



HOUSE OF REPRESENTATIVES FEDERAL REPUBLIC OF NIGERIA

VOTES AND PROCEEDINGS

Wednesday, 4 May, 2016

1. The House met at 11.09 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, 3 May, 2016.

By unanimous consent, the Votes and Proceedings was adopted.
3. **Oaths of Allegiance and Membership**
A Member-elect, Abdullahi Usman Kukuwa (*Damaturu/Gubja/Gulani/Tarmuwa Federal Constituency*) took and subscribed the Oaths of Allegiance and Membership.
4. **Announcement**
Visitors in the Gallery:
Mr Speaker recognized the presence of the following visitors:
 - (i) Members of Students' Representative Assembly, Students' Union Government, Bayero University, Kano;
 - (ii) Members of the National Association of Arewa Concern Students (NAACS), Nasarawa State University, Keffi, Nasarawa State;
 - (iii) Staff and Students of Word of Faith Group of Schools, Garki, Abuja;
 - (iv) Staff and Students of Sunrise International School, Garki, Abuja;
 - (v) Hon. Usman Adamu Kabaruma, Majority Leader, Yobe State House of Assembly; and
 - (vi) Hon. Bunu Zannah, Chairman, Gulani Local Government Council, Yobe State.
5. **Petitions**
 - (i) A petition from Oke Odan Youth Forum on the killing of Olude Adeleke and 2 others by officers of the Nigerian Customs Service in Oke Odan/Egbado South Local Government Area of Ogun State, was presented and laid by Hon. Adekunle Akinlade (*Egbado South/Ipokia Federal Constituency*); and

- (ii) A petition from Olanrewaju Aderemi Obafemi on his dismissal by the Institute for Peace and Conflict Resolution, was presented and laid by Hon. Egwu Emmanuel M. (Idah/Igalamela/Ibaji/Ofu Federal Constituency).

Petitions were referred to the Committee on Public Petitions.

6. **Matter of Urgent Public Importance (Standing Order VIII, Rule 46)**
Death of Nine Kano State Students on their Way Back from the National Secondary Schools Competition:
 Hon. Alhassan Ado Garba (Doguwa/Tudun-Wada Federal Constituency) introduced the 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) and 49 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, Rules 46 (3) and 49 to enable it debate the matter forthwith — Agreed to.

Death of Nine Kano State Students to the National Secondary Schools Competition:

The House:

Notes that twelve (12) Secondary Students from Kano State participated in the National Secondary Schools Competition that took place in Lagos earlier in the week;

Informed that while they were traveling back to Kano, they got involved in an accident in which nine (9) of them lost their lives;

Aware that the students lost their lives while returning from participation in a national event;

Regrets that the untimely death of the young Nigerians constitutes a national calamity to their families, the people and Government of Kano State, and indeed the entire nation;

Resolves to:

- (i) observe a minute silence in honour of the deceased; and
 (ii) commiserate with their families, the people and Government of Kano State (Hon. Alhassan Ado Garba — Doguwa/Tudun Wada Federal Constituency).

Debate.

Agreed to.

The House:

Noted that twelve (12) Secondary Students from Kano State participated in the National Secondary Schools Competition that took place in Lagos earlier in the week;

Informed that while they were traveling back to Kano, they got involved in an accident in which nine (9) of them lost their lives;

Aware that the students lost their lives while returning from participation in a national event;

Regretted that the untimely death of the young Nigerians constitutes a national calamity to their families, the people and Government of Kano State, and indeed the entire nation;

Resolved to:

- (i) observe a minute silence in honour of the deceased; and
- (ii) commiserate with their families, the people and Government of Kano State (HR. 159/2016).

A minute silence was observed in honour of the deceased.

7. Presentation and First Reading of Bills

The following Bills were read the *First Time* by the Clerk.

- (1) FCT Resettlement, Integration and Development Commission (Establishment, etc.) Bill, 2016 (HB. 513).
- (2) National Youth Service Corps Act (Amendment) Bill, 2016 (HB. 514).
- (3) National Maritime Insurance Bureau (Establishment, etc.) Bill, 2016 (HB. 515).
- (4) Nigerian Prisons and Correctional Services Bill, 2016 (HB. 516).
- (5) Nigerian Prisons Service Bill, 2016 (HB. 517).
- (6) Constitution of the Federal Republic of Nigeria, 1999 (Alteration) Bill, 2016 (HB. 518).
- (7) National Agency for Ethics and Values (Establishment) Bill, 2016 (HB. 519).
- (8) Chartered Institute of Trade and Investments of Nigeria Bill, 2016 (HB. 520).
- (9) National Housing Fund Act (Amendment) Bill, 2016 (HB. 521).
- (10) Community Banks Act (Amendment) Bill, 2016 (HB. 522).
- (11) Constitution of the Federal Republic of Nigeria, 1999 (Alteration) Bill, 2016 (HB. 523).
- (12) Border Patrol Agents Bill, 2016 (HB. 524).
- (13) Telecommunication Services Tax Bill, 2016 (HB. 525).
- (14) Unemployed Youth, Elderly and Indigent Sustainability Allowances Trust Funds Bill, 2016 (HB. 526).
- (15) Harmonized Retirement Age of Officers of the Nigerian Armed Forces Bill, 2016 (HB. 527).
- (16) Federal Universities of Agriculture Act (Amendment) Bill, 2016 (HB. 528).
- (17) Coastal and Inland Shipping (Cabotage) Act (Amendment) Bill, 2016 (HB. 529).
- (18) Constitution of the Federal Republic of Nigeria, 1999 (Alteration) Bill, 2016 (HB. 530).

8. Annual Reports, Sessional Papers and Sectoral Debates: Order XVI, Rule 105

Motion made and Question proposed, "That the House do receive the 2015 Annual Report on the Freedom of Information Act, 2011 from the Hon. Attorney-General of the Federation and Minister of Justice, pursuant to Order XVI, Rule 105 (c) of the Standing Orders of the House of Representatives" (*Hon. Femi Gbajabamila — House Leader*).

Agreed to.

9. Admittance into the Chamber

Motion made and Question proposed, "That the House do admit into the Chamber, the Hon. Minister of Agriculture and his entourage, to enable him make presentation in respect of Sectoral Debate on the "Diversification of the Nigerian Economy: Real Sector Development", pursuant to Order XIX, Rule 217 (1) (xi) of the Standing Orders" (*Hon. Femi Gbajabamila — House Leader*).

Agreed to.

10. Sectoral Debate - Second Allotted Day

Motion made and Question proposed, "That this House do continue the Sectoral debate on the Diversification of the Nigerian Economy: Real Sector Development, pursuant to Order XVI of the Standing Orders" (*Hon. Femi Gbajabamila — House Leader*).

Agreed to.

Presentation by the Hon. Minister of Agriculture:

The Honourable Minister of Agriculture, Mr Audu Ogbe, made his presentation as follows:

Protocol

I appreciate the House of Representatives for providing this interface between the executive and legislative arms of Government for a shared understanding of the policy direction of this Administration in the agricultural sector. This is truly remarkable bearing in mind the importance of maintaining cordial relations between these two arms of Government for the delivery of the dividends of democracy to the good people of this Nation who have, in their collective wisdom, reposed their confidence in us to serve them in either our elective or appointive capacities in order to make a big difference in their lives.

2. My address will focus on the key initiatives which we have articulated, after my assumption of duty as Minister of Agriculture and Rural Development in November 2015, to jumpstart the revival of the agricultural sector to enable the sector begin to serve as a virile engine of growth and sustainable development. I shall highlight the strategies we intend to adopt for achieving them, as well as the challenges, which we need to address in order to, effectively, bring about a quick turn-around in the agricultural sector, especially over the next four years.

3. It is often stated that no nation can be described as truly sovereign if she cannot readily and sustainably feed her citizens. To us in the Federal Ministry of Agriculture and Rural Development, this is a fundamental truth which needs no further debate. Accordingly, our first priority in the scale of preference is the achievement of self-sufficiency in our local staples. They include the usual food items that are mostly cultivated in the country, and consumed on a large scale by our people, or animal products, to meet their dietary requirements namely: rice, maize, sorghum, millet, wheat, fruits and vegetables, poultry, honey, sugar, beans, soya, oil-palm, fish, milk, vegetable oils. Though there has been noticeable progress in terms of achieving higher levels of production of these staples in recent years, we are confident that we should be able to achieve self-sufficiency in most of them within the next two to three years through the cooperative efforts of all key stakeholders in the agricultural sector. Other added benefits include achieving import substitution, saving of foreign exchange, employment generation, especially for youths and wealth creation, which invariably will help to guarantee and enhance national security.

4. *The second priority is enhanced agro production for export in the areas of our comparative advantage namely: Cocoa, Coffee, Tea, Sesame, Soya, Fruits & Vegetables, Banana, Onions, Pineapples, Ogbono, Gum Arabic. We urgently need to recover lost grounds in these areas given the realization that we controlled a sizeable share of the global market for these crops in the past. We are confident that the various measures that we are putting in place to re-energize the production of these crops in larger volumes, both as raw materials for home industries, and as exports will help to restore our market share within the next two to four years.*
5. *The third priority is dealing with issues of certification, quality control and packaging. It entails replacing the use of polypropylene bags with jute bags for packaging, which hopefully will lead to the creation of thousands of on-farm jobs through the production of Kernaf as raw materials for making jute bags. This is, especially, important because Kernaf is an indigenous crop, which we intend to expand its production as quickly as possible. This is a huge window of opportunity for agri-business to thrive. We are also mindful of the fact that the good practice, world-wide, now is not to export produce except in carbon-free packaging items. As our agricultural products increasingly pass the certification, quality control and packaging tests, we are assured of regular inflow of additional income streams in foreign exchange which will facilitate our economic recovery for sustained, orderly and rapid progress.*
6. *The strategies that we intend to adopt to enable us achieve our three-prong actions of self sufficiency in staples, enhanced agricultural production for exports and certification, quality control and packaging, are briefly highlighted in the second segment of this address. The first strategy entails building zonal capabilities and comparative advantages along distinct geographical boundaries in the country in order to enhance production for local consumption and for export. The projection is that over time, each geo-political zone of the country will be renowned for engaging in the cultivation of crops and tendering of animals that are best suited to its peculiar circumstances. This will help not only to ensure that energies are dissipated towards profitable ventures but also that resources are efficiently and effectively applied for the maximization of potentials.*
7. *The second strategy is achieving higher yields through the utilization of improved seeds and seedlings. We shall source for improved seeds and seedlings by working cooperatively with all key stakeholders, including our research institutes and private sector seed production entities, bearing in mind that the law of nature recognises the reproduction of one's kind. A poor seed can, therefore, not be expected to yield high volumes of increase in quantity and quality, hence the need to give this concern the urgent attention it deserves. In this regard, we are committed to the implementation of a programme of institutional strengthening of our research institutes to enable them play a vital role in producing high quality seed and seedlings for enhanced agricultural production and agro export.*
8. *The third strategy is revitalizing the extension system by having an extension outfit in every Local Government in the country, as one stop shop, in order to reverse the abysmal low ratio of extension worker to farmer presently put at 1:10,000, being one of the lowest in the world. It is an expensive venture, but we have no choice than to embark on it because our agricultural practice was greatly enriched in the past through a vibrant extension system. We are, therefore, committed to resuscitating it.*
9. *The fourth strategy is improving fertiliser types and ensuring that the delivery reaches farmers on schedule. Our new breed of fertilisers is crop and soil specific. The era of using all-purpose fertilisers without reference to their suitability for crops or different soil and climatic conditions is almost over. The new breed of fertilisers are lower in costs, in addition to guaranteeing higher yields, which hopefully will help to reduce the option of diversion and theft which we have witnessed in recent years. We are optimistic that the importation of fertilisers will soon stop as the two urea plants in the country progressively increase their production to meet, and possibly exceed the local demand.*

Bill read the Second Time by the Clerk.

Bill referred to the Committee on Electoral and Political Matters.

12. A Bill for an Act to Alter the 3rd Schedule to the Constitution of the Federal Republic of Nigeria, 1999 to provide for Electronic Voting; and for Other Related Matters (HB. 432) — Second Reading

Motion made and Question proposed, "That a Bill for an Act to Alter the 3rd Schedule to the Constitution of the Federal Republic of Nigeria, 1999 to provide for Electronic Voting; and for Other Related Matters (HB. 432) be now read a Second Time" (Hon. Edward Gyang Pwajok — Jos South/Jos East 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.

13. Motion Pursuant to Order XVII, Rule 109 (1) (g) of the Standing Orders of the House of Representatives

Limitation as to the Time of Paper:

Motion made and Question proposed:

The House *notes* that the following Bills were introduced on Thursday, 10 December, 2015:

1. HB. 273 Corporate Manslaughter Bill, 2015.
2. HB. 216 Telecommunications and Postal Offences Act (Amendment) Bill, 2015.
3. HB. 224 National Film and Video Censors Board Act (Amendment) Bill, 2015.
4. HB. 227 Economic and Financial Crimes Commission Act (Amendment) Bill, 2015.
5. HB. 230 Code of Conduct Bureau and Tribunal Act (Amendment) Bill, 2015.
6. HB. 232 Corrupt Practices and Other Related Offences Act (Amendment) Bill, 2015.
7. HB. 233 Prevention of Crimes Act (Amendment) Bill, 2015.
8. HB 234 Water Resources Act (Amendment) Bill, 2015.
9. HB 235 River Basins Development Authorities Act (Amendment) Bill, 2015.
10. HB. 241 Agricultural and Rural Management Training Act (Amendment) Bill, 2015.
11. HB. 242 Chartered Institute of Stockbrokers Act (Amendment) Bill, 2015.
12. HB. 243 Treaty to Establish African Economic Community Relating to the Pan-African Parliament (Accession and Jurisdiction) Act (Amendment) Bill, 2015.
13. HB 244 Utilities Charges Commission Act (Amendment) Bill, 2015.
14. HB. 245 Petroleum Products Pricing Regulatory Agency Act (Amendment) Bill, 2015

15. HB. 247 Wireless Telegraphy Act (Amendment) Bill, 2015.
16. HB. 248 Nigerian Investment Promotion Commission Act (Amendment) Bill, 2015.
17. HB. 249 Endangered Species (Control of International Trade and Traffic) Act (Amendment) Bill, 2015.
18. HB 251 Petroleum Training Institute Act (Amendment) Bill, 2015.
19. HB. 252 Quantity Surveyors (Registration, etc.) Act (Amendment) Bill, 2015.
20. HB. 253 Mortgage Institutions Act (Amendment) Bill, 2015.
21. HB. 255 Builders (Registration, etc.) Act (Amendment) Bill, 2015.
22. HB. 256 Town Planners (Registration, etc.) Act (Amendment) Bill, 2015.
23. HB. 259 Small and Medium Scale Enterprises Development Agency Act (Amendment) Bill, 2015.
24. HB. 262 University of Abuja Act (Amendment) Bill, 2015.
25. HBs 264 and 311 Price Control Act (Amendment) Bill, 2015.
26. HB. 270 National Insurance Corporation of Nigeria Act (Repeal) Bill, 2015.
27. HB. 271 World Meteorological Organization (Protection) Act (Amendment) Bill, 2015.
28. HB. 274 Currency Conversion (Freezing Orders) Act (Amendment) Bill, 2015.
29. HB. 281 National Minimum Wage Act (Amendment) Bill, 2015.
30. HB. 287 Advance Fee Fraud and Other Related Offences Act (Amendment) Bill, 2015.
31. HB. 288 Dishonored Cheques (Offences) Act (Amendment) Bill, 2015.
32. HB. 292 Dangerous Drugs Act (Amendment) Bill 2015.
33. HB. 293 Value Added Tax Act (Amendment) Bill, 2015.
34. HB. 298 National Archives Act (Amendment) Bill, 2015.
35. HB. 314 Police Procurement Fund Bill, 2015.

Aware that the Bills were read a Second Time between 15 December, 2015 and 25 February, 2016 and referred to various Committees for further legislative actions, but have been pending in those Committees for more than 60 days since the dates of referrals;

Also notes that Order XVII, Rule 109 (1) (g) of the Standing Orders of the House provides that:

“Any matter referred to any Committee shall be treated within 30 days otherwise the Committee shall stand discharged after 60 days and the matter committed to the Committee of the Whole for consideration”;

Resolves to:

Discharge the concerned Committees from those referrals and commit Bills to the Committee of the Whole for consideration (*Hon. Orker-Jev Emmanuel Yisa — Buruku Federal Constituency*).

Agreed to.

Motion referred to the Committee of the Whole.

14. Need to Tackle the Devastating Gully Erosion in Njikoka/Anaocha/Dunukofia Federal Constituency

Motion made and Question proposed:

The House:

Notes that the South Eastern part of the country is a rain forest zone that is constantly faced with ecological problems;

Also notes the devastating gully erosion in communities within Njikoka/Anaocha/Dunukofia Federal Constituency, particularly in Enuagu village Enugwu Ukwu in Njikoka, Ududonka (Agulu-Nanka) and Haba Agulu erosion sites; Adazi Nnukwu gully erosion site; Enuabo village Obeledu erosion site; Dunukofia Nkwelle, Umunachi and Ukpo erosion sites;

Aware that the erosion has continued to wreak severe havocs in the communities leading to loss of lives, properties worth millions of Naira and farmlands, while displacing families;

Concerned that the enormity of the devastation has put the menace beyond the capacity of the Local and State Governments; hence the need for intervention of the Federal Government to arrest the situation;

Resolves to:

- (i) Mandate the Committee on Environment and Habitat to liaise with the Federal Ministry of Environment to include contracts for the control of gully erosion in the supplementary budget for 2016;
- (ii) urge the Ecological Fund Office to take measures aimed at controlling the menace;
- (iii) also urge the National Emergency Management Agency (NEMA) to, as a matter of urgency, send relief materials to victims of the erosion; and
- (iv) mandate the Committee on Environment and Habitat to urgently visit the affected sites in the various areas of the constituency in Anambra State (*Hon. Ferdinand Dozie Nwankwo — Anaocha/Njikoka/Dunukofia Federal Constituency*).

Question agreed to.

(HR. 160/2016).

Motion referred to the Committees on Environment and Habitat, and Emergence and Disaster Preparedness, pursuant to Order VIII, Rule 51 (5).

15. **Urgent Need to Investigate the Massive Deforestation and Corruption that has Crippled the Environment and its Effects on Climate Change in Nigeria**

Motion made and Question proposed:

The House:

Aware that Nigeria is facing serious environmental challenges, especially desertification, which is eating into the country at the rate of 350,000 hectares per annum;

Also aware that part of the factors responsible for desertification and gully erosion is the indiscriminate felling of trees, which is driven largely by demand by foreign companies for ornate species of wood called Rosewood, which has resulted in one of the greatest and most dangerous destruction of our forestry resources;

Further aware that the massive conversion of our shrubs and small trees into charcoal for use in homes and small scale businesses without any planned replacement or regulation, gradually leads to the destruction of the ecosystem, and would worsen the environmental problems facing the country;

Concerned that efforts to control and regulate the practice of uncontrolled harvesting of trees have been dogged by corruption of serious and debilitating proportions, and contrary to laws of the land, the rampaging merchants export the Rosewood in form of logs, rather than as processed and semi processed timber that would have generated employment and businesses for thousands of unemployed youths;

Equally aware that contrary to extant regulations that require the planting of three trees in place of one that is cut down, no effort is being made to plant new trees;

Also concerned that there are gaps in the existing regulatory framework which have made Governments at the Federal, State and Local levels to abdicate their responsibilities and keep passing the buck;

Resolves to:

Mandate the Committee on Environment and Habitat to:

- (i) determine the practitioners in the forestry sector responsible for this environmental disaster; and
- (ii) Find out existing gaps in legislation/regulation in the forestry and environmental sector and between and amongst the three tiers of government and proffer suggestions for curbing this menace, and report back to the House within 10 weeks (*Hon. Rimamnde Shawalu Kwewum — Donga/Takum/Ussa Federal Constituency*).

Debate.

Amendments Proposed:

- (i) *Leave out* all the Prayers and *insert* the following:
"Set up an *Ad-hoc* Committee to investigate the matter" (*Hon. Bamgbose Joseph H. — Badagry Federal Constituency*).

Question that the amendment be made — Agreed to.

- (ii) *Insert* a new Prayer (ii) as follows:
"Urge all timber and lumber sellers to grow six trees for every one tree cut down" (*Hon. Mukaila Olayiwola Kazzim — Abeokuta North/Obafemi-Owode/Odeda Federal Constituency*).

Question that the amendment be made — Agreed to.

(iii) *Insert a new Prayer (iii) as follows:*

“There should be a liaison between the lumber sellers and the Nigerian Customs Service to tighten the exportation of lumbers and always ask for state of origin of each tree being exported and certificate to show that six trees has been grown for that one tree cut down”
(Hon. Mukaila Olayiwola Kazzim — Abeokuta North/Obafemi-Owode/Odeda Federal Constituency).

Question that the amendment be made — Agreed to.

Question on the Motion as amended — Agreed to.

The House:

Aware that Nigeria is facing serious environmental challenges, especially desertification, which is eating into the country at the rate of 350,000 hectares per annum;

Also aware that part of the factors responsible for desertification and gully erosion is the indiscriminate felling of trees, which is driven largely by demand by foreign companies for ornate species of wood called Rosewood, which has resulted in one of the greatest and most dangerous destruction of our forestry resources;

Further aware that the massive conversion of our shrubs and small trees into charcoal for use in homes and small scale businesses without any planned replacement or regulation, gradually leads to the destruction of the ecosystem, and would worsen the environmental problems facing the country;

Concerned that efforts to control and regulate the practice of uncontrolled harvesting of trees have been dogged by corruption of serious and debilitating proportions, and contrary to laws of the land, the rampaging merchants export the Rosewood in form of logs, rather than as processed and semi processed timber that would have generated employment and businesses for thousands of unemployed youths;

Equally aware that contrary to extant regulations that require the planting of three trees in place of one that is cut down, no effort is being made to plant new trees;

Also concerned that there are gaps in the existing regulatory framework which have made Governments at the Federal, State and Local levels to abdicate their responsibilities and keep passing the buck;

Resolved to:

(i) **Set up an *Ad-hoc* Committee to investigate the matter;**

(ii) **urge all timber and lumber sellers to grow six trees for every one tree cut down;**

(iii) **There should be a liaison between the lumber sellers and the Nigerian Customs Service to tighten the exportation of lumbers and always ask for state of origin of each tree being exported and certificate to show that six trees has been grown for that one tree cut down (HR. 161/2016).**

16. Consideration of Reports

- (i) ***A Bill for an Act to Amend the National Lottery Act, 2005 to make Consequential Provisions for effective operation of Lottery in Nigeria; and for Other Related Matters (HB. 478) (Committee of the Whole) (Hon. Orker-Jev Emmanuel Yisa — Buruku 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 AMEND THE NATIONAL LOTTERY ACT, 2005
TO MAKE CONSEQUENTIAL PROVISIONS FOR EFFECTIVE OPERATION OF
LOTTERY IN NIGERIA; AND FOR OTHER RELATED MATTERS**

- Section 10.** Service in the Commission shall be subject to the provisions of the Pension Reform Act, and accordingly, officers and employees of the Commission shall be entitled to pensions and other retirement benefits as are prescribed under the Pension Reform Act, 2014, No. 64 (*Hon. Orker-Jev Emmanuel Yisa — Buruku Federal Constituency*).

Question that section 10 stand part of the Bill — Agreed to.

- Section 13.** (2) The Commission shall keep proper accounts in respect of each year and proper records in relation to those accounts and shall cause its accounts to be audited within 3 months after the end of each year by independent auditors appointed from the list of independent auditors maintained by the Auditor-General of the Federation and in accordance with guidelines that may be issued from time to time by the Auditor-General for the Federation (*Hon. Orker-Jev Emmanuel Yisa — Buruku Federal Constituency*).

Question that section 13 (2) stand part of the Bill — Agreed to.

- Section 17.** As from the commencement of this Act, the operation of the business of any type of Lottery, by whatever name called, shall be subject to a national lottery license granted by the President upon recommendation by the Commission and compliance with the provisions of this Act or any regulations made pursuant thereto. The holder of any such license shall be entitled to carry out Lottery business across the Federation (*Hon. Orker-Jev Emmanuel Yisa — Buruku Federal Constituency*).

Amendment Proposed:

Delete Section 17 of the Principal Act and the Bill (*Hon. Femi Gbajabamila — Surulere I Federal Constituency*).

Question that the amendment be made — Agreed to.

- Section 18.** (1) Any person or body corporate may submit application for a license for the operation of the business of a pari-mutuel lottery to the President through the Commission in the prescribed form and upon the payment of such fees as may be prescribed, from time to time, by the Commission.

- (2) Any person or body corporate may submit application for a license for the operation of fixed-odd lottery, to the President through the Commission in the prescribed form and upon payment of such fees as may be prescribed, from time to time, by the Commission (*Hon. Orker-Jev Emmanuel Yisa — Buruku Federal Constituency*).

Question that section 18 stand part of the Bill — Agreed to.

- Section 19.** (1) The President may grant national lottery license to any person or body corporate to operate the lottery being applied for, by whatever name called, if the President is satisfied that the applicant —
- (a) Is a fit and proper person to manage the business or any part of the business of a national lottery;
 - (b) Has the relevant knowledge, expertise and experience to manage the business or any part of the business of operating the lottery being applied for;
 - (c) Is capable of mobilizing sufficient financial resources to ensure financial viability of the business of operating a national lottery; and
 - (d) Has made an undertaking to conduct the business of a national lottery with all due property, corruption free, accountability, transparency and protection of the interests of participating stakeholders and the public (*Hon. Orker-Jev Emmanuel Yisa — Buruku Federal Constituency*).

Question that section 19 stand part of the Bill — Agreed to.

- Section 20.** (1) Subject to subsection (2) of this section, a license granted under section 19 of the Act shall be valid for a period of 15 years, the duration of the license shall be stated on its face and such license shall be perpetually renewable upon application by the licensee.
- (2) During the duration of the license, the licensee shall be entitled to use the words "national lottery" as an identification and endorsement for any or all lotteries operated under the license.
- (3) During the duration of the license, the licensee shall be entitled to use the words "national lottery" as an identification and endorsement for any or all lotteries operated under the license (*Hon. Orker-Jev Emmanuel Yisa — Buruku Federal Constituency*).

Question that section 20 stand part of the Bill — Agreed to.

- Section 21.** (3) The President may —
- (a) If satisfied with any reason furnished by the licensee pursuant to subsection (2) of this section, allow the license to continue; or
 - (b) If not satisfied with the reasons furnished by the licensee, revoke the license on the recommendation of the Commission;

- (c) Notwithstanding the provision of sub-section (b) above, the Commission may allow the license to remain in force, subject to any such further conditions as the Commission may deem necessary and such conditions shall form part of the license (*Hon. Orker-Jev Emmanuel Yisa — Buruku Federal Constituency*).

Question that section 21 (3) stand part of the Bill — Agreed to.

- Section 24.**
- (1) A holder of a national lottery game license other than a fixed odds game license shall establish an operational fund to be known as the "prize fund" into which shall be paid a minimum return of 50 per cent of the proceeds of a national lottery.
 - (2) A licensee shall pay to the Trust Fund established under section 35 of this Act within a period of not more than 90 days after the determination of the result of each lottery, an amount of 20 per cent payable from the net proceeds of the lottery, 25% in the subsequent 5 years and thereafter 27.5%.
 - (3) A holder of a fixed odds game license shall establish an operational fund to be known as the "Fixed-odd prize fund" into which shall be paid a minimum return of 60 percent of the net proceeds of a fixed-odd lottery.
 - (4) The fixed-odds prize fund established by the licensee pursuant to subsection (4) of this section shall be applied exclusively for the payment of prizes in respect of such fixed-odd lotteries from which the proceeds were realized.
 - (5) A licensee that operates fixed-odd lottery shall pay to the trust fund established under section 35 of this Act within a period of not more than 90 days after the determination of the result of each lottery, an amount of 5% of the net proceeds of the lottery (*Hon. Orker-Jev Emmanuel Yisa — Buruku Federal Constituency*).

Question that section 24 stand part of the Bill — Agreed to.

- Section 34.**
- (3) Save as provided under this Act and notwithstanding the provision of any other enactment to the contrary, the operation of any lottery on a national basis is hereby declared unlawful.
 - (4) Pursuant to the above provision, no person shall establish or conduct a lottery at national level or employ the use of a national platform to —
 - (a) Conduct a lottery, either through personal application or any electronic transmission;
 - (b) Print a ticket in a lottery;
 - (c) Sell, buy or offer for sale or give or accept a ticket in a lottery;
 - (d) Publish or exhibit in a newspaper or broadcast, telecast or on a notice by electronic means or otherwise any information relating to a lottery;

- (e) Sell or dispose of any property of any kind or allot any prize of money by means of a game of chance or a game of mixed chance and skills; or keep a house or place for the purpose of conducting a lottery, whether the house or place is used for any other purpose (*Hon. Orker-Jev Emmanuel Yisa — Buruku Federal Constituency*).

Question that section 34 stand part of the Bill — Agreed to.

Section 35. (1) There is established a fund to be known as the National Lottery Trust Fund (in this Act referred to as "the Trust Fund") into which shall be paid a percentage of the bet proceeds of a national lottery as prescribed under section 24 of this Act.

(3) There is hereby imposed and charged a tax to be known as the Lottery Companies Incomes Tax (in this Act referred to as "Lottery Tax") which shall be administered and managed by the Federal Board Inland Revenue (in this Act to as "the Board"):

(a) The Lottery Tax shall be computed as income tax at the rate of 10 per cent on the net proceeds of the Licensee at each assessment year.

(b) A Licensee shall compute the tax payable by the Licensee for the year of assessment and forward evidence of direct payment of the whole or part due into a bank designated by the Board.

(c) Where the Board is not satisfied with an assessment made by a Licensee, the Board may, according to the best of its judgment, determine the amount of the net proceeds of such company and make an assessment accordingly, but such assessment shall not affect any liability otherwise incurred by the Licensee by reason of its assessment

Tax Deductibility of Payment into Prize and Trust Funds

(d) The 50 per cent paid by a Licensee into the Prize fund in pursuance of this Act and all contributions made by a Licensee into the Trust Fund referred to in Section 24 of this Act, shall be deductible expenses for the purposes of the Lottery Tax of the paying Licensee.

(e) The Prize Fund shall be tax neutral and accordingly, all moneys accruing to, payments made from, and transactions relating to the Prize Fund shall be exempted from all forms of taxes levies, duties, charges or imposition however described.

Tax Exemptions

(f) Provided that where a Licensee has been assessed for Lottery Tax in any year, the Licensee shall be exempted from the provisions of

(a) Companies Income Tax Act (Cap. C21 LFN. 2004)

(b) Value Added Tax Act (Cap VI LFN 2004).

Prior Payments

- (g) Any payments made by Licensee prior to the commencement of this Amendment Act under any existing arrangement with and accepted by the Commission is hereby declared to be legal, valid and binding on the Commission and shall be deemed to be full and final settlement of any liabilities or obligations of a Licensee under this Act (*Hon. Orker-Jev Emmanuel Yisa — Buruku Federal Constituency*).

Question that section 35 stand part of the Bill — Agreed to.

Section 45. Service in the Trust Fund shall be subject to the provisions of the Pension Reform Act, and accordingly, officers and employees of the Commission shall be entitled to pensions and other retirement benefits as are prescribed under the Pension Reform Act 2014, No.64 (*Hon. Orker-Jev Emmanuel Yisa — Buruku Federal Constituency*).

Question that section 45 stand part of the Bill — Agreed to.

Section 57: Interpretation.

In this Act —

"Board" means the Governing Board of the Commission established under section 2 of this Act (*Hon. Orker-Jev Emmanuel Yisa — Buruku Federal Constituency*).

Question that the meaning of the word "Board" be as defined in the interpretation to this Bill — Agreed to.

"Board of Trustees" means the National Lottery Trust Fund Board of Trustees established under section 36 of this Act (*Hon. Orker-Jev Emmanuel Yisa — Buruku Federal Constituency*).

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

"Chairman" means the Chairman of the Governing Board of the Commission or the Chairman of the Board of Trustees appointed under sections 2 and 36 of this Act respectively (*Hon. Orker-Jev Emmanuel Yisa — Buruku Federal Constituency*).

Question that the meaning of the word "Chairman" be as defined in the interpretation to this Bill — Agreed to.

"Deductible Expenses" means an amount calculated in monetary terms as 30% of the proceeds deductible by the Licensee from the balance of "proceeds" after payment into the prize fund (*Hon. Orker-Jev Emmanuel Yisa — Buruku Federal Constituency*).

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

"Director-General" means the Director-General of the Commission appointed under section 8 of this Act (*Hon. Orker-Jev Emmanuel Yisa — Buruku Federal Constituency*).

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

"Member" means a member of the Governing Board of the Commission or a member of the Board of Trustees, as the case may be, and includes the Chairman of the Commission or the Board of Trustees (*Hon. Orker-Jev Emmanuel Yisa — Buruku Federal Constituency*).

Question that the meaning of the word "Member" be as defined in the interpretation to this Bill — Agreed to.

"Federation" means the Federal Republic of Nigeria (*Hon. Orker-Jev Emmanuel Yisa — Buruku Federal Constituency*).

Question that the meaning of the word "Federation" be as defined in the interpretation to this Bill — Agreed to.

"Fixed odds" means a type of game within the definition of lottery where odds for the winning bet is determined at the time the bet is placed (*Hon. Orker-Jev Emmanuel Yisa — Buruku Federal Constituency*).

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

"Game" means pari-mutuel and fixed odds and any other lottery that has the nature or character of a game (*Hon. Orker-Jev Emmanuel Yisa — Buruku Federal Constituency*).

Question that the meaning of the word "Game" be as defined in the interpretation to this Bill — Agreed to.

"License" means a license to operate a national lottery granted under this Act (*Hon. Orker-Jev Emmanuel Yisa — Buruku Federal Constituency*).

Question that the meaning of the word "License" be as defined in the interpretation to this Bill — Agreed to.

"Licensee" means the person to whom a national lottery license has been issued pursuant to this Act (*Hon. Orker-Jev Emmanuel Yisa — Buruku Federal Constituency*).

Question that the meaning of the word "Licensee" be as defined in the interpretation to this Bill — Agreed to.

"Lottery" or "lotteries" includes any game, scheme, arrangement, system, plan, promotional competition or device for the distribution of prizes by lot or chance, or as a result of the exercise of skill and chance or based on the outcome of sporting events, or any other game, scheme, arrangement, system, plan, competition or device, which the President may by notice in the Gazette declare to be lottery and which shall be operated according to a license (*Hon. Orker-Jev Emmanuel Yisa — Buruku Federal Constituency*).

Question that the meaning of the word "Lottery" or "lotteries" be as defined in the interpretation to this Bill — Agreed to.

"National Lottery License" means a license issued pursuant to Section 19 of the Act (*Hon. Orker-Jev Emmanuel Yisa — Buruku Federal Constituency*).

Question that the meaning of the words "National Lottery License" be as defined in the interpretation to this Bill — Agreed to.

"Net Proceeds" means that proportion of the proceeds that remains after payment of prizes into the prize fund and after deduction of deductible expenses (*Hon. Orker-Jev Emmanuel Yisa — Buruku Federal Constituency*).

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

"Odds" means the average chances of winning (*Hon. Orker-Jev Emmanuel Yisa — Buruku Federal Constituency*).

Question that the meaning of the word "Odds" be as defined in the interpretation to this Bill — Agreed to.

"Operator" means licensee or any other person or company engaged by the licensee to operate a lottery (*Hon. Orker-Jev Emmanuel Yisa — Buruku Federal Constituency*).

Question that the meaning of the word "Operator" be as defined in the interpretation to this Bill — Agreed to.

"Pari-Mutuel Lottery" means a type of game within which all lots of a particular type are placed together in a pool to be shared among the winners (*Hon. Orker-Jev Emmanuel Yisa — Buruku Federal Constituency*).

Question that the meaning of the words "Pari-Mutuel Lottery" be as defined in the interpretation to this Bill — Agreed to.

"Participant" in relation to a lottery means a person who is in possession of a valid ticket in the lottery (*Hon. Orker-Jev Emmanuel Yisa — Buruku Federal Constituency*).

Question that the meaning of the word "Participant" be as defined in the interpretation to this Bill — Agreed to.

"President" means the President of the Federal Republic of Nigeria (*Hon. Orker-Jev Emmanuel Yisa — Buruku Federal Constituency*).

Question that the meaning of the word "President" be as defined in the interpretation to this Bill — Agreed to.

"Participant" in relation to a lottery means a person who is in possession of a valid ticket in the lottery (*Hon. Orker-Jev Emmanuel Yisa — Buruku Federal Constituency*).

Question that the meaning of the word "Participant" be as defined in the interpretation to this Bill — Agreed to.

"Prize" means a prize due to a participant who holds a winning ticket in a lottery conducted by the licensee (*Hon. Orker-Jev Emmanuel Yisa — Buruku Federal Constituency*).

Question that the meaning of the word "Prize" be as defined in the interpretation to this Bill — Agreed to.

"Prize Fund" means the fund established under section 24 of the Act into which a certain percentage of proceeds is to be paid (*Hon. Orker-Jev Emmanuel Yisa — Buruku Federal Constituency*).

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

"Proceeds" means the gross monetary amount spent by participants on the purchase of tickets in respect of each lottery conducted under a license, provided that this does not include monies earmarked for the services of the licensee's collection agents (*Hon. Orker-Jev Emmanuel Yisa — Buruku Federal Constituency*).

Question that the meaning of the word "Proceeds" be as defined in the interpretation to this Bill — Agreed to.

"Relevant financial interest" in relation to a business conducted under a license issued pursuant to this Act by a licensee includes any —

- (a) Share in the capital of the business;
- (b) Entitlement to receive any income derived from the business; or
- (c) Entitlement to receive any payment as a result of money advanced (*Hon. Orker-Jev Emmanuel Yisa — Buruku Federal Constituency*).

Question that the meaning of the words "Relevant financial interest" be as defined in the interpretation to this Bill — Agreed to.

"Relevant period" means the financial year of the licensee as required and governed by the Companies and Allied Matters Act (*Hon. Orker-Jev Emmanuel Yisa — Buruku Federal Constituency*).

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

"Secretary" means the Secretary of the Trust Fund appointed under section 43 of this Act (*Hon. Orker-Jev Emmanuel Yisa — Buruku Federal Constituency*).

Question that the meaning of the word "Secretary" be as defined in the interpretation to this Bill — Agreed to.

"Ticket" means any receipt, symbol, sign, token, warrant, card, printed paper, document or any other means or device including an electronic record, which entitles a participant to take part in a lottery (*Hon. Orker-Jev Emmanuel Yisa — Buruku Federal Constituency*).

Question that the meaning of the word "Ticket" be as defined in the interpretation to this Bill — Agreed to.

"Trust fund" means the National Lottery Trust Fund established under section 35 of this Act (*Hon. Orker-Jev Emmanuel Yisa — Buruku Federal Constituency*).

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

"Unclaimed prizes" means prizes payable in respect of winning tickets in a lottery which have not been claimed by the ticket owner within the claim period specified in the lottery rules (*Hon. Orker-Jev Emmanuel Yisa — Buruku Federal Constituency*).

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

Question that section 57 stand part of the Bill — Agreed to.

Short Title.

This Bill may be cited as the National Lottery Act (Amendment) Bill, 2016 (*Hon. Orker-Jev Emmanuel Yisa — Buruku Federal Constituency*).

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

Long Title.

A Bill for an Act to Amend the National Lottery Act, 2005 to make Consequential Provisions for effective operation of Lottery in Nigeria; and for Other Related Matters (*Hon. Orker-Jev Emmanuel Yisa — Buruku 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 Amend the National Lottery Act, 2005 to make Consequential Provisions for effective operation of Lottery in Nigeria; and for Other Related Matters (HB. 478) and approved Sections 10 and 13 (2), rejected Section 17 (and *deleted* Section 17 of the Principal Act), and approved Sections 18 - 21, 24, 34 - 35, and 57 as well as the Short and Long Titles of the Bill.

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

(ii) ***A Bill for an Act to Amend the National Judicial Institute Act, Cap. N55, Laws of the Federation of Nigeria; 2004 to specify the tenure of office of the Administrator; and for Other Matters Related Thereto (HB. 302).***

Order read; deferred.

17. Adjournment

That the House do adjourn till Thursday, 5 May, 2016 at 11.00 a.m. (Hon. Femi Gbajabamila — House Leader).

The House adjourned accordingly at 3.45 p.m.

Yakubu Dogara
Speaker