FOURTH REPUBLIC
8TH NATIONAL ASSEMBLY
FIRST SESSION
NO. 87

HOUSE OF REPRESENTATIVES

FEDERAL REPUBLIC OF NIGERIA

VOTES AND PROCEEDINGS

Wednesday, 27 April, 2016

1. The House met at 11.28 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, 26 April, 2016.

By unanimous consent, the Votes and Proceedings was adopted.

3. **Closed Session**
Motion made and Question proposed, "That the House do resolve into a Closed Session" (*Hon. Orkev-Jev Emmanuel Yisa — Buruku Federal Constituency*) — *Agreed to*.

House in Closed Session — **11.41 *a.m.***

House in Open Session — **12.09 *p.m.***

4. **Petition**
A petition from National Industrial Safety Council of Nigeria on the maiming of productive Nigerians in Industries, was presented and laid by Hon. Austine Chukwukere (*Ideato North/Ideato South Federal Constituency*).

Petition was referred to the Committee on Public Petitions.

5. **Matter of Urgent Public Importance (Standing Order VIII, Rule 46)**
The Fate of Orphan Children in the Internally Displaced Persons Camps Across the Country:
Hon. Asabe Vilita Bashir (*Gwoza/Damboa/Chibok 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.*

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The Fate of Orphans in the Internally Displaced Persons' Camps Across the Country:

The House:

Notes that the Federal Government has gradually commenced the resettlement of Internally Displaced Persons (IDPs) back to their communities following the near destruction of the Boko Haram sect;

Aware that the IDPs' Camps shelter several orphans whose parents were killed and their homes destroyed by the Boko Haram sect;

Also aware that some of the parents and relatives of these children may have lost them while running for their lives;

Concerned that these orphans especially those who don't know the community they come from and don't have relatives to take care of them will have no place to return when IDPs are resettled;

Worried about the fate of the orphans in the IDPs' Camps as they will not be able to fend for themselves if left on their own and will certainly lack good upbringing and will be problem to the society, such people would be easy recruit to terrorism, arms robbery and social vices;

Resolves to:

(*i*) Urge the Federal Government to locate and reunite orphans in IDPs' Camps with their relatives;

(*ii*) also urge the Federal Government to send orphans who don't have relatives to orphan homes and make arrangements for their upkeep; and

(*iii*) further urge the Federal Government to invite good-hearted Nigerians willing to adopt these children to come forward and adopt them while in the camps (*Hon. Asabe Vilita Bashir — Gwoza/Damboa/Chibok Federal Constituency*).

Debate.

Question agreed to.

The House:

Noted that the Federal Government has gradually commenced the resettlement of Internally Displaced Persons (IDPs) back to their communities following the near destruction of the Boko Haram sect;

Aware that the IDPs' Camps shelter several orphans whose parents were killed and their homes destroyed by the Boko Haram sect;

Also aware that some of the parents and relatives of these children may have lost them while running for their lives;

Concerned that these orphans especially those who don't know the community they come from and don't have relatives to take care of them will have no place to return when IDPs are resettled;

Worried about the fate of the orphans in the IDPs' Camps as they will not be able to fend for themselves if left on their own and will certainly lack good upbringing and will be problem to the society, such people would be easy recruit to terrorism, arms robbery and social vices;

Resolved to:

(*i*) Urge the Federal Government to locate and reunite orphans in IDPs' Camps with their relatives;

(*ii*) also urge the Federal Government to send orphans who don't have relatives to orphan homes and make arrangements for their upkeep; and

(*iii*) further urge the Federal Government to invite good-hearted Nigerians willing to adopt these children to come forward and adopt them while in the camps (**HR. 147/2016**).

Motion referred to the Committee on Internally Displaced Persons, Refugees and Initiatives on the North East (IDPs).

6. **A Bill for an Act to Amend the Energy Commission of Nigeria Act. Cap. E10, Laws of the Federation of Nigeria, 2004 to provide for the Establishment of Solar Energy Development and Utilization Fund; and a Bill for an Act to Update the Commission and Make the Minister of Science and Technology directly responsible for the business activities of the Commission; and for Other Related Matters (HB. 72 and HB. 446) — *Second Reading***

Mr Speaker recalled that on Tuesday, 26 April, 2016, at the conclusion of Second Reading of the above, it was erroneously referred to the Committee on Power. He ordered that the Bill be referred to the Committee on Science and Technology.

7. **Presentation and First Reading of Bills**
The following Bills were read the *First Time* by the Clerk:

(1) Office of the Accountant General of the Federation (Establishment) Bill, 2016 (HB. 505).

(2) Supreme Court (Additional Original Jurisdiction) Act (Amendment) Bill, 2016 (HB. 496).

(3) National Agency for the Control of Cancer Bill, 2016 (HB. 497).

(4) Fireworks and Explosives Bill, 2016 (HB. 498).

(5) Manufacturing and Expiry Dates on Tyres (Mandatory) Bill, 2016 (HB. 499).

(6) Convention for the Protection and Assistance of Internally Displaced Persons in Africa (Ratification and Enforcement) Bill, 2016 (HB. 500).

(7) Agreement on Avoidance of Double Taxation and Prevention of Fiscal Evasion with respect to Taxes on Income and Capital Gains between the Federal Republic of Nigeria and the Republic of South Korea (Ratification and Enforcement) Bill, 2016 (HB. 501).

(8) Treaty (Making Procedure, etc.) Act (Amendment) Bill, 2016 (HB. 502).

(9) Constitution of the Federal Republic of Nigeria, 1999 (Alteration) Bill, 2016 (HB. 503).

(10) Electoral Offences Tribunal of Nigeria (Establishment) Bill, 2016 (HB. 504).

(11) Constitution of the Federal Republic of Nigeria; 1999 (Alteration) Bill, 2016 (HB. 507).

(12) Monetary Power (Abrogation and Regulation) Bill, 2016 (HB. 508).

(13) Project Continuity Bill, 2016 (HB. 509).

(14) Nigerian Electricity Supplies Regulations Act (Amendment) Bill, 2016 (HB. 510).

(15) Constitution of the Federal Republic of Nigeria, 1999 (Alteration) Bill, 2016 (HB. 511).

(16) Constitution of the Federal Republic of Nigeria, 1999 (Alteration) Bill, 2016 (HB. 512).

8. **A Bill for an Act to Amend the Trade Malpractices Act, Cap. T12, Laws of the Federation of Nigeria, 2004 to provide Mental Element for Trade Malpractices and prescribe stiffer penalties therein; and a Bill for an Act to provide for proper Regulation for Trade Malpractices and Protect Consumers in relation to the supply of Goods and Services in Nigeria; and for Other Matters Connected Therewith (HB. 368 and HB. 459) — *Second Reading***

Motion made and Question proposed, "That a Bill for an Act to Amend the Trade Malpractices Act, Cap. T12, Laws of the Federation of Nigeria, 2004 to provide Mental Element for Trade Malpractices and prescribe stiffer penalties therein; and a Bill for an Act to provide for proper Regulation for Trade Malpractices and Protect Consumers in relation to the supply of Goods and Services in Nigeria; and for Other Matters Connected Therewith (HB.368 and HB. 459) be now read a Second Time" (*Hon. Evelyn Omavowan Oboro — Okpe/Sapele/Uvwie Federal Constituency and 1 other*).

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 Commerce.

9. **A Bill for an Act to make it Compulsory for all Schools to Teach the Nigerian Constitution as a Subject in Schools; and for Other Related Matters (HB. 427) — *Second Reading***

Order read; deferred by leave of the House.

10. **A Bill for an Act to Amend the National Boundary Commission Act, No. 12 of 2006 to make Appointments of some Members of the Commission to be on full time as Commissioners; and for Other Related Maters (HB. 187) — *Second Reading***

Motion made and Question proposed, "That a Bill for an Act to Amend the National Boundary Commission Act, No. 12 of 2006 to make Appointments of some Members of the Commission to be on full time as Commissioners; and for Other Related Maters (HB. 187) be now read a Second Time" (*Hon. Henry Daniel Ofongo — Southern Ijaw 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 Special Duties.

11. **A Bill for an Act to Alter the Concurrent Legislative List of the Constitution of Federal Republic of Nigeria, 1999 to provide for a legal framework that will allow for investigations of even agencies who may be outside the recognised security Agencies, including private investigators; and for Other Related Matters (HB. 424) — *Second Reading***

Order read; deferred by leave of the House.

12. Call for Completion of Otuocha (Bridge Head) - Ibaji- (Onyedega)-Idah - Ajegwu Road
Motion made and Question proposed:

The House:

Notes that the Otoucha (bridge head)-Ibaji-Idah-Ajegwu Road was conceived by the Federal Min of Works in 2008 and construction work on Section 1 covering Otuocha to Ibaji had commence is at a slow pace;

Aware that when completed, the Road will be the shortest route between the South-East, South-S and the Northern part of the country;

Worried that the economic viability of the road is enormous as abundant mineral resources like crude oil, limestone, coal, iron ore, etc are in commercial quantities along the route;

Concerned that about 60% of agricultural products like yam, rice, cashew, etc. that are in commercial quantities in the area go to waste annually due to inadequate transport facilities and motorable roads to convey them to the markets;

Resolves to:

(*i*) Mandate the Committee on Works to liaise with the Federal Ministry of Works, Power and Housing to ascertain the level of work so far done on the road and include money for its completion in the 2016 Supplementary Budget; and

(*ii*) also mandate the Committee on Legislative Compliance to ensure compliance (*Hon. Emmanuel Makoji Egwu — Idah/Igalamela/Ibaji/Ofu Federal Constituency*).

Question agreed to.

(HR. 148/2016).

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

13. Calling the Nigeria Communications Commission (NCC) and the Global System of Mobile Telecommunications (GSM) Providers to Configure Toll-Free Emergency Dial Code(s) into their Networks
Motion made and Question proposed:

The House:

Aware that the Nigeria Communications Act, 2003, mandates the Nigeria Communications Commission (NCC) to ensure thatthe communications departments of certain critical institutions like the Police, Fire Service, National Emergency Management Agency (NEMA), etc. are accessible in a most convenient mode by any citizen or resident of Nigeria in times of emergency, but concerned that the Global System of Mobile Telecommunications (GSM) service providers are not providing citizens with those facilities;

Notes that in line with universal best practices and as a matter of corporate social responsibility, the GSM service providers are obligated to provide a toll-free means of communication between the citizens and critical institutions in times of emergency;

Concerned that given the state of insecurity and spate of road accidents in the country, the citizens and residents are constantly in need of the most convenient and toll-free means of accessing the security, health and other relevant institutions for intervention in times of emergency;

Worried that the eleven (11) digit numbers that are currently available, citizens find it most inconvenient accessing the assistance of critical institutions in emergency situations;

Resolves to:

(*i*) Call on the GSM service providers to, as a matter of national importance, configure the toll-free emergency dial number '911' into their networks for the use of citizens and residents in times of emergency;

(*ii*) also call on the Nigeria Communications Commission (NCC) to ensure that the GSM service providers configure the emergency dial number into their network as a matter of urgent national importance; and

(*iii*) mandate the Committees on Telecommunications, and Legislative Compliance to ensure compliance, and report back to the House within four (4) weeks for further legislative action (*Hon. Obinna Kingsley Onwubuariri — Onuimo/Okigwe/Isiala Mbano Federal Constituency*).

Debate.

Question agreed to.

The House:

Aware that the Nigeria Communications Act, 2003, mandates the Nigeria Communications Commission (NCC) to ensure thatthe communications departments of certain critical institutions like the Police, Fire Service, National Emergency Management Agency (NEMA), etc. are accessible in a most convenient mode by any citizen or resident of Nigeria in times of emergency, but concerned that the Global System of Mobile Telecommunications (GSM) service providers are not providing citizens with those facilities;

Noted that in line with universal best practices and as a matter of corporate social responsibility, the GSM service providers are obligated to provide a toll-free means of communication between the citizens and critical institutions in times of emergency;

Concerned that given the state of insecurity and spate of road accidents in the country, the citizens and residents are constantly in need of the most convenient and toll-free means of accessing the security, health and other relevant institutions for intervention in times of emergency;

Worried that the eleven (11) digit numbers that are currently available, citizens find it most inconvenient accessing the assistance of critical institutions in emergency situations;

Resolved to:

(*i*) Call on the GSM service providers to, as a matter of national importance, configure the toll-free emergency dial number '911' into their networks for the use of citizens and residents in times of emergency;

(*ii*) also call on the Nigeria Communications Commission (NCC) to ensure that the GSM service providers configure the emergency dial number into their network as a matter of urgent national importance; and

(*iii*) mandate the Committees on Telecommunications, and Legislative Compliance to ensure compliance, and report back to the House within four (4) weeks for further legislative action (**HR. 149/2016**).

Motion referred to the Committees on Telecommunications, and Legislative Compliance.

14. Urgent Need to Provide Marine Ambulances in Riverine Communities to Cater for Victims of Boat Accidents

Motion made and Question proposed:

The House:

Notes the importance of Ambulance Services and its immense capacity to save lives in emergency situations by providing prompt medical services, regardless of the time and distance;

Aware of the reliability and effectiveness of Ambulance Services on the Road and on Air, hence the need to introduce Marine Ambulance Services in order to provide quick and effective response for boat accident victims and emergency disaster situations in Riverine communities;

Cognizant that the provision of the services would greatly reduce casualties in the event of marine accidents and immensely help in disaster situations generally, thereby complementing the services of the Hospitals;

Resolves to:

(*i*) Call on the Federal Government to urgently provide Marine Ambulances in Riverine Communities in the Federation;

(*ii*) urge the Federal Government to make provisions for Marine Community health officers such as trained ambulance officers, marine engineers, divers and skippers, in order to provide functional, accessible and effective medical services in Riverine Communities; and

(*iii*) mandate the Committee on Emergency and Disaster Preparedness to ensure compliance (*Hon. Emmanuel S. Akpan — Ikot Ekpene/Essien Udim/Obot Akara Federal Constituency*).

Debate.

Question agreed to.

The House:

Noted the importance of Ambulance Services and its immense capacity to save lives in emergency situations by providing prompt medical services, regardless of the time and distance;

Aware of the reliability and effectiveness of Ambulance Services on the Road and on Air, hence the need to introduce Marine Ambulance Services in order to provide quick and effective response for boat accident victims and emergency disaster situations in Riverine communities;

Cognizant that the provision of the services would greatly reduce casualties in the event of marine accidents and immensely help in disaster situations generally, thereby complementing the services of the Hospitals;

Resolved to:

(*i*) Call on the Federal Government to urgently provide Marine Ambulances in Riverine Communities in the Federation;

(*ii*) urge the Federal Government to make provisions for Marine Community health officers such as trained ambulance officers, marine engineers, divers and skippers, in order to provide functional, accessible and effective medical services in Riverine Communities; and

(*iii*) mandate the Committee on Emergency and Disaster Preparedness to ensure compliance (**HR. 150/2016**).

Motion referred to the Committee on Emergency and Disaster Preparedness.

15. Urgent Need to Halt the Plan to Raise a Federal Government Secured Bond of ₦309 Billion to Finance the Outrageous Shortfall in the Nigerian Electricity Market:

Motion made and Question proposed:

The House:

Notes the plan by the Federal Ministry of Power, Works and Housing using the Nigeria Bulk Electricity Trading Company (NBET), to raise a Federal Government-secured Bond of ₦309 billion allegedly to cover the market shortfall made up of ₦187 billion accrued in 2015 and ₦122 billion projected shortfall for 2016;

Aware that a market shortfall is defined as the invoice amount of electricity transmitted to the distribution companies in any given month less the amount remitted by the distribution companies to pay the market participants for electricity supplied;

Worried that this planned massive borrowing is in spite of intervention by Central Bank of Nigeria (CBN) in March 2015 through the grant of a bailout to the tune of ₦213 billion through the Nigerian Electricity Sector Intervention (NESI) facility;

Also worried that in spite of that intervention, the shortfall, instead of being wiped out, has continued to escalate at the rate of about ₦15 billion per month (equivalent to ₦500 million daily) rising to a total-market shortfall of ₦400 billion as at December 31, 2015;

Concerned that a continuing incidence of market shortfall is a disincentive action for new investors to venture into the Nigerian electricity market, the implication being that the projected generating capacity expansion is an illusion since any increment in generating capacity would further escalate the market shortfall;

Also concerned that the DISCOs, which collect revenues, fail to remit in full to other market participants, without any measures put in place by the Nigerian Electricity Regulatory Commission (NERC) to block the leakages and there are no sanctions/penalties for defaulters;

Disturbed that despite there being no noticeable improvement in the electricity sector, either in the area of generation, transmission or distribution, tariffs have been increased twice since 2013;

Also disturbed that tariff computation was a factor of capital investment which was considered during the privatization exercise, but regrettably, there is no evidence that the Distribution and Generating Companies (DISCOs) and (GENCOs) invested in acquiring any tangible assets without any monitoring by NERC;

Further worried that the successor companies have failed orneglected to-produce audited financial statements to NERC and Bureau of Public Enterprises (BPE) for the last two years and have also not held Annual General meetings to disclose their performance to the shareholders;

Also aware that the successor companies are supposed to borrow funds secured by their respective balance sheets and revenue streams to run their operations; but the Ministry is curiously trying to ride on the Nigerian sovereign guarantee, whereas the companies are not only deriving returns on investments but there is the like hood of another tariff increase to accommodate the cost of the bond, (though they already enjoy cost-reflective tariff in the MYTO 2015);

Further disturbed by the negative consequences of the bond which would amount to not only spoon-feeding the operators in spite of their efficiency but at great costs to Nigerians as the risk of default would cause the crystallization of the Federal Government Sovereign Guarantee and lead to energy crisis in the nation;

Resolves to:

(*i*) Call on the Federal Ministry of Power, Works and Housing and the Nigeria Electricity Regulatory Commission to immediately halt the move to raise the Bond;

(*ii*) urge the NERC to devise a monitoring mechanism to measure and enforce full monthly remittance by DISCOs, recoup all mis-appropriated funds that resulted in the accumulated market shortfalls and apply sanctions for any default whatsoever, including the threat to withdraw the licenses of erring DISCOs; and

(*iii*) mandate the Committees on Power, Privatization and Commercialization, and Aids, Loans and Debt Management to investigate the matter and report back to the House within six (6) weeks (*Hon. Edward Gyang Pwajok — Jos South/Jos East Federal Constituency*).

Debate.

Amendment Proposed:
In Prayer (*i*) immediately after the words "Housing and", *leave out* all the other words and *insert* the following "Nigerian Bulk Electricity Trading Company to immediately halt the process to raise the bond" (*Hon. Asuquo Daniel — Akamkpa/Biase Federal Constituency*).

Question that the amendment be made — Agreed to.

Question on the Motion as amended — Agreed to.

The House:

Noted the plan by the Federal Ministry of Power, Works and Housing using the Nigeria Bulk Electricity Trading Company (NBET), to raise a Federal Government-secured Bond of ₦309 billion allegedly to cover the market shortfall made up of ₦187 billion accrued in 2015 and ₦122 billion projected shortfall for 2016;

Aware that a market shortfall is defined as the invoice amount of electricity transmitted to the distribution companies in any given month less the amount remitted by the distribution companies to pay the market participants for electricity supplied;

Worried that this planned massive borrowing is in spite of intervention by Central Bank of Nigeria (CBN) in March 2015 through the grant of a bailout to the tune of ₦213 billion through the Nigerian Electricity Sector Intervention (NESI) facility;

Also worried that in spite of that intervention, the shortfall, instead of being wiped out, has continued to escalate at the rate of about ₦15 billion per month (equivalent to ₦500 million daily) rising to a total-market shortfall of ₦400 billion as at December 31, 2015;

Concerned that a continuing incidence of market shortfall is a disincentive action for new investors to venture into the Nigerian electricity market, the implication being that the projected generating capacity expansion is an illusion since any increment in generating capacity would further escalate the market shortfall;

Also concerned that the DISCOs, which collect revenues, fail to remit in full to other market participants, without any measures put in place by the Nigerian Electricity Regulatory Commission (NERC) to block the leakages and there are no sanctions/penalties for defaulters;

Disturbed that despite there being no noticeable improvement in the electricity sector, either in the area of generation, transmission or distribution, tariffs have been increased twice since 2013;

Also disturbed that tariff computation was a factor of capital investment which was considered during the privatization exercise, but regrettably, there is no evidence that the Distribution and Generating Companies (DISCOs) and (GENCOs) invested in acquiring any tangible assets without any monitoring by NERC;

Further worried that the successor companies have failed or neglected to-produce audited financial statements to NERC and Bureau of Public Enterprises (BPE) for the last two years and have also not held Annual General meetings to disclose their performance to the shareholders;

Also aware that the successor companies are supposed to borrow funds secured by their respective balance sheets and revenue streams to run their operations, but the Ministry is curiously trying to ride on the Nigerian sovereign guarantee, whereas the companies are not only deriving returns on investments but there is the like hood of another tariff increase to accommodate the cost of the bond, (though they already enjoy cost-reflective tariff in the MYTO 2015);

Further disturbed by the negative consequences of the bond which would amount to not only spoon-feeding the operators in spite of their efficiency but at great costs to Nigerians as the risk of default would cause the crystallization of the Federal Government Sovereign Guarantee and lead to energy crisis in the nation;

Resolved to:

(*i*) Call on the Federal Ministry of Power, Works and Housing and the Nigerian Bulk Electricity Trading Company to immediately halt the process to raise the bond;

(*ii*) urge the NERC to devise a monitoring mechanism to measure and enforce full monthly remittance by DISCOs, recoup all mis-appropriated funds that resulted in the accumulated market shortfalls and apply sanctions for any default whatsoever, including the threat to withdraw the licenses of erring DISCOs; and

(*iii*) mandate the Committees on Power, Privatization and Commercialization, and Aids, Loans and Debt Management to investigate the matter and report back to the House within six (6) weeks (**HR. 151/2016**).

Motion referred to the Committees on Power, Privatization and Commercialization, and Aids, Loans and Debt Management.

16. Adjournment

That the House do adjourn till Thursday, 28 *April*, 2016 *at* 11.00 *a.m.* (*Hon. Orkev-Jev Emmanuel Yisa — Buruku Federal Constituency*).

The House adjourned accordingly at 2.45 *p.m.*

Yakubu Dogara
Speaker