FOURTH REPUBLIC
8TH NATIONAL ASSEMBLY
THIRD SESSION
NO. 106

HOUSE OF REPRESENTATIVES
FEDERAL REPUBLIC OF NIGERIA
VOTES AND PROCEEDINGS

Tuesday, 22 May, 2018

1. The House met at 11.20 a.m. Mr Speaker read the Prayers.

2. **Votes and Proceedings**
Mr Speaker announced that he had examined and approved the *Second Votes and Proceedings* of Wednesday, 16 May, 2018.

*The **Votes and Proceedings** was adopted by unanimous consent.*

3. **Announcement**
***Visitors in the Gallery*:**
Mr Speaker recognised the presence of the following:

(*i*) Staff and Students of ***Solid Fundamentals Montessori Academy,*** New-Karu/Tudun Wada, Nasarawa State;

(*ii*) Staff and Students of ***Chessy Kiddies Academy,*** Associated Estate Karima, Abuja; and

(*iii*) Staff and Students of ***King Spring International Academy***, Kubwa, Abuja.

4. **Petitions**
(*i*) A petition from Sgt Dahiru Tofa, on his dismissal from service by the Nigeria Police Force, was presented and laid by Hon. Yusuf Buba Yakubu (*Gombi/Hong Federal Constituency*); and

(*ii*) A petition from Victor Olorunsola, on behalf of late David Olorunsola, on the non-payment of his late father's gratuity by the Nigeria Police Force, was presented and laid by Hon. Babatunde Kolawole (*Akoko Southwest/Akoko East Federal Constituency*).

*Petitions referred to the **Committee on Public Petitions.***

5. Matters of Urgent Public Importance (Standing Order Eight, Rule 4)

(i) *Devastating Windstorm in Duguri District, Alkaleri Local Government Area (LGA) of Bauchi State*:

Hon. Muhammad Sani Abdu (*Alkaleri/Kirfi 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 Eight, Rule 4 (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 Eight, Rule 4 (3) *to enable it debate the matter forthwith* — ***Agreed to.***

Devastating Windstorm in Duguri District, Alkaleri Local Government Area (LGA) of Bauchi State:

The House:

Notes the devastation caused by windstorm on parts of Duguri District, Alkaleri Local Government Area of Bauchi State on Wednesday, 17 May, 2018;

Also concerned that two (2) people lost their lives and many others sustained various degrees of injury in the incident;

Concerned that the wind wreaked havoc on the community by blowing of roof, destroying over two hundred (200) houses and properties including eight (8) public schools and several electric poles at Duguri, Gajin Duguri-Shafa and Sabon Jiri towns;

Resolves to:

(*i*) condole with the people of Duguri and Bauchi State over the desaster;

(*ii*) urge the National Emergency Management Agency (NEMA) to quickly intervene by sending building materials (especially roofing sheets) and other humanitarian aid to the affected victims; and

(*iii*) observe one minute silence in honour of those that lost their lives in the disaster (*Hon. Muhammad Sani Abdu — Alkaleri/Kirfi Federal Constituency*).

Agreed to.

(**HR. 179/05/2018**).

Motion referred to the **Committee on Emergency and Disaster Preparedness**, ***pursuant to Order*** *Eight, Rule* 9 (5).

A minute silence was observed in honour of the deceased.

(ii) ***Need to Intervene in the Crisis in Toto Local Government Area (LGA), Nasarawa State Between the Egbura and Bassa Communities*:**

Hon. Gaza Jonathan Gbefwi (*Karu/Keffi/Kokona 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 Eight, Rule 4 (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 Eight, Rule 4 (3) *to enable it debate the matter forthwith — Agreed to.*

Need to Intervene in the Crisis in Toto Local Government Area (LGA), Nasarawa State Between the Egbura and Bassa Communities:

The House:

Notes with concern the recurring clashes between the Egbura and Basso ethnic communities in Toto LGA of Nasarawa State where thousands of people were either maimed or killed while many others were forced to flee the community for safety;

Also notes the recent clashes between both communities in April 2018, with violent attacks on some settlements reportedly with the aid of hired militia;

Aware that, Military personnel of the 177 Guards Battalion, while on search operation at Ugya Village in Toto Local Government Area of the State, located and destroyed some armed militia camps and recovered illegal weapons;

Worried that members of both communities have resorted to taking laws into their hands in seeking redress by hiring militia;

Concerned that even with the efforts of past administrations to reconcile the two communities, the crisis keep resurfacing;

Further worried that if a lasting solution is not found to the problem, the crisis could compound the security challenges currently facing the nation;

Resolves to:

(*i*) set up an *Ad-hoc* Committee to interface with the Institute of Peace and Conflict Resolution and investigate all the issues surrounding the crisis, including the complaints and petitions from the stakeholders of both tribes with a view to bringing lasting solutions to the problem;

(*ii*) urge the Inspector-General of Police and all necessary law enforcement agencies to deploy personnel to the affected communities to arrest the situation and avert bloodletting; and

(*iii*) observe one minute silence in honour of the departed souls (*Hon. Gaza Jonathan Gbefwi — Karu/Keffi/Kokona Federal Constituency*).

Agreed to.

(HR. 180/05/2018).

Motion referred to the **Committee on Emergency and Disaster Preparedness**, *pursuant to Order Eight, Rule* 9 (5).

A minute silence was observed in honour of the deceased.

6. **Presentation of Bills**
The following Bills were read the *First Time*:

(1) Compulsory, Free Universal Basic Education Act (Amendment) Bill, 2018 (HB. 1461).

(2) Securitization Bill, 2018 (HB. 1462).

(3) Nigerian Rice Research Institute Bill, 2018 (HB. 1463).

(4) National Directorate of Employment Act (Amendment) Bill, 2018 (HB. 1464).

7. **A Bill for an Act to Amend the Food, Drugs and Related Products (Registration, etc.) Act, Cap. F33, Laws of the Federation of Nigeria, 2004 to Increase the Fine and Confer Jurisdiction on the High Court of States to try Offences under the Act; and for Related Matters) (HB.199) — *Second Reading***
Motion made and Question proposed, "That a Bill for an Act to Amend the Food, Drugs and Related Products (Registration, etc.) Act, Cap. F33, Laws of the Federation of Nigeria, 2004 to Increase the Fine and Confer Jurisdiction on the High Court of States to try Offences under the Act; and for Related Matters) (HB.199) be now read a Second Time" (*Hon. Betty Apiafi — Ahoada East/Abua/Odual Federal Constituency*).

Debate.

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

Bill read the Second Time.

Bill referred to the ***Committee of the Whole***

8. **A Bill for an Act to Establish the Federal University of Agriculture, Sabon Gida, Langtang to make Comprehensive Provisions for its due Management and Administration; and for Related Matters (HB. 1356) — *Second Reading***
Motion made and Question proposed, "That a Bill for an Act to Establish the Federal University of Agriculture, Sabon Gida, Langtang to make Comprehensive Provisions for its due Management and Administration; and for Related Matters (HB. 1356) be now read a Second Time" (*Hon. Beni Lar — Langtang North/Langtang South Federal Constituency*).

Debate.

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

Bill read the Second Time.

Bill referred to the ***Committee on Tertiary Education and Services.***

9. **A Bill for an Act to Amend the University of Lagos Act, Cap. U9, Laws of the Federation of Nigeria, 2004 to Provide for the Election and Tenure of Deans of Faculties, Schools, Institutes or Teaching Units; and for Related Matters (HB. 263) — *Second Reading***

Order read; deferred by leave of the House.

10. **Need to Develop the Olumirin Waterfall in Erin-Ijesha, Oriade Local Government, Osun State into a World Class Tourist Destination and a Hydro Power Generation Site**

Order read; deferred by leave of the House.

11. **Need to Construct a Security Fence around the Sam Mbakwe International Airport, Imo State**
Motion made and Question proposed:

The House:

Notes the recurrent cases of security breaches at the nation's Airports which are often as a result of the expansive and porous nature of the Airports, and as such, it is difficult for the security personnel to secure and is therefore easily accessible by hoodlums and animals;

Disturbed by the numerous cases of stowaways at the airports, some of which resulted in death;

Also disturbed by the rampant cases of stray animals and sometimes humans on the runways of Sam Mbakwe International Airport, Imo state, some of which would have ended in fatalities but for the dexterity of the pilots;

Aware that under Annex 17 of the International Civil Aviation's Standard Procedures, every Airport is supposed to be protected by a security fence and not a perimeter fence as is the case in major airports in the country;

Worried by the lack of any form of fencing at the Sam Mbakwe International Airport, Owerri;

Resolves to:

(*i*) urge the Federal Ministry of Aviation to construct a security fence at the Sam Mbakwe International Airport, Owerri, Imo State and other Federal Airports across the country; and

(*ii*) mandate the Committees on Aviation, and Legislative Compliance to ensure compliance (*Hon. Bede Eke — Aboh-Mbaise/Ngor Okpala Federal Constituency*).

Agreed to.

(HR. 181/05/2018).

Motion referred to the ***Committees on Aviation, and Legislative Compliance****, pursuant to Order Eight, Rule* 9 (5).

12. **Need to Stop the Increasing Rate of Child Labour, Molestation and Abuse in Nigeria**
Motion made and Question proposed:

The House:

Aware that children are gifts from Almighty God and as such should be loved, provided for and protected;

Also aware that the Child's Rights Act as passed by the National Assembly shows commitment to work with the International Labour Organisation to combat child labour in Nigeria;

Disturbed at the sudden and disturbing rise in the rate of child labour, molestation and abuse in Nigeria;

Worried that the recent data published by the National Bureau of Statistics shows that 50.8% of Nigerian children, aged between 5 and 17 are engaged in child labour;

Further aware that child labour entails work that are mentally, physically, socially or morally dangerous and harmful to the children and ultimately deprives them the opportunity to good education;

Concerned that oftentimes, child domestic helps are forced to do work that are beyond their tender bodies, and eventually stunt the general development of the children involved;

Also concerned that children who depend on the care of adult often end up being molested and maltreated in ways that are out rightly inhumane;

Notes with concern the Report in the Vanguard Newspaper of Tuesday, November 14, 2017, where, in Lagos, a woman threw her 15 years old maid from the balcony of a two (2) storey building on the accusation that she stole her jewelries;

Also notes another case reported in the Punch Newspaper of Saturday, January 6, 2018, where, again in Lagos, a woman was arrested for locking up her 11year old housemaid in a poorly ventilated house without food and traveled for the Christmas;

Still aware of a survey by the National Population Commission in 2014 which showed that 6 out of every 10 children have experienced some form of violence and 50% of Nigerian children have experienced physical violence and that between 2014 to date, there has not been any improvement;

Also disturbed that child sexual abuse is beginning to rear its ugly head in Nigeria and the most recent happened in Lagos, where a school supervisor was accused of sexually molesting a two-year-old child;

Observes that there is no better time than now to declare a state of emergency against all forms of child abuse in Nigeria;

Mindful of the provisions of Section 14, subsection (1) (*b*) of the Constitution of the Federal Republic of Nigeria, 1999 (as amended) which states, that "the security and welfare of the people shall be the primary purpose of government";

Resolves to:

(*i*) urge the Ministries of Women Affairs and, Labour and Productivity to put modalities in place to arrest the spate of child abuse in Nigeria;

(*ii*) mandate the Committees on Women Affairs and Social Development, Human Rights, and Labour, Employment and Productivity to:

(*a*) enlighten the Public on the need to bring the incidences of child molestation and abuse to the notice of the relevant authorities, and

(*b*) investigate the trend, and report back within two (2) weeks for further legislative action (*Hon. Omosede Igbinedion — Ovia Northeast/Ovia Southwest Federal Constituency*).

Debate.

Agreed to.

The House:

Aware that children are gifts from Almighty God and as such should be loved, provided for and protected;

Also aware that the Child's Rights Act as passed by the National Assembly shows commitment to work with the International Labour Organisation to combat child labour in Nigeria;

Disturbed at the sudden and disturbing rise in the rate of child labour, molestation and abuse in Nigeria:

Worried that the recent data published by the National Bureau of Statistics shows that 50.8% of Nigerian children, aged between 5 and 17 are engaged in child labour;

Further aware that child labour entails work that are mentally, physically, socially or morally dangerous and harmful to the children and ultimately deprives them the opportunity to good education;

Concerned that oftentimes, child domestic helps are forced to do work that are beyond their tender bodies, and eventually stunt the general development of the children involved;

Also concerned that children who depend on the care of adult often end up being molested and maltreated in ways that are out rightly inhumane;

Noted with concern the Report in the Vanguard Newspaper of Tuesday, November 14, 2017, where, in Lagos, a woman threw her 15 years old maid from the balcony of a two (2) storey building on the accusation that she stole her jeweries;

Also noted another case reported in the Punch Newspaper of Saturday, January 6, 2018, where, again in Lagos, a woman was arrested for locking up her 11year old housemaid in a poorly ventilated house without food and traveled for the Christmas;

Still aware of a survey by the National Population Commission in 2014 which showed that 6 out of every 10 children have experienced some form of violence and 50% of Nigerian children have experienced physical violence and that between 2014 to date, there has not been any improvement;

Also disturbed that child sexual abuse is beginning to rear its ugly head in Nigeria and the most recent happened in Lagos, where a school supervisor was accused of sexually molesting a two-year-old child;

Observed that there is no better time than now to declare a state of emergency against all forms of child abuse in Nigeria;

Mindful of the provisions of Section 14, subsection (1) (b) of the Constitution of the Federal Republic of Nigeria, 1999 (as amended) which states, that "the security and welfare of the people shall be the primary purpose of government";

Resolved to:

(*i*) urge the Ministries of Women Affairs and, Labour and Productivity to put modalities in place to arrest the spate of child abuse in Nigeria;

(*ii*) mandate the Committees on Women Affairs and Social Development, Human Rights, and Labour, Employment and Productivity to:

(*a*) enlighten the Public on the need to bring the incidences of child molestation and abuse to the notice of the relevant authorities, and

(*b*) investigate the trend, and report back within two (2) weeks for further legislative action (**HR. 182/05/2018**).

13. **Suspension of Order Seven, Rule 2 (2)**

Motion made and Question proposed, "That the House do suspend Order Seven, Rule 2 (2) to enable Mr Speaker preside in the Committee of the Whole" (*Hon. Orker-Jev Emmanuel Yisa — Buruku Federal Constituency*).

Agreed to.

14. **Consideration of Reports**

(*i*) ***Committee on Housing:***

Motion made and Question proposed, "That the House do consider the Report of the Committee on Housing on the Need to Ensure Full Compliance with the National Housing Fund Act for Effective Housing Delivery in Nigeria and approve the recommendations therein"(*Hon. Ahmed Babba Kaita — Kankia/Ingawa/Kusada Federal Constituency*).

Agreed to.

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

(HOUSE IN COMMITTEE)

(*Mr Speaker in the Chair*)

Recommendation (i):

"That the Central Bank of Nigeria (CBN), Commercial Banks and Insurance Companies should be compelled to perform their statutory duties as provided in the Act" (*Hon. Ahmed Babba Kaita — Kankia/Ingawa/Kusada Federal Constituency*).

Agreed to.

Recommendation (ii):

"That the Federal Government should re-capitalise the Federal Mortgage Bank of Nigeria to the tune of ₦500 billion to make it more vibrant and responsive to its functions, for effective housing delivery in Nigeria" (*Hon. Ahmed Babba Kaita — Kankia/Ingawa/Kusada Federal Constituency*).

Agreed to.

Recommendation (iii):

"That the promotion of the parallel organisations against the interest of the Federal Republic of Nigeria should be further investigated and sanctioned" (*Hon. Ahmed Babba Kaita — Kankia/Ingawa/Kusada Federal Constituency*).

Agreed to.

Recommendation (iv):

"That the Federal Mortgage Bank of Nigeria should be given necessary government support in areas like guarantee, recapitalisation and allocations to empower the Bank for maximum productivity" (*Hon. Ahmed Babba Kaita — Kankia/Ingawa/Kusada Federal Constituency*).

Agreed to.

Recommendation (v):

"That steps should be taken to review the provisions of the Act to make it more enforceable" (*Hon. Ahmed Babba Kaita — Kankia/Ingawa/Kusada Federal Constituency*).

Agreed to.

Recommendation (vi):
"That existing Federal Government institutions should be supported rather than create new ones to avoid duplication of functions" (*Hon. Ahmed Babba Kaita — Kankia/Ingawa/Kusada Federal Constituency*).

Agreed to.

Chairman to report proceedings.

(HOUSE IN PLENARY)

Mr Speaker in the Chair, reported that the House in Committee of the Whole considered the Report of the Committee on Housing on the Need to Ensure Full Compliance with the National Housing Fund Act for Effective Housing Delivery in Nigeria and approved Recommendations (*i*) - (*vi*) of the Report.

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

(*ii*) ***Committee on Housing:***
Motion made and Question proposed, "That the House do consider the Report of the Committee on Housing on a Bill for an Act to Repeal the National Housing Fund Act, Cap. N45, Laws of the Federation of Nigeria, 2004 and Enact the National Housing Fund Bill to make Provisions for Additional Sources of Funding; and for Related Matters (HB. 1077) and approve the recommendations therein"(*Hon. Ahmed Babba Kaita — Kankia/Ingawa/Kusada Federal Constituency*).

Agreed to.

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

(HOUSE IN COMMITTEE)

(*Mr Speaker in the Chair*)

A BILL FOR AN ACT TO REPEAL THE NATIONAL HOUSING FUND ACT, CAP. N45, LAWS OF THE FEDERATION OF NIGERIA, 2004 AND ENACT THE NATIONAL HOUSING FUND, TO MAKE PROVISIONS FOR ADDITIONAL SOURCES OF FUNDING AND FOR RELATED MATTERS (HB. 1077)

Committee Recommendation:
Clause 1: Establishment of the National Housing Fund.

(1) There is hereby established a fund to be known as the National Housing Fund (in this Bill referred to as "the Fund").

(2) All contributions and other monies required or prescribed by this Bill shall be paid into the Fund (*Hon. Ahmad Babba Kaita — Kankia/Ingawa/Kusada Federal Constituency*).

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

Committee Recommendation:
Clause 2: Aims and Objectives of the Fund.
The aims and objectives of the Fund shall be to:

(*a*) facilitate the mobilization of fund for the provision of houses for Nigerians at affordable prices;

(*b*) ensure the constant supply of loans to Nigerians for the purpose of building: purchasing and improvement of residential houses;

(*c*) providing incentives for the capital market to invest in property development;

(*d*) encourage the development of specific programmes that would ensure effective financing of housing development, in particular, low cost housing for low income earners;

(*e*) provide proper policy control over the allocation of resources and funds between the housing sector and other sectors of the Nigerian economy;

(*f*) provide long-term loans to mortgage institutions for on-lending to contributors to the Fund;

(*g*) provide loans to private developers, housing corporations, housing cooperatives, to enable them develop low cost housing and also encourage the development of specific programmes that would ensure effective financing of such low cost housing development especially for low income earners; and

(*h*) provide funding for any other activities relating to housing as may be determined and approved by the Bank (*Hon. Ahmad Babba Kaita — Kankia/Ingawa/Kusada Federal Constituency*).

Amendment Proposed:
In Clause 2 (*b*), *leave out* the words "constant supply" and *insert* the word "sustainability" (*Hon. Shehu Garba Sarkin -Noma — Jema'a/Sanga Federal Constituency*).

Question that the amendment be made — ***Agreed to.***

Question that Clause 2 as amended, stands part of the Bill — ***Agreed to.***

Committee Recommendation:
Clause 3: Resources of the Fund.
The resources of the Fund shall consist of the following, that is —

(*a*) contributions by Nigerians both in the public and private sectors.

(*b*) investment in the Fund by commercial and merchant banks;

(*c*) investment in the Fund by insurance companies registered under the Insurance Act; (Cap 117.)

(*d*) investment in the Fund by Pension Fund Administrators;

(*e*) financial contributions by the Federal Government for long-term housing loans; and

(*f*) sustainable Development Levy (in this Bill referred to as "the Levy) on locally produced or imported cement (*Hon. Ahmad Babba Kaita — Kankia/Ingawa/Kusada Federal Constituency*).

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

Committee Recommendation:

Clause 4: Sustainable Development Levy.

(1) There shall be paid and credited into the Fund a sustainable development levy on locally produced and imported cement at the rate of ₦2,000.00 per ton or ₦100.00 per bag of 50kg.

(2) Notwithstanding the provisions of sub-clause (1) of this Clause, the President may, by an Executive Order, vary, add, delete, amend or substitute consumer goods, services or products and approve rates for the levy as and when he may deem fit in the circumstance (*Hon. Ahmad Babba Kaita — Kankia/Ingawa/Kusada Federal Constituency*).

Consideration deferred, to enable the Committee on Housing to liaise with Committee on Finance to re-examining the Clause and report back.

Committee Recommendation:

Clause 5: Contribution to the Fund.

(1) Any employee earning the national minimum wage and above in either the public or private sector in Nigeria shall contribute 2.5 per cent of his monthly income to the Fund

(2) Any self-employed person earning the equivalent of the national minimum wage and above shall contribute 2.5 per cent of his monthly income to the Fund.

(3) An interest rate of 2 percent per annum or as may be determined by the Bank from time to time shall be payable on the contributions made under sub-clauses (1) and (2) of this Clause.

(4) The Federal Government may also make any grant of money in either Naira or foreign currency to the Fund as the Government may from time to time determine (*Hon. Ahmad Babba Kaita — Kankia/Ingawa/Kusada Federal Constituency*).

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

Committee Recommendation:

Clause 6: Investment by Banks, Insurance Companies and Pension Fund Administrators.

(1) Every commercial or merchant bank shall invest a minimum of 10 percent of its profit before tax into the Fund at an interest rate of 1 percent above the interest rate payable on current accounts by banks.

(2) Every registered insurance company shall invest a minimum of 10 percent of its profit before tax into the Fund at an interest rate not exceeding 1 per cent above the interest rate payable on current accounts by banks.

(3) Nothing contained in the Insurance Act or relating to investment of insurance companies in real property shall affect the provisions of this Bill.

(4) Every registered Pension Fund Administrator shall invest a minimum of 10 percent of its profit before tax into the Fund at an interest rate not exceeding 1 per cent above the interest rate payable on current accounts by banks.

(5) Nothing contained in the Pension Reform Act [2014 No. 4] relating to investment of Pension Fund Administrators in real estate development investments shall affect the provisions of this Bill (*Hon. Ahmad Babba Kaita — Kankia/Ingawa/Kusada Federal Constituency*).

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

Committee Recommendation:

Clause 7: Contribution by the Federal Government.

(1) The Federal Government shall make adequate financial contributions to the Fund for the purpose of granting of long term loans and advances for housing development in Nigeria.

(2) The Federal Government may also make available such other sums either in Naira or foreign currency to the Fund as it may deem necessary (*Hon. Ahmad Babba Kaita — Kankia/Ingawa/Kusada Federal Constituency*).

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

Committee Recommendation:

Clause 8: Deductions by employers from monthly salary of workers.

(1) An employer who has in its employment an employee earning the national minimum wage and above in both the private and public sectors of the Nigerian economy shall deduct 2.5 per cent of the monthly salary of the employee as the employee's contributions to the Fund.

(2) The amount deducted pursuant to sub-clause (1) of this Clause shall be remitted into the Fund through the Bank not later than one month from the date of making the deduction.

(3) It shall be the responsibility of the employer to maintain and keep proper record of the amount deducted and remitted every month for every employee (*Hon. Ahmad Babba Kaita — Kankia/Ingawa/Kusada Federal Constituency*).

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

Committee Recommendation:

Clause 9: Deduction and Remittance of contributions of Self-employed persons.

The provisions of sub-clauses (1) and (2) of Clause 8 of this Bill shall apply to all self-employed persons who shall remit the deduction into the Fund through the Bank every month (*Hon. Ahmad Babba Kaita — Kankia/Ingawa/Kusada Federal Constituency*).

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

Committee Recommendation:

Clause 10: Duty of the Central Bank of Nigeria to collect contribution from Banks.

(1) The Central Bank of Nigeria shall collect from commercial and merchant banks at the end of every year and not later than one month thereafter, the percentage of their contribution to the Fund as specified in Clause 6 (1) of this Bill.

(2) The Central Bank of Nigeria shall within one month of making collection under subsection (1) of this section pay the money to the Bank for investment in the Fund.

(3) Failure by any commercial or merchant bank to pay to the bank any amount due under sub-clause (1) of this Clause shall be a contravention of this Bill, and shall constitute grounds for which the Central Bank of Nigeria may cancel the license of any commercial or merchant bank that is in default (*Hon. Ahmad Babba Kaita — Kankia/Ingawa/Kusada Federal Constituency*).

Question that Clause 10 *stands part of the Bill* — ***Agreed to.***

Committee Recommendation:

Clause 11: Duties of National Insurance Commission.

(1) The National Insurance Commission shall collect from insurance companies at the end of every year and not later than one month thereafter, the percentage of their contribution to the Fund as specified in Clause 6 (2) of this Bill.

(2) The National Insurance Commission shall within one month of making collection under subsection (1) of this section pay the money to the Bank for investment in the Fund.

(3) Failure by any insurance company to pay to the Bank any amount due under sub-clause (1) of this clause shall be regarded as a contravention of this Bill and shall constitute one of the grounds for which the Commissioner for Insurance may cancel the license of an insurance company in default (*Hon. Ahmad Babba Kaita — Kankia/Ingawa/Kusada Federal Constituency*).

Question that Clause 11 *stands part of the Bill* — ***Agreed to.***

Committee Recommendation:

Clause 12: Duties of National Pension Commission.

(1) The National Pension Commission shall collect from Pension Fund Administrators at the end of every year and not later than one month thereafter, the percentage of their contribution to the Fund as specified in Clause 6 (4) of this Bill.

(2) The National Pension Commission shall within one month of making collection under sub-clause (1) of this Clause pay the money to the Bank for investment in the Fund.

(3) Failure by any Pension Fund Administrator to pay the Bank any amount due under sub-clause (1) of this Clause shall be regarded as a contravention of this Bill and shall constitute one of the grounds for which the National Pension Commission may cancel the license of any Pension Fund Administrator in default (*Hon. Ahmad Babba Kaita — Kankia/Ingawa/Kusada Federal Constituency*).

Question that Clause 12 *stands part of the Bill* — ***Agreed to.***

Committee Recommendation:

Clause 13: Duty of Federal Inland Revenue Service to collect Sustainable Development Levy.

(1) The Federal Inland Revenue Service (FIRS) (hereinafter referred to as "the Service") shall assess and collect from manufacturing companies and importers the levy imposed under Clause 4 (1) of this Bill.

(2) The Service shall pay the levy collected to the Bank and shall, when doing so, submit to the Bank, in an approved return form showing:

(*i*) the name of the company or importer making the payment;

(*ii*) the amount collected;

(*iii*) the assessable turnover of the company or importer for the accounting period; and

(*iv*) any other information as may be required by the Bank for the proper administration of the levy.

(3) The levy shall be due and payable within 60 days after the Service has served notice of the assessment on the company or importer in such form as the Service may, from time to time, determine.

(4) Where a levy is not paid within the time specified in sub-clause (3), the Service shall serve on the company or importer, a demand note for the unpaid levy plus a sum which is equal to 2 percent of the levy.

(5) Any company or importer that fails within two months after a demand note, to pay the levy imposed commits an offence and is liable on conviction to a fine of not less than ₦100,000,000.00 and the Chief Executive Officer, Director or every person who was purporting to act in that capacity of the company or importer shall be liable to be prosecuted and punished for the offence in like manner as if he had himself committed the offence, unless he proves that the act or omission constituting the offence took place without his knowledge, consent or connivance.

(6) A person guilty of an offence under sub-clause (5) of this Clause shall be liable on conviction, to a fine of ₦10,000,000.00 or imprisonment for a term of 3 years or to both such fine and imprisonment.

(7) The institution of proceeding or imposition of a penalty under this Bill shall not relieve a company or importer from liability to pay the Service such levy that may become due under this Bill (*Hon. Ahmad Babba Kaita — Kankia/Ingawa/Kusada Federal Constituency*).

Question that Clause 13 *stands part of the Bill* — ***Agreed to.***

***Committee Recommendation*:**

Clause 14: Bank to pay money received into the Fund.

All monies received by the Bank under this Bill shall be credited to the Fund immediately on receipt (*Hon. Ahmad Babba Kaita — Kankia/Ingawa/Kusada Federal Constituency*).

Question that Clause 14 *stands part of the Bill* — ***Agreed to.***

***Committee Recommendation*:**

Clause 15: Management of the Fund, etc.

(1) The Fund shall be managed and administered by the Bank.

(2) The Bank shall ensure that —

(*a*) the proceeds from the Fund are utilized to finance the housing sector of the economy through wholesale mortgage lending to Primary Mortgage Banks; and (*b*) the aims, objectives and functions of the Fund are effectively carried out by the Bank and mortgage institutions (*Hon. Ahmad Babba Kaita — Kankia/Ingawa/Kusada Federal Constituency*).

Question that Clause 15 *stands part of the Bill* — ***Agreed to.***

***Committee Recommendation*:**
Clause 16: Utilization of Loan by Mortgage Institutions.
A Mortgage Institution registered under the Mortgage Institutions Act (in this Bill referred to as "mortgage institution") shall utilize proceeds from the Fund to finance mortgage lending in accordance with the provisions of this Bill and the Mortgage Institutions Act (*Hon. Ahmad Babba Kaita — Kankia/Ingawa/Kusada Federal Constituency*).

Question that Clause 16 *stands part of the Bill* — ***Agreed to.***

***Committee Recommendation*:**
Clause 17: Beneficiaries under the Fund.

(1) A Mortgage Institution duly licensed by the Central Bank of Nigeria shall qualify for loans from the Fund, on such terms and conditions as the Minister may, from time to time, by regulations published in the Gazette, specify.

(2) Any loan obtained by a mortgage institution under subsection (1) of this section shall be made available to the contributors wishing to build, purchase or renovate houses.

(3) The Minister may by regulations published in the Gazette specify the manner in which and the conditions and the terms of repayment of any loan obtained pursuant to subsection (2) of this section (*Hon. Ahmad Babba Kaita — Kankia/Ingawa/Kusada Federal Constituency*).

Question that Clause 17 *stands part of the Bill* — ***Agreed to.***

***Committee Recommendation*:**
Clause 18: Security for loans from the Fund.

(1) Any loan obtained from a mortgage institution by an individual contributor to the Fund, shall be secured by a Tripartite Legal Mortgage between the individual contributor, the Primary Mortgage Bank and the Bank.

(2) Any housing estate development loan granted to a private developer, housing corporation or housing cooperative shall be secured by any or a combination of:

(*a*) a first mortgage on the property to which the loan relates;

(*b*) treasury bills;

(*c*) title deed of the property owned by the borrower;

(*d*) title deed of the property owned by its directors or by private developer, housing corporation or housing cooperative;

(*e*) debentures, indemnity bonds and any other financial instrument; or (*f*) other securities as may be approved by the Bank, from time to time (*Hon. Ahmad Babba Kaita — Kankia/Ingawa/Kusada Federal Constituency*).

Question that Clause 18 *stands part of the Bill* — ***Agreed to.***

***Committee Recommendation*:**

Clause 19: Interest on Loan.

(1) The loans made by the Bank shall be at interest rate lower than the prevailing commercial rates in Nigeria, or as may be determined by the Bank from time to time.

(2) The interest rate for each loan shall be fixed for the duration of the loan.

(3) The Bank shall charge the mortgage institution not more than two percentage point above its borrowing rate or such other percentage as may be determined from time to time by the Bank.

(4) The mortgage institution shall be allowed a minimum spread of two percentage point above the rate charged by the Bank or such other percentage as may be determined from time to time by the Bank.

(5) Interest rates on loans obtained for housing estate development from the Bank by estate developer, housing corporation or housing cooperative shall be determined by the Bank.

(6) Any other terms and conditions for accessing the loan shall be determined by the Bank (*Hon. Ahmad Babba Kaita — Kankia/Ingawa/Kusada Federal Constituency*).

Question that Clause 19 *stands part of the Bill* — ***Agreed to.***

***Committee Recommendation*:**

Clause 20: Refund to a Contributor after retirement from Office, etc.

(1) Any contributor who does not have an outstanding loan with the Bank and has attained:

(*a*) 60 years of age; or

(*b*) 35 years of service; or

(*c*) such other retirement age or years of service as may be provided in any law in force in Nigeria;

shall be entitled to refund of contribution at an interest rate of 2 percent per annum, within three months of the application.

(2) The contributions of a deceased contributor who does not have an outstanding loan shall be paid to his legal personal representatives who present to the Bank, a Will or Letters of Administration of the estate of the deceased issued from the Probate Registry (*Hon. Ahmad Babba Kaita — Kankia/Ingawa/Kusada Federal Constituency*).

Question that Clause 20 *stands part of the Bill* — ***Agreed to.***

Committee Recommendation:

Clause 21: **Inspection.**

The Bank shall have a right of access at all reasonable times to offices, books of account and documents relating to deductions made, in accordance with this Bill by any employer or self- employed person and make any examination and inquiry necessary to obtain information for the purposes of this Bill (*Hon. Ahmad Babba Kaita — Kankia/Ingawa/Kusada Federal Constituency*).

Question that Clause 21 *stands part of the Bill* — ***Agreed to.***

***Committee Recommendation*:**

Clause 22: Rendering of Accounts.

(1) The Bank shall render a periodic account on the Fund to the Central Bank of Nigeria in such form as the Minister may direct.

(2) The Bank shall render annual returns to all contributors showing amongst other things, total contributions, accrued interests and balance to date.

(3) A mortgage institution which has obtained a loan from the Bank, shall render to the Bank quarterly returns in such form and manner as the Minister may, from time to time, specify (*Hon. Ahmad Babba Kaita — Kankia/Ingawa/Kusada Federal Constituency*).

Question that Clause 22 *stands part of the Bill* — ***Agreed to.***

***Committee Recommendation*:**

Clause 23: Offences and penalties for the failure by an Employer to deduct and remit deductions.

(1) An employer who:

(*a*) fails to make deduction from the monthly salaries of his employees as required by this Bill; or

(*b*) deduct any sum of money from the monthly salaries of his employees for the purpose of the Fund and fails to remit the money so deducted to the Bank is guilty of an offence under this Bill.

(2) A person guilty of an offence under subsection (1) of this section is liable on conviction, in case of:

(*a*) a body corporate, to a fine of ₦5,000,000; and

(*b*) an individual who is a staff in the employment of an employer and who is authorized to make deduction or payment to the bank, to a fine of ₦50,000 or imprisonment for a term of five years or to both such fine and imprisonment.

(3) A self-employed person who fails to make deductions or deducts and fails to remit to the Bank any money due to the Fund is guilty of an offence under this Bill and liable on conviction of a fine of ₦100,000 or to imprisonment for a term of one year or both fine and imprisonment.

(4) A person who prevents or obstructs the deduction or remittance of the contribution due to the Bank under this Bill is guilty of an offence and is liable on conviction to a fine of ₦50,000 or to imprisonment for a term of one year or to both such fine and imprisonment.

(5) The institution of proceedings or imposition of a penalty under this section shall not relieve any employer or self-employed person from liability to pay to the Bank the money deducted by him for the purpose of the Fund (*Hon. Ahmad Babba Kaita — Kankia/Ingawa/Kusada Federal Constituency*).

Question that Clause 23 *stands part of the Bill* — ***Agreed to.***

***Committee Recommendation*:**

Clause 24: Offences and Penalties for the failure of a Body Corporate to collect or pay contributions.

(1) A body corporate that contravenes or fails to comply with provisions of this Bill is guilty of an offence under this Bill.

(2) Where an offence under this Bill is committed by a body corporate, every Chief Executive Officer, Director or every person who was purporting to act in that capacity is severally guilty of that offence and shall be liable to be prosecuted against and punished for the offence in like manner as if he had himself committed the offence, unless he proves that the act or omission constituting the offence took place without his knowledge, consent or connivance.

(3) A person guilty of an offence under sub-clauses (1) and (2) of this Clause shall be liable on conviction, in case of:

(*a*) a body corporate, to a fine of ₦100,000,000.00; and

(*b*) an individual, to a fine of ₦10,000,000.00 or imprisonment for a term of 3 years or to both such fine and imprisonment.

(4) The institution of proceedings or imposition of a penalty under this Bill shall not relieve a body corporate from liability to pay the amount which is or may become due under the Bill (*Hon. Ahmad Babba Kaita — Kankia/Ingawa/Kusada Federal Constituency*).

Question that Clause 24 *stands part of the Bill* — ***Agreed to.***

***Committee Recommendation*:**

Clause 25: Offences of making false statement or misrepresentation, etc.

A person who for the purpose of evading payment of any deduction or contribution made by him or some other person or who for the purpose of obtaining any benefit for himself or some other person under the Fund, knowingly makes:

(*a*) any false statement; or

(*b*) misrepresentation; or

(*c*) produces or furnishes any document or information which he knows to be false in any material particular is guilty of an offence under this Bill and liable on conviction to a fine of ₦60,000 or to imprisonment for a term of three (3) years or to both of such fine and imprisonment (*Hon. Ahmad Babba Kaita — Kankia/Ingawa/Kusada Federal Constituency*).

Question that Clause 25 *stands part of the Bill* — ***Agreed to.***

Committee Recommendation:
Clause 26: Failure to produce Document.
A person who fails to produce any document for inspection under this Bill is guilty of an offence and liable on conviction in the case of —

(*a*) a body corporate, to a fine of ₦1,000,000.00

(*b*) an individual to a fine of ₦50,000.00 or imprisonment for a term of one year or to both such fine and imprisonment (*Hon. Ahmad Babba Kaita — Kankia/Ingawa/Kusada Federal Constituency*).

Question that Clause 26 *stands part of the Bill* — ***Agreed to.***

***Committee Recommendation*:**
Clause 27: The Fund and contributions to be exempted from taxes.
The Fund and refund of any contribution made under this Bill, shall be exempted from payment of taxes (*Hon. Ahmad Babba Kaita — Kankia/Ingawa/Kusada Federal Constituency*).

Question that Clause 27 *stands part of the Bill* — ***Agreed to.***

***Committee Recommendation*:**
Clause 28: Jurisdiction.
The Federal High Court shall have jurisdiction to try all offences under this Bill (*Hon. Ahmad Babba Kaita — Kankia/Ingawa/Kusada Federal Constituency*).

Question that Clause 28 *stands part of the Bill* — ***Agreed to.***

***Committee Recommendation*:**
Clause 29: Additional penalty.

(1) The court before which any person is convicted of an offence under Clause 25 of this Bill, may without prejudice to any civil remedy, order that person to pay to the Fund the amount of any contribution due and any interest or penalty on the contribution, certified by the Bank to be due from that person to the Fund for the credit of that person and where applicable to the credit of the employees concerned

(2) Notwithstanding anything contained in any limitation law or any other law, contributions under this Bill together with any interest or penalty payable may be recovered by an action at any time within 12 years from the date when the contribution or penalty becomes due.

(3) An action for the recovery of contribution or other penalty under this section, may be instituted in the name of the Bank or by any officer in the Bank or by any other person authorised by the Bank (*Hon. Ahmad Babba Kaita — Kankia/Ingawa/Kusada Federal Constituency*).

Amendment Proposed:
In subclause (1), line 4, immediately after the word "penalty", *insert* the words "at prevailing Commercial Bank rate" (*Hon. Babangida Ibrahim — Malumfashi/Kafur Federal Constituency*).

Question that the amendment be made — ***Agreed to.***

Question that Clause 29 *as amended, stands part of the Bill* — ***Agreed to.***

Committee Recommendation:
Clause 30: **Power to make Regulations.**
The Minister may, on the recommendation of the Bank, make such regulations as may be necessary for the implementation of this Bill (*Hon. Ahmad Babba Kaita — Kankia/Ingawa/Kusada Federal Constituency*).

Question that Clause 30 *stands part of the Bill* — ***Agreed to.***

***Committee Recommendation*:**
Clause 31: Repeal and Savings.
(1) The National Housing Fund Act, Cap. N45, Laws of the Federation of Nigeria, 2004 is repealed.

(2) The Repealed Act shall not:

(*a*) revive anything not in force or existing at the time when the repeal takes effect

(*b*) affect the previous operation of the enactment or anything duly done or suffered under the enactment

(*c*) affect any right, privilege, obligation or liability accrued or incurred under the enactment; or

(*d*) affect any penalty, forfeiture or punishment incurred in respect of any offence committed under the enactment (*Hon. Ahmad Babba Kaita — Kankia/Ingawa/Kusada Federal Constituency*).

Question that Clause 31 *stands part of the Bill* — ***Agreed to.***

***Committee Recommendation*:**
Clause 32: Transitional Provisions.
(1) There shall be vested in the Fund established under this Bill and without further assurances all assets, funds, resources and other movable and immovable property which immediately before the commencement of this Bill were vested in the former enactment existing immediately before the commencement of this Bill.

(2) All rights, interest, obligations and liabilities of the former enactment existing immediately before the commencement of this Bill under any contract or instruments, or in law or in equity, shall by virtue of this Bill be assigned to and vested in the Fun established under this Bill.

(3) Any contract or instrument as referred to in sub-clause (2) of this Clause shall be of the same force and effect against or in favour of the Fund established under this Bill and shall be enforced as fully and effectively as if, instead of the former enactment existing immediately before the commencement of this Bill, the Fund established under this Bill has been named therein or had been a party thereof.

(4) The Fund established under this Bill shall be subject to all the obligations and liabilities to which the former enactment existing immediately before the commencement of this Bill was subject and all other persons shall, as from the commencement of this Bill have the same rights, power and remedies against the Fund established under this Bill as they had against the former enactment existing immediately before the commencement of this Bill.

(5) Notwithstanding the provisions, of this Bill but subject to such directions as may be issued by the Fund established under this Bill, a person who immediately before the commencement of this Bill held office in the former enactment existing immediately before the commencement of this Bill shall be deemed to have been transferred to the Fund established under this Bill on terms and conditions not less favourable than those obtaining immediately before the commencement of this Bill, and service in the former enactment existing immediately before the commencement of this Bill shall be deemed to be service in the Fund established under this Bill for purposes of pension.

(6) Any regulations, orders, bye-laws or notices made or issued or deemed to be made or issued by or for the purposes of the former enactment existing immediately before the commencement of this Bill shall be deemed to have been made or issued by or for the purpose of the Fund established under Clause 1 of this Bill and shall continue in force until revoked or amended, subject to such modifications as may, from time to time, be applicable to the Fund established under this Bill.

(7) The Minister may if he thinks fit, within 12 months after the commencement of this Bill, by order published in the Federal Gazette, make additional transitional or saving provisions for carrying into effect the objectives of this schedule (*Hon. Ahmad Babba Kaita — Kankia/Ingawa/Kusada Federal Constituency*).

Question that Clause 32 *stands part of the Bill* — ***Agreed to.***

Committee Recommendation:

Clause 33: Interpretation.

In this Bill, unless the context otherwise requires —

"Bank" means Federal Mortgage Bank of Nigeria (*Hon. Ahmad Babba Kaita — Kankia/Ingawa/Kusada Federal Constituency*).

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

"Banks" means commercial and merchant banks (*Hon. Ahmad Babba Kaita — Kankia/Ingawa/Kusada Federal Constituency*).

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

"Contributions" means deductions made from the monthly salaries of workers and remitted in accordance with the provisions of the Bill (*Hon. Ahmad Babba Kaita — Kankia/Ingawa/Kusada Federal Constituency*).

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

"Contributor" means a worker from whose basic salary or income deductions are made and paid into the Fund in accordance with the provisions of this Bill (*Hon. Ahmad Babba Kaita — Kankia/Ingawa/Kusada Federal Constituency*).

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

"Housing estate development loan" means the system of lending money to private estate developers, housing corporations, housing cooperatives under this Bill or regulations made thereunder for the development of housing by the Bank (*Hon. Ahmad Babba Kaita — Kankia/Ingawa/Kusada Federal Constituency*).

Question that the meaning of the words "Housing estate development loan" be as defined in the interpretation to this Bill — ***Agreed to.***

"Minister" means the Minister charged with the responsibility for matters relating to housing and urban development and "Ministry" shall be construed accordingly (*Hon. Ahmad Babba Kaita — Kankia/Ingawa/Kusada Federal Constituency*).

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

"Mortgage institution" means a mortgage institution licensed under the Mortgage Institution Act; [Cap. M19], and certified by the Central Bank of Nigeria to access the Fund for loans for on-lending to contributors (*Hon. Ahmad Babba Kaita — Kankia/Ingawa/Kusada Federal Constituency*).

Question that the meaning of the words "Mortgage institution" be as defined in the interpretation to this Bill — ***Agreed to.***

"National Insurance Commission" means a body corporate charged with the responsibility of regulating the activities of Insurance Companies (*Hon. Ahmad Babba Kaita — Kankia/Ingawa/Kusada Federal Constituency*).

Question that the meaning of the words "National Insurance Commission" be as defined in the interpretation to this Bill — ***Agreed to.***

"National Pension Commission" means a body corporate charged with the responsibility of regulating the activities of the Pension Fund Administrators (*Hon. Ahmad Babba Kaita — Kankia/Ingawa/Kusada Federal Constituency*).

Question that the meaning of the words "National Pension Commission" be as defined in the interpretation to this Bill — ***Agreed to.***

"On-lending" means the system of retail mortgage lending to individual contributors by mortgage institutions under this Bill or under any regulation made thereunder (*Hon. Ahmad Babba Kaita — Kankia/Ingawa/Kusada Federal Constituency*).

Question that the meaning of the words "On-lending" be as defined in the interpretation to this Bill — ***Agreed to.***

"Pension Fund Administrator" means any body corporate licensed by the National Pension Commission as a Pension Fund Administrator (*Hon. Ahmad Babba Kaita — Kankia/Ingawa/Kusada Federal Constituency*).

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

"Primary Mortgage Bank" means primary mortgage institution licensed by the Central Bank of Nigeria (*Hon. Ahmad Babba Kaita — Kankia/Ingawa/Kusada Federal Constituency*).

*Question that the meaning of the words "Primary Mortgage Bank" be as defined in the interpretation to this Bill — **Agreed to.***

"Retail mortgage lending" means the system of lending money to contributors by mortgage institutions under the Bill or under any regulations made thereunder (*Hon. Ahmad Babba Kaita — Kankia/Ingawa/Kusada Federal Constituency*).

*Question that the meaning of the words "Retail mortgage lending" be as defined in the interpretation to this Bill — **Agreed to.***

"The Levy" means levy on locally produced or imported cement (*Hon. Ahmad Babba Kaita — Kankia/Ingawa/Kusada Federal Constituency*).

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

"The Service" means the Federal Inland Revenue Service (FIRS) charged with the duty of collecting levy imposed on cement under this Bill (*Hon. Ahmad Babba Kaita — Kankia/Ingawa/Kusada Federal Constituency*).

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

"Wholesale mortgage lending" means the system of lending money to mortgage institutions under this Bill, or regulations made thereunder (*Hon. Ahmad Babba Kaita — Kankia/Ingawa/Kusada Federal Constituency*).

*Question that the meaning of the words "Wholesale mortgage lending" be as defined in the interpretation to this Bill — **Agreed to.***

"Worker" means an employee to whom salaries are paid and includes a self-employed person who derives income from his employment (*Hon. Ahmad Babba Kaita — Kankia/Ingawa/Kusada Federal Constituency*).

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

*Question that Clause 33 stands part of the Bill — **Agreed to.***

Committee Recommendation:
Clause 34: Citation.
This Bill may be cited as the National Housing Fund (Establishment) Bill, 2018 (*Hon. Ahmad Babba Kaita — Kankia/Ingawa/Kusada Federal Constituency*).

*Question that Clause 34 stands part of the Bill — **Agreed to.***

Long Title:
A Bill for an Act to Repeal the National Housing Fund Act, Cap. N45, Laws of the Federation of Nigeria, 2004 and Enact the National Housing Fund, to Make Provisions for Additional Sources of Funding and for Related Matters (HB. 1077) (*Hon. Ahmad Babba Kaita — Kankia/Ingawa/Kusada Federal Constituency*).

Agreed to.

Chairman to report Bill.

(HOUSE IN PLENARY)

Mr Speaker in the Chair, reported that the House in Committee of the Whole considered the Report of the Committee on Housing on a Bill for an Act to Repeal the National Housing Fund Act, Cap. N45, Laws of the Federation of Nigeria, 2004 and Enact the National Housing Fund Bill to make Provisions for Additional Sources of Funding; and for Related Matters (HB. 1077) and approved Clause 1, approved Clause 2 as amended, approved Clause 3, deferred Clause 4, approved Clauses 5 - 28, approved Clause 29 as amended, approved Clauses 30 - 34, and the Long Title of the. Bill.

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

(iii) ***Committee on Housing*:**
Motion made and Question proposed, "That the House do consider the Report of the Committee on Housing on a Bill for an Act to Repeal the Federal Mortgage Bank of Nigeria Act, Cap. F16, Laws of the Federation of Nigeria, 2004 and Enact the Federal Mortgage Bank of Nigeria Bill to make Comprehensive Provisions for Establishment of the Federal Mortgage Bank of Nigeria and its Board of Directors; and for Related Matters (HB. 911) and approve the recommendations therein" (*Hon. Ahmed Babba Kaita — Kankia/Ingawa/Kusada Federal Constituency*).

Agreed to.

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

(HOUSE IN COMMITTEE)

(Mr Speaker in the Chair)

A BILL FOR AN ACT TO REPEAL THE FEDERAL MORTGAGE BANK OF NIGERIA ACT, CAP. F16, LAWS OF THE FEDERATION OF NIGERIA, 2004, AND ENACT THE FEDERAL MORTGAGE BANK OF NIGERIA BILL TO MAKE COMPREHENSIVE PROVISIONS FOR THE ESTABLISHMENT OF THE FEDERAL MORTGAGE BANK OF NIGERIA AND ITS BOARD OF DIRECTORS AND FOR RELATED MATTERS (HB. 911)

***Committee Recommendation*:**
Clause 1: Establishment of the Federal Mortgage Bank of Nigeria.

(1) There is hereby established a mortgage bank to be known as the Federal Mortgage Bank of Nigeria (in this Bill referred to as "the Mortgage Bank").

(2) The Mortgage Bank:

(*a*) shall be a body corporate with perpetual succession and a common seal.

(*b*) may sue and be sued in its corporate name;

(*c*) may for the purpose of its functions acquire, hold or dispose of property whether movable or immovable (*Hon. Ahmad Babba Kaita — Kankia/Ingawa/Kusada Federal Constituency*).

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

***Committee Recommendation*:**
Clause 2: Ownership of the Mortgage Bank.
The Mortgage Bank shall be wholly owned by the Federal Government of Nigeria (*Hon. Ahmad Babba Kaita — Kankia/Ingawa/Kusada Federal Constituency*).

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

***Committee Recommendation*:**

Clause 3: Establishment and Composition of the Board of Directors.

(1) There is hereby established for the Mortgage Bank a board of directors (in this Bill referred to as "the Board") which shall comprise:

(*a*) a Chairman who shall be appointed by the President;

(*b*) a representative each of:

(*i*) the Federal Ministry of Housing;

(*ii*) the Federal Ministry of Finance;

(*iii*) the organized labour to be nominated by the Nigeria Labour Congress, the Trade Union Congress and the Nigeria Employers Consultative Association (on a rotational basis)

(*c*) one person to represent the Public interest

(*d*) the Managing Director of the Mortgage Bank; and

(*e*) three Executive Directors of the Mortgage Bank.

(2) The members of the Board other than the Chairman and ex-officio members shall be appointed by the President on the recommendation of the body they represent.

(3) The members of the Board shall be paid such allowances as the Mortgage Bank in general meeting may, from time to time approve.

(4) The provision of the Schedule to this Bill shall have effect with respect to the proceedings of the Board and the other matters mentioned therein (*Hon. Ahmad Babba Kaita — Kankia/Ingawa/Kusada Federal Constituency*).

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

Clause 4: Composition of the Board.

(1) The Board shall consist of the following members to be appointed by the President on the recommendation of the Minister:

(*a*) a Chairman;

(*b*) a representative each of:

(*i*) the Federal Ministry of Housing and Urban Development;

(*ii*) the Federal Ministry of Finance;

(*iii*) the Nigerian Institutionof Estate Surveyors and Valuers;

(*iv*) the Nigerian Institution of Estate of Architects;

(*v*) the Central Bank of Nigeria;

(*vi*) the Nigeria Social Insurance Trust Fund;

(*vii*) the Organised Private Sector;

(*c*) one person to represent public interest; and

(*d*) the Managing Director of the Mortgage Bank.

(*e*) the Executive Directors of the Mortgage Bank

(2) The provisions of the Schedule to this Bill shall have effect with respect to the proceedings of the Board and the other matters mentioned therein.

***Committee Recommendation*:**
Leave out the provision of Clause 4 (*Hon. Ahmad Babba Kaita — Kankia/Ingawa/Kusada Federal Constituency*).

Agreed to.

***Committee Recommendation*:**
Clause 5: Tenure of Office.
The Chairman and other members of the Board, other than the Managing Director and the Executive Directors, shall hold office:

(*a*) for a term of 4 years in the first instance and may be re-appointed for one further term of 4 years and no more; and

(*b*) on such other terms and condition as may be specified in their letters of appointment (*Hon. Ahmad Babba Kaita — Kankia/Ingawa/Kusada Federal Constituency*).

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

***Committee Recommendation*:**
Clause 6: Cessation of membership.
(1) Notwithstanding the provision of Clause 5 of this Bill a person shall cease to hold office as a member of the Board if:

(*a*) he resigns as a member by notice in writing under his hand addressed to the President through the Minister;

(*b*) he becomes bankrupt or makes a compromise with his creditors;

(*c*) he is convicted of a felony or any offence involving dishonesty or fraud;

(*d*) he becomes of unsound mind or is incapable of carrying out his duties;

(*e*) he is guilty of a serious misconduct in relation to his duties;

(*f*) in the case of a person possessed of professional qualification, he is disqualified or suspended, from practicing his profession in any part of the world by an order of a competent authority made in respect of that member; or

(*g*) he becomes a director or an officer of a mortgage institution.

(2) If a member of the board ceases to hold office for any reason whatsoever before the expiration of the term for which he is appointed, another person representing the same interest as that member shall be appointed to the Board for the un-expired term.

(3) If it appears to the Board that a member of the Board is incapable of holding office on the grounds of misconduct or inability to perform the functions of his office, the Board shall make a recommendation, through the Minister, to the President for the removal of the member.

(4) Notwithstanding sub-clauses (1) and (3) of this clause, a member of the Board may be removed by the President if he is satisfied that it is not in the interest of the Mortgage Bank or of the public that the member continues in office.

(5) If the President approves the resignation under paragraph *(f)* of sub-clause (1) or the removal under sub-clauses (3) and (4) of this clause, the Minister shall declare in writing, the office of such member vacant (*Hon. Ahmad Babba Kaita — Kankia/Ingawa/Kusada Federal Constituency*).

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

Clause 7: Remuneration, allowances, etc of members.
The Chairman and members of the Board shall be paid such remunerations, allowances and expenses as may be approved by the President, from time to time, on the recommendation of the Minister.

Committee Recommendation:
Leave out the provision of Clause 7 (*Hon. Ahmad Babba Kaita — Kankia/Ingawa/Kusada Federal Constituency*).

Agreed to.

Committee Recommendation:
Clause 8: Powers of the Board.
The Board shall have power to:

(a) acquire office and other premises for the use of the Mortgage Bank;

(b) fix terms and conditions of service including remuneration, allowances, and other benefits of the employees of the Mortgage Bank as it may deem necessary for the proper performance of its functions;

(c) establish such zonal and other branches of the Mortgage Bank as it may deem necessary for the proper performance of its functions; and

(d) do such other things which in its opinion are calculated to facilitate the carrying out of the functions of the Mortgage Bank under this Bill (*Hon. Ahmad Babba Kaita — Kankia/Ingawa/Kusada Federal Constituency*).

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

Committee Recommendation:
Clause 9: Functions of the Board.
The Board shall subject to the general direction of the Minister:

(*a*) manage and superintend the affairs of the Mortgage Bank;

(*b*) be responsible for the overall and general management of the Mortgage Bank;

(*c*) formulate policies and guidelines for operating the loans from the Mortgage Bank and ensuring their implementation;

(*d*) working closely with the management of the Mortgage Bank, ensure the smooth operation of its affairs;

(*f*) decide on and approve the borrowing power and credit limits of the Mortgage Bank;

(*g*) approve annual reports and audited statements of account of the Mortgage Bank;

(*h*) appoint external auditor and approve their fees and

(*i*) carry out such other activities connected with or incidental to the functions of the Board (*Hon. Ahmad Babba Kaita — Kankia/Ingawa/Kusada Federal Constituency*).

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

***Committee Recommendation*:**

Clause 10: Functions of the Mortgage Bank.

The functions of the Mortgage Bank shall be to:

(*a*) provide long-term credit facilities to mortgage institutions in Nigeria at such rates and on such terms as may be determined by the Board in accordance with the policy direction of the Federal Government, being rates and terms designed to enable the mortgage institutions to grant comparable facilities to Nigerians desiring to acquire houses of their own;

(*b*) provide credit facilities to:

(*i*) primary mortgage institutions, for on-lending to National Housing Fund contributors,

(*ii*) real estate development companies,

(*iii*) housing corporations,

(*iv*) housing cooperatives, and

(*v*) such other organizations as the Board may deem fit,

at such rate and on such terms and conditions as may be determined, from time to time, by the Board in accordance with applicable laws;

(*c*) encourage the emergence and sustainable growth of a viable secondary mortgage market;

(*d*) encourage the development of specific programmes that would ensure effective financing of low-cost housing development;

(*e*) supervise and control the activities of primary mortgage banks in accordance with the provisions of the National Housing Fund Act for the utilization of the National Housing Fund;

(*f*) collect, manage and administer the National Housing Fund in accordance with the provisions of the National Housing Fund Act;

(*g*) encourage and promote the development of mortgage institutions at rural, local, State and Federal level; and

(*h*) do anything and enter into any transaction which in the opinion of the Board is necessary to ensure the proper performance of its functions under this Bill (*Hon. Ahmad Babba Kaita — Kankia/Ingawa/Kusada Federal Constituency*).

Question that Clause 10 *stands part of the Bill —* ***Agreed to.***

***Committee Recommendation*:**

Clause 11: Powers of the Mortgage Bank, etc.

(1) Without prejudice to the provisions of Clause 9 of this Bill, the Mortgage Bank shall, as a secondary mortgage institution, have powers to:

(*a*) accept deposits and savings from mortgage institutions and other institutional depositors;

(*b*) issue its own securities including debentures and bonds under the guarantee of the Federal Government;

(*c*) establish a sinking fund for the redemption of securities by the Mortgage Bank and provide for contributions by it to the sinking fund;

(*d*) carry out research aimed at improving housing patterns and standards in both urban and rural areas of Nigeria;

(*e*) encourage and promote studies and researches aimed at improving mortgage finance systems, housing patterns, and standards that are capable of facilitating housing delivery activities in both the urban and rural areas of Nigeria;

(*f*) in collaboration with reputable insurance companies, organize mortgage protection systems designed to safeguard the mortgage and guarantee liquidity to primary mortgage institutions as well as afford them the opportunity of having liberal premium terms and

(*g*) do anything and enter into any transaction which in its opinion is necessary to ensure the proper performance of its functions under this Bill.

(2) The liability of the Mortgage Bank, which may be incurred in connection with the exercise of the Mortgage Bank's powers under sub-clause (1) of this Clause, shall be re-discountable with the Central Bank of Nigeria (*Hon. Ahmad Babba Kaita — Kankia/Ingawa/Kusada Federal Constituency*).

Question that Clause 11 *stands part of the Bill —* ***Agreed to.***

Committee Recommendation:

Clause 27: **Indemnity of Officers.**

A member of the Board or any officer or employee of the Mortgage Bank shall be indemnified out of the assets of the Mortgage Bank against any liability incurred by him in defending any proceeding, whether civil or criminal, if the proceeding is brought against him in his capacity as a member of the Board, Managing Director, officer or employee of the Mortgage Bank (*Hon. Ahmad Babba Kaita — Kankia/Ingawa/Kusada Federal Constituency*).

*Question that Clause 27 stands part of the Bill — **Agreed to.***

Committee Recommendation:

Clause 28: **Branches and Offices of the Mortgage Bank.**

The Mortgage Bank may:

(*a*) open offices and branches in such parts of Nigeria on the approval of the Board;

(*b*) open offices outside Nigeria on the approval of the Board and the Central Bank of Nigeria (*Hon. Ahmad Babba Kaita — Kankia/Ingawa/Kusada Federal Constituency*).

*Question that Clause 28 stands part of the Bill — **Agreed to.***

Committee Recommendation:

Clause 29: **Power to make regulations.**

(1) The Board may, on the recommendation of the Mortgage Bank, make regulations generally for the purposes of this Bill or for giving effect to the provisions of this Bill.

(2) Without prejudice to the generality of the foregoing, the Board may make regulations with respect to any of the following matters, that is:

(*a*) the granting of loans, advances and the making of deposits;

(*b*) with the approval of the Minister and subject to the Mortgage Institutions Act or any other Law in that respect, the relationship between the Mortgage Bank and Primary Mortgage Banks in so far as it relates to the National Housing Fund;

(*c*) the terms, conditions, rates of interest, fees or administrative charges in respect of advances, credits, guarantees and any other transaction which the Mortgage Bank may undertake, from time to time, except in so far as it relates to the National Housing Fund;

(*d*) the type of application, agreements and other materials necessary for the control of the grant of advance, credits, guarantees and other transactions which the Mortgage Bank may undertake, from time to time, subject to the guidelines provided by the Central Bank of Nigeria;

(*e*) the securities that may be required for loans to be granted by the Bank; and (*f*) any other matter that may be incidental or supplemental to the functions of the Mortgage Bank under this Bill (*Hon. Ahmad Babba Kaita -- Kankia/Ingawa/Kusada Federal Constituency*).

Question that Clause 29 stands part of the Bill — ***Agreed to.***

Committee Recommendation:

Clause 30: **Repeal.**

The Federal Mortgage Bank of Nigeria Act, Cap. F16, LFN, 2004 is repealed (*Hon. Ahmad Babba Kaita — Kankia/Ingawa/Kusada Federal Constituency*).

Question that Clause 30 stands part of the Bill — ***Agreed to.***

Committee Recommendation:

Clause 31: **Transitional Provisions.**

(1) All assets, funds, resources and other movable or immovable properties which immediately before the commencement of this Bill were vested in the Federal Mortgage Bank of Nigeria established under the repealed enactment shall by virtue of this Bill, be vested in the Mortgage Bank established under this Bill-

(*a*) the rights, interests, obligations and liabilities of the Federal Mortgage Bank of Nigeria, established under the repealed enactment under any contract or instrument or at law or in equity are assigned to and vested in the Mortgage Bank established under this Bill: and

(*b*) any contract or instrument mentioned in sub-clause (1) (*a*) of this Clause shall be of the same force and effect against or in favour of the Mortgage Bank established under this Bill, and shall be enforceable as fully and as effectively as if it were entered into or the liability were incurred or the right acquired by the Mortgage Bank established under this Bill.

(2) The Mortgage Bank established under this Bill shall be subject to all obligations and liabilities to which the former Mortgage Bank existing immediately before the commencement of this Bill was subject and all other persons shall, as from the commencement of this Bill have the same rights, powers and remedies against the Mortgage Bank established under this Bill as if they had against the former Mortgage Bank existing immediately before the commencement of this Bill.

(3) Any proceeding or cause of action pending or existing immediately before the commencement of this Bill by or against the former Mortgage Bank existing immediately before the commencement of this Bill for any obligation or liability may be continued or commenced by or against the Mortgage Bank established under this Bill.

(4) A determination of any court, tribunal or other authority or person made in a proceeding or cause of action referred to in sub-clause (3) of this Schedule may be enforced by or against the Mortgage Bank established under this Bill to the same extent that the proceedings, cause of action or determination could have been continued, commenced or enforced by or against the former Mortgage Bank established under the former enactment as if this Bill had not been made.

Long Title:
A Bill for an Act to Repeal the Federal Mortgage Bank of Nigeria Act, Cap. F16, Laws of the Federation of Nigeria, 2004, and Enact the Federal Mortgage Bank of Nigeria Bill, to Make Comprehensive Provisions for the Establishment of the Federal Mortgage Bank of Nigeria and its Board of Directors and for Related Matters (HB. 911) (*Hon. Ahmad Babba Kaita — Kankia/Ingawa/Kusada Federal Constituency*).

Agreed to.

Chairman to report Bill.

(HOUSE IN PLENARY)

Mr Speaker in the Chair, reported that the House in Committee of the Whole considered the Report of the Committee on Housing on a Bill for an Act to Repeal the Federal Mortgage Bank of Nigeria Act, Cap. F16, Laws of the Federation of Nigeria, 2004 and Enact the Federal Mortgage Bank of Nigeria Bill to make Comprehensive Provisions for Establishment of the Federal Mortgage Bank of Nigeria and its Board of Directors; and for Related Matters (HB. 911) and approved Clauses 1 - 3, rejected Clause 4, approved Clauses 5 - 6, rejected Clause 7, approved Clauses 8 - 33, the Schedule, the Explanatory Memorandum, and the Long Title of the Bill.

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

14. Adjournment
That the House do adjourn till Wednesday, 23 *May,* 2018 *at* 11.00 *a.m.* (*Hon. Mohammed Tahir Monguno — Monguno/Marte/Nganzai Federal Constituency*).

The House adjourned accordingly at 1.54 *p.m.*

Yakubu Dogara
Speaker