FOURTH REPUBLIC
8TH NATIONAL ASSEMBLY
SECOND SESSION
NO. 31

HOUSE OF REPRESENTATIVES
FEDERAL REPUBLIC OF NIGERIA

ORDER PAPER

Thursday, 6 October, 2016

1. Prayers
2. Approval of the Votes and Proceedings
3. Oaths
4. Message from the President of the Federal Republic of Nigeria (*if any*)
5. Message from the Senate of the Federal Republic of Nigeria (*if any*)
6. Other Announcements (*if any*)
7. Petitions (*if any*)
8. Matter(s) of Urgent Public Importance
9. Personal Explanation

PRESENTATION OF REPORTS

1. **Committee on Inter-Parliamentary Relations**
   Hon. Samuel Okon Ikon:
   "That the House do receive the Report of the Committee on Inter-Parliamentary Relations on the 134th Assembly of the Inter-Parliamentary Union (IPU) and Other Related Meetings held in Lusaka, Zambia between 19 - 23 March, 2016".

2. **Committee on Inter-Parliamentary Relations**
   Hon. Samuel Okon Ikon:
   "That the House do receive the Report of the Committee on Inter-Parliamentary Relations on the African Parliament Union (APU) on the 68th Session of the Executive Committee held in Khartoum, Sudan on 2 and 3 June, 2016".

3. **Committee on Commerce:**
   Hon. Sylvester Ogbaga:
   "That the House do receive the Report of the Committee on Commerce on a Bill for an Act to Provide for the Establishment of the Chartered Institute of Export and Commodity Brokers of Nigeria; and for Other Matters Connected Therewith (HB. 85)" (*Referred*: 8/12/2015).

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4. **Committee on Commerce:**
Hon. Sylvester Ogbaga:
"That the House do receive the Report of the Committee on Commerce on a Bill for an Act to Repeal the Consumer Protection Act, Cap.C25, LFN, 2004; Establish the Federal Competition and Consumer Protection Commission and the Competition and Consumer Protection Tribunal for the Development and Promotion of Fair, Efficient and Competitive Markets in the Nigerian Economy, Facilitate Access by all Citizens to Safe Products, Secure the Protection of Rights for all Consumers in Nigeria; and for Other Related Matters (HBs 1 and 60)" (*Referred*: 15/12/2015).

5. **Committee on Tertiary Education and Services:**
Hon. Aminu Suleiman:
"That the House do receive the Report of the Committee on Tertiary Education and Services on the Call for Overhaul of the Tertiary Education Sector to Meet the Modern Needs of Nigeria (**HR. 164/2015**)" (*Referred*: 29/10/2015).

6. **Committee on Tertiary Education and Services:**
Hon. Aminu Suleiman:
"That the House do receive the Report of the Committee on Tertiary Education and Services on the Call for Upgrade of the Federal College of Education (Special), Oyo to the Status of a University (**HR. 162/2015**)" (*Referred*: 29/10/2015).

ORDERS OF THE DAY

BILLS

1. A Bill for an Act to Establish the FCT Resettlement, Compensation and Rehabilitation Board; and for Other Related Matters (HB. 308) (*Hon. Iorwase Herman Hembe*) — *Second Reading*.

2. A Bill for an Act to Provide a Policy Framework for the Development of Bio-Fuels Energy Industry in Nigeria; Establish the Bio-Fuels Energy Regulatory Commission; Establish the Bio-Fuels Research Agency; and for Other Related Matters (HB. 125) (*Hon. Kingsley Chinda*) — *Second Reading*.

3. A Bill for an Act to Amend the Nigerian Law Reform Commission Act, Cap. N118, Laws of the Federation of Nigeria, 2004; and for Other Related Matters (HB.655) (*Hon. Bode Ayorinde*) — *Second Reading*.

4. A Bill for an Act to Establish a Trust Fund for the Purposes of Financing and Strengthening the Nigerian Entertainment Industry to Spark Job Creation and Economic Growth, to provide for the Management of the Fund; and for Other Related Matters (HB. 724) (*Hon. Yusuf Ahmed Tijjani*) — *Second Reading*.

5. A Bill for an Act to Amend the Electric Power Sector Reform Act, Cap. E7, Laws of the Federation of Nigeria, 2004 to Reposition the Nigeria Electricity Regulatory Commission for Effective Service Delivery; and for Other Related Matters (HB. 611) (*Hon. Mohammed Usman*) — *Second Reading*.

MOTIONS

6. **Concurrence with Senate Resolution on the State of Economy:**
Hon. Femi Gbajabiamila:

The House

Notes, that the Senate, at its sitting on Tuesday, 27th September, 2016 considered a Report of its Ad Hoc Committee on State of Economy and Resolved as follows:

"(*i*) the Executive should, as a matter of urgency, prepare an Economic Stimulus Bill containing all the fiscal stimulus packages, investments, and incentives designed to pull the country out of recession, to the National Assembly for accelerated consideration and passage;

(*ii*) the fiscal and monetary authorities must meet to harmonize all policies that lower interest rates for genuine investors in the real sector as well as medium and small scale farmers and processors;

(*iii*) in order to shore up our foreign reserves, Government should explore every avenue to restore the oil production target of 2.2 million barrels per day. Peaceful means should be immediately crafted and adopted to stop the vandalization of petroleum and gas assets in the Niger Delta Region;

(*iv*) in order to avoid flooding the market with excess liquidity, release of low interest funding under the stimulus package (Special Intervention Funds) should be calibrated, targeted and monitored in favour of specific industries and projects that add immediate value to the economy by way of job creation, cost reduction and import substitution. Such projects and programmes should include:

— Social safety-net programmes

— Immediate release of funds to address the humanitarian crises in the North East Zone

— Power generation, transmission and distribution

— Agricultural value chain

— Textile manufacturing and garment industry

— National highway network construction and maintenance

— Railway construction and maintenance

— Motor vehicle assembly plants

— Completion and commissioning of Ajaokuta Steel Complex and associated industries

— Project and investments in the Arts, Science and Technology, particularly by raising the profile of our music and film industries and funding start-ups in new technology and ICT.

(*v*) Government must engage in meaningful and inclusive dialogue with the aggrieved Niger Delta Militants to avoid an escalation of the unrest in the region and ensure protection of our Nation's oil and gas assets to facilitate increase in oil production and boost revenue therefrom. To this end, Senate advises Mr President to as a matter of urgency, raise a team that should coordinate the governments engagement with all stakeholders in the Niger Delta region and these team should include the elected representatives from the zone;

(*vi*) urgently negotiate foreign concessionary borrowing instruments to provide funds to cover revenue shortfalls to ensure the full implementation of 2016 Budget and Government accelerate infrastructural development programme;

(*vii*) restrict and cap the issuance of local debt instruments (Bonds and Treasury Bills) so that the government does not crowd-out local investors from the market;

(*viii*) review and ensure the payment of all genuine domestic debts owed to local contractors who had satisfactorily completed the jobs ordered by the Government;

(*ix*) settled all outstanding salaries and pension liabilities;

(*x*) leverage the use of pension and insurance funds to provide long-term capital for on lending to targeted agriculture, industry and housing projects;

(*xi*) the Executive should re-constitute the Board of the Central Bank of Nigeria (CBN) and all other critical Agencies in order to ensure that they operate in accordance with the enabling laws;

(*xii*) effort should be made through executive action or legislation to encourage the telecommunication companies to float their shares in the Nigerians stock market;

(*xiii*) pending the establishment of the North East Development Commission, Government should immediately set-up an *Ad-hoc* Committee for the reconstruction of the North-East and rehabilitation and resettlement of all the Internally Displaced Persons (IDPs);

(*xiv*) the President should consider the establishment of Council of Economic Advisers made up of experts in economic management, to proffer advice on the initiation and co-ordination of economic policies, in order to restore confidence in the conduct of government business;

(*xv*) eliminate the fear factor presently hurting the conduct of business relationships and driving away investors by: establishing a platform for a pro-business oriented leadership level engagement to boost market confidence, and conducting the anti-graft ad financial crimes operations within the ambits of rule of law ad avoid releasing information to the media before full investigation is concluded and evidence brought before a court of competent jurisdiction;

(*xvi*) retool export promotion policy scheme with export incentives such as the resumption of the Export Expansion Grant (EEG), and introduction of export financing initiatives;

(*xvii*) National Assembly is always ready to engage the Executive in order to create the necessary synergy on all matters of economic and social interventions that are capable of bringing succor to Nigerians. In this respect, the President is urged to consider building and institutionalizing and enduring partnership with the Legislature for the promotion and sustenance of good governance and economic policy formation and implementation;

(*xviii*) on our part, the National Assembly:

(*a*) institute legislative framework with timelines for certain key government policies especially in area of agriculture and mineral sub-sector, to boost investors' confidence in government and protect them against policy reversals likely to jeopardize their investments,

(*b*) examine, prioritize and fast track the consideration and passage of the following Bills capable of reviving the national economy and providing favourable level playing environment for both local and foreign investors:

— Petroleum Industry Bill,

— National Development Bank of Nigeria (Establishment) Bill,

— Nigerian Ports and Harbours Authority Act (Amendment) Bill,

— National Road Fund (Establishment) Bill,

— National Transport Commission Act (Amendment) Bill,

— Warehouse Receipts Act (Amendment) Bill,

— Companies and Allied Matters Act (CAMA) (Amendment) Bill,

— Investment and Securities Act (ISA),

— Customs and Excise Management Act,

— Federal Competition Bill, and

— National Road Authority Bill;

(*xix*) that the Senate is not in support of the sales of National Assets;

(*xx*) that the Senate do urge the Federal Government as a matter of urgecy re-negotiate the term of engagement with our Joint Venture partners in relation to production cost and profit sharing favourable to Nigeria;

(*xxi*) that the Senate do urge the Federal Government to commit 10% of the National Budget to Agriculture and Solid Minerals;

(*xxii*) that the Senate invite the Executive Secretary of the Financial Reporting Council of Nigeria to brief the Senate on the recovery fund;

(*xxiii*) that the Senate Leadership present these recommendations to Mr President Commander-in-Chief of the Armed Forces of the Federation by hand;

(*xxiv*) that the Report of the Ad hoc Committee on Power on the review of the sales in the power sector be presented to the Senate; and

(*xxv*) that the Parliament amend Section 162 of the 1999 Constitution to make it compulsory to save part of the money in the Federation Account on a sustainable basis";

And in view of the Importance of this Resolution to the economy of the country;

Resolves to:

Concur with the Senate Resolution (**S/Res./018/02/16**) of Tuesday, 27 September, 2016 on the State of the Economy.

7. **Call for Rehabilitation of Kwalkwalawa and Usman Dan-Fodio University Permanent Site Road and Construction of a New Bridge in Sokoto North and South Federal Constituency: Hon. Hassan Bala Abubakar:**

The House:

Notes that the Kwalkwalawa and Usman Dan Fodio University Permanent Site Road was constructed about forty (40) years ago with two bridges providing access to both Rivers Sokoto and Rima with culverts, and the area is fadama in nature at both sides of the road;

Also notes that no rehabilitation work had been carried out on the road until the flooding incident of 2010 which washed away a substantial part of the road and the earthwork connecting the bridges, thereby cutting off many communities, and it took the intervention of the Nigerian Army Corp of Engineers which deployed a floating bridge to provide access to the communities pending the reconstruction of the bridges;

Aware that the Federal Government in January 2011, awarded a contract to Mothercat for the sum of Two billion, Two Hundred and Fifty-Four Million Naira (₦2,254,000,000.00) only and the contractor was paid a mobilization fee of over ₦300,000,000.00 (Three Hundred Million Naira) and commenced work on the Sokoto-Illela axis, rehabilitating the bridge at the University permanent site, before abandoning the site for failure of the Government to release the balance of the contract sum;

Also recalls the 2010 flooding, which was caused by the overflow and consequent collapse of the spill way of Goranyo and Bakalori Dams, both of which discharged into Rivers Sokoto and Rima when they overflowed, which incident led to loss of lives and destruction of properties worth millions of Naira, and has continued to cause nightmare to the people;

Concerned that the deplorable condition of the very busy road is causing enormous hardships on the people and is leading to accidents resulting in loss of lives and believing that an immediate reconstruction of the road and rebuilding of the bridges will assuage the pains of the people;

Resolves to:

(*i*) Urge the Federal Ministry of Works, Power and Housing to initiate the process of making Mothercat return to site to resume the reconstruction work on the road and the construction of the bridge; and

(*ii*) mandate the Committees on Works, and Appropriations to ensure the inclusion of money in the 2017 budget for the reconstruction of the Kwalkwalawa and Usman Dan Fodio University permanent site road.

8. Need to Investigate the Collection of 1% Comprehensive Import Supervisory Scheme (CISS) by the Nigeria Customs Service and Its Disbursement by the Central Bank of Nigeria (CBN) between 2013 and 2016:
Hon. Jerry Alagbaoso:

The House:

Notes that the 1% Comprehensive Import Supervisory Scheme (CISS) is one of the charges imposed on goods imported into the country, and it was introduced in 1977 following the introduction of Pre-Shipment Inspection (PSI) regime, to pay Pre-Shipment Inspection Agents (PIAs) who conducted inspection on all goods imported into the country at designated ports of the countries of origin of the goods, before their shipment;

Aware that the re-introduction of Destination Inspection (DI) in 2006, requires not only the inspection of all imports into the country through the air, seaports and land borders, but also the government's utilization of the 1% Comprehensive Import Supervisory Scheme for the payment of the service providers under this scheme;

Also aware that after the expiration of the Destination Inspection contract on November 30, 2013, the Nigeria Customs Service took over the services previously being rendered by the Destination Inspection Agents and introduced the Pre-arrival Assessment Report (PAAR) to replace it, while still remitting the 1% CISS to the CBN;

Further aware that the CBN pays back part of the money to the Nigeria Customs Service while it withholds large amount of it, perhaps for other miscellaneous disbursements, without appropriation by the National Assembly, in violation of Section 80 of the 1999 Constitution;

Concerned by the apparent lack of accountability in the disbursement and management of the remaining balance accruing from the 1% CISS by the CBN after part of it had been given back to the Nigeria Customs Service;

Resolves to:

Mandate the Committees on Customs and Excise, Banking and Currency, and Finance to investigate the disbursement and management of the Funds and report back to the House within six (6) weeks for further legislative action.

9. **Urgent Need to Investigate Government Ministries, Departments and Agencies Earning Monies in Foreign Currency but Remitting In Naira to the Federation Account:**
Hon. Michael Enyong:

The House:

Recalls that the Central Bank of Nigeria (CBN) issued a circular numbered BSD/DIR/GEN/LAB/08/024 on May 21, 2015 to all revenue generating ministries, departments and agencies of government conducting business in the aviation, maritime and free trade zones, permitting them to accept payments in foreign currencies for services they render;

Aware that some of these Agencies include:

(*a*) the Nigerian Maritime Administration and Safety Agency (NIMASA),

(*b*) the Federal Airports Authority of Nigeria (FAAN),

(*c*) the Nigerian Airspace Management Authority(NAMA),

(*d*) the Nigerian Ports Authority (NPA),

(*e*) the Federal Inland Revenue Service (FIRS);

Also aware of the provision of Section 162 (1) of the 1999 Constitution that the Federation shall maintain a special account called "The Federation Account", into which shall be paid all revenues collected by the Government of the Federation;

Further aware that by Section 162 (10) of the Constitution "Revenue" means "any income, or return accruing to, or derived by the Government of the Federation from any source";

Concerned that while the nation is saddled with the burden of managing the current economic recession, revenue-generating agencies authorized by law to receive earnings in foreign currency do so but convert the monies earned in foreign currency into Naira which they remit to the Federation Account, thereby depleting the nation's revenues and sabotaging the economy;

Cognizant that this practice encourages collusion between revenue earning and receiving Ministries, Departments and Agencies (MDAs) and the receiving authority to short-change the nation of billions of naira annually;

Realizes that the present economic realities in the country, calls for harnessing of all resources to address the nation's macro-economic concerns;

Resolves to:

Constitute an *Ad-hoc* Committee to investigate Government Ministries, Departments and Agencies that earn revenues in foreign currency but remit Naira to the Federation Account, and report back to the House within eight (8) weeks for further legislative action.

10. **Need to Address the Unlawful Sale of Transformers by the Distribution Companies (DISCOS): Hon. Garba Ibrahim Mohammed:**

The House:

Notes that prior to the enactment of the Electric Power Sector Reform Act of 2005 which privatized the power sector, thereby enabling private companies to participate in electricity generation, transmission and distribution, which led to the separation of the Power Holding Company (PHCN) into 11 distribution firms, six generation and one transmission companies, the sector was solely controlled by the PHCN;

Also notes that previously, the Federal Ministry of Power oversaw the electric power sector in Nigeria, until 2005 when the Nigerian Electricity Regulatory Commission (NERC) was established under the Electric Power Sector Reform Act of 2005 to act as an independent regulator to drive the power sector reform programme of the Federal Government;

Aware that the NERC is empowered by the Act to ensure an efficiently managed electricity supply industry by imposing mandatory reliability standards on the transmission system and imposing penalties on companies that manipulate the electricity market;

Also aware that in addition to its powers, the NERC is also empowered to ensure that Electricity Distribution Companies (DISCOs) provide adequate supply of electricity to its consumers by ensuring the provision and installation of transformers and other electricity distribution accessories;

Concerned that despite the clear provisions of the laws regulating the Electricity Distribution Companies, there are still public outcries by consumers of exploitation by these companies, coupled with the uncovering by the PHCN officers of over 2000 hidden transformers in Lagos, as reported by Information Desk of 13 October, 2012;

Worried by the recent trend of the DISCOs extorting money from consumers to replace transformers and other distribution accessories, which is their statutory function;

Cognizant that though the Acting Chairman of NERC, Dr Anthony Akah had, on 29 April, 2016 condemned such undesirable acts and promised to sanction any DISCO found extorting money from consumers, the acts however still persist in most parts of the country;

Observes that even though the Electric Power Reform Sector Act, 2005 has provided regulatory measures to ensure the regulation and management of the distribution and generation companies, it has had little or no effect in monitoring and prohibiting these unlawful acts;

Believes that if these acts are not checked, they will cause more hardships to the consumers, which will negate the intendment of the privatization of the power sector;

Resolves to:

(*i*) Urge the Nigerian Electricity Regulatory Commission (NERC) to carry out more effective monitoring and regulation to ensure that the distribution and generation companies comply with the law; and also investigate the nefarious acts of sale of transformers by the Distribution Companies; and

(*ii*) mandate the Committee on Power to ensure compliance and report back to the House within six (6) weeks for further legislative action.

11. **Call for the Establishment of a Naval Base at Kainji to check Illegal Immigrants and Curb Other Criminal Activities:**
Hon. Umar Muhammed Rofia:

The House:

Notes that Nigeria has three operational naval commands namely, the Western Naval Command (covering the sea area from Niger/Benin border to Delta State), the Eastern Naval Command (covering the sea area of Delta State to the Nigerian/Cameroon border) and the Central Naval Command (covering Benin River entrance to Santa Barbara river entrance);

Aware that Kainji, situated in Niger State, is known for its historical sites such as the Kainji Lake, Kainji National Park, Borgu game reserve, and Zuguruma game reserve, and the natural endowments situated in this area makes it a natural attraction for tourists from all over the world;

Concerned that there is no Naval base located in Kainji considering the fact that major rivers such as River Niger, Kainji Dam and Kainji Lake are located in the area;

Worried that owing to its geographical setting and the fact that Kainji shares borders with Benin and Niger Republics, lack of security checks have been leading to illegal immigration and importation of goods into the country, through the Rivers;

Also worried that increased activities of pirates and other vices have been recorded in the area over a long period of time, which could largely have been averted had there been a measure put in place to oversee activities in the area;

Believes that if a naval base is not located in the area to check the activities of pirates and other vices, it could remain a gateway for not only the entry of illegal goods and persons, but also a brewing ground for increased social vices which would greatly affect the socio-economic prospects of the area;

Resolves to:

(*i*) Urge the Federal Ministry of Defence and the Nigerian Navy to create a Naval Command in the Kainji to oversee security in the area, and in conjunction with the Nigeria Immigration Service and the Nigerian Customs Service, to check illegal immigration of persons and importation of goods into the country; and

(*ii*) mandate the Committees on Defence and Navy to ensure compliance.

12. **Urgent Need for the Federal Government to Establish a National Carrier:**
Hon: Asabe Vilita Bashir:

The House:

Recalls that the Nigerian Airways was established on August 23 1958 as a National Carrier and made its maiden flight on October 1, 1958 using a BOAC Stratocruiser from London to Lagos;

Aware that the airline operated proudly, reaching its height in the 1980s with scheduled flights across Africa, Europe and America with a compliment of over 8,500 workforce and a fleet of about 30 aircrafts;

Also aware that by the mid-1980s, the Nigerian Airways started experiencing severe problems owing to mal-administration, corruption, waste, abuse and other sundry acts by top government officials who got allocated seats without payment;

Also recalls that the above burden so weighed it down that by 2003, the carrier ceased operations;

Further recalls the effort made by the Federal Government in the recent past to re-establish a national carrier when it entered into an agreement with Virgin Atlantic Airways which led to the founding of Virgin Nigeria Airways, but this did not last as it was grounded in 2012;

Concerned that in the absence of a national carrier, the nation's huge aviation market has been dominated by foreign airlines that had been reaping enormous bounties from the country's aviation market that is ranked among the largest in terms of travels by the citizens;

Also concerned that some of the foreign airlines have closed operations on the Nigerian route while others have increased their fares and are struggling to survive because of the high cost of forex and the unstable foreign exchange rate due to the prevailing foreign exchange policies which have made it unprofitable for them to repatriate their profits to their home countries;

Worried that if the trend is not addressed, the consequences of the airlines shutting down operations in the country will adversely affect the economic and social activities of the people;

Regrets the huge revenues that the country has been losing from an economic sector that has proven elsewhere to be very profitable, consequent upon the liquidation of the Nigeria Airways in 2003;

Believes that floating a national carrier will redirect the aviation market in favour of the country, against the current dominance by foreign carriers, reduce the pressure on the naira, lower the cost of air fares, create employment for thousands of Nigerians, provide better grounds for competing with foreign carriers, contribute to the revenue base of the country, restore the lost national pride and rank the country in the comity of nations that own national carriers;

Resolves to:

(*i*) Urge the Federal Government to, without further delay, set in motion measures aimed at establishing a national carrier; and

(*ii*) mandate the Committee on Aviation to ensure compliance.

COMMITTEE MEETINGS

	Committee	*Date*	*Time*	*Venue*
1.	Rules and Business	Thursday, 6 October, 2016	3.00 p.m.	Committee Room 06 (White House) Assembly Complex
2.	Nigeria - Mexico Relations (*Inaugural meeting*)	Thursday, 6 October, 2016	3.00 p.m.	Committee Room 455 New Building (House) Assembly Complex
3.	Foreign Affars	Thursday, 6 October, 2016	3.00 p.m.	Committee Room 244 New Building (House) Assembly Complex

4.	*Ad-hoc* Committee to Investigate the Process of Digital (Broadcast) Switch Over	Thursday, 6 October, 2016	3.00 p.m.	Committee Room 019 New Building (House) Assembly Complex
5.	Public Service Matters	Thursday, 6 October, 2016	3.00 p.m.	Committee Room 460 New Building (House) Assembly Complex
6.	Aids, Loan and Debt Management	Thursday, 6 October, 2016	3.00 p.m.	Committee Room 348 New Building (House) Assembly Complex
7.	Basic Education and Services	Thursday, 6 October, 2016	3.00 p.m.	Committee Room 468 New Building (House) Assembly Complex
8.	*Ad-hoc* Committee on the Abuse of Pioneer Status by Companies	Thursday, 6 October, 2016	3.00 p.m.	Committee Room 305 New Building (House) Assembly Complex