



HOUSE OF REPRESENTATIVES FEDERAL REPUBLIC OF NIGERIA

VOTES AND PROCEEDINGS

Tuesday, 16 May, 2017

1. The House met at 11.21 a.m. Mr Speaker read the Prayers.
2. **Votes and Proceedings**
Mr Speaker announced that he had examined and approved the *Second Votes and Proceedings* of Thursday, 11 May, 2017.

The Votes and Proceedings was adopted by unanimous consent.
3. **Announcement**
Visitors in the Gallery:
Mr Speaker recognized the presence of the following visitors:
 - (i) Staff and Students of *Noble Hall, Leadership Academy for Girls*, Abuja;
 - (ii) Staff and Students of *Sheikh Hamdan Model Senior Secondary School*, Gwagwalada, Abuja; and
 - (iii) Staff and Students of *Lyngra High School (British - Nigerian)*, One Man Village, Karu, Nasarawa State.
4. **Petitions**
 - (i) Petitions from the following persons were presented and laid by Hon. Pwajok Edward Gyang (*Jos South/Jos East Federal Constituency*):
 - (a) Adelana Olanilekan, on behalf of Zenith Carex International Ltd, on alleged fraud by Meridian Shipping Line PVT Ltd;
 - (b) Cadet I. Z. Isah and 2 others on their dismissal from the Nigerian Defence Academy (NDA);
 - (c) Rayfield Associates (Attorneys - at- Law), on behalf of Prince Chibudom Nwuche, on his harassment, humiliation and intimidation by officers of the Economic and Financial Crimes Commission (EFCC);

- (d) Kenneth Nwankwo and 1 other on behalf of Ukwa Youth Assembly against the Enugu Electricity Distribution Company, over the total power-outage in Ukwa East Local Government Area, Abia State;
- (e) S. Olufemi Avoseh and Co. (Legal Practitioners), on behalf of Oludare Hodonu on the alleged criminal breach of trust and fraudulent activities;
- (ii) Petitions from the following persons were presented and laid by Hon. Olusegun Williams Samuel (*Abeokuta South Federal Constituency*):
 - (a) Osidipe Vincent Olukoladè, on the delisting of courses leading to the award of degrees in Management Sciences, in the Federal University of Agriculture, Abeokuta, Ogun State;
 - (b) Maruf Akinfenwa, on the need to enable the Federal University of Agriculture, Abeokuta, Ogun State offer courses for the award of degrees in Management Sciences;
 - (c) Adesola Olakunle, on the delisting of management courses from some Federal Universities by the Nigerian Universities Commission (NUC);
 - (d) Muhammod Rabi Salihu, on the delisting of courses leading to the award of degrees in Management Sciences, in the Federal University of Agriculture, Abeokuta, Ogun State; and
 - (e) Lawal Hannah A., on the delisting of management courses from some Federal Universities in Nigeria.

Petitions referred to the Committee on Public Petitions.

5. Matter of Urgent Public Importance (Standing Order Eight, Rule 4)
Need to Intervene in the Beheading, Brutal Killings and Recent Invasion by Suspected Herdsmen in Ossissa Community of Delta State:

Hon. Ossai Nicholas Ossai (*Ndokwa East/Ndokwa West/Ukwuani Federal Constituency*) introduced the matter and prayed the House to:

- (a) consider and approve the matter as one of urgent public importance; and
- (b) suspend Order Eight, Rule 4 (3) to allow debate on the matter forthwith..

Question that the matter be considered as one of urgent public importance — Agreed to.

Question that the House do suspend Order Eight, Rule 4 (3) to enable it debate the matter forthwith — Agreed to.

Need to Intervene in the Beheading, Brutal Killings and Recent Invasion by Suspected Herdsmen in Ossissa Community of Delta State:

The House:

Notes with serious grief, the report of a very recent invasion in Ossissa Community of Delta State by suspected herdsmen;

Also notes that this latest invasion took place over the weekend on 11 May, 2017 where suspected herdsmen laid siege and invaded the Ossissa Community at about 6.30 p.m. and beheaded a Commercial Motorcycle rider identified as Udoka Ossai and further killed six other people who are indigenes of Ossissa, Utagbo-Uno and Aballa Communities in Ndokwa East and Ndokwa West Local Government Areas of Delta State;

Observes that presently apprehension has gripped residents of Ossissa Community following alleged sporadic gunshots in their farmlands and threats of further attack by suspected herdsmen, who had over the last few years incessantly attacked the Ossissa Community by destroying their farmlands and had constantly unleashed mayhem on the innocent indigenes;

Also observes that in all the reported attacks in Ossissa Community, the herdsmen 'had deployed dangerous weapons, sophisticated and high profile guns such as AK 47 which were allegedly used;

Disturbed that the present situation indicates that, tension has taken over the entire Community of Ossissa, as the youths have taken it upon themselves to defend their Community since the government has not done anything to savage the situation, which will further escalate the present crisis;

Recalls that there has been several previous attacks on the Ossissa Community by these suspected herdsmen which prompted my moving a similar Motion on the 2 day of November, 2016 titled, "Need to Dislodge Nomadic Herdsmen from further Attack on Ossissa Community of Delta State", wherein the House among its resolutions resolved that the House Committee on Legislative Compliance should ensure prompt implementation of the resolutions reached;

Worried that since on 2 November, 2016 when that Motion was moved and resolutions reached by this Honourable House, till date nothing whatsoever has been done which has resulted into further escalation and worse killings of the indigenes of Ossissa Community by these suspected herdsmen;

Acknowledges that section 33 of the Constitution of the Federal Republic of Nigeria, 1999 (as amended) provides that, "every person has a right to life, and no one shall be deprived intentionally of his life", as such the brutal and gruesome killings of Nigerian citizens by these suspected herdsmen should be a great concern to the government of the day;

Cognizant that the security and welfare of the people shall be the primary purpose of government;

Resolves to:

- (i) call on the Inspector General of Police to mobilize the police to dislodge the invading herdsmen in Ossissa Community and urgently intensify efforts at ensuring that peace is returned to Ossissa Community;
- (ii) mandate the Committee on Legislative Compliance to ensure prompt implementation of these resolutions including the previous resolutions in a similar Motion dated and moved on 2 November, 2016; and
- (iii) urge the National Emergency Management Agency (NEMA) to provide relief materials to members of the deceased families as a result of the recent invasion by suspected herdsmen in Ossissa Community, which is in line with section 6 (j) of NEMA Act (*Hon. Ossai Nicholas Ossai — Ndokwa/Ukwuani Federal Constituency*).

Debate.

Agreed to.

The House:

Noted with serious grief, the report of a very recent invasion in Ossissa Community of Delta State by suspected herdsmen;

Also noted that this latest invasion took place over the weekend on 11 May, 2017 where suspected herdsmen laid siege and invaded the Ossissa Community at about 6.30 p.m. and beheaded a Commercial Motorcycle rider identified as Udoka Ossai and further killed six other people who are indigenes of Ossissa, Utagbo-Uno and Aballa Communities in Ndokwa East and Ndokwa West Local Government Areas of Delta State;

Observes that presently apprehension has gripped residents of Ossissa Community following alleged sporadic gunshots in their farmlands and threats of further attack by suspected herdsmen, who had over the last few years incessantly attacked the Ossissa Community by destroying their farmlands and had constantly unleashed mayhem on the innocent indigenes;

Also observed that in all the reported attacks in Ossissa Community, the herdsmen 'had deployed dangerous weapons, sophisticated and high profile guns such as AK 47 which were allegedly used;

Disturbed that the present situation indicates that, tension has taken over the entire Community of Ossissa, as the youths have taken it upon themselves to defend their Community since the government has not done anything to savage the situation, which will further escalate the present crisis;

Recalled that there has been several previous attacks on the Ossissa Community by these suspected herdsmen which prompted my moving a similar Motion on the 2 day of November, 2016 titled, "*Need to Dislodge Nomadic Herdsmen from further Attack on Ossissa Community of Delta State*", wherein the House among its resolutions resolved that the House Committee on Legislative Compliance should ensure prompt implementation of the resolutions reached;

Worried that since on 2 November, 2016 when that Motion was moved and resolutions reached by this Honourable House, till date nothing whatsoever has been done which has resulted into further escalation and worse killings of the indigenes of Ossissa Community by these suspected herdsmen;

Acknowledged that section 33 of the Constitution of the Federal Republic of Nigeria, 1999 (as amended) provides that, "*every person has a right to life, and no one shall be deprived intentionally of his life*", as such the brutal and gruesome killings of Nigerian citizens by these suspected herdsmen should be a great concern to the government of the day;

Cognizant that the security and welfare of the people shall be the primary purpose of government;

Resolved to:

- (i) call on the Inspector General of Police to mobilize the police to dislodge the invading herdsmen in Ossissa Community and urgently intensify efforts at ensuring that peace is returned to Ossissa Community;
- (ii) mandate the Committee on Legislative Compliance to ensure prompt implementation of these resolutions including the previous resolutions in a similar Motion dated and moved on 2 November, 2016; and
- (iii) urge the National Emergency Management Agency (NEMA) to provide relief materials to members of the deceased families as a result of the recent invasion by suspected herdsmen in Ossissa Community, which is in line with section 6 (j) of NEMA Act (HR. 199/2017).

6. Personal Explanation (Order Eight, Rule 5)

Hon. Aliyu Sani Madaki (*Dala Federal Constituency*) drew the attention of the House to a Committee recently constituted to investigate the Emir of Kano, Mallam Sanusi Lamido Sanusi, by the Kano State House of Assembly. He expressed concern that the action could precipitate a crisis in the State which may be similar to the problem of a former Governor, Alhaji Abubakar Rimi when his administration attempted to dethrone a former Emir of Kano.

7. Consolidation of Bills

Motion made and Question proposed, "That a Bill for an Act to Amend the National Agency for Food and Drug Administration and Control Act, Cap. N1, Laws of the Federation of Nigeria, 2004 to Provide for the Inclusion of Raw and Semi Processed Foods and for Other Related Matters (HB.495), a Bill for an Act to Amend the National Agency for Food and Drug Administration and Control Act, Cap. N1, Laws of the Federation of Nigeria, 2004 to Create a Directorate of National Tobacco Control and for Other Related Matters (HB. 883), and a Bill for an Act to Amend the National Agency for Food and Drug Administration and Control Act, Cap. N1, Laws of the Federation of Nigeria, 2004 to Provide for the Payment of all Monies Received by the Agency into the Federation Account in accordance with Section 162 of the Constitution of the Federal Republic of Nigeria, 1999 and for Other Related Matters (HB.940) be now consolidated" (*Hon. Orker-Jev Emmanuel Yisa — Buruku Federal Constituency*).

Agreed to.

8. A Bill for an Act to Amend the Pension Reform Act, 2014 to exclude members of the Nigeria Police, the Nigerian Security and Civil Defence Corp, Nigeria Customs Service, Nigerian Prison Service, Nigerian Immigration Service and Economic and Financial Crimes Commission from the Application of the Contributory Pension Scheme and for Other Related Matters (HB. 398) — Second Reading

Motion made and Question proposed, "That a Bill for an Act to Amend the Pension Reform Act, 2014 to exclude members of the Nigeria Police, the Nigerian Security and Civil Defence Corp, Nigeria Customs Service, Nigerian Prison Service, Nigerian Immigration Service and Economic and Financial Crimes Commission from the Application of the Contributory Pension Scheme and for Other Related Matters (HB. 398) be now read a Second Time" (*Hon. Oluwole Oke — Obokun/Oriade Federal Constituency*).

Debate.

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

Bill read the Second Time.

Bill referred to the Committee on Pensions.

9. A Bill for an Act to Establish the National Food Reserve Agency for the Purposes of Facilitating Food Production, Processing, Storage and Marketing of Food and Grains and Other Commodities for Strategic Purposes and for Other Related Matters (HB. 474) — Second Reading

Order read; deferred by leave of the House.

10. **A Bill for an Act to Provide for the Regulation and Prohibition of Arbitrary Change of Name in Nigeria and, in Exceptional Cases, Provide for the Procedure to Change Name in Nigeria, Offences and Penalties for Violation and for Other Related Matters (HB.767) — Second Reading**
Motion made and Question proposed, "That a Bill for an Act to Provide for the Regulation and Prohibition of Arbitrary Change of Name in Nigeria and, in Exceptional Cases, Provide for the Procedure to Change Name in Nigeria, Offences and Penalties for Violation and for Other Related Matters (HB.767) be now read a Second Time" (*Hon. Gyang Istifanus Dung — Barinladi/Riyom Federal Constituency*).

Debate.

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

Bill read the Second Time.

Bill referred to the Committee on Justice.

11. **Reconsideration of Outstanding Bills from the Preceding Assembly (Order Twelve, Rule 16, House Standing Orders)**

Federal College of Dental Technology and Therapy Bill, 2017 (HB. 1018):

Motion made and Question proposed;

The House:

Notes that pursuant to Order Twelve, Rule 16 of the Standing Orders of the House, Bills passed by the preceding Assembly and forwarded to the Senate for concurrence for which no concurrence was made or negatived or passed by the Senate and forwarded to the House for which no concurrence was made or negatived or which were passed by the National Assembly and forwarded to the President for assent but for which assent or withholding thereof was not communicated before the end of the tenure of the Assembly, the House may resolve that such Bills, upon being re-gazetted or clean copies circulated, be re-considered in the Committee of the Whole without being commenced *de-novo*;

Also notes that the Federal College of Dental Technology and Therapy Bill, 2017 was passed by the preceding Assembly and forwarded to the President for assent but for which assent or withholding thereof was not communicated before the end of the tenure of the last Assembly;

Aware that the Bill has been re-gazetted as HB. 1018 and read the first time on Wednesday, 8 April, 2017;

Resolves to:

Commit the Bill to the Committee of the Whole for consideration (*Hon. Patrick Asadu — Nsukka/Igboeze-South Federal Constituency*).

Agreed to.

12. **Recurring Allegations of Impropriety and Bias in the Contracting Process between NAPIMS and Nigeria's JV/PSC Partners and their Blatant Disregard of Statutory Provisions and Infractions Against Nigerian Companies**

Motion made and Question proposed;

The House:

Notes that Nigeria has majority shareholding in the Joint Venture (JV) and Production Sharing Contracts with oil companies in the Oil and Gas sector of the economy;

Also notes that the National Petroleum Investment Management Services (NAPIMS), a subsidiary of the Nigerian National Petroleum Corporation (NNPC), is responsible for managing those assets for Nigeria, protecting its interests and providing oversight in the funding of operations and work programs, contracting, financial (cost) and operational control, project monitoring, audit and compliance with Joint Operating Agreements and other statutory provisions that all operators and government agencies are obliged to observe;

Aware of the plethora of allegations and petitions for over eight (8) years now against NAPIMS and its Management over abuses of the contract award process in favour of preferred contractors, initiation of numerous contract awards (catering, accommodation, vessels etc) without completion and renewal of such contracts continuously in favour of the existing contractors, inclusion of contractors who were not part of the initial bidding process, arbitrary change of originally approved commercial evaluation criteria after submission and evaluation to favour a particular contractor, refusal to initiate replacement contracts for contracts that have terminated (which works in favour of existing contractors), award of contracts at exorbitant rates above current market realities, award of contracts to foreign companies at the expense of local companies (often at a higher cost), refusal to resolve and approve settlement of pecuniary infractions against Nigerian companies by major oil companies even when such cases have been concluded in favour of the petitioners and increasing reports of corruption by top officials of the agency;

Concerned that those infractions are major contributory factors in the increasing high cost of production by oil companies and lack of optimal performance, and if those allegations are not thoroughly investigated, it will lead to loss of confidence in the operations of the oil and gas industry, the anti-corruption drive of government and reduce the capacity of the industry to attract the required investments, which will ultimately hamper the development of local capacity with the attendant loss of the derivable benefits to the local economy;

Also concerned about the apparent inability or reluctance of NNPC to address those allegations which may connote complicity on its part or a dereliction of duty even when it continues to submit billions of dollars annually as proposed appropriation for cash call commitments of the Federal Government to the related contracts;

Resolves to:

Mandate the Committee on Petroleum Resources (Upstream) to investigate the allegations of abuse of contract award processes by the National Petroleum Investment Management Services (NAPIMS) and any other related issue and report back within six (6) weeks for further legislative action (*Hon. Gaza Jonathan Gbefwi — Karu/Keffi/Kokona Federal Constituency*).

Debate.

Agreed to.

The House:

Noted that Nigeria has majority shareholding in the Joint Venture (JV) and Production Sharing Contracts with oil companies in the Oil and Gas sector of the economy;

Also noted that the National Petroleum Investment Management Services (NAPIMS), a subsidiary of the Nigerian National Petroleum Corporation (NNPC), is responsible for managing those assets for Nigeria, protecting its interests and providing oversight in the funding of operations and work programs, contracting, financial (cost) and operational control, project monitoring, audit and compliance with Joint Operating Agreements and other statutory provisions that all operators and government agencies are obliged to observe;

Aware of the plethora of allegations and petitions for over eight (8) years now against NAPIMS and its Management over abuses of the contract award process in favour of preferred contractors, initiation of numerous contract awards (catering, accommodation, vessels etc) without completion and renewal of such contracts continuously in favour of the existing contractors, inclusion of contractors who were not part of the initial bidding process, arbitrary change of originally approved commercial evaluation criteria after submission and evaluation to favour a particular contractor, refusal to initiate replacement contracts for contracts that have terminated (which works in favour of existing contractors), award of contracts at exorbitant rates above current market realities, award of contracts to foreign companies at the expense of local companies (often at a higher cost), refusal to resolve and approve settlement of pecuniary infractions against Nigerian companies by major oil companies even when such cases have been concluded in favour of the petitioners and increasing reports of corruption by top officials of the agency;

Concerned that those infractions are major contributory factors in the increasing high cost of production by oil companies and lack of optimal performance, and if those allegations are not thoroughly investigated, it will lead to loss of confidence in the operations of the oil and gas industry, the anti-corruption drive of government and reduce the capacity of the industry to attract the required investments, which will ultimately hamper the development of local capacity with the attendant loss of the derivable benefits to the local economy;

Also concerned about the apparent inability or reluctance of NNPC to address those allegations which may connote complicity on its part or a dereliction of duty even when it continues to submit billions of dollars annually as proposed appropriation for cash call commitments of the Federal Government to the related contracts;

Resolved to:

Mandate the Committee on Petroleum Resources (Upstream) to investigate the allegations of abuse of contract award processes by the National Petroleum Investment Management Services (NAPIMS) and any other related issue and report back within six (6) weeks for further legislative action (**HR. 200/2017**).

13. Need to Consider the Construction Industry for Priority Forex Allocation

Motion made and Question proposed;

The House:

Notes that the construction industry plays a critical role in the socio-economic growth and enhancement of the Gross Domestic Product (GDP) of any nation through the development of infrastructure, provision of skilled and unskilled labor and generation of income;

Also notes that most construction materials cost a lot of dollars to import and due to an increased cost of doing business, there are bound to be major price fluctuations with ongoing construction projects that will affect previous budgets negatively because the money quoted for some of the projects might no longer be enough to complete them due to increase in the prices of machineries and materials occasioned by Forex challenges;

Aware of fluctuations in the rate of exchange of the Naira to the Dollar which is threatening the completion of those projects as the Naira has been devalued from ₦155 to \$1 to around ₦305 to \$1 at the official rate and around ₦405 to \$1 at the black market;

Concerned that there are many road projects that were awarded in the various States of the Federation and the cost of completing them is over ₦2 trillion, while the value of the Naira attached to those contracts had reduced as a result of the forex crisis, and paucity of fund is a major reason why many construction projects are abandoned, to the detriment of the nation's infrastructural development;

Resolves to:

- (i) urge the Central Bank of Nigeria (CBN) to consider listing the Construction Industry in the priority list for Forex liquidity along with other sectors; and
- (ii) mandate the Committees on Works, Public Procurement, and Banking and Currency to work out modalities for achieving the above objective and also breaking down payments into Naira and Dollars for all major construction Projects, and report back on eight (8) weeks for further legislative action (*Hon. Sergius Oseasochie Ogun — Esan Northeast /Esan Southeast Federal Constituency*).

Debate.

Negatived.

14. Need to Check the Reckless Conduct of Bullion Van Drivers and their Police Escorts on the Roads

Motion made and Question proposed;

The House:

Notes with concern the high rate of disruption of the flow of traffic and accidents occasioned by the reckless attitude of bullion van drivers and their police escorts on the roads;

Recalls the incident of 14 February, 2017, when a painter, Mr Eze Akpan was killed by stray bullets from a police team escorting a bullion van in Port Harcourt, Rivers State;

Observes that incidents of this nature are becoming daily occurrences on the roads with motorists either being shoved off the road or crashed into, at times resulting in death or maiming, due to the excessive speed or dangerous maneuvering tactics of the Bullion Van drivers or stray bullets from their police escorts;

Also observes that in the process of transporting cash and valuables from one location to the other, policemen escorting the vans take the laws into their hands, harassing, molesting and intimidating other road users into panicky motoring decisions;

Worried that these incessant harassments of innocent motorists are reminders of military despotism of years past;

Cognizant of an urgent need to nip this aberration in the bud before it does more harm to the psyche of the people;

Resolves to:

- (i) call on the Inspector General of Police and the Corps Marshal of the Federal Road Safety Commission to collaborate and put in place measures that will regulate the conduct of bullion van drivers and their police escorts in order to stem the violations of traffic rules and regulations and thus stop the harassment of motorists on the roads; and
- (ii) mandate the Committees on Police Affairs, and Federal Road Safety Commission to ensure implementation and report back within six (6) weeks for further legislative action (*Hon. Segun Adekola Alexander — Ekiti Southwest/Ikere/Ise/Orun Federal Constituency*).

Debate.

Agreed to.

The House:

Noted with concern the high rate of disruption of the flow of traffic and accidents occasioned by the reckless attitude of bullion van drivers and their police escorts on the roads;

Recalled the incident of 14 February, 2017, when a painter, Mr Eze Akpan was killed by stray bullets from a police team escorting a bullion van in Port Harcourt, Rivers State;

Observed that incidents of this nature are becoming daily occurrences on the roads with motorists either being shoved off the road or crashed into, at times resulting in death or maiming, due to the excessive speed or dangerous maneuvering tactics of the Bullion Van drivers or stray bullets from their police escorts;

Also observed that in the process of transporting cash and valuables from one location to the other, policemen escorting the vans take the laws into their hands, harassing, molesting and intimidating other road users into panicky motoring decisions;

Worried that these incessant harassments of innocent motorists are reminders of military despotism of years past;

Cognizant of an urgent need to nip this aberration in the bud before it does more harm to the psyche of the people;

Resolved to:

- (i) call on the Inspector General of Police and the Corps Marshal of the Federal Road Safety Commission to collaborate and put in place measures that will regulate the conduct of bullion van drivers and their police escorts in order to stem the violations of traffic rules and regulations and thus stop the harassment of motorists on the roads; and
- (ii) mandate the Committees on Police Affairs, and Federal Road Safety Commission to ensure implementation and report back within six (6) weeks for further legislative action (HR. 201/2017).

15 Adjournment

That the House do adjourn till Wednesday, 17 May, 2017 at 11.00 a.m. (Hon. Femi Gbajabiamila — House Leader).

The House adjourned accordingly at 1.01 p.m.

Yakubu Dogara
Speaker