



HOUSE OF REPRESENTATIVES FEDERAL REPUBLIC OF NIGERIA

VOTES AND PROCEEDINGS

Thursday, 29 November, 2018

1. The House met at 11.18 a.m. Mr Speaker read the Prayers.
2. **Votes and Proceedings**
Mr Speaker announced that he had examined and approved the *Votes and Proceedings* of Wednesday, 28 November, 2018.

The Votes and Proceedings was adopted by unanimous consent.

3. **Announcement**

- (a) **Visitors in the Gallery:**

Mr Speaker recognised the presence of the following:

- (i) Staff and Students of *Treasure Prime International Science Academy, Nursery, Primary and Secondary School*, Keffi, Nasarawa State;
 - (ii) Staff and Students of *NOWA Secondary School*, New Karshi, Nasarawa State; and
 - (iii) Members of *Ogun State Executive Council*, Ogun State.

- (b) **Defection**

Mr Speaker read communications from the following Members:

- (i) Hon. Muhammed Kabir Ajanah (*Adavi/Okehi Federal Constituency*), announcing his defection from the All Progressives Congress (APC) to Peoples Democratic Party (PDP);
 - (ii) Hon. Rabi'u Garba Kaugama (*Mallam Madori/Kaugama Federal Constituency*), announcing his defection from the Peoples Democratic Party (PDP) to Social Democratic Party (SDP);
 - (iii) Hon. Salisu Garba Koko (*Maiyama/Koko-Besse Federal Constituency*), announcing his defection from the All Progressives Congress (APC) to Social Democratic Party (SDP); and

- (iv) Hon. Adekunle Abdulkabir Akinlade (*Egbado South/Ipokia Federal Constituency*), announcing his defection from the All Progressives Congress (APC) to Allied Peoples Movement (APM).

(c) ***Education Summit Committee to Liaise with the National Universities Commission (NUC) on the Reform on Tertiary Education System (HR.91/11/2018);***

Mr Speaker announced the membership of the Committee as follows:

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|------|------------------------|---|-----------------|
| (1) | Hon. Femi Gbajabiamila | — | <i>Chairman</i> |
| (2) | Hon. Henry Nwawuba | — | <i>Member</i> |
| (3) | Hon. Mahmood Gaiya | — | <i>Member</i> |
| (4) | Hon. Nnenna Ukeje | — | <i>Member</i> |
| (5) | Hon. Muktar Betara | — | <i>Member</i> |
| (6) | Hon. Tijjani Yusuf | — | <i>Member</i> |
| (7) | Hon. Kingsley Chinda | — | <i>Member</i> |
| (8) | Hon. Babajimi Benson | — | <i>Member</i> |
| (9) | Hon. Abdulsamad Dasuki | — | <i>Member</i> |
| (10) | Hon. Victor Nwokolo | — | <i>Member</i> |

4. Petitions

- (i) A petition from Ugherighe Abiweanye and 2 others, on the termination of their appointment from the service of the Nigeria Police Force, was presented and laid by Hon. Agbonayinma Johnson Ehiozuwa (*Egor/Ipoba-Okha Federal Constituency*); and
- (ii) A petition from Merit Chambers, on behalf of the families of the Late Mallam Ali Umar and 2 others, against the Abuja Electricity Distribution Company (AEDC) for the non payment of compensation to their wards who were electrocuted on 12 April, 2017 in Anguwan Hausawa Nyanya, Abuja, was presented and laid by Hon. Jisalo Bitrus Zephaniah (*Abuja Municipal/Bwari Federal Constituency*).

Petitions referred to the Committee on Public Petitions.

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

- (i) ***Need to Investigate Violation of the National Pension Commission (PenCOM) Act:***
Hon. Benjamin Iorember Wayo (*Kwande/Ushongo 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 Investigate Violation of the National Pension Commission (PenCOM) Act:

The House:

Notes that in April 2017, the Federal Government of Nigeria announced the composition of the Board of the National Pension Commission (PenCOM) made up of a Chairman, Director-General and four (4) others members as Executive Commissioners;

Also notes that nineteen (19) months since the announcement, the members of the Board have not assumed office. This is because, as a statutory Agency, the appointment of the Board Members is made subject to the confirmation of the Senate, upon the request of the president to that effect in which the request has not been communicated to the Senate;

Further notes that the National Pension Commission (PenCOM) as established under the Pension Reform Act of 2004 is a statutory agency that regulates, supervise and ensures the effective administration of Pension matters in Nigeria, which necessarily requires a Board to be put in place at all times;

Still notes that the National Pension Commission's (PenCOM's) Net Assets Value (NAV) of the contributory Pension fund as at 28 October, 2018 stands at ₦8.779 Trillion while the number of Contributors has also grown to 8.9 million, to date;

Concerned that in the absence of the commission's Board, the lot of ₦8.779 Trillion is left in the care of an Acting Director-General;

Also concerned that a former Director-General was removed for misappropriation of its funds to the tune of ₦1 billion to ASO Savings, in a single transaction which was in financial crisis at that time;

Worried that it is risky to leave about ₦9 Trillion PenCOM Funds without proper management by the custodians and regulators;

Disturbed that the Acting Director-General, had unilaterally without any backing of the law increased her terminal benefits and those of other senior staff of the Commission by an outrageous 300 percent, and has also increased the number of PenCOM General Managers from 10 to 17 clearly in breach of extant laws governing the organisation;

Resolves to:

- (i) urge the Federal Government to abide by the Constitution of the Federal Republic of Nigeria and the PenCOM Act and forward the list of nominees of the PenCOM Board to the Senate for confirmation within 7 days; and
- (ii) set up an *Ad-hoc* Committee to investigate the activities of PenCOM from April 2017 to date and to report back within 4 weeks (*Hon. Benjamin Iorember Wayo — Kwande/Ushongo Federal Constituency*).

Debate.

Agreed to.

The House:

Noted that in April 2017, the Federal Government of Nigeria announced the composition of the Board of the National Pension Commission (PenCOM) made up of a Chairman, Director-General and four (4) others members as Executive Commissioners;

Also noted that nineteen (19) months since the announcement, the members of the Board have not assumed office. This is because, as a statutory Agency, the appointment of the Board Members is made subject to the confirmation of the Senate, upon the request of the president to that effect in which the request has not been communicated to the Senate;

Further noted that the National Pension Commission (PenCOM) as established under the Pension Reform Act of 2004 is a statutory agency that regulates, supervise and ensures the effective administration of Pension matters in Nigeria, which necessarily requires a Board to be put in place at all times;

Still noted that the National Pension Commission's (PenCOM's) Net Assets Value (NAV) of the contributory Pension fund as at 28 October, 2018 stands at ₦8.779 Trillion while the number of Contributors has also grown to 8.9 million, to date;

Concerned that in the absence of the commission's Board, the lot of ₦8.779 Trillion is left in the care of an Acting Director-General;

Also concerned that a former Director-General was removed for misappropriation of its funds to the tune of ₦1 billion to ASO Savings, in a single transaction which was in financial crisis at that time;

Worried that it is risky to leave about ₦9 Trillion PenCOM Funds without proper management by the custodians and regulators;

Disturbed that the Acting Director-General, had unilaterally without any backing of the law increased her terminal benefits and those of other senior staff of the Commission by an outrageous 300 percent, and has also increased the number of PenCOM General Managers from 10 to 17 clearly in breach of extant laws governing the organisation;

Resolved to:

- (i) urge the Federal Government to abide by the Constitution of the Federal Republic of Nigeria and the PenCOM Act and forward the list of nominees of the PenCOM Board to the Senate for confirmation within 7 days; and
- (ii) set up an *Ad-hoc* Committee to investigate the activities of PenCOM from April 2017 to date and to report back within 4 weeks (HR, 94/11/2018).

(ii) ***Need to Investigate the non Performance of the Nigerian Maritime Administration and Safety Agency (NIMASA) Regarding Safety of Lives and Property on the Bonny Waterways:***

Hon. Brown Randolph Iwo Oruene (*Degema/Bonny 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 Investigate the non Performance of the Nigerian Maritime Administration and Safety Agency (NIMASA) Regarding Safety of Lives and Property on the Bonny Waterways:

The House:

Notes that boat mishaps and piracy on our waterways, have sadly become common, especially the waterways in Degema/Bonny Federal Constituency;

Also notes that from 2017 till date, there has been over 24 major attacks by sea pirates, resulting in several deaths and loss of goods and personal effects of the passengers aboard. Several water related incidents to wit include: 17 January, 2017, robbery on the sea; 21 and 23 January, 2017, robbery on the sea; 23 January, 2017, narrow escape from a boat mishap; 17 February, 2017, robbery on the sea; 23 February, 2017, narrow escape from a boat mishap; 3 March, 2017, sea pirates attack; 2 April, 2017, sea pirates attack; 6 April, 2017, boat mishap resulting in the death of eight (8) persons — 3 children from a single mother, and 5 others, including a pastor; 2 September, 2017, two boats were robbed one after the other, 13 September, 2017, one dead from a robbery on the sea; 2, 16 and 26 October, 2017,

noted major water safety breach related incidents; 19 February, 2018, there was a major robbery on the waterways, the same incident occurred on 14 October, 2018;

Further notes that on 19 November, 2018, there was another boat mishap in Bonny, which claimed the lives of three persons, Isaac Fubara Pepple, Sonia Ibisa Hart and Madam Eugenia Fikinigomari;

Aware that these occurrences have remained unchecked because, the Government agencies saddled with the responsibility to ensure the safe passage of boats and persons on our waterways have either abdicated their responsibilities of waterway safety management or have undermined the Constitutional Right to Life of Nigerians;

Also aware that the victims of such boat mishaps and piracy are usually considered statistics to the world, but loved ones to their families and communities;

Further aware that all over the world, conscious efforts are made at ensuring safe and secured transportation by waterways and the Nigerian scenario should not be different;

Cognizant that Section 22, of the Nigerian Maritime Administration and Safety Agency Act, 2007, Laws of Federation of Nigeria, Vol. 12, spelt out and directly apportions the statutory responsibility to guarantee the safe passage and security on the waterways for every Nigerian;

Concerned that with the existence of the laws governing NIMASA, ensuring safety on our waterways, the reality on ground differs as the lives of Nigerians who use our waterways is constantly wasted through regular avoidable boat mishaps and piracy;

Resolves to:

- (i) mandate the Committee on Maritime Safety, Education and Administration to investigate the said incidents and dereliction of responsibility by the relevant Government agencies;
- (ii) urge the Nigerian Maritime Administration and Safety Agency (NIMASA), the Marine Police, the Navy and other security agencies to hence forth live up to expectation and ensure that there is constant security as well as search and rescue presence to curb these avoidable boat mishaps and concomitant deaths; and
- (iii) also mandate the Committees on Maritime Safety, Education and Administration, and Legislative Compliance, to ensure compliance and report back within four (4) weeks (*Hon. Randolph Iwo Oruene Brown — Degema/Bonny Federal Constituency*).

Debate.

Agreed to.

The House;

Noted that boat mishaps and piracy on our waterways, have sadly become common, especially the waterways in Degema/Bonny Federal Constituency;

Also noted that from 2017 till date, there has been over 24 major attacks by sea pirates, resulting in several deaths and loss of goods and personal effects of the passengers aboard. Several water related incidents to wit include: 17 January, 2017, robbery on the sea; 21 and 23 January, 2017, robbery on the sea; 23 January, 2017, narrow escape from a boat mishap; 17 February, 2017, robbery on the sea; 23 February, 2017, narrow escape from a boat mishap; 3 March, 2017, sea pirates attack; 2 April, 2017, sea pirates attack; 6 April, 2017,

boat mishap resulting in the death of eight (8) persons — 3 children from a single mother, and 5 others, including a pastor; 2 September, 2017, two boats were robbed one after the other, 13 September, 2017, one dead from a robbery on the sea; 2, 16 and 26 October, 2017, noted major water safety breach related incidents; 19 February, 2018, there was a major robbery on the waterways; the same incident occurred on 14 October, 2018;

Further noted that on 19 November, 2018, there was another boat mishap in Bonny, which claimed the lives of three persons, Isaac Fubara Pepple, Sonia Ibisa Hart and Madam Eugenia Fikinigomari;

Aware that these occurrences have remained unchecked because, the Government agencies saddled with the responsibility to ensure the safe passage of boats and persons on our water ways have either abdicated their responsibilities of waterway safety management or have undermined the Constitutional Right to Life of Nigerians;

Also aware that the victims of such boat mishaps and piracy are usually considered statistics to the world, but loved ones to their families and communities;

Further aware that all over the world, conscious efforts are made at ensuring safe and secured transportation by waterways and the Nigerian scenario should not be different;

Cognizant that Section 22, of the Nigerian Maritime Administration and Safety Agency Act, 2007, Laws of Federation of Nigeria, Vol. 12, spelt out and directly apportions the statutory responsibility to guarantee the safe passage and security on the waterways for every Nigerian;

Concerned that with the existence of the laws governing NIMASA, ensuring safety on our waterways, the reality on ground differs as the lives of Nigerians who use our waterways is constantly wasted through regular avoidable boat mishaps and piracy;

Resolved to:

- (i) mandate the Committee on Maritime Safety, Education and Administration to investigate the said incidents and dereliction of responsibility by the relevant Government agencies;
- (ii) urge the Nigerian Maritime Administration and Safety Agency (NIMASA), the Marine Police, the Navy and other security agencies to hence forth live up to expectation and ensure that there is constant security as well as search and rescue presence to curb these avoidable boat mishaps and concomitant deaths; and
- (iii) also mandate the Committees on Maritime Safety, Education and Administration, and Legislative Compliance, to ensure compliance and report back within four (4) weeks (HR. 95/11/2018).

6. Presentation of Bills

The following Bills were read the *First Time*:

- (1) Suppression of Piracy and other Maritime Offences Bill, 2018 (HB. 1571).
- (2) National Metallurgical Training Institute, Onitsha (Establishment) Bill, 2018 (HB.1572).
- (3) Federal University of Education, Ikere Ekiti (Establishment) Bill, 2018 (HB.1573).

7. A Bill for an Act to Repeal the Nigerian Minerals and Mining Act, 2007 and Establish the Nigerian Minerals and Mining Commission; and for Related Matters (HIB. 1313) — *Second Reading*

Motion made and Question proposed, "That a Bill for an Act to Repeal the Nigerian Minerals and Mining Act, 2007 and Establish the Nigerian Minerals and Mining Commission; and for Related Matters (HIB. 1313) be now read a Second Time" (Hon. Femi Gbajabiamila — House Leader).

Debate.

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

Bill read the Second Time.

Bill referred to the Committee on Solid Mineral Development.

8. A Bill for an Act to Repeal the Environmental Impact Assessment Act, Cap. E12, Laws of the Federation of Nigeria, 2004 and Enact the Environmental Impact Assessment Bill to set out General Principles, Procedures and Methods to enable prior Consideration of Environmental Impact Assessment on certain Public or Private Projects; and for Related Matters (HIB 1550) — *Second Reading*

Order read; deferred by leave of the House.

9. A Bill for an Act to Repeal the Raw Materials Research and Development Council Act, Cap. R3, Laws of the Federation of Nigeria, 2004 and Enact the Raw Materials Research and Development Council Bill to Provide for Reduction in the Membership of the Council and the Payment of all Monies Received by the Council into the Federation Account in Accordance with Section 162 of the Constitution of the Federal Republic of Nigeria, 1999; and for Related Matters (HB. 650, HB. 948, HB. 1220 and HB. 1283) — *Second Reading*

Order read; deferred by leave of the House.

10. Need to Establish a Federal Polytechnic in Iseyin, Iseyin Local Government Area of Oyo State
Motion made and Question proposed:

The House:

Notes that the provision of quality education is a fundamental responsibility of government in order to enable a country attain national growth and development;

Also notes that Polytechnic Education is one that does not only provide the students the opportunity to imbibe the culture of professionalism and self-employment, but also improves the overall wellbeing of the host environment and the entire nation;

Recalls that having realized the enormous importance of Polytechnic Education, the Federal Government established Polytechnics in virtually all the States of the Federation with the exception of Oyo State;

Concerned that the absence of a Federal Polytechnic in Oyo State, particularly in the Northern part where Iseyin Local Government is located is depriving the huge youth population of the State the opportunity to acquire polytechnic education;

Resolves to:

- (i) urge the Federal Ministry of Education to initiate the process of establishing a Federal Polytechnic in Iseyin Local Government Area of Oyo State; and

- (ii) mandate the Committees on Tertiary Education and Services and Legislative Compliance to ensure implementation and report back within four (4) weeks (*Hon. Sundav Adepoju — Ibarapa East/Ido Federal Constituency*).

Agreed to.

(HR. 96/11/2018).

Motion referred to the Committees on Tertiary Education and Services and Legislative Compliance, pursuant to Order Eight, Rule 9 (5):

11. **Need to Investigate the Abandonment and Non-utilization of 60,000 Tractors worth ₦600 Billion Bought by the Federal Government for some States**

Order read; deferred by leave of the House.

12. **Consideration of Reports**

- (i) ***A Bill for an Act to Amend the Pre-Shipment Inspection of Export Act, Cap. P25, Laws of the Federation of Nigeria, 2004, to Provide that a Person acting for a Body Corporate is equally guilty alongside the Body Corporate for an Offence Committed by it; and for Related Matters (HB. 363) (Committee of the Whole):***

Motion made and Question proposed, "That the House do consider the Report on a Bill for an Act to Amend the Pre-Shipment Inspection of Export Act, Cap. P25, Laws of the Federation of Nigeria, 2004, to Provide that a Person acting for a Body Corporate is equally guilty alongside the Body Corporate for an Offence Committed by it; and for Related Matters (HB. 363) and approve the recommendations therein" (Hon. Abdullahi Umar Faruk — Bunza/Birnin Kebbi/Kalgo 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 Deputy Speaker in the Chair)

A BILL FOR AN ACT TO AMEND THE PRE-SHIPMENT INSPECTION OF EXPORT ACT, CAP. P25, LAWS OF THE FEDERATION OF NIGERIA, 2004, TO PROVIDE THAT A PERSON ACTING FOR A BODY CORPORATE IS EQUALLY GUILTY ALONGSIDE THE BODY CORPORATE FOR AN OFFENCE COMMITTED BY IT; AND FOR RELATED MATTERS (HB. 363)

Clause 1: Amendment of Cap. P25, LFN, 2004.

The Pre-Shipment Inspection of Exports Act, Cap. P25, Laws of the Federation of Nigeria, 2004 (in this Bill referred to as "the Principal Act") is amended as set out in this Bill (*Hon. Abdullahi Umar Faruk — Birnin Kebbi/Bunza/Kalgo Federal Constituency*).

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

Clause 2: Amendment of Section 18.

Section 18 of the Principal Act is amended by substituting existing subsection (3) for new subsection (3) —

- (3) Where an offence under this section is proved to have been committed with the consent or connivance of, or to be attributed to any neglect on the part of any director, manager-secretary or other similar officer, servant or agent of the body corporate (or any person purporting to act in such capacity), that person as well as the body corporate (or any person purporting to act in such capacity), that person as well as the body corporate shall be deemed to be guilty of the offence and may be proceeded against and punished in the same manner as an individual under subsection (2) of this section" (*Hon. Abdullahi Umar Faruk — Birnin Kebbi/Bunzai/Kalgo Federal Constituency*).

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

Clause 3: Citation.

This Bill is cited as the Pre-Shipment Inspection of Exports Act (Amendment) Bill, 2018 (HB. 363) (*Hon. Abdullahi Umar Faruk — Birnin Kebbi/Bunzai/Kalgo Federal Constituency*).

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

Explanatory Memorandum:

This Bill seeks to amend the Pre-Shipment Inspection of Exports Act, Cap. P25, Laws of the Federation of Nigeria, 2004, to amend reference in Section 18 (3) to paragraph (a) of subsection (1) to read "subsection 2" (*Hon. Abdullahi Umar Faruk — Birnin Kebbi/Bunzai/Kalgo Federal Constituency*).

Agreed to.

Long Title:

A Bill for an Act to Amend the Pre-Shipment Inspection of Export Act, Cap. P25, Laws of the Federation of Nigeria, 2004, to Provide that a Person acting for a Body Corporate is equally guilty alongside the Body Corporate for an Offence Committed by it; and for Related Matters (HB. 363) (*Hon. Abdullahi Umar Faruk — Birnin Kebbi/Bunzai/Kalgo Federal Constituency*).

Agreed to.

Chairman to report Bill.

(HOUSE IN PLENARY)

Mr Deputy Speaker in the Chair, reported that the House in Committee of the Whole considered the Report on a Bill for an Act to Amend the Pre-Shipment Inspection of Export Act, Cap. P25, Laws of the Federation of Nigeria, 2004, to Provide that a Person acting for a Body Corporate is equally guilty alongside the Body Corporate for an Offence Committed by it; and for Related Matters (HB. 363) and approved Clauses 1 - 3, 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.

- (ii) **A Bill for an Act to Amend the Inland Fisheries Act, Cap. 110, Laws of the Federation of Nigeria, 2004 to review upward the penalties and for Related Matters (HB. 357) (Committee of the Whole):**

Motion made and Question proposed, "That the House do consider the Report on a Bill for an Act to Amend the Inland Fisheries Act, Cap. 110, Laws of the Federation of Nigeria, 2004 to review upward the penalties and for Related Matters (HB. 357) and approve the recommendations therein" (*Hon. Edward Pwajok Gyang — Jos South/Jos East 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 Deputy Speaker in the Chair)

**A BILL FOR AN ACT TO AMEND THE INLAND FISHERIES ACT, CAP. 110,
LAWS OF THE FEDERATION OF NIGERIA, 2004 TO REVIEW UPWARD
THE PENALTIES AND FOR RELATED MATTERS (HB. 357)**

Clause 1: Amendment of Cap. 110, LFN, 2004.

The Inland Fisheries Act, Cap. 110, Laws of the Federation of Nigeria, 2004 (in this Bill referred to as "the Principal Act") is amended as set out in this Bill (*Hon. Abdussamad Dasuki — Kebbe/Tambunwal Federal Constituency*).

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

Clause 2: Amendment of Section 4.

Section 4 of the Principal Act is amended by substituting existing subsection (2) for new subsection (2) —

- "(2) A person who fails to exhibit a registration number on his craft as required under subsection (1) of this section commits an offence and is liable on conviction to a fine of ₦5,000 or imprisonment for a term of six months or to both such fine and imprisonment" (*Hon. Abdussamad Dasuki — Kebbe/Tambunwal Federal Constituency*).

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

Clause 3: Amendment of Section 5.

Section 5 of the Principal Act is amended by substituting existing subsection (3) for new subsection (3) —

- "(3) A person who contravenes a provision of subsection (1) or (2) of this section commits an offence and is liable on conviction to a fine of ₦5,000 or imprisonment for a term of six months or to both such fine and imprisonment and, in addition, the net and catch shall be forfeited to the Government of the State in which the offence was committed" (*Hon. Abdussamad Dasuki — Kebbe/Tambunwal Federal Constituency*).

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

Clause 4: Amendment of Section 6.

Section 6 of the Act is amended by substituting existing subsection (2) for new subsection (2) —

- "(2) A person who contravenes a provision of subsection (1) of this section commits an offence and is liable on conviction to a fine of ₦50,000 or imprisonment for a term of two years or to both such fine and imprisonment" (*Hon. Abdussamad Dasuki — Kebbe/Tambunwal Federal Constituency*).

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

Clause 5: Amendment of Section 7.

Section 7 of the Act is amended by substituting existing subsection (2) for new subsection (2) —

- “(2) A person who contravenes a provision of subsection (1) of this section is guilty of an offence and is liable on conviction to a fine of ₦5,000 or to imprisonment for a term of three months or both such fine and imprisonment” (Hon. Abdussamad Dasuki — Kebbe/Tambunwal Federal Constituency).

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

Clause 6: Amendment of Section 8.

Section 8 of the Act is amended by substituting existing subsection (2) for new subsection (2) —

- “(2) A person who contravenes a provision of subsection (1) of this section commits an offence and is liable on conviction to a fine of ₦100,000 or imprisonment for a term of five years or both such fine and imprisonment and, in addition, the fish or aquatic animal shall be forfeited to the Federal Government” (Hon. Abdussamad Dasuki — Kebbe/Tambunwal Federal Constituency).

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

Clause 7: Amendment of Section 9.

Section 9 of the Act is amended by substituting existing subsection (2) for new subsection (2) —

- “(2) A person who fishes in a closed area or during a closed season in contravention of subsection (1) of this section commits an offence and is liable on conviction to a fine of ₦50,000 or imprisonment for a term of two years or to both such fine and imprisonment” (Hon. Abdussamad Dasuki — Kebbe/Tambunwal Federal Constituency).

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

Clause 8: Amendment of Section 10.

Section 10 of the Act is amended by substituting existing subsection (2) for new subsection (2) —

- “(2) A person who contravenes a provision of subsection (1) of this section commits an offence and is liable on conviction to a fine of ₦250,000 or imprisonment for a term of ten years or to both such fine and imprisonment and, in addition, the dam, weir or other fixed barrier or obstruction, if any, shall be destroyed” (Hon. Abdussamad Dasuki — Kebbe/Tambunwal Federal Constituency).

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

Clause 9: Amendment of Section 11.

Section 11 of the Act is amended by substituting existing subsection (2) for new subsection (2) —

- “(2) A person who contravenes a provision of subsection (1) of this section 30 commits an offence and is liable on conviction to a fine of ₦50,000 or imprisonment for a term of 12 months or to both such fine and imprisonment and, in addition, the contaminated, infected or spoiled fish or fish product shall be destroyed” (*Hon. Abdussamad Dasuki — Kebbe/Tambunwal Federal Constituency*).

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

Clause 10: Amendment of Regulation 12.

Regulation 12 of the Subsidiary Legislation to the Principal Act is amended by substituting existing 12 (c) for new 12 (c) —

- “(c) anybody convicted shall pay a fine not more than ₦20,000” (*Hon. Abdussamad Dasuki — Kebbe/Tambunwal Federal Constituency*).

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

Clause 11: Citation.

This Bill is cited as the Inland Fisheries Act (Amendment) Bill, 2018 (*Hon. Abdussamad Dasuki — Kebbe/Tambunwal Federal Constituency*).

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

Explanatory Memorandum:

This Bill seeks to amend the Inland Fisheries Act, Cap. 110, Laws of the Federation of Nigeria, 2004, to review the penalties upward as they are grossly inadequate by present day standards. (*Hon. Abdussamad Dasuki — Kebbe/Tambunwal Federal Constituency*).

Agreed to.

Long Title:

A Bill for an Act to Amend the Inland Fisheries Act, Cap. 110, Laws of the Federation of Nigeria, 2004 to Review Upward the Penalties and for Related Matters (HB. 357) (*Hon. Abdussamad Dasuki — Kebbe/Tambunwal Federal Constituency*).

Agreed to.

Chairman to report Bill.

(HOUSE IN PLENARY)

Mr Deputy Speaker in the Chair, reported that the House in Committee of the Whole considered the Report on a Bill for an Act to Amend the Inland Fisheries Act, Cap. 110, Laws of the Federation of Nigeria, 2004 to review upward the penalties and for Related Matters (HB. 357) and approved Clauses 1 - 11, 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.

- (iii) **A Bill for an Act to Amend the Nigerian National Heroes Register Act, Cap. N121, Laws of the Federation of Nigeria, 2004 to provide for the Recognition and Registration of all Qualified Persons as National Heroes and for Related Matters (IIB. 130) (Committee of the Whole):**

Motion made and Question proposed. "That the House do consider the Report on a Bill for an Act to Amend the Nigerian National Heroes Register Act, Cap. N121, Laws of the Federation of Nigeria, 2004 to provide for the Recognition and Registration of all Qualified Persons as National Heroes and for Related Matters (IIB. 130) and approve the recommendations therein" (*Hon. Chukwuka Onyema — Ogbaru 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 Deputy Speaker in the Chair)

A BILL FOR AN ACT TO AMEND THE NIGERIAN NATIONAL HEROES REGISTER ACT, CAP. N121, LAWS OF THE FEDERATION OF NIGERIA, 2004 TO PROVIDE FOR THE RECOGNITION AND REGISTRATION OF ALL QUALIFIED PERSONS AS NATIONAL HEROES AND FOR RELATED MATTERS (IIB. 130)

Clause 1: Amendment of Cap. N121, LFN, 2004.

The Nigerian National Heroes Register Act, Cap. N121, LFN, 2004 (in this act referred to as the "Principal Act") is amended as set out in this Bill (*Hon. Chukwuka Onyema Wilfred — Ogbaru Federal Constituency*).

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

Clause 2: Amendment of Section 5.

Section 5 of the Principal Act is amended by deleting the proviso to subsection (1) thereto (*Hon. Chukwuka Onyema Wilfred — Ogbaru Federal Constituency*).

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

Clause 3: Amendment of Section 6.

(1) Section 6 (1) of the Principal Act is amended by substituting for the existing provision, new provision; thus:

"(1) The Register shall contain the names of persons declared as National Heroes, and be divided into two parts, namely".

(2) Section 6 (2) of the Principal Act is further amended by substituting for the existing provision, other provision; thus —

"(2) Notwithstanding any other provisions of this Act, the persons declared as National Heroes shall have their names inscribed in the Register and be published in a gazette of Nigerian National Heroes" (*Hon. Chukwuka Onyema Wilfred — Ogbaru Federal Constituency*).

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

Clause 4: Citation.

This Bill may be cited as the Nigerian National Heroes Register Act (Amendment) Bill, 2018 (*Hon. Chukwuka Onyema Wilfred — Ogbaru Federal Constituency*).

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

Explanatory Memorandum:

This Bill seeks to remove the restriction placed on the number of persons to be registered as National Heroes at any given time and to ensure that all persons adjudged qualified are duly recognized registered and published as National Heroes (*Hon. Chukwuka Onyema Wilfred — Ogbaru Federal Constituency*).

Agreed to.

Long Title:

A Bill for an Act to Amend the Nigerian National Heroes Register Act, Cap. N121, Laws of the Federation of Nigeria, 2004 to provide for the Recognition and Registration of all Qualified Persons as National Heroes and for Related Matters (HB. 130) (*Hon. Chukwuka Onyema Wilfred — Ogbaru Federal Constituency*).

Agreed to.

Chairman to report Bill.

(HOUSE IN PLENARY)

Mr Deputy Speaker in the Chair, reported that the House in Committee of the Whole considered the Report on a Bill for an Act to Amend the Nigerian National Heroes Register Act, Cap. N121, Laws of the Federation of Nigeria, 2004 to provide for the Recognition and Registration of all Qualified Persons as National Heroes and for Related Matters (HB. 130) and approved Clauses 1 – 4, 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.

- (iv) *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 fines and confer Jurisdiction on the High Court of a State to try Offences under the Act and for Related Matters (HB. 359) (Committee of the Whole):*

Motion made and Question proposed. “That the House do consider the Report on 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 fines and confer Jurisdiction on the High Court of a State to try Offences under the Act and for Related Matters (HB. 359) and approve the recommendations therein” (*Hon. Edward Pwajok Gyang — Jos South/Jos East 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 Deputy Speaker in the Chair)

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 FINES AND CONFER JURISDICTION ON THE HIGH COURT OF A STATE TO TRY OFFENCES UNDER THE ACT AND FOR RELATED MATTERS (HB. 359)

Clause 1: Amendment of Cap. F33, LFN, 2004.
The Food, Drugs and Related Products (Registration, etc.) Act Cap. F33 Laws of the Federation of Nigeria, 2004 (in this Bill referred to as the "Principal Act") is amended as set out in this Bill (*Hon. Emmanuel Memga Udende — Katsina Ala/Logo/Ukum Federal Constituency*).

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

Clause 2: Amendment of Section 6.
Section 6 of the Principal Act is amended by substituting for —

- (a) the expression, "₦50,000", in paragraph (a) line 1, the expression, "₦500,000"; and
- (b) the expression, "₦100,000" in paragraph (b) line 1, the expression, "₦200,000" (*Hon. Emmanuel Memga Udende — Katsina Ala/Logo/Ukum Federal Constituency*).

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

Clause 3: Amendment of Section 7.
Section 7 (e) of the Principal Act is amended by substituting for the word, "person" in line 1, the word, "officer" (*Hon. Emmanuel Memga Udende — Katsina Ala/Logo/Ukum Federal Constituency*).

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

Clause 4: Amendment of Section 9.
Section 9 of the Principal Act is amended by substituting for the —

- (a) subsection (1), a new subsection "(1)" —
"(1) The High Court of a State shall have jurisdiction to try offences under this Act"; and
- (b) the word, "Tribunal", wherever it appears in this section, the words "High Court" (*Hon. Emmanuel Memga Udende — Katsina Ala/Logo/Ukum Federal Constituency*).

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

Clause 5: Amendment of Section 13.
Section 13 of the Principal Act is amended by substituting for the word, "formulating" in the definition of "drug product", the word, "formulation":
"drug product" means any formulation of a drug (*Hon. Emmanuel Memga Udende — Katsina Ala/Logo/Ukum Federal Constituency*).

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

Clause 6: Citation.
This Bill may be cited as the Food, Drugs and Related Products (Registration, etc.) (Amendment) Bill, 2018 (*Hon. Emmanuel Memga Udende — Katsina Ala/Logo/Ukum Federal Constituency*).

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

Explanatory Memorandum:

This Bill seeks 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 the State to try offences under this Act (*Hon. Emmanuel Memga Udende — Katsina Ala/Logo/Ukum Federal Constituency*).

Agreed to.

Long Title:

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 fines and confer Jurisdiction on the High Court of a State to try Offences under the Act and for Related Matters (HB. 359) (*Hon. Emmanuel Memga Udende — Katsina Ala/Logo/Ukum Federal Constituency*).

Agreed to.

Chairman to report Bill.

(HOUSE IN PLENARY)

Mr Deputy Speaker in the Chair, reported that the House in Committee of the Whole considered the Report on a Bill for an Act to Amend the Food, Drugs and Related Products (Registration, etc.) Act, Cap. F33, Laws of the Federation of Nigeria, 2004 to increase the fines and confer Jurisdiction on the High Court of a State to try Offences under the Act and for Related Matters (HB. 359) and approved Clauses 1 - 6, 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.

(v) Committee on Federal Capital Territory Area Councils and Ancillary Matters:

Motion made and Question proposed, "That the House do consider the Report of the Committee on Federal Capital Territory Area Councils and Ancillary Matters on a Bill for an Act to Establish the Federal Capital Territory Area Councils Service Commission to Provide a Legal Framework for Regulation of the Employment and Working Conditions of the Area Councils Staff with a view to Professionalizing the FCT Area Councils Service and for Related Matters (HB. 975) and approve the recommendations therein" (*Hon. Jisalo Bitrus Zephaniah — Abuja Municipal/Bwari 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 Deputy Speaker in the Chair)

A BILL FOR AN ACT TO ESTABLISH THE FEDERAL CAPITAL TERRITORY AREA COUNCILS SERVICE COMMISSION, AND FOR RELATED MATTERS (HB. 975)

PART I — ESTABLISHMENT, ETC. OF THE FEDERAL CAPITAL TERRITORY AREA COUNCILS SERVICE COMMISSION

Committee Recommendation:

Clause 1: Establishment, etc. of the Federal Capital Territory Area Councils Service Commission.

- (1) There is hereby established the Federal Capital Territory Area Councils Service Commission (in this Bill referred to as "the Commission").

- (2) The Commission shall be a body corporate with perpetual succession and a common seal and may:
- (a) sue and be sued in its corporate name; and
 - (b) hold, acquire and dispose of any property or interest in property, moveable or immovable (*Hon. Jisalo Bitrus Zaphaniah — Abuja Municipal/Bwari Federal Constituency*).

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

Committee Recommendation:

Clause 2: Composition and Membership of the Commission.

- (1) There shall be appointed for the Commission" Commissioners who are called members of the Commission (in this Bill referred to as members) that shall be responsible for the discharge of the functions of the Commission.
- (2) The Members of the Commission shall consist of:
 - (a) a Chairman;
 - (b) not less than two permanent members and not more than two other persons including representatives of the Area Council workers (NUIGF).
- (3) The Chairman shall be the Chief Executive and Accounting Officer of the Commission and shall direct and supervise all administrative and operational activities of the Commission.
- (4) The Chairman and the other Members shall:
 - (a) be resident in the FCT;
 - (b) be persons of unquestionable integrity and of sound mind;
 - (c) have wide knowledge in Area Councils Service administration matters;
 - (e) be appointed by the President on the recommendation of the Minister (*Hon. Jisalo Bitrus Zaphaniah — Abuja Municipal/Bwari Federal Constituency*).

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

Committee Recommendation:

Clause 3: Qualification and Cessation of Membership of the Commission.

- (1) Notwithstanding the provisions of section 2 of the Act, a person shall not be qualified or shall cease to hold office as a Member of the Commission if —
 - (a) is not a citizen of Nigeria;
 - (b) is an undischarged bankrupt;
 - (c) he has committed a felony or any offence involving dishonesty or fraud and or convicted by any competent court or duly constituted Authority;

- (d) has been found or adjourned to be of unsound mind;
 - (e) is for one reason or the other incapable of carrying out his duties;
 - (f) is guilty of gross misconduct in relation to his duties of office;
 - (g) he holds office in any political party or political organization;
 - (h) he has, within the preceding 10 years, been removed from office as a member of any of the bodies established by section 153 of the constitution of the Federal Republic of Nigeria (as amended).
 - (i) he resigns his appointment by a letter addressed to the Minister;
 - (j) in the case of a person possessed of professional qualifications, 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.
- (2) Any person employed in the Area Councils/Local Government Service or Public Service of the Federation or of a State shall not be disqualified for appointment as a Chairman or Member of the Commission, provided that where such a person has been duly appointed to the Commission, the person shall, upon accepting the appointment, be deemed to have resigned or retired from his or her former office as from the date of the appointment (*Hon. Jisato Bitrus Zaphaniah — Abuja Municipal/Bwari Federal Constituency*).

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

Committee Recommendation:

Clause 4: Tenure of office.

- (1) The Chairman and members of the Commission shall hold office for a term of 4 years in the first instance and may be re-appointed for another term of 4 years and no more.
- (2) A member of the Commission may be removed by the President on the recommendation of the Minister, if all the other members of the Commission and the Chairman are satisfied that it is not in the interest of the Commission or in the interest of the public that the Member continues in office.
- (3) The President upon the recommendation of the Minister shall remove any member of the Commission if the Member or the Chairman fails to meet the requirements under section 3 of this Bill or for any other reason that is not for the interest of the Area Councils Service of the Federal Capital Territory.
- (4) A member of the Commission may resign his appointment at any time by notice in writing under the member's hand, addressed to the President through the Minister.
- (5) If a member of the Commission dies or resigns or otherwise vacates the office before the expiration of the term for which he is appointed, the President shall within thirty days and from among three persons nominated by the Minister appoint fit and proper person for the remainder of the term of office of the predecessor.

- (6) Upon appointment of any member or Chairman of the Commission, he or she shall take and sign an oath of office before the Minister (*Hon. Jisalo Bitrus Zaphaniah — Abuja Municipal/Bwari Federal Constituency*).

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

Committee Recommendation:

Clause 5: Quorum.

The quorum for a meeting of the Members of the Commission shall not be less than three members including the chairman or the person presiding at the meeting pursuant to section 2 (1) of this Bill (*Hon. Jisalo Bitrus Zaphaniah — Abuja Municipal/Bwari Federal Constituency*).

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

Committee Recommendation:

Clause 6: Remuneration and Condition of Service of Members.

The remuneration and condition of Service of the Chairman and Members of the Commission shall be determined by the Minister in consonance with the provision of the Revenue Mobilization, Allocation and Fiscal Commission Act (*Hon. Jisalo Bitrus Zaphaniah — Abuja Municipal/Bwari Federal Constituency*).

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

PART II — FUNCTIONS AND POWERS OF THE COMMISSION

Committee Recommendation:

Clause 7: Functions and Powers of the Commission.

- (1) The commission without prejudice to the powers of the President and the Minister, shall have the duty:

- (a) to appoint, promote and discipline Area Council, Staff Pension Board and FCT Councils Auditor General's Office (Staff of the Unified Service) on Salary Grade level 07 and above;
- (b) to dismiss and exercise disciplinary control over persons holding any office referred to in sub-section (a) of this section;
- (c) advice the Minister on policies relating to the Area Councils service of the FCT on:
 - (i) the establishment or otherwise of any department or structure in the Area Councils service of the FCT,
 - (ii) the administrative functions of departments in the Area Councils service of the FCT,
 - (iii) the conditions of service of employees generally including the ranks and grades of officers and employees,
 - (iv) monitor the activities of each Area Council on appointment, discipline, and promotion of Area Council employees on grade level 01-06 in order to ensure that the guidelines are strictly and uniformly adhered to,

- (v) serve as an appellant body for all petitions from Area Councils in respect of appointments, promotion and discipline: the decision of the Board shall be binding on all Area Councils on appeal matters lodged with it,
- (vi) capacity Building and Human Resource management of the Area Councils and the sister Agencies of Area Council staff Pension Board and FCT Area Councils' Auditor General's Office,
- (vii) strict adherence to the provisions of the Constitution of the Federal Republic of Nigeria,
- (viii) application of labor laws and relations in the Area Councils service of the FCT,
- (ix) ensuring the efficiency and effectiveness of various departments within the Area Councils service of the FCT,
- (x) ensuring that disciplinary measures are adhered to in the Area Councils service of the FCT,
- (xi) information management and information technology in the Area Councils service of the FCT,
- (xii) any other thing which in its opinion is to facilitate the administrative performance of the Area Councils service in the FCT,
- (xiii) provide and maintain from time to time general uniform guidelines for appointment, promotion, training, pension and discipline for all employees of the Unified Service,
- (xiv) the Establishment or otherwise of any department or structure in the Area Councils Service of the FCT,
- (xv) the administrative functions of departments in Area Councils Service of the FCT,
- (xvi) the Conditions of service of employees generally including the ranks and grades of officers and employees,
- (xvii) the scales of salaries, emolument, benefits, allowances of all the various classes of officers and employees,
- (xviii) maintain comprehensive and up to date seniority lists and nominal rolls, for the Area Council Service as a whole,
- (xix) restructure and strengthen the Department of Personnel Management and thereafter constantly review and propose modification in operational structure of the Area Councils Unified Service,
- (xx) transfer the services of any person or second any person to any office in the Unified Area Council Service,

- (xxi) retire, terminate, dismiss or exercise disciplinary control over persons holding such offices (*Hon. Jisalo Bitrus Zaphaniah — Abuja Municipal/Bwari Federal Constituency*).

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

Committee Recommendation:

Clause 8: Powers of the Commission.

The Commission shall without prejudice to the Minister, have power to:

- (a) give directives to officers and employees of the Area Councils service of the FCT;
- (b) make recommendations and conduct enquiries in relation to its functions and duties under this Bill;
- (c) issue a code of conduct that will be applicable to officers and employees of the Area Councils service of the FCT;
- (d) provide advisory services to the officers and employees of the Area Councils service of the FCT;
- (e) prescribe the guidelines and procedures for recruitment, appointment, promotion and transfer within the Area Councils service of the FCT;
- (f) prepare and distribute to officers and employees of the Area Councils service of the FCT staff procedure manuals;
- (g) publish and advertise any vacancy positions in the Area Councils service of the FCT;
- (h) provide staff evaluation advisory services;
- (i) provide mechanisms for staff training and development programmes;
- (j) hear appeals on matters of appointment, promotion, transfer, discipline and any other issue that may arise;
- (k) do anything which in its opinion is calculated to facilitate the performance and administrative functions under this Bill;
- (l) act independently without the directives or control of any other authority or person(s) in exercising its powers to make appointments, to exercise disciplinary actions or other actions the commission shall undertake in exercising its powers under this Bill;
- (m) delegate or authorize any member of the Commission or any officer or employee in the Area Councils service of the FCT to perform any of its powers and functions under this Bill;
- (n) engage consultants and advisers as it may require for the effective discharge of its functions (*Hon. Jisalo Bitrus Zaphaniah — Abuja Municipal/Bwari Federal Constituency*).

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

Committee Recommendation:**Clause 9: Power to borrow.**

- (1) The Commission may, from time to time, borrow by overdraft or otherwise such sum as it may require for the performance of its functions under this Bill.
- (2) The Commission shall not, without the approval of the Minister, borrow money which exceeds, at any time the amount set by the Minister.
- (3) Notwithstanding the provisions of subsection (1) of this section, where the sum to be borrowed is in foreign currency, the Commission shall not borrow the sum without the prior approval of the Minister (*Hon. Jisalo Bitrus Zaphaniah — Abuja Municipal/Bwari Federal Constituency*).

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

Committee Recommendation:**Clause 10: Power to accept grants/donations.**

- (1) The Commission may accept any grant or donation of land, money or other property or aid in Accordance with the law and upon such terms and conditions, if any, as may be specified by the person or organization making the grant/donation.
- (2) The Commission shall not accept any grant or donation if the conditions attached by the person or organization offering the grant or donation are inconsistent with the functions of the Commission (*Hon. Jisalo Bitrus Zaphaniah — Abuja Municipal/Bwari Federal Constituency*).

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

Committee Recommendation:**Clause 11: Investment.**

The Commission may subject to the provisions of this Bill and the conditions of any trust created in respect of any property, invest all or any of its fund in any security prescribed by the Trustee Investment Act or in such other securities as may from time to time be approved by the Minister (*Hon. Jisalo Bitrus Zaphaniah — Abuja Municipal/Bwari Federal Constituency*).

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

Committee Recommendation:**Clause 12: Acquisition of land.**

The Commission may, subject to the provisions this Bill, acquire, hold, grant, charge or otherwise deal with any interest in land or other property, for the purpose of providing offices and premises necessary for the performance of its functions under this Bill (*Hon. Jisalo Bitrus Zaphaniah — Abuja Municipal/Bwari Federal Constituency*).

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

Committee Recommendation:**Clause 13: Power to obtain Information.**

- (1) For the purpose of carrying out the functions conferred on the Commission under this Bill, the Commission or any Member or any authorized officer or employee of the Commission —

- (a) shall have right of access to all the records and relevant information of staff of any agency, department or administrative office of the Area Councils Service of FCT to which this Bill applies.
 - (b) may by notice in writing served on any person require that person to furnish or cause to be furnished information on such matters as may be specified in the notice necessary for the discharge of the functions of the Commission.
- (2) It shall be the duty of any person required to furnish information pursuant to sub-section (1) of this section to comply with the notice within a reasonable period of time (*Hon. Jisalo Bitrus Zaphaniah — Abuja Municipal/Bwari Federal Constituency*).

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

PART III — SECRETARY AND OTHER STAFF OF THE COMMISSION

Committee Recommendation:

Clause 14: Secretary and other staff of the Commission.

- (1) There shall be a Secretary for the Commission who shall be appointed by the Minister on the recommendation of the Commission.
- (2) The Secretary shall —
 - (a) be a senior officer of the Commission not below the rank of a Deputy Director in the Area Councils service of the FCT.
 - (b) hold office for a term of 5 years in the first instance and may be re-appointed for another term of 5 years and no more.
 - (c) be on such terms and conditions as approved by Revenue Mobilization, Allocation and Fiscal Commission.
 - (d) be responsible for the execution of the policy and the day to day administration of the Commission.
 - (e) shall be chief administrative adviser of the Commission (*Hon. Jisalo Bitrus Zaphaniah — Abuja Municipal/Bwari Federal Constituency*).

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

Committee Recommendation:

Clause 15: Other staff of the Commission.

- (1) The Commission shall have power to:
 - (a) appoint such number of staff and other employees as it may, from time to time, deem necessary to assist the Commission in the discharge of any of its Functions under this Bill.
 - (b) pay persons so employed such remuneration and allowances as may be payable to other officers or employees of similar grade in the Area Councils service of the FCT.

- (2) The terms and conditions of employment applicable to officers and employees of the Area Councils service of the FCT shall apply to the employees and Staff appointed by the Commission under subsection (1) of this section.
- (3) The Commission may generally or specifically delegate to the chairman, the power to appoint such categories of staff of the Area Councils service of the FCT as the Commission may from time to time specify (*Hon. Jisalo Bitrus Zaphaniah — Abuja Municipal/Bwari Federal Constituency*).

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

Committee Recommendation:

Clause 16: Pension.

- (1) Service in the Commission shall be approved service under the provision of the Pension Reform Act and accordingly, staff and employees of the Commission shall be entitled to pensions, gratuities and other retirement benefits as prescribed under the Pension Reform Act and regulated by the FCT Staff Pension Board.
- (2) Without prejudice to the provisions of sub-section (1) of this section, nothing in this Bill shall prevent the appointment of any person to any office on terms which preclude the grant of pension, gratuity or other retirement benefits with respect to that office (*Hon. Jisalo Bitrus Zaphaniah — Abuja Municipal/Bwari Federal Constituency*).

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

PART IV — FINANCIAL PROVISIONS, FUND OF THE COMMISSION

Committee Recommendation:

Clause 17: Financial Provisions, Fund of the Commission.

- (1) The FCT Administration shall establish a fund for the FCT Area Councils Service Commission and provision for the fund shall be made in the annual budget of the FCT Administration.
- (2) There shall be paid and credited to the fund, established pursuant to sub-section (1) of this section:
 - (a) such monies as may be provided by the FCT Administration by way of annual subvention or otherwise;
 - (b) such monies granted or deposited with the Commission by the FCT Administration or anybody or institution within the country;
 - (c) such sums or other advances by way of loans;
 - (d) all monies raised for the purposes of the Commission by way of grant, grants-in-aid, testamentary dispositions or otherwise;
 - (e) such subvention or budgetary allocation from the Federal Capital Territory and Federal Government of the Federation;
 - (f) money earned or arising from any investment or other property acquired or vested in the Commission;
 - (g) such monies as may from time to time accrue to the Commission;

- (h) all sums, investments or other property vested in the Commission by virtue of this Bill;
 - (i) such monies accruing from the Area Council, 3% training contribution from the monthly Statutory Allocation of the Area Councils.
- (3) The Commission shall defray from the fund all expenditures incurred by it, including but not limited to:
 - (a) the cost of administration of the Commission;
 - (b) the remuneration and allowance of the members of the Commission and any Committee set up by the Commission of such expenses as may be expressly authorized by the Commission in accordance with the rates approved by the Minister.
 - (c) the payment of salaries, remuneration, fees, allowances, pensions and gratuities of the staff and employees of the Commission;
 - (d) the remuneration payable to agents and consultants of the Commission;
 - (e) for the maintenance of any property vested in the Commission;
 - (f) such other sums as the Commission may approve in connection with any of its functions under this Bill (*Hon. Jisalo Bitrus Zaphaniah — Abuja Municipal/Bwari Federal Constituency*).

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

Committee Recommendation:

Clause 18: Annual estimates and accounts.

- (1) The Commission shall not later than 30th day of September in each year, submit to the Minister, an estimate of the income and expenditure of the Commission (including estimates of expected payments into the fund of the Commission) during the next succeeding year.
- (2) The Commission shall keep proper records of accounts of each year in a form which conforms to accepted accounting standards, and proper records in relation thereto.
- (3) The accounts of the Commission shall be audited at the end of each calendar year by the office of the Auditor General of the Federation (*Hon. Jisalo Bitrus Zaphaniah — Abuja Municipal/Bwari Federal Constituency*).

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

Committee Recommendation:

Clause 19: Annual reports.

The Commission shall, not later than six months after the end of each year, submit to the Minister, a report on the activities of the Commission and its administration during the immediate preceding year and shall include internal audit report (*Hon. Jisalo Bitrus Zaphaniah — Abuja Municipal/Bwari Federal Constituency*).

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

PART V — ADMINISTRATION OF THE AREA COUNCILS SERVICE OF
THE FEDERAL CAPITAL TERRITORY AREA COUNCILS SERVICE CODE

Committee Recommendation:

Clause 20: Administration of the Area Councils Service of the Federal Capital Territory Area Councils Service Code.

- (1) Without prejudice to the provisions of the Public Service Rules and Extant Regulations, the Commission shall issue a Code of Conduct for the FCT Area Councils service Commission, which may otherwise be termed the FCT Area Councils Service Staff Code.
- (2) The Commission may from time to time amend same to reflect and supplement the provisions of the Act.
- (3) The FCT Area Councils Service Staff Code shall consist of principles for the directive guidance, regulation and governance of the FCT Area Councils service officers and employees.
- (4) The provisions of the Area Councils service staff code shall be binding upon any department, officer or employee of the Area Councils service of the FCT in so far as they apply to that unit, department, officer or employee.
- (5) The issues contained in the Area Councils Service Staff Code shall not be inconsistent with the provisions of this Bill, the Public Service Rules or any regulations made thereunder (*Hon. Jisato Bitrus Zaphaniah — Abuja Municipal/Bwari Federal Constituency*).

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

Committee Recommendation:

Clause 21: Board of Examiners.

- (1) The Commission shall set up such board of examiners as may from time to time be required to test candidates for appointment or promotion within the Area Councils service of the FCT.
- (2) The Chairman of the Commission when sitting upon a board of examiners shall be the chairman of the board, and in other cases, he shall send a representative to be present at the interview, and in such other cases, the representative shall act as Chairman during such representation."
- (3) The Board of Examiners shall stipulate its modus operandi during interviews which may include:
 - (a) ensuring that appointments and promotions within the Area Councils service of the FCT shall be based on principles of merit.
 - (b) establishing such standards for selection and assessment of such officers and staff.
 - (c) conducting competitive written examination(s) or such other competitive processes for selection, as the Commission may consider to be appropriate for the best interest of the Area Councils service of the FCT.

- (d) taking into cognizance the education, knowledge, experience, language, residence and any other issue which in the opinion of the commission, are necessary or desirable having regard to the nature of the duties to be performed by the applicant(s).
- (4) The Chief Executive Officer of FCT Staff Pension Board, Auditor-General of FCT Area Councils or any affiliated or related agency or department to the Commission, in respect of which candidates for appointment or promotion are examined by a board of examiners, may upon the Commission's request, be present or designate a representative to be present at such interview of any candidate.
- (5) The Commission shall not discriminate against any person by reason of ethnicity, state of origin, religion, age, sex, marital status, family status, disability and/or under any circumstances whatsoever (*Hon. Jisalo Bitrus Zaphaniah — Abuja Municipal/Bwari Federal Constituency*).

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

PART VI — REGULATIONS AND SUPPLEMENTARY PROVISIONS REGULATIONS

Committee Recommendation:

Clause 22: Power to make regulations.

The Minister may with the approval of the President, make regulations for the effective operation of this Bill and the due administration thereof (*Hon. Jisalo Bitrus Zaphaniah — Abuja Municipal/Bwari Federal Constituency*).

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

Committee Recommendation:

Clause 23: Interpretations.

In this Bill:

"Commission" means the FCT Area Councils Service Commission established under this Bill (*Hon. Jisalo Bitrus Zaphaniah — Abuja Municipal/Bwari Federal Constituency*).

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

"FCT" means the Federal Capital Territory, Abuja (*Hon. Jisalo Bitrus Zaphaniah — Abuja Municipal/Bwari Federal Constituency*).

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

"Member" means Commissioners of the Commission and includes the Chairman (*Hon. Jisalo Bitrus Zaphaniah — Abuja Municipal/Bwari Federal Constituency*).

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

"Minister" means the Minister charged with responsibility for the FCT under the Federal Capital Territory Act (*Hon. Jisalo Bitrus Zaphaniah — Abuja Municipal/Bwari Federal Constituency*).

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

"President" means the President of the Federal Republic of Nigeria (*Hon. Jisalo Bitrus Zaphaniah — Abuja Municipal/Bwari Federal Constituency*).

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

"Area Councils Service of the FCT" shall consist of persons who hold fixed or permanent appointments in the Area Councils service of the FCT and who receive funds wholly or in part appropriated by the FCT Administration (*Hon. Jisalo Bitrus Zaphaniah — Abuja Municipal/Bwari Federal Constituency*).

Question that the meaning of the words "Area Councils Service of the FCT" be as defined in the interpretation to this Bill — Agreed to.

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

Committee Recommendation:

Clause 24: Citation.

This Bill may be cited as the Federal Capital Territory Area Councils Service Commission (Establishment) Bill, 2018 (*Hon. Jisalo Bitrus Zaphaniah — Abuja Municipal/Bwari Federal Constituency*).

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

Explanatory Memorandum:

This Bill seeks to establish the Federal Capital Territory Area Councils Service Commission to provide a legal framework for regulation of the employment and working conditions of the Area Councils staff with a view to professionalizing the Federal Capital Territory Area Councils Service and Related Matters (*Hon. Jisalo Bitrus Zaphaniah — Abuja Municipal/Bwari Federal Constituency*).

Agreed to.

Long Title:

A Bill for an Act to Establish the Federal Capital Territory Area Councils Service Commission, and for Related Matters (HB. 975) (*Hon. Jisalo Bitrus Zaphaniah — Abuja Municipal/Bwari Federal Constituency*).

Agreed to.

Chairman to report Bill.

(HOUSE IN PLENARY)

Mr Deputy Speaker in the Chair, reported that the House in Committee of the Whole considered the Report of the Committee on Federal Capital Territory Area Councils and Ancillary Matters on a Bill for an Act to Establish the Federal Capital Territory Area Councils Service Commission to Provide a Legal Framework for Regulation of the Employment and Working Conditions of the Area Councils Staff with a view to Professionalizing the FCT Area Councils Service and for Related Matters (HB. 975) and approved Clauses 1 - 24, 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.

13. Adjournment

That the House do adjourn till Tuesday, 4 December, 2018 at 11.00 a.m. (Hon. Idris Ahmed — Deputy House Leader).

The House adjourned accordingly at 1.46 p.m.

Yakubu Dogara
Speaker

