill for an Act to Establish the National Grazing Route and Reserve Commission to establish and control Grazing Routes and Reserves in all parts of Nigeria; and for Other Matters Related Thereto (HB. 388); and a Bill for an Act to Create Cattle Ranches under the Federal Ministry of Agriculture to Oversee the Production and Rearing of Livestock including Cattle; and for Other Matters Related Thereto (HB.323) be now consolidated" (*Hon. Orker-Jev Emmanuel Yisa — Buruku Federal Constituency*).

Agreed to.

8. **A Bill for an Act to Repeal the Railway Loan (International Bank) Act, Cap. R2, Laws of the Federation of Nigeria, 2004; and for Other Matters Connected Therewith (HB. 300) — *Second Reading*.**

Order read; deferred by leave of the House.

9. **A Bill for an Act to Amend the Students' Union Activities (Control and Regulation) Act, Cap. S14, LFN, 2004 to Remove the Restrictions on Student Unionism; and for Other Related Matters (HB. 236) — *Second Reading*.**
Motion made and Question proposed, "That a Bill for an Act to Amend the Students' Union Activities (Control and Regulation) Act, Cap. S14, LFN, 2004 to Remove the Restrictions on Student Unionism; and for Other Related Matters (HB. 236) be now read a Second Time" (*Hon. Ossai Nicholas Ossai — Ndokwa East/Ndokwa West/Ukwuani Federal Constituency*).

Debate.

Question that the Bill be read a Second Time — Agreed to.

Bill read the Second Time by the Clerk.

Bill referred to the Committee on Tertiary Education Services.

10. **A Bill for an Act to Establish the FCT Resettlement, Compensation and Development Commission; and for Other Related Matters (HB. 404) — *Second Reading*.**

Order read; deferred by leave of the House.

11. **A Bill for an Act to Alter Sections 16 and 33 of the Constitution of the Federal Republic of Nigeria, 1999, Cap. C23, Laws of the Federation of Nigeria, 2004 to make Provisions for Right to Food and Food Security in Nigeria; and for Other Related Matters (HB. 403) — *Second Reading*.**
Motion made and Question proposed, "That a Bill for an Act to Alter Sections 16 and 33 of the Constitution of the Federal Republic of Nigeria, 1999, Cap. C23, Laws of the Federation of Nigeria, 2004 to make Provisions for Right to Food and Food Security in Nigeria; and for Other Related Matters (HB. 403) be now read a Second Time" (*Hon. Istifanus D. Gyang — Barikinladi/Riyom Federal Constituency*).

Debate.

Question that the Bill be read a Second Time — Agreed to.

Bill read the Second Time by the Clerk.

Bill referred to the Special Ad-hoc Committee on the Review of the 1999 *Constitution.*

12. **A Bill for an Act to Provide for the Establishment of the School of Mines and Geological Studies in Akoko-Edo; and for Other Related Matters (HB. 105)** — ***Second Reading.***
Motion made and Question proposed, "That a Bill for an Act to Provide for the Establishment of the School of Mines and Geological Studies in Akoko-Edo; and for Other Related Matters (HB. 105) be now read a Second Time" (*Hon. Peter Ohiozojeh Akpatason — Akoko-Edo Federal Constituency*).

Debate.

Question that the Bill be read a Second Time — Agreed to.

Bill read the Second Time by the Clerk.

Bill referred to the Committee on Solid Minerals Development.

13. **Urgent Need for the Rehabilitation of Owode-Ilaro-Papalanto-Sagamu Interchange on Lagos-Ibadan Expressway and Idiroko-Sango Ota Roads in Ogun State**
Motion made and Question proposed:

The House:

Notes that Ogun State is fast becoming the most industrialized State in the country with over eighty seven (87) industries located within the State, including heavy industrial complexes like Dangote Cement, Ibese; La Farge Cement, Ewekoro; May and Baker, Ota; Papalanto Power Plant; Nestle Company, Sagamu and Agbara Industrial Estate;

Also notes that the 28km Owode-Ilaro road, the 21km Ilaro-Papalanto road, the 85km Papalanto-Sagamu Interchange and the 83km Idiroko-Sango Ota road are Federal highways that serve as the major link roads for transporting finished goods between industrial complexes established in these areas and the markets in other parts of the country;

Concerned that the bad state of these roads make transporting goods on them expensive and risky, given that between January and June 2015 alone, more than thirty eight (38) people lost their lives on the Ilaro-Papalanto - Sagamu Interchange stretch (the busiest section), as a result of breakdown of trucks on these roads which also leads to delay in supplies and deliveries, which further result in higher costs of operations, not to talk of the robberies that inevitably occur;

Ithat the roads have been left to dilapidate despite the huge financial investments by companies within this axis and considering the need for the country to boost the manufacturing sector, which will in turn increase the gross domestic product (GDP), while creating employment;

Resolves to:

(*i*) Urge the Federal Road Maintenance Agency (FERMA) to commence rehabilitation of the Roads to alleviate the hardships of motorists and the economic losses by manufacturing companies in the axis;

(*ii*) also urge the Federal Ministry of Power, Works and Housing to dualize the roads in order to accommodate the ever increasing volume of traffic and weight of industrial goods transported on them; and

(*iii*) mandate the Committees on Works, and Appropriations to appropriate money in the 2016 budget for the execution of the above projects (*Hon. Adekunle Abdulkabir Akinlade — Egbado North/Imeko Afon Federal Constituency*).

Question agreed to.

(HR. 98/2016).

Motion referred to the Committees on Works, and Appropriations, pursuant to Order VIII, Rule 51 (5).

14. Need for Rehabilitation/Reconstruction of Cham-Numan Road, Adamawa State
Motion made and Question proposed:

The House:

Notes that the 60km Cham-Numan Road is a vital trunk 'A' road which passes through Adamawa and Taraba States, and links to the Eastern part of the country;

Also notes the importance of the road to the economies of the affected States, as it is the route through which farmers transport their produce within the States and to other parts of the country;

Concerned that the deplorable condition of the road has led to numerous accidents which claimed the lives of commuters plying the road;

Aware that armed robbers have turned the road to their den of operations, during which they kill innocent citizens using the road to carry out their daily activities;

Also concerned that the state of the road is causing untold hardships and bringing about high cost in commuting for residents;

Resolves to:

(*i*) Urge the Federal Ministry of Power, Works and Housing and the Federal Road Maintenance Agency (FERMA) to urgently ensure immediate rehabilitation/reconstruction of the road;

(*ii*) also urge the Inspector-General of Police (IGP) to deploy police personnel to the road for patrol and surveillance, for the protection of lives; and

(*iii*) mandate the Committees on Works, and Appropriations to appropriate money in the 2016 budget for the rehabilitation/reconstruction of the road (***Hon. Talatu Yohanna — Demsa/ Numan/Lamurde Federal Constituency***).

Question agreed to.

(HR. 99/2016).

Motion referred to the Committees on Works, and Appropriations, pursuant to Order VIII, Rule 51 (5).

15. Urgent Need to Rehabilitate the Old Oyo-Ogbomoso Road
Motion made and Question proposed:

The House:

Notes that the Ibadan-Oyo-Ogbomoso-Ilorin expressway is the most strategic link between the South West and the Northern part of Nigeria;

Also notes that the rehabilitation of the Oyo-Ogbomoso section of the Expressway was abandoned many years ago, after the Ibadan-Oyo and Ogbomoso-Ilorin sections had been completed, even though the contracts for the construction of the Expressways were awarded about the same time;

Aware that the abandonment of the Oyo-Ogbomoso section of the expressway by successive governments has resulted in travelers making the old Oyo-Ogbomoso road their alternative route, thereby leading to its massive deterioration as motorists, including heavy-duty vehicles, daily drive through the old road, the resultant effects of which are gullies, potholes, cracks, crevices and other deplorable features that have formed on the road due to ceaseless traffic;

Worried that the present state of the road has caused many accidents and is making traveling unpleasant for motorists as it exposes them to robbery attacks;

Concerned that if urgent steps are not taken to rehabilitate the road that is serving as dependable alternative to the Ibadan-Oyo-Ogbomoso-Ilorin expressway, travelers will continue to suffer untold hardships, loss of lives and waste of man-hours;

Resolves to:

(*i*) Mandate the Committee on Works to liaise with the Federal Ministry of Power, Works and Housing to cause the immediate rehabilitation of the old Oyo-Ogbomoso Road while also ensuring the speedy completion of the Oyo-Ogbomoso section of the Ibadan-Oyo-Ogbomoso- Ilorin Expressway;

(*ii*) urge the Federal Road Safety Commission to increase the number of personnel on the old Oyo-Ogbomoso road until work is completed on the Oyo-Ogbomoso Expressway; and

(*iii*) also mandate the Committee on Legislative Compliance to ensure implementation (*Hon. Segun Ogunwuyi — Ogbomoso North/Ogbomoso South/Oriire Federal Constituency*).

Question agreed to.

(HR. 100/2016).

Motion referred to the Committees on Works, and Legislative Compliance, pursuant to Order VIII, Rule 51 (5).

16. Need to investigate the sudden death of Miss Comfort Dazan

Order read; deferred by leave of the House.

17. Call for an End to the Violation of the Mining Act of 2007 by Mining Companies, Individuals and Regulatory Bodies

Motion made and Question proposed:

The House:

Notes that the Mining Act of 2007 repealed the Minerals and Mining Act, No. 34 of 1999, prohibits unauthorized exploration/exploitation of solid minerals in the country and vests on the Federal Government, the responsibility of implementing the provisions of the Act by creating an enabling environment for the exploration, exploitation and sustainable development of these resources for the benefit of the nation;

Aware that illegal mining and exportation of gold and barites are going on in the country in clear violation of section 7 of the Act, which requires any person wishing to export solid minerals to obtain a permit;

Also aware of other solid minerals deposits in many States of the Federation, ranging from 10 million tons of lead and zinc to be found in about eight (8) States; 7.5 million tons of bentonite and barte in Taraba and Bauchi States; limestone deposits in about eight (8) States; Coal deposits in Enugu and some other States; wolframite in Kano, manganese in Kebbi, Katsina and Zamfara States; not to talk of Nasarawa States, which alone, has about twenty-nine (29) solid minerals deposits;

Cognizant that bitumen is one solid mineral which deposits in the country could double that of crude oil, yet most of the bitumen used in road construction in the country are imported, a scenario which has led to the country losing billions of Naira annually, a situation that is unacceptable;

Acknowledges the report of the Nigerian Extractive Industries Transparency Initiative/Central Bank of Nigeria (NEITI/CBN) that the total revenue from the solid minerals sector in 2012 amounted to ₦31.449 billion, whereas the country should be making as much as ₦50 trillion annually if all the natural resources are properly tapped and where the small, medium and large scale miners have their transactions properly recorded;

Concerned about the huge disparity in the records of the Central Bank of Nigeria (CBN) which put the value of the exported solid minerals at ₦577,768,456 worth of 9,068,70 tons by 15 companies while the Nigerian Customs Service put its own at ₦11,496,070,691 worth of 7,107,099,80 tons by 30 companies:

Deplores this flagrant neglect and breach of the Mining Act of 2007 which has caused the country to lose trillions of naira at a time when it is in dire need of funds to build its infrastructure and carry out other responsibilities of governance;

Resolves to:

Mandate the Committee on Solid Minerals Development to:

(*i*) Invite all stakeholders involved in the process of mapping, licensing, mining and exportation of solid minerals in order to determine the extent or otherwise of compliance with the Mining Act, 2007;

(*ii*) determine the number of licensed miners against the number of unlicensed miners and the number of prosecutions, if any commenced and convictions secured with regard to the violations of the Act; and

(*iii*) ascertain the data and value of exploited and exported solid minerals and where they are located, and report back to the House within 4 weeks, for further legislative action (*Hon. Lovette Idisi — Ethiope East/Ethiope West Federal Constituency*).

Debate.

Question agreed to.

The House:

Noted that the Mining Act of 2007 repealed the Minerals and Mining Act, No. 34 of 1999, prohibits unauthorized exploration/exploitation of solid minerals in the country and vests on the Federal Government, the responsibility of implementing the provisions of the Act by creating an enabling environment for the exploration, exploitation and sustainable development of these resources for the benefit of the nation;

Aware that illegal mining and exportation of gold and barites are going on in the country in clear violation of section 7 of the Act, which requires any person wishing to export solid minerals to obtain a permit;

Also aware of other solid minerals deposits in many States of the Federation, ranging from 10 million tons of lead and zinc to be found in about eight (8) States; 7.5 million tons of bentonite and barte in Taraba and Bauchi States; limestone deposits in about eight (8) States; Coal deposits in Enugu and some other States; wolframite in Kano, manganese in Kebbi, Katsina and Zamfara States; not to talk of Nasarawa States, which alone, has about twenty-nine (29) solid minerals deposits;

Cognizant that bitumen is one solid mineral which deposits in the country could double that of crude oil, yet most of the bitumen used in road construction in the country are imported, a scenario which has led to the country losing billions of Naira annually, a situation that is unacceptable;

Acknowledged the report of the Nigerian Extractive Industries Transparency Initiative/Central Bank of Nigeria (NEITI/CBN) that the total revenue from the solid minerals sector in 2012 amounted to ₦31.449 billion, whereas the country should be making as much as ₦50 trillion annually if all the natural resources are properly tapped and where the small, medium and large scale miners have their transactions properly recorded;

Concerned about the huge disparity in the records of the Central Bank of Nigeria (CBN) which put the value of the exported solid minerals at ₦577,768,456 worth of 9,068,70 tons by 15 companies while the Nigerian Customs Service put its own at ₦11,496,070,691 worth of 7,107,099,80 tons by 30 companies:

Deplored this flagrant neglect and breach of the Mining Act of 2007 which has caused the country to lose trillions of naira at a time when it is in dire need of funds to build its infrastructure and carry out other responsibilities of governance;

Resolved to:

Mandate the Committee on Solid Minerals Development to:

(*i*) Invite all stakeholders involved in the process of mapping, licensing, mining and exportation of solid minerals in order to determine the extent or otherwise of compliance with the Mining Act, 2007;

(*ii*) determine the number of licensed miners against the number of unlicensed miners and the number of prosecutions, if any commenced and convictions secured with regard to the violations of the Act; and

(*iii*) ascertain the data and value of exploited and exported solid minerals and where they are located, and report back to the House within 4 weeks, for further legislative action (**HR. 101/2016**).

Motion referred to the Committee on Solid Minerals Development.

18. Call for Provision of Fertilizer to Returning Internally Displaced Persons (IDPs) at Subsidized Rate

Motion made and Question proposed:

The House:

Informed that the procurement of subsidized fertilizer through the Federal Government's Growth Enhancement Scheme (GES) has been suspended;

Aware that the (GES) programme was developed to enhance distribution of farm inputs like fertilizer and seeds to farmers at subsidized rate, through an electronic distribution channel known as the Electronic Wallet Scheme(e-wallet), thereby creating access to subsidized fertilizer to the rural poor;

Regrets that the Internally Displaced Persons (IDPs) who are returning to their communities, have suffered losses and destruction of their farmlands and properties worth millions of Naira and cannot afford fertilizer at the prevailing high cost in the markets;

Also regrets that if this category of farmers are not assisted, they would not be able to procure the fertilizer, seeds and other facilities needed for the seasonal farming;

Resolves to:

(*i*) Urge the Federal Government to provide subsidized fertilizer for the returning IDPs to alleviate their difficulties and ensure its availability for utilization during the rainy season; and

(*ii*) mandate the Committees on Agricultural Production and Services, and Internally Displaced Persons (IDPs), Refugees and Initiatives on North-East Zone to identify the IDPs that have relocated back to their villages and towns for the purpose of providing them with fertilizer at subsidized rates (*Hon. Adamu D. U. Kamale — Madagali/Michika Federal Constituency*).

Debate.

Amendments Proposed:

(*i*) *Insert* a new Prayer (*iii*) as follows:
"That fertilizer and improved seedlings should be given to the Internally Displaced Persons (IDPs) at no cost" (*Hon. Mohammed Tahir Monguno — Monguno/Marte/Nganzai Federal Constituency*).

Question that the amendment be made — Agreed to.

(*ii*) *Insert* a new Prayer (*iv*) as follows:
"That free agricultural services and farm inputs be provided for Internally Displaced Persons (IDPs) from the government" (*Hon. Beni Lar — Langtang North/Langtang South Federal Constituency*).

Question that the amendment be made — Agreed to.

(*iii*) *Leave out* all the Prayers as amended, and *insert* as follows:
"Urge Government to design a comprehensive agricultural program — including free fertilizer, improved seedlings, agricultural implements and equipment, and support services to address the needs of the Internally Displaced Persons (IDPs) returning to their communities" (*Hon. Olufunke Adedoyin — Irepodun/Ekiti/Isin/Oke-Ero Federal Constituency*).

Question that the amendment be made — Agreed to.

Question on the Motion as amended — Agreed to.

The House:

Informed that the procurement of subsidized fertilizer through the Federal Government's Growth Enhancement Scheme (GES) has been suspended;

Aware that the (GES) programme was developed to enhance distribution of farm inputs like fertilizer and seeds to farmers at subsidized rate, through an electronic distribution channel known as the Electronic Wallet Scheme(e-wallet), thereby creating access to subsidized fertilizer to the rural poor;

Regretted that the Internally Displaced Persons (IDPs) who are returning to their communities, have suffered losses and destruction of their farmlands and properties worth millions of Naira and cannot afford fertilizer at the prevailing high cost in the markets;

Also regretted that if this category of farmers are not assisted, they would not be able to procure the fertilizer, seeds and other facilities needed for the seasonal farming;

Resolved to:

Urge Government to design a comprehensive agricultural program — including free fertilizer, improved seedlings, agricultural implements and equipment, and support services to address the needs of the Internally Displaced Persons (IDPs) returning to their communities (**HR. 102/2016**).

Motion referred to the Committees on Agricultural Production and Services, and Internally Displaced Persons (IDPs), Refugees and Initiatives on North-East Zone.

19. Consideration of Report

***A Bill for an Act to Authorize the Roll-Over of all Unspent or Unutilized Capital Expenditure of Federal Government Ministries, Departments and Agencies in a Financial Year to the next Financial Year under the same Heads of Capital Expenditure; and for Other Matters Connected Therewith* (HB. 164) (*Committee of the Whole*) (*Hon. Karim Sunday Steve — Yagba East/Yagba West/Mopamuro Federal Constituency*).**

Question agreed to.

Question that the House do resolve into the Committee of the Whole to consider the Report — Agreed to.

(HOUSE IN COMMITTEE)

(*Mr Deputy Speaker in the Chair*)

A BILL FOR AN ACT TO MANDATE AND THE ROLL-OVER OF ALL UNSPENT OR UNTILISED CAPITAL EXPENDITURE OF FEDERAL GOVERNMENT MINISTRIES, DEPARTMENT AND AGENCIES IN A FINANCIAL YEAR TO THE NEXT FINANCIAL YEAR UNDER THE SAME HEADS OF CAPITAL EXPENDITURE

Clause 1: **Appropriated Capital and Overhead Expenditure Heads to be Released Timely.** As from the date of the Commencement of this Bill, the Federal Government of Nigeria and the Minister of Finance shall ensure that all Appropriated Capital and Overhead Expenditure in the Current Year's Appropriation Act shall be released to the Ministries, Department, Agencies and Parastatal as at when due and in consonance with the current year's Appropriation Act and Fiscal Responsibility Act (*Hon. Karim Sunday Steve — Yagba East/Yagba West/Mopamuro Federal Constituency*).

Question that Clause 1 *stand part of the Bill — Agreed to.*

Clause 2: **Capital Expenditure of Heads of Ministries, Department and Agencies to be Utilised Adequately in the Appropriated Budgetary Period.** That as regards appropriated Capital Investment Expenditure for the current year, such capital expenditure released to Ministries, Agencies and Department shall be utilised for the appropriated purpose and shall be utilised within the approved time frame which is usually a year and in consonance with the principle of annuality Fiscal Budgeting (*Hon. Karim Sunday Steve — Yagba East/Yagba West/Mopamuro Federal Constituency*).

Question that Clause 2 *stand part of the Bill — Agreed to.*

Clause 3: **Utilised Appropriated Capital Expenditure to be Rolled-Over to the Next Fiscal Year.**

(1) Whenever it is impossible for Ministries, Agencies and Department to utilise Capital Expenditure Appropriations to them as at when due or completely in the current year, the Ministries Agencies and Departments shall roll-over the balance of the appropriated capital expenditure to the next budget period/next financial year and under the same capital expenditure item of the said Ministry, Department or Agency of Federal Government.

(2) In pursuance to subsection (1) of this Section and as regards Multi-year Capital Expenditure items, the balance of the unitized Capital Expenditure in the current year shall be rolled over and added to the amount appropriated in the next year Budget until the completion of the Multi-Year Capital Project.

(3) In pursuance to subsection (2) of this Section and as regards Single-Year Capital Expenditure Projects, the unutilised Capital Expenditure in the current year shall be rolled over to the next budget period/financial year until the completion of the said capital expenditure Item/head (*Hon. Karim Sunday Steve — Yagba East/Yagba West/Mopamuro Federal Constituency*).

Question that Clause 3 *stand part of the Bill — Agreed to.*

Clause 4: **Multi-Year Capital Expenditure.**

Whenever a Ministry, Agency or Department of the Federal Government of Nigeria is undergoing a multi-year Capital Expenditure, the unspent balance of each year's appropriation shall be rolled-over to the next year Budget period and under the same Capital Expenditure Item (*Hon. Karim Sunday Steve — Yagba East/Yagba West/Mopamuro Federal Constituency*).

Question that Clause 4 *stand part of the Bill — Agreed to.*

Clause 5: **Appropriated Funds for Capital Projects of Ministries, Department and Agencies to be continuously released.**

It shall be compulsory for all Ministries, Agencies and Department to ensure continuous funding of all Capital Expenditure/Projects and ensure continuous release of funds to bring the project to completion (*Hon. Karim Sunday Steve — Yagba East/Yagba West/Mopamuro Federal Constituency*).

Question that Clause 5 *stand part of the Bill — Agreed to.*

Clause 6: **Enforcement.**

A person shall have legal capacity to enforce any of the provisions of this Bill by obtaining prerogative orders or other remedies at the Federal High Court, without having to show any special or particular interest (*Hon. Karim Sunday Steve — Yagba East/Yagba West/Mopamuro Federal Constituency*).

Question that Clause 6 *stand part of the Bill — Agreed to.*

Clause 7: **Scope of Roll Over.**

For the purpose of this Bill, only unutilised appropriated capital expenditure of the Government of the Federal Republic of Nigeria shall be rolled over to the next financial year or budget. Appropriated Overhead Expenditure is excluded from Roll-Over (*Hon. Karim Sunday Steve — Yagba East/Yagba West/Mopamuro Federal Constituency*).

Question that Clause 7 *stand part of the Bill — Agreed to.*

Clause 8: **Interpretation.**
In this Bill —

"Capital Expenditure" means investment expenditure, funds appropriated for provision of infrastructure projects such as roads, power, dams, housing, telecommunication facilities and other government expenditure not termed as recurrent or overhead expenditure (*Hon. Karim Sunday Steve — Yagba East/Yagba West/Mopamuro Federal Constituency*).

Question that the meaning of the words "Capital Expenditure" be as defined in the interpretation to this Bill — Agreed to.

"Capital Expenditure item" means capital expenditure heads or capital projects as appropriated in the applicable Appropriation Act (*Hon. Karim Sunday Steve — Yagba East/Yagba West/Mopamuro Federal Constituency*).

Question that the meaning of the words "Capital Expenditure item" be as defined in the interpretation to this Bill — Agreed to.

"Overhead Expenditure" means other appropriated expenses in the Appropriation Act excluding Capital Expenditure, used for servicing government recurrent expenditure (*Hon. Karim Sunday Steve — Yagba East/Yagba West/Mopamuro Federal Constituency*).

Question that the meaning of the words "Overhead Expenditure" be as defined in the interpretation to this Bill — Agreed to.

"Roll-Over" means transferring unutilised appropriated capital expenditure heads to the next year or next budgeting period and under the same capital expenditure head to ensure completion of the capital project embarked upon (*Hon. Karim Sunday Steve — Yagba East/Yagba West/Mopamuro Federal Constituency*).

Question that the meaning of the words "Roll-Over" be as defined in the interpretation to this Bill — Agreed to.

"principle of annuality in fiscal budgeting" means that since Budget of Federal Republic of Nigeria is an annual Budget, all that Capital Projects in the Budget are for a discrete time frame which is usually a year and such projects should be executed within a year as approved by the Appropriation Act; only when the exigencies of the case require and the project exceed budget period the unutilized appropriated balance shall be "rolled over" or transferred to the following year under the same capital item (*Hon. Karim Sunday Steve — Yagba East/Yagba West/Mopamuro Federal Constituency*).

Question that the meaning of the words "principle of annuality in fiscal budgeting" be as defined in the interpretation to this Bill — Agreed to.

"Principal Officers of Ministries, Agencies and Department" means Permanent Secretaries, Chief Executive Officer, the Head of Finance and Administration, Directors of Budget and Head of procurement and such other officer as may be dependent on the circumstance is responsible for overseeing capital projects in the said Ministry, Agency and Department of Government (*Hon. Karim Sunday Steve — Yagba East/Yagba West/Mopamuro Federal Constituency*).

Question that the meaning of the words "Principal Officers of Ministries, Agencies and Department" be as defined in the interpretation to this Bill — Agreed to.

"Multi-year Capital Expenditure" means Capital Expenditure or Capital Projects of Federal Government that are meant to last for more than one year and are to cover more than one year budget. That is project that *ab initio* willbe financed by more than one year public revenue/budget (*Hon. Karim Sunday Steve — Yagba East/Yagba West/Mopamuro Federal Constituency*).

Question that the meaning of the words "Multi-year Capital Expenditure" be as defined in the interpretation to this Bill — Agreed to.

"Single year capital expenditure" means capital investments in projects by Federal Government that are meant to be completed within a Fiscal Year or Solely financed by a single year budget but may need to be rolled-over to the following year because of inefficiencies in the Budget System (*Hon. Karim Sunday Steve — Yagba East/Yagba West/Mopamuro Federal Constituency*).

Question that the meaning of the words "Single year capital expenditure" be as defined in the interpretation to this Bill — Agreed to.

Question that Clause 8 *stand part of the Bill — Agreed to.*

Clause 9: **Citation.**
This Bill may be cited as the Capital Expenditure Budget Roll-Over Bill, 2016 (*Hon. Karim Sunday Steve — Yagba East/Yagba West/Mopamuro Federal Constituency*).

Question that Clause 9 *stand part of the Bill — Agreed to.*

Long Title:
A Bill for an Act to Mandate and the Roll-Over of All Unspent or Unutilised Capital Expenditure of Federal Government Ministries, Department and Agencies in a Financial Year to the Next Financial Year under the Same Heads of Capital Expenditure (*Hon. Karim Sunday Steve — Yagba East/Yagba West/Mopamuro Federal Constituency*).

Question that the Long Title stand part of the Bill — Agreed to.

Chairman to report Bill.

(HOUSE IN PLENARY)

Mr Deputy Speaker in the Chair reported that the House in Committee of the Whole considered the Report on a Bill for an Act to Authorize the Roll-Over of all Unspent or Unutilized Capital Expenditure of Federal Government Ministries, Departments and Agencies in a Financial Year to the next Financial Year under the same Heads of Capital Expenditure; and for Other Matters Connected Therewith (HB. 164) and approved Clauses 1 - 9, and the Long Title of the Bill.

Question that the House do adopt the Report of the Committee of the Whole — Agreed to.

20. Adjournment
That the House do adjourn till Wednesday, 16 *March*, 2016 *at* 11.00 *a.m.* (*Hon. Mohammed Tahir Monguno — Monguno/Marte/Nganzai Federal Constituency*).

The House adjourned accordingly at 2.21 *p.m.*

Yakubu Dogara
Speaker