FOURTH REPUBLIC
8TH NATIONAL ASSEMBLY
SECOND SESSION
NO. 83

HOUSE OF REPRESENTATIVES FEDERAL REPUBLIC OF NIGERIA

VOTES AND PROCEEDINGS

Tuesday, 4 April, 2017

1. The House met at 11.24 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 Thursday, 30 March, 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 ***Faith Academy, Day Secondary School***, Kubwa, Abuja;

(*ii*) Staff and Students of ***Goshen International High School***, Suleja, Niger State; and

(*iii*) Members of National Association of ***Jigawa State Students (NAJISS)***, Jigawa State.

4. **Petitions**
(*i*) Petitions from the following persons were presented and laid by Hon. Yusuf Ayo Tajudeen (*Ijumu/Kabba-Bunu Federal Constituency*):

(*a*) Mrs Catherine Fache, on the termination of her appointment by the Federal Inland Revenue Service;

(*b*) C. O. Bosa & Co. (Solicitors and Advocates of the Supreme Court of Nigeria), on behalf of Mr Olorunhundo G. S., on the termination of his appointment by the Nigerian Customs Service;

(*ii*) A petition from Godson Ukpevo and 3 others, on the termination of their appointments, by the Pension Transition Arrangement Directorate (PTAD), was presented and laid by Hon. Leo Ogor (*Isoko North/Isoko South Federal Constituency*).

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

5. **Matter of Urgent Public Importance (Standing Order Eight, Rule 4)**
***Devastating Rainstorm in Akoko Edo Federal Constituency*:**
Hon. Peter Ohiozojeh Akpatason (*Akoko-Edo Federal Constituency*) introduced the matter and prayed the House to consider and approve the matter as one of urgent public importance.

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

Matter to stand over till next legislative day, pursuant to Order Eight, Rule 4 (3).

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

(1) National Bureau of Forensic Services (Establishment) Bill, 2017 (HB. 989).

(2) Federal Universities of Technology, Kaduna, Lagos and Enugu (Establishment) Bill, 2017 (HB.990).

(3) Federal University of Education, Zaria (Establishment) Bill, 2017 (HB. 991).

(4) National Environmental Standards and Regulations Enforcement Agency Act (Amendment) Bill, 2017 (HB .992).

(5) Display and Use of the National Flag, Certain Flags and the National Coat of Arms Act (Amendment) Bill, 2017 (HB. 993).

(6) Universal Basic Education Act (Amendment) Bill, 2017 (HB. 994).

(7) Universal Basic Education Act (Amendment) Bill, 2017 (HB. 995).

(8) Centre for Black and African Arts and Civilization Act (Amendment) Bill, 2017 (HB. 996).

(9) Projects Monitoring and Evaluation Template Bill, 2017 (HB. 997).

(10) Constitution of the Federal Republic of Nigeria, 1999 (Alteration) Bill, 2017 (HB. 998).

7. **Presentation of Reports**
(*i*) ***Committee on Public Petitions*:**
Report on the Petition by Alfa Onum:
Motion made and Question proposed, "That the House do receive the Report of the Committee on Public Petitions on the petition by Alfa Onum against the Nigeria Customs Service on the unlawful retirement from Service" (*Hon. Uzoma Nkem-Abonta — Ukwa East/Ukwa West Federal Constituency*).

Agreed to.

Report laid.

(*ii*) ***Committee on Public Petitions*:**
Report on the Petition by Mr Odoh Daniel O.:
Motion made and Question proposed, "That the House do receive the Report of the Committee on Public Petitions on the petition by Odoh Daniel against the Federal Road Safety Commission (FRSC) on the unlawful termination of his appointment" (*Hon. Uzoma Nkem-Abonta — Ukwa East/Ukwa West Federal Constituency*).

Agreed to.

Report laid.

(iii) *Committee on Public Petitions*:
Report on the Petition by Stella Chinyere Udu and Co. on behalf of Mr Festus Ijerhe:
Motion made and Question proposed, "That the House do receive the Report of the Committee on Public Petitions on the petition by Stella Chinyere Idu and Co., against the Nigeria National Petroleum Corporation (NNPC) on behalf of Mr Festus Ijerhe on the alleged wrongful termination of his appointment" (*Hon. Uzoma Nkem-Abonta — Ukwa East/Ukwa West Federal Constituency*).

Agreed to.

Report laid.

(iv) *Committee on Public Petitions*:
Report on the Petition by Anthony Agbonlahor and Associates:
Motion made and Question proposed, "That the House do receive the Report of the Committee on Public Petitions on the petition by Anthony Agbolahor and Associates against Nigerian Liquefied Natural Gas Company (NLNG)" (*Hon. Uzoma Nkem-Abonta — Ukwa East/Ukwa West Federal Constituency*).

Agreed to.

Report laid.

(v) *Committee on Public Petitions*:
Report on the Petition by EgangAgabi and Co. on behalf of Chief Festus Oduenyi:
Motion made and Question proposed, "That the House do receive the Report of the Committee on Public Petitions on the petition by Egang Agabi and Co. on behalf of Chief Festus Oduenyi against the Nigeria Customs Service for the conversion of textile goods, in the sum of ₦96,460,000,000.00 (nine-six million, four hundred and sixty thousand Naira) only" (*Hon. Uzoma Nkem-Abonta — Ukwa East/Ukwa West Federal Constituency*).

Agreed to.

Report laid.

8. **A Bill for an Act to Establish the Chartered Institute of Capital Market Registrars to Regulate and Control the Practice of Share Registration and for Other Related Matters (HB. 79) — *Third Reading***
Motion made and Question proposed, "That a Bill for an Act to Establish the Chartered Institute of Capital Market Registrars to Regulate and Control the Practice of Share Registration and for Other Related Matters (HB. 79) be now read the Third Time" (*Hon. Femi Gbajabiamila — House Leader*).

Agreed to.

Bill read the Third Time, and passed.

9. **A Bill for an Act to Establish the Forensic DNA Database in Nigeria charged with Responsibility for the Collection of DNA Samples, making Forensic DNA Analysis, Using DNA Profile and Information Targeted at Addressing Doubts in Criminal and DNA Related Issues and for Other Related Matters (HB. 856) — *Second Reading***
Motion made and Question proposed, "That a Bill for an Act to Establish the Forensic DNA Database in Nigeria charged with Responsibility for the Collection of DNA Samples, making Forensic DNA Analysis, Using DNA Profile and Information Targeted at Addressing Doubts in Criminal and DNA Related Issues and for Other Related Matters (HB. 856) be now read a Second Time" (*Hon. Patrick Asadu — Nsukka/Igboeze South Federal Constituency*).

Debate.

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

Bill read the Second Time.

Bill referred to the **Committees on Interior, Police Affairs, and Healthcare Services.**

10. **A Bill for an Act to Alter Section 221 of the Constitution of the Federal Republic of the Nigeria, 1999 to make the Votes Scored by a Candidate Sponsored by a Political Party the Votes of the Candidate and Limit the Transfer of Votes Scored by one Candidate to some Other Person and for Other Related Matters (HB. 807)** — ***Second Reading***
Motion made and Question proposed, "That a Bill for an Act to Alter Section 221 of the Constitution of the Federal Republic of the Nigeria, 1999 to make the Votes Scored by a Candidate Sponsored by a Political Party the Votes of the Candidate and Limit the Transfer of Votes Scored by one Candidate to some Other Person and for Other Related Matters (HB. 807) be now read a Second Time" (*Hon. Sunday Steve Karimi — Yagba East/Yagba West/Mopamuro Federal Constituency*).

Debate.

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

Bill read the Second Time.

Bill referred to the ***Special Ad-hoc Committee on the Review of*** **1999** ***Constitution.***

11. **A Bill for an Act to Repeal the Associated Gas Re-Injection Act, Cap. A25, Laws of the Federation of Nigeria, 2004 and for Other Related Matters (HB. 217)** — ***Second Reading***
Motion made and Question proposed, "That a Bill for an Act to Repeal the Associated Gas Re-Injection Act, Cap. A25, Laws of the Federation of Nigeria, 2004 and for Other Related Matters (HB. 217) be now read a Second Time" (*Hon. Uzoma Nkem-Abonta — Ukwa East/Ukwa West Federal Constituency*).

Debate.

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

Bill read the Second Time.

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

12. **A Bill for an Act to Provide for the Establishment of the Polytechnic, Dukku, Gombe State for the Purpose of Providing Qualitative Education in Science, Arts and Other Technical Knowledge and Research and Training and for Other Related Matters (HB. 947)** — ***Second Reading***
Motion made and Question proposed, "That a Bill for an Act to Provide for the Establishment of the Polytechnic, Dukku, Gombe State for the Purpose of Providing Qualitative Education in Science, Arts and Other Technical Knowledge and Research and Training and for Other Related Matters (HB. 947) be now read a Second Time" (*Hon. Aishatu Jibril Dukku — Dukku/Nafada Federal Constituency*).

Debate.

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

Bill read the Second Time.

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

13. **Call for Intervention in the Non-Release of Funds for the Amnesty Programme**
Motion made and Question proposed;

The House:

Recalls that the Amnesty Programme was conceived by the Federal Government to stem the tide of disaffection, agitations and militancy in the Niger Delta area, which resulted in loss of lives, properties and oil revenues;

Notes the monumental challenges facing the Presidential Amnesty Programme (PAP) due to scarcity of funds to run the Programme, arising from delayed and staggered release of funds from the 2016 Appropriation Act by the Federal Ministry of Finance which has made it extremely difficult for the Programme to meet its obligations to its workers and beneficiaries;

Aware that 30,000 beneficiaries who are paid a monthly allowance of ₦65,000.00 are being owed 5 months arrears and on the Education Programmes (Onshore), the debt to Universities in the country is ₦1,873,044,700.00, in addition to a backlog of unpaid In-Training Allowances amounting to ₦830,500,000.00, while Educational Programme (Offshore) is suffering the same fate as unpaid In-Training Allowances for 750 students between 2016 and 2017 is US$4,200,000.00 (equivalent of ₦1,332,000,000.00) an unpaid tuition fee for 350 students amounting to the sum of US$17,500,000.00 (equivalent of ₦5,512,500,000.00);

Concerned that 70% of the 637 students in various institutions in 27 countries who are expected to graduate at the end of the 2016/2017 academic year may not be able to do so for non-payment of tuition fees and currently, more than 80% of them have been excluded from studies and if the tuition fees are not settled, it may lead to their having to repeat the whole academic session, thus compounding the financial burden;

Also concerned that 100 graduates are currently stranded in the United States of America, Malaysia, United Kingdom and South Africa, waiting for their October 2016 to January 2017 allowances to enable them settle their bills and return back to Nigeria;

Also aware that the students in the United Kingdom have planned to protest at the Nigerian High Commission any moment for non-payment of their tuition fees and allowances by the Amnesty Office, which when carried out, will definitely bring Nigeria to ridicule and opprobrium before the comity of nations;

Further concerned that the Federal Ministry of Finance has not released to the Amnesty Programme the sum of ₦15 Billion budgeted for in the 2016 Appropriation Act and the situation is becoming more serious and is capable of truncating the lofty programme as tension and threats are already palpable in the Niger Delta Region and amongst the beneficiaries of the Programme, both those who are onshore and offshore, with a propensity that is capable of bringing Nigeria into disrepute nationally and internationally, unless the matter is addressed;

Resolves to:

(*i*) urge the Honourable Minister of Finance to release the balance of ₦15 Billion in the 2016 Appropriation Act for the funding of the Amnesty Programme; and

(*ii*) mandate the Committee on Niger Delta Ministry to investigate the circumstances leading to funding constraints affecting the Amnesty Programme, with a view to avoiding reoccurrence and report back within two (2) weeks for further legislative action (*Hon. Leo Ogor — Isoko North/Isoko South Federal Constituency*).

Debate.

Agreed to.

The House:

Recalled that the Amnesty Programme was conceived by the Federal Government to stem the tide of disaffection, agitations and militancy in the Niger Delta area, which resulted in loss of lives, properties and oil revenues;

Noted the monumental challenges facing the Presidential Amnesty Programme (PAP) due to scarcity of funds to run the Programme, arising from delayed and staggered release of funds from the 2016 Appropriation Act by the Federal Ministry of Finance which has made it extremely difficult for the Programme to meet its obligations to its workers and beneficiaries;

Aware that 30,000 beneficiaries who are paid a monthly allowance of ₦65,000.00 are being owed 5 months arrears and on the Education Programmes (Onshore), the debt to Universities in the country is ₦1,873,044,700.00, in addition to a backlog of unpaid In-Training Allowances amounting to ₦830,500.000.00, while Educational Programme (Offshore) is suffering the same fate as unpaid In-Training Allowances for 750 students between 2016 and 2017 is US$4,200,000.00 (equivalent of ₦1,332,000,000.00) an unpaid tuition fee for 350 students amounting to the sum of US$17,500,000.00 (equivalent of ₦5,512,500,000.00);

Concerned that 70% of the 637 students in various institutions in 27 countries who are expected to graduate at the end of the 2016/2017 academic year may not be able to do so for non-payment of tuition fees and currently, more than 80% of them have been excluded from studies and if the tuition fees are not settled, it may lead to their having to repeat the whole academic session, thus compounding the financial burden;

Also concerned that 100 graduates are currently stranded in the United States of America, Malaysia, United Kingdom and South Africa, waiting for their October 2016 to January 2017 allowances to enable them settle their bills and return back to Nigeria;

Also aware that the students in the United Kingdom have planned to protest at the Nigerian High Commission any moment for non-payment of their tuition fees and allowances by the Amnesty Office, which when carried out, will definitely bring Nigeria to ridicule and opprobrium before the comity of nations;

Further concerned that the Federal Ministry of Finance has not released to the Amnesty Programme the sum of ₦15 Billion budgeted for in the 2016 Appropriation Act and the situation is becoming more serious and is capable of truncating the lofty programme as tension and threats are already palpable in the Niger Delta Region and amongst the beneficiaries of the Programme, both those who are onshore and offshore, with a propensity that is capable of bringing Nigeria into disrepute nationally and internationally, unless the matter is addressed;

Resolved to:

(*i*) urge the Honourable Minister of Finance to release the balance of ₦15 Billion in the 2016 Appropriation Act for the funding of the Amnesty Programme; and

(*ii*) mandate the Committee on Niger Delta Ministry to investigate the circumstances leading to funding constraints affecting the Amnesty Programme, with a view to avoiding reoccurrence and report back within two (2) weeks for further legislative action (**HR. 140/2017**).

14. **Recurring Cases of Breach of Fundamental Human Rights by the Department of State Services (DSS)**

Order read; deferred by leave of the House, in view of a similar matter pending before a Committee of the House.

15. **Need for the Federal Government to Reverse the Presidential Directive to Scale down Non-Agricultural Programmes from the Curriculum of Federal Universities of Agriculture**
Motion made and Question proposed;

The House:

Aware of the determination of the Federal Government to diversify the nation's economy through placing greater focus on Agriculture which had previously been neglected during the era of oil boom, an action that was partly responsible for the current economic malaise and recession, following a drop in the price of oil;

Also aware that it was in recognition of the important role of Agriculture in driving economic growth, improving revenues and job creation that a previous administration established three specialized Universities of Agriculture with the mandate to develop and offer academic and professional programs leading to the award of diplomas, first degrees, post graduate research and higher degrees which emphasize planning, adaptive, technical, maintenance, developmental and productive skills in agriculture, agricultural engineering and allied professional disciplines with the aim of producing socially mature persons with capacity to improve on those disciplines and develop new ones, and also contribute to the scientific transformation of Agriculture in Nigeria;

Further aware that synergy between core and non-core agricultural programs has universal appeal as several countries across the world have Universities of Agriculture that offer programs in Agriculture and allied subjects and they include, Alabama Agricultural and Mechanical University, South China University, University of Agriculture Peshawar, Pakistan, Kuban State Agrarian University, Russia, Jomo Kenyatta University of Agriculture and Technology, Kenya, etc.;

Acknowledges that the global village the world has given rise to the absolute necessity to focus on combining both technological and management skills in the Agricultural profession to be grounded in science, management techniques and social skills that drive today's sustainable agricultural economy;

Notes the Presidential directive to scale down the non-core agricultural programs being offered by the Universities of Agriculture and to eventually wind down those programs which has now led the Federal Ministries of Education, and Agriculture and Rural Development to commence the move to immediately phase out the College of Management Sciences at the Michael Okpara University of Agriculture, Umudike, a College whose programmes have received the approval of the National Universities Commission (NUC), a recognition by the Institute of Chartered Accountants of Nigeria (ICAN) and a number of other reputable institutions and organizations;

Concerned about the haste to phase out the College following the directive while those of the other Universities of Agriculture in the country are still running, a move being undertaken without subjecting the directive to critical analysis by stakeholders and input by the affected Universities of Agriculture;

Informed that there already exists synergy and a kind of symbiotic relationship between the core agricultural and non-agricultural courses, which are now mutually reinforcing with each program complementing the delivery of the academic curriculum of the other such as Management Sciences in the University and if disrupted by the hastily conceived directive, will distort the efficient running, teaching, and learning of the professional core agricultural courses which have become inter-related with the non-agricultural management sciences programs that have taken firm root at the University;

Also informed that if the implementation of the directive is not halted, the admission trauma of the youths, especially those within the catchment area of the Michael Okpara University of Agriculture will be compounded, given the high number of students seeking admissions in the densely populated area which is served by only one Federal University;

Believes that the haste with which the Joint Admissions and Matriculation Board (JAMB) delisted Management Courses from the ones available on offer by the Michael Okpara University of Agriculture has the inevitable consequence of denial of admissions to over two thousand (2000) prospective candidates with its deleterious effects on the psyche of the candidates who may, as a consequence of idleness, resort to crimes and other anti-social behaviors;

Resolves to:

(*i*) call on the Federal Government to reverse the Presidential directive to scale down and gradually wind down non-agricultural programs in the three specialized Universities of Agriculture;

(*ii*) also call on the Federal Ministries of Education and Agriculture and Rural Development to immediately halt the implementation of the directive pending a comprehensive appraisal of the rationale behind the directive by stakeholders;

(*iii*) urge the Joint Admissions and Matriculation Board (JAMB) to stop action on the delisting of non-agricultural courses of Management Sciences at the Michael Okpara University of Agriculture Umudike, Abia State to enable candidates to continue to enroll in those courses in the forth coming Matriculation examinations pending the resolution of the matter; and

(*iv*) mandate the Committees on Tertiary Education and Services, and Legislative Compliance to ensure implementation and report back in two (2) weeks for further legislative action (*Hon. Samuel Ifeanyi Onuigbo — Ikwunano/Umuahia North/Umuahia South Federal Constituency*).

Debate.

Amendment Proposed:
Leave out all the Prayers and insert a new prayer as follows "mandate the Committee on Tertiary Education and Services, to investigate the matter and report back within four (4) weeks for further legislative action" (*Hon. Ossai Nicholas Ossai — Ndokwa East/Ndokwa West/Ukwuani Federal Constituency*).

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

Question on the Motion as amended — **Agreed to.**

The House:

Aware of the determination of the Federal Government to diversify the nation's economy through placing greater focus on Agriculture which had previously been neglected during the era of oil boom, an action that was partly responsible for the current economic malaise and recession, following a drop in the price of oil;

Also aware that it was in recognition of the important role of Agriculture in driving economic growth, improving revenues and job creation that a previous administration established three specialized Universities of Agriculture with the mandate to develop and offer academic and professional programs leading to the award of diplomas, first degrees, post graduate research and higher degrees which emphasize planning, adaptive, technical, maintenance, developmental and productive skills in agriculture, agricultural engineering and allied professional disciplines with the aim of producing socially mature persons with capacity to improve on those disciplines and develop new ones, and also contribute to the scientific transformation of Agriculture in Nigeria;

Further aware that synergy between core and non-core agricultural programs has universal appeal as several countries across the world have Universities of Agriculture that offer programs in Agriculture and allied subjects and they include, Alabama Agricultural and Mechanical University, South China University, University of Agriculture Peshawar, Pakistan, Kuban State Agrarian University, Russia, Jomo Kenyatta University of Agriculture and Technology, Kenya, etc.;

Acknowledged that the global village the world has given rise to the absolute necessity to focus on combining both technological and management skills in the Agricultural profession to be grounded in science, management techniques and social skills that drive today's sustainable agricultural economy;

Noted the Presidential directive to scale down the non-core agricultural programs being offered by the Universities of Agriculture and to eventually wind down those programs which has now led the Federal Ministries of Education, and Agriculture and Rural Development to commence the move to immediately phase out the College of Management Sciences at the Michael Okpara University of Agriculture, Umudike, a College whose programmes have received the approval of the National Universities Commission (NUC), a recognition by the Institute of Chartered Accountants of Nigeria (ICAN) and a number of other reputable institutions and organizations;

Concerned about the haste to phase out the College following the directive while those of the other Universities of Agriculture in the country are still running, a move being undertaken without subjecting the directive to critical analysis by stakeholders and input by the affected Universities of Agriculture;

Informed that there already exists synergy and a kind of symbiotic relationship between the core agricultural and non-agricultural courses, which are now mutually reinforcing with each program complementing the delivery of the academic curriculum of the other such as Management Sciences in the University and if disrupted by the hastily conceived directive, will distort the efficient running, teaching, and learning of the professional core agricultural courses which have become inter-related with the non-agricultural management sciences programs that have taken firm root at the University;

Also informed that if the implementation of the directive is not halted, the admission trauma of the youths, especially those within the catchment area of the Michael Okpara University of Agriculture will be compounded, given the high number of students seeking admissions in the densely populated area which is served by only one Federal University;

Believed that the haste with which the Joint Admissions and Matriculation Board (JAMB) delisted Management Courses from the ones available on offer by the Michael Okpara University of Agriculture has the inevitable consequence of denial of admissions to over two thousand (2000) prospective candidates with its deleterious effects on the psyche of the candidates who may, as a consequence of idleness, resort to crimes and other anti-social behaviors;

Resolved to:

Mandate the Committee on Tertiary Education and Services, to investigate the matter and report back within four (4) weeks for further legislative action (**HR. 141/2017**).

16. **Need to Constitute the Nigeria Customs Service Board**
Motion made and Question proposed;

The House:

Notes with concern the continued failure by the Minister of Finance to constitute the Board of the Nigeria Customs Service;

Aware that the Nigeria Customs Service Board (NCSB) was established under Section 1 (2) of the Nigeria Customs Service Board Act, Cap. N100, Laws of the Federation of Nigeria, 2004 and placed under the control of the Federal Ministry of Finance;

Also aware that the powers being exercised by the Customs, Immigration and Prisons Service Board to appoint, promote and exercise disciplinary control over staff of the Nigeria Customs Service (NCS) are vested in the Board under Section 4 of the NCSB Act;

Further aware that Section 2 (1) (*a*) - (*j*) of the said Act provides for the composition or membership of the Board while Section 3 (*a*) and (*b*) (*i*) and (*ii*) provides for the functions of the Board as:

(*a*) "formulating the general policy guidelines for the Nigeria Customs Service;

(*b*) administering the Customs and Excise Management Act, and accordingly, the Board shall:

(*i*) subject to the general control of the Minister, control and manage the administration of the customs and excise laws, and

(*ii*) collect the revenues of customs and excise and account for them in such manner as the Minister shall, from time to time, direct";

Concerned that the absence of the NCSB is a contravention of the provisions of the Act and is thereby affecting the effective functioning of the Nigeria Customs Service (NCS);

Also concerned that unless the anomaly in the non-composition of the NCSB is urgently addressed, the whole essence of the Act would be defeated;

Resolves to:

(*i*) urge the Minister of Finance to urgently constitute the Board of the Nigeria Customs Service;

(*ii*) forward the Resolution of the House to the Senate for concurrence; and

(*iii*) mandate the Committee on Customs and Excise to ensure implementation and report back in four (4) week for further legislative action (*Hon. Kingsley Chinda — Akpor/Obio Federal Constituency*).

Debate.

Agreed to.

The House:

Noted with concern the continued failure by the Minister of Finance to constitute the Board of the Nigeria Customs Service;

Aware that the Nigeria Customs Service Board (NCSB) was established under Section 1 (2) of the Nigeria Customs Service Board Act, Cap. N100, Laws of the Federation of Nigeria, 2004 and placed under the control of the Federal Ministry of Finance;

Also aware that the powers being exercised by the Customs, Immigration and Prisons Service Board to appoint, promote and exercise disciplinary control over staff of the Nigeria Customs Service (NCS) are vested in the Board under Section 4 of the NCSB Act;

Further aware that Section 2 (1) (*a*) - (*j*) of the said Act provides for the composition or membership of the Board while Section 3 (*a*) and (*b*) (*i*) and (*ii*) provides for the functions of the Board as:

(*a*) "formulating the general policy guidelines for the Nigeria Customs Service;

(*b*) administering the Customs and Excise Management Act, and accordingly, the Board shall:

(*i*) subject to the general control of the Minister, control and manage the administration of the customs and excise laws, and

(*ii*) collect the revenues of customs and excise and account for them in such manner as the Minister shall, from time to time, direct";

Concerned that the absence of the NCSB is a contravention of the provisions of the Act and is thereby affecting the effective functioning of the Nigeria Customs Service (NCS);

Also concerned that unless the anomaly in the non-composition of the NCSB is urgently addressed, the whole essence of the Act would be defeated;

Resolved to:

(*i*) urge the Minister of Finance to urgently constitute the Board of the Nigeria Customs Service;

(*ii*) forward the Resolution of the House to the Senate for concurrence; and

(*iii*) mandate the Committee on Customs and Excise to ensure implementation and report back in four (4) week for further legislative action (**HR. 142/2017**).

17. **Call to Investigate the Current Situation of the Presidential Task Force on Pension Reforms**
Motion made and Question proposed;

The House:

Aware that the Presidential Task Force on Pensions Reform was created in June 2010 with the main objective of tracking and recovering pensions of all public service retirees;

Concerned that instead of the Task Force discharging its mandate, it became embroiled in widespread allegations of looting of pension funds and has been unable to account for more than ₦200 Billion as a result of which the Task Force was dissolved in February 2013;

Also aware that the Task Force took charge of the Police and the Head of Service Pension Funds and that more than ₦180 Billion was alleged to have been recovered from various banks and also that more than 75,000 ghost pensioners were paid while genuine pensioners were left unattended to;

Also concerned that since the dissolution of the Task Force, the public has not been informed of what became of the billions of Naira recovered by the Task Force;

Resolves to:

Set up an *Ad-hoc* Committee to investigate the activities of the Presidential Task Force from 2010 to the time of its dissolution and those of any successor Agency and report back in two (2) weeks for further legislative action (*Hon. Ali Isa J. C. — Balanga/Biliri Federal Constituency*).

Debate.

Amendments Proposed:

(*i*) In the Prayer, line 2, *leave out* the word "two (2)" and *insert* the word "six (6)" (*Hon. Abdulrahman Shuaibu — Mubi North/Mubi South/Maiha Federal Constituency*).

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

(*ii*) In the Prayer, *leave out* the words "Set up an *Ad-hoc* Committee" and *insert* the words "Mandate the Committee on Pensions" (*Hon. Abdulsamad Dasuki — Kebbe/Tambuwal Federal Constituency*).

Question that the amendment be made — Negatived.

*Question on the Motion as amended — **Agreed to.***

The House:

Aware that the Presidential Task Force on Pensions Reform was created in June 2010 with the main objective of tracking and recovering pensions of all public service retirees;

Concerned that instead of the Task Force discharging its mandate, it became embroiled in widespread allegations of looting of pension funds and has been unable to account for more than ₦200 Billion as a result of which the Task Force was dissolved in February 2013;

Also aware that the Task Force took charge of the Police and the Head of Service Pension Funds and that more than ₦180 Billion was alleged to have been recovered from various banks and also that more than 75,000 ghost pensioners were paid while genuine pensioners were left unattended to;

Also concerned that since the dissolution of the Task Force, the public has not been informed of what became of the billions of Naira recovered by the Task Force;

Resolved to:

Set up an *Ad-hoc* Committee to investigate the activities of the Presidential Task Force from 2010 to the time of its dissolution and those of any successor Agency and report back in six (6) weeks for further legislative action (**HR. 143/2017**).

18. **Need to Extend Unified Tertiary Matriculation Examinations (UTME) Registration and Exercise of Safety Measures During the Examinations by Joint Admissions and Matriculation Board (JAMB)**

Motion made and Question proposed;

The House:

Notes that the Joint Admissions and Matriculation Board (JAMB) was established in 1978 to conduct entrance examinations for admission of prospective candidates into tertiary institutions in Nigeria;

Also notes that JAMB carries out this function through the administration of Unified Tertiary Matriculation Examination (UTME) conducted as Computer Based Test (CBT) at various centers;

Further notes that in the 2016 UTME exercise, about 1.6 million applicants registered out of which about 1million passed while the 2017 exercise might reach 2 million across the country given the growing number of applicants;

Aware that 2017 registration for the UTME is ongoing and JAMB has given one month deadline for the completion of the registration by the huge number of prospective candidates across the country;

Also aware that some of the approved centers are registering 250 applicants at a time and most of them are not spacious, do not have adequate number of computers, some of which have naked wires exposed and are haphazardly arranged on ordinary planks, thus lacking in safety requirement in case of an emergency;

Resolves to:

(*i*) mandate the Committee on Tertiary Education and Services to liaise with JAMB to extend the one month deadline by at least another month, for the registration of candidates for the UTME in order to create more space for prospective applicants;

(*ii*) urge JAMB to deploy safety equipment at each centre to forestall any incidence of stampede due to overcrowding; and

(*iii*) also urge JAMB to specify the requirements, including safety measures which qualify any centre to participate in the conduct of UTME Computer Based Test (*Hon. Danburam Abubakar Nuhu — Kano Municipal Federal Constituency*).

Debate.

Amendments Proposed:

(*i*) In Prayer (*i*), immediately after the words "Committee on", *leave out* the word "Tertiary" and *insert* the words "Basic" (*Hon. Yakubu Kumar Barde — Federal Constituency*).

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

(*ii*) *Insert* a new Prayer (*iv*) as follows:
"also mandate the Committee on Basic Education and Services as a matter of urgency, to invite the Registrar of JAMB, to appear before it within 48 hours to address these concerns" (*Hon. Abiante Awaji Inombek Dagomie — Andoni-Opobo/Nkoro Federal Constituency*).

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

(*iii*) *Insert* a new Prayer (*v*) as follows:
"further mandate the Committees on Basic Education and Services, and Legislative Compliance to ensure compliance and report back within one week for further legislative action" (*Hon. Abiante Awaji Inombek Dagomie — Andoni-Opobo/Nkoro Federal Constituency*).

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

Question on the Motion as amended — ***Agreed to.***

The House:

Noted that the Joint Admissions and Matriculation Board (JAMB) was established in 1978 to conduct entrance examinations for admission of prospective candidates into tertiary institutions in Nigeria;

Also noted that JAMB carries out this function through the administration of Unified Tertiary Matriculation Examination (UTME) conducted as Computer Based Test (CBT) at various centers;

Further noted that in the 2016 UTME exercise, about 1.6 million applicants registered out of which about 1million passed while the 2017 exercise might reach 2 million across the country given the growing number of applicants;

Aware that 2017 registration for the UTME is ongoing and JAMB has given one month deadline for the completion of the registration by the huge number of prospective candidates across the country;

Also aware that some of the approved centers are registering 250 applicants at a time and most of them are not spacious, do not have adequate number of computers, some of which have naked wires exposed and are haphazardly arranged on ordinary planks, thus lacking in safety requirement in case of an emergency;

Resolved to:

(*i*) mandate the Committee on Basic Education and Services to liaise with JAMB to extend the one month deadline by at least another month, for the registration of candidates for the UTME in order to create more space for prospective applicants;

(*ii*) urge JAMB to deploy safety equipment at each centre to forestall any incidence of stampede due to overcrowding;

(*iii*) also urge JAMB to specify the requirements, including safety measures which qualify any centre to participate in the conduct of UTME Computer Based Test;

(*iv*) also mandate the Committee on Basic Education and Services as a matter of urgency, to invite the Registrar of JAMB, to appear before it within 48 hours to address these concerns; and

(*v*) further mandate the Committees on Basic Education and Services, and Legislative Compliance to ensure compliance and report back within one week for further legislative action (**HR. 144/2017**).

19. **Need for the Central Bank of Nigeria (CBN) to use its Credit Guidelines to Ensure that Commercial and Merchant Banks Allocate and Administer a Minimum Stipulated (Start -Up) Credit for Small and Medium Scale Enterprises**
Motion made and Question proposed;

The House:

Aware of a survey carried out by the Small and Medium Enterprises Development Agency of Nigeria (SMEDAN) in collaboration with the National Bureau of Statistics that there is an increase in the number of Small and Medium Scale Enterprises from 17.2 million in 2010 to 37 million in 2013, which employ over 50 million Nigerians and make a contribution of about 50 percent to the Nation's Gross Domestic Product;

Also aware that financing and provision of credit facilities to Small and Medium Scale Enterprises (SMEs) in Nigeria has traditionally been that of banks (both deposit money banks and micro finance banks) as part of financial intermediation between surplus and deficit economic units;

Further aware that before the financial liberation policies of the Structural Adjustment Programme (SAP) era, the CBN, through its credit guidelines required that commercial and merchant banks should allocate a minimum stipulated credit to sectors classified as preferred, including the SMEs;

Notes that consequently, in the 1979/80 fiscal year, the CBN directed that at least 10 percent of the loans advanced to indigenous borrowers be allocated to SMEs; a percentage which was subsequently raised to 16 and 20 percent of total loans and advances by April 1980 and 1990, respectively;

Concerned that due to the cumbersome nature of administering such loans, banks preferred to pay stipulated penalties rather than channel credit to the SMEs;

Commends the efforts of the CBN in setting aside a ₦220bn SME Fund to be disbursed through commercial banks as well as the decision of the Bank of Industry, in conjunction with ten (10) Banks to provide loans to Small and Medium Enterprises (SMEs) at low interest rate;

Also concerned that even though some of these efforts are gradually being actualized, the growing number of small and medium scale entrepreneurs, particularly those who desire start-up funds has continued to heighten the challenges of SMEs financing in the country at the expense of employment and economic/national development;

Desirous to increase SMEs financing in the country, particularly via deposit banks in order to achieve the enormous benefits of this kind of business in the country;

Resolves to:

(*i*) mandate the Committee on Banking and Currency to liaise with the Central Bank of Nigeria (CBN) to ensure that the Bank's credit guidelines guarantee that a stipulated percentage of the credit or loan portfolios of commercial and merchant banks are set aside for financing SMEs particularly, proven start - up initiatives, while also putting in place stringent penalties that would enhance strict compliance; and

(*ii*) also mandate the Committee to ensure strict enforcement of SMEs funding initiatives of government financial institutions, particularly the on- going projects of the CBN and the Bank of Industry, and report back in six (6) weeks for further legislative action (*Hon. Abubakar Amuda-Kannike G. — Ilorin East/Ilorin South Federal Constituency*).

Debate.

Agreed to.

The House:

Aware of a survey carried out by the Small and Medium Enterprises Development Agency of Nigeria (SMEDAN) in collaboration with the National Bureau of Statistics that there is an increase in the number of Small and Medium Scale Enterprises from 17.2 million in 2010 to 37 million in 2013, which employ over 50 million Nigerians and make a contribution of about 50 percent to the Nation's Gross Domestic Product;

Also aware that financing and provision of credit facilities to Small and Medium Scale Enterprises (SMEs) in Nigeria has traditionally been that of banks (both deposit money banks and micro finance banks) as part of financial intermediation between surplus and deficit economic units;

Further aware that before the financial liberation policies of the Structural Adjustment Programme (SAP) era, the CBN, through its credit guidelines required that commercial and merchant banks should allocate a minimum stipulated credit to sectors classified as preferred, including the SMEs;

Noted that consequently, in the 1979/80 fiscal year, the CBN directed that at least 10 percent of the loans advanced to indigenous borrowers be allocated to SMEs; a percentage which was subsequently raised to 16 and 20 percent of total loans and advances by April 1980 and 1990, respectively;

Concerned that due to the cumbersome nature of administering such loans, banks preferred to pay stipulated penalties rather than channel credit to the SMEs;

Commended the efforts of the CBN in setting aside a ₦220bn SME Fund to be disbursed through commercial banks as well as the decision of the Bank of Industry, in conjunction with ten (10) Banks to provide loans to Small and Medium Enterprises (SMEs) at low interest rate;

Also concerned that even though some of these efforts are gradually being actualized, the growing number of small and medium scale entrepreneurs, particularly those who desire start-up funds has continued to heighten the challenges of SMEs financing in the country at the expense of employment and economic/national development;

Desirous to increase SMEs financing in the country, particularly via deposit banks in order to achieve the enormous benefits of this kind of business in the country;

Resolved to:

(*i*) mandate the Committee on Banking and Currency to liaise with the Central Bank of Nigeria (CBN) to ensure that the Bank's credit guidelines guarantee that a stipulated percentage of the credit or loan portfolios of commercial and merchant banks are set aside for financing SMEs particularly, proven start - up initiatives, while also putting in place stringent penalties that would enhance strict compliance; and

(*ii*) also mandate the Committee to ensure strict enforcement of SMEs funding initiatives of government financial institutions, particularly the on- going projects of the CBN and the Bank of Industry, and report back in six (6) weeks for further legislative action (**HR. 145/2017**).

20. **Need for a National Evaluation Policy**
Motion made and Question proposed;

The House:

Notes that the United Nations (UN) General Assembly recently passed a Declaration numbered A/RES/69/237 and entitled 'Evaluation Capacity Building for the Achievement of Development Results at Country Level', which highlights the need for developing and strengthening evaluation policies in Countries for good governance and effective development;

Also notes that stakeholders, including the United Nations Evaluation Group (UNEG) through the largest consultation process ever documented by the United Nations in September 2015, crafted a document titled "Transforming Our World: The 2030 Agenda for Sustainable Development" which is focused on country-led evaluation in line with identified priorities for Sustainable Development Goals (SDG) targets that are most relevant to national and local context;

Aware that the document emphasized the need for countries to strengthen their data collection, analysis and review processes;

Also aware that the review of the SDGs will be rigorous and based on evidence, in order to achieve equity and sustainable development;

Concerned that in a study by Eval Partners, a global body that evaluates national policies, only 20 countries have established National Evaluation Policies and Nigeria is not one of them;

Resolves to:

(*i*) urge the Federal Government through the Ministry of Budget and National Planning to begin the process of putting in place a National Evaluation Policy in consultation with all relevant stakeholders for the attainment of an equity focused sustainable development; and

(*ii*) mandate the Committee on Sustainable Development Goals to work out modalities towards the attainment of sustainable development in Nigeria and report back within six (6) weeks for further legislative action (*Hon. Ahmed Yerima — Misau/Dambam Federal Constituency*).

Debate.

Agreed to.

The House:

Noted that the United Nations (UN) General Assembly recently passed a Declaration numbered A/RES/69/237 and entitled 'Evaluation Capacity Building for the Achievement of Development Results at Country Level', which highlights the need for developing and strengthening evaluation policies in Countries for good governance and effective development;

Also noted that stakeholders, including the United Nations Evaluation Group (UNEG) through the largest consultation process ever documented by the United Nations in September 2015, crafted a document titled "Transforming Our World: The 2030 Agenda for Sustainable Development" which is focused on country-led evaluation in line with identified priorities for Sustainable Development Goals (SDG) targets that are most relevant to national and local context;

Aware that the document emphasized the need for countries to strengthen their data collection, analysis and review processes;

Also aware that the review of the SDGs will be rigorous and based on evidence, in order to achieve equity and sustainable development;

Concerned that in a study by Eval Partners, a global body that evaluates national policies, only 20 countries have established National Evaluation Policies and Nigeria is not one of them;

Resolved to:

(*i*) urge the Federal Government through the Ministry of Budget and National Planning to begin the process of putting in place a National Evaluation Policy in consultation with all relevant stakeholders for the attainment of an equity focused sustainable development; and

(*ii*) mandate the Committee on Sustainable Development Goals to work out modalities towards the attainment of sustainable development in Nigeria and report back within six (6) weeks for further legislative action (**HR. 146/2017**).

21. **Consideration of Report**
Committee on Pensions:
Motion made and Question proposed, "That the House do consider the Report of the Committee on Pensions on a Bill for an Act to Establish the National Intelligence Agency Pensions Board to Handle Pension Matters for Personnel of the Agency and for Other Connected Purposes (HB. 842) and approve the recommendations therein" (*Hon. Hassan Adamu Shekarau — Birnin/Gwari/Giwa Federal Constituency*).

Question agreed to.

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

(HOUSE IN COMMITTEE)

(*Mr Deputy Speaker in the Chair*)

A BILL FOR AN ACT TO ESTABLISH THE NATIONAL INTELLIGENCE AGENCY PENSIONS BOARD TO HANDLE PENSION MATTERS FOR PERSONNEL OF THE AGENCY AND FOR OTHER CONNECTED PURPOSES (HB. 842)

PART I — GENERAL

Committee Recommendation:
Clause 1: **Establishment of a Pensions Board for personnel of the National Intelligence Agency.**
(1) There is established a Pensions Board (in this Bill referred to as "the Board") which is charged with the responsibility for payment of pensions and gratuities to all personnel of the Agency.

Application of the Bill to personnel who retired before the commencement of this Bill.
(2) This Bill shall apply to all personnel of the Agency including those who had retired before the commencement of this Bill.

(3) The retirement benefits of personnel referred to in subsection (2) above shall be adjusted to be commensurate with the provisions of this Bill (*Hon. Hassan Adamu Shekarau — Birnin/Gwari/Giwa Federal Constituency*).

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

Committee Recommendation:
Clause 2: **Computation of pension or gratuity.**
(1) Subject to the provisions of this Bill, any pension or gratuity payable to any personnel under this Bill shall be computed in accordance with the provisions of the Agency Regulations.

(2) In computing pensionable service and qualifying service for the purpose of this Bill, any period of service over six months and not included in a completed year shall, for the purpose of the schedule to this Bill as it relates to personnel entitled to a pension, count as one year (*Hon. Hassan Adamu Shekarau — Birnin/Gwari/Giwa Federal Constituency*).

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

Committee Recommendation:
Clause 3: **Pension, etc. to be charged on revenue of Nigeria.**
There shall be charged on and paid out of the Consolidated Revenue Fund of the Federation, all such sums of money as may, from time to time, be granted by the Federal Government by way of pension and gratuity in accordance with this Bill (*Hon. Hassan Adamu Shekarau — Birnin/Gwari/Giwa Federal Constituency*).

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

Committee Recommendation:
Clause 4: **Circumstances in which Pension may be granted.**
(1) No pension or gratuity shall be granted under this Bill to any personnel except on his retirement from the Agency in any of the following circumstances -

(*a*) after serving for thirty-five (35) years or attained the age of sixty (60) years, whichever is earlier;

(*b*) on voluntary retirement after serving for not less than ten years;

(*c*) on compulsory retirement under the provisions of section 5 (1) of this Bill;

(*d*) on compulsory retirement for the purpose of facilitating improvements in the Agency, so that greater efficiency or economy may be effected;

(*e*) at any time on medical evidence to the satisfaction of the Medical Board that he is incapable by reason of any infirmity of mind or body of discharging his duties and that such infirmity is likely to be permanent;

(*f*) on voluntary withdrawal after having put in not less than five years but less than ten years continuous service as a personnel: provided that —

(*i*) in respect of paragraphs (*c*) to (*e*) above, if the personnel has served for less than five years but less than ten years before his retirement, he shall be entitled only to a gratuity as specified in the appropriate column of the Table in the Agency Regulations;

(*ii*) if the personnel has served for a minimum of three years but less than five years before he is required to retire, he shall be entitled to an *ex-gratia* gratuity calculated on *pro-rata* basis at the rate of ten percent for every completed year of service.

(2) Where a personnel retires pursuant to subsection (*f*) (*i*) above —

(*a*) if he has completed five years but not up to ten years in service, he shall be entitled only to a gratuity;

(*b*) if he has served for not less than ten years, he shall be entitled to a pension;

(*c*) if he is required to retire after ten years qualifying service pursuant to the provisions of paragraphs (*c*) - (*e*) of subsection (1) above, he shall be entitled to pensions immediately on retirement even though he has not attained the age of forty five years (*Hon. Hassan Adamu Shekarau — Birnin/Gwari/Giwa Federal Constituency*).

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

Committee ***Recommendation:***

Clause 5: Compulsory retirement and retirement on compassionate grounds.

(1) It shall be lawful for the Board to require a personnel to retire from the Agency at any time after he has attained the age of forty five years subject to three months notice in writing of such requirement being given to the personnel.

(2) A personnel may, on compassionate grounds, be allowed to resign, withdraw or retire from service, as the case may be, in accordance with the Agency Regulations (*Hon. Hassan Adamu Shekarau — Birnin/Gwari/Giwa Federal Constituency*).

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

Committee Recommendation:

Clause 6: **Minimum and maximum pension.**

(1) A pension granted to a personnel or other rank under this Bill shall not be less than forty percent of his total emolument.

(2) For the purpose of this section, an additional pension granted in respect of injury shall not be taken into account; but where the personnel is granted such an additional pension under this Bill, the amount so granted together with the remainder of his pension under this Bill shall not exceed one hundred percent of his highest pensionable emolument at any time in the course of his service (*Hon. Hassan Adamu Shekarau — Birnin/Gwari/Giwa Federal Constituency*).

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

Committee Recommendation:

Clause 7: **Pension and gratuity to be paid to dependant, etc. where a pensioner dies in service.**

(1) Where a personnel dies in the course of official duty, there shall be paid to his next of kin a gratuity to which the personnel would have been entitled at the date of his death.

(2) Where a personnel dies before completing the minimum period of qualifying service, his next of kin shall be paid a death gratuity of one year's salary only.

(3) Any pension payable under subsection (l) above shall be paid to any person entitled thereto for a period expiring at the end of five years after the death of the personnel, however, a lump sum representing five years pensions may be paid immediately to the person entitled to it (*Hon. Hassan Adamu Shekarau — Birnin/Gwari/Giwa Federal Constituency*).

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

Committee Recommendation:

Clause 8: **Pension to run for five years after death within five years of retirement.**
Where a personnel dies within five years after retirement, his next of kin shall continue to be paid, for a period which shall expire at the end of five years from the date of his retirement, the same pension which the deceased personnel was receiving prior of his death. But if the next of kin or designated survivor so elects, the balance of his pension at his death may be paid immediately to the said next of kin or designated survivor (*Hon. Hassan Adamu Shekarau — Birnin/Gwari/Giwa Federal Constituency*).

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

Committee Recommendation:

Clause 9: **Notice of intention to retire or withdraw from service.**

(1) A personnel who wishes to retire from the Agency after serving for ten years or more shall give three (3) months' notice or pay the Agency the equivalent of three (3) months' salary in lieu of notice.

(2) A personnel who wishes to withdraw from the Agency after serving for not less than five years but up to ten years shall give the Director-General one month's notice of his intention to withdraw from the Agency or he shall pay one month's salary in lieu of such notice (*Hon. Hassan Adamu Shekarau — Birnin/Gwari/Giwa Federal Constituency*).

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

PART II — MISCELLANEOUS

Committee Recommendation:

Clause 10: **Pension and gratuity not to be assignable.**

A pension or gratuity granted under this Bill shall not be assignable or transferable or liable to be attached, sequestrated or levied upon for or in respect of any debt or claim whatsoever except for the purpose of satisfying —

(*a*) a debt due to the Federal Government; or

(*b*) an order of a Court for the payment of periodical sums of money towards the maintenance of the wife or former wife or minor child of the personnel to whom the pension or gratuity has been granted (*Hon. Hassan Adamu Shekarau — Birnin/Gwari/Giwa Federal Constituency*).

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

Committee Recommendation:

Clause 11: **Payment of public claims out of pension and gratuity.**

Where the Board is satisfied that —

(*a*) a sum is due to the Federal Government from a person to whom a pension or gratuity is due under this Bill;

(*b*) an overpayment on account of any such pension or gratuity has been made to any such person by the Federal Government, the Board may authorize the deduction from the pension or gratuity, in respect of that sum or overpayment of such amounts at such times as it may think fit; and the amounts so deducted shall be applied in or towards paying or repaying that sum or overpayment (*Hon. Hassan Adamu Shekarau — Birnin/Gwari/Giwa Federal Constituency*).

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

Committee Recommendation:

Clause 12: **Delegation of power.**

(1) The Board may, by order published in the Gazette, delegate to another person or authority all or any of its powers under this Bill.

(2) But the delegation of a power under the above subsection shall not prevent the Board from continuing to exercise the power if it thinks fit (*Hon. Hassan Adamu Shekarau — Birnin/Gwari/Giwa Federal Constituency*).

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

Committee Recommendation:

Clause 13: **Regulations.**

(1) The Management of the Agency may make provisions for the structure, personnel, etc of the Board which in turn may make provisions for carrying into effect the provisions of this Bill.

(2) Whenever the Board is satisfied that it is equitable that any regulation made under this section should have retrospective effect in order to confer a benefit upon or remove a disability attached to any person, that regulation may be given retrospective effect for that purpose (*Hon. Hassan Adamu Shekarau — Birnin/Gwari/Giwa Federal Constituency*).

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

Committee Recommendation:

Clause 14: **Interpretations.**

In this Bill, unless the context otherwise requires —

"basic pay" means the daily rate of pay due and payable to a personnel, but does not include allowances (*Hon. Hassan Adamu Shekarau — Birnin/Gwari/Giwa Federal Constituency*).

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

"Director-General" means the Director-General of the National Intelligence Agency (NIA) (*Hon. Hassan Adamu Shekarau — Birnin/Gwari/Giwa Federal Constituency*).

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

"Federal Government" means the Federal Government of Nigeria (*Hon. Hassan Adamu Shekarau — Birnin/Gwari/Giwa Federal Constituency*).

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

"Gazette" means the official gazette of the Agency (*Hon. Hassan Adamu Shekarau — Birnin/Gwari/Giwa Federal Constituency*).

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

"last pay" in relation to a personnel whose appointment has been terminated, means the amount payable to him for a month (or if he was on a daily rate of pay, for thirty one days) multiplied by twelve in respect of the last substantive rank held by him immediately before the end of his employment (*Hon. Hassan Adamu Shekarau — Birnin/Gwari/Giwa Federal Constituency*).

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

"lodging" means the provision of furnished accommodation, fuel and light and personal service (*Hon. Hassan Adamu Shekarau — Birnin/Gwari/Giwa Federal Constituency*).

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

"medical board" means any medical board appointed by the Management of the Agency or by any other person pursuant to a delegation under section 12 of this Bill, to assess the degree of disablement of personnel (*Hon. Hassan Adamu Shekarau — Birnin/Gwari/Giwa Federal Constituency*).

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

"next of kin" means any person documented by the staff who can legitimately claim entitlements of the staff in the event of death on behalf of the beneficiaries (*Hon. Hassan Adamu Shekarau — Birnin/Gwari/Giwa Federal Constituency*).

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

"officer" means a personnel on the rank of Intelligence Officer (SIO II) and above (*Hon. Hassan Adamu Shekarau — Birnin/Gwari/Giwa Federal Constituency*).

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

"pensionable emoluments" in respect of a personnel, means the salary attached to the last substantive rank held by the personnel but does not include any allowance whatsoever (*Hon. Hassan Adamu Shekarau — Birnin/Gwari/Giwa Federal Constituency*).

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

"pensionable service" means service in the National Intelligence Agency (including service or employment under the Government of the Federation or of a State or any other employment approved by the Agency and which has been transferred to the Agency) which may be taken into account in determining whether an officer is eligible by length of service, for a pension or gratuity (*Hon. Hassan Adamu Shekarau — Birnin/Gwari/Giwa Federal Constituency*).

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

"personnel" means officers and staff in the employment of the Agency (*Hon. Hassan Adamu Shekarau — Birnin/Gwari/Giwa Federal Constituency*).

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

"qualifying service" means service in the National Intelligence Agency (including service or employment in the public service or any other employment which may be approved by the National Intelligence Agency) which may be taken into account in determining whether an officer is eligible by length of service for a pension or gratuity (*Hon. Hassan Adamu Shekarau — Birnin/Gwari/Giwa Federal Constituency*).

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

"retirement" means cessation of service after an officer has served for a period of not less than five years, or thereafter for a period of not less than ten years, being periods respectively appointed as qualifying an officer for gratuity and pension (*Hon. Hassan Adamu Shekarau — Birnin/Gwari/Giwa Federal Constituency*).

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

"staff" means a personnel below the rank of Intelligence Officer II (IO II) in the Agency (*Hon. Hassan Adamu Shekarau — Birnin/Gwari/Giwa Federal Constituency*).

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

"termination" in relation to a personnel's employment, means termination of full pay service by retirement, discharge or otherwise however (*Hon. Hassan Adamu Shekarau — Birnin/Gwari/Giwa Federal Constituency*).

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

"the Board" means the body charged by the Management of the Agency with the responsibility for the administration of the pensions and gratuities of the personnel of the Agency (*Hon. Hassan Adamu Shekarau — Birnin/Gwari/Giwa Federal Constituency*).

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

"the Agency" means the National Intelligence Agency (NIA) (*Hon. Hassan Adamu Shekarau — Birnin/Gwari/Giwa Federal, Constituency*).

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

"the Agency Regulation" means the NIA Regulation of 1999, including amendments, pursuant to Instruments No. NIA 1 of 23rd May, 1999 (*Hon. Hassan Adamu Shekarau — Birnin/Gwari/Giwa Federal Constituency*).

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

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

Committee Recommendation:
Clause 15: Citation.
This Bill may be cited as the National Intelligence Agency Pensions Bill, 2017 (*Hon. Hassan Adamu Shekarau — Birnin/Gwari/Giwa Federal Constituency*).

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

SCHEDULE

Section 2 (1)

Computation of Pension and Gratuities to Personnel to Whom and What Rates Pension may be Granted

1. Subject to the provisions of this Bill, a personnel shall be granted, on retirement, a pension —

(*a*) if he has been in the service for ten years or more; or

(*b*) if he has completed ten years' qualifying service; or

(c) if he has completed five years qualifying service if this retirement is on the ground that he is incapable by reason of any infirmity of mind or body of discharging his duties and such infirmity is likely to be permanent.

General Rules as to Qualifying Service

2. (1) Subject to the provisions of this Bill, qualifying service shall be inclusive of the period between the date on which a personnel was enlisted into the Agency and the date of his leaving such Agency without deduction of any period during which he had been absent on leave.

(2) No period which is not qualifying service by virtue of the foregoing paragraphs shall be taken into account as pensionable service.

Continuity of Service

3. (1) Except as otherwise provided in this Schedule, only continuous service shall be taken into account as qualifying service or as pensionable service.

(2) A personnel who retires from the Agency and who is re-engaged in the Agency within a period of five years from the date of his retirement, may be granted the pension or gratuity for which he would have been eligible if any break in his service immediately prior to such re-engagement had not occurred, such pension or gratuity to be in lieu of any pension or gratuity granted to him from the Consolidated Revenue Fund of the Federation or of a State or any other approved employment which is required to be refunded as a condition of the application to the personnel.

However, in calculating a pension or gratuity granted in accordance with the provisions of this paragraph, account shall not be taken for any purpose of the period during which the officer was not in the Agency.

4. Formula for calculation of pension and gratuity based on the percentage of last pay shall be in accordance with the Table in the Agency Regulations (*Hon. Hassan Adamu Shekarau — Birnin/Gwari/Giwa Federal Constituency*).

Question that the provisions of the Schedule stand part of the Bill — ***Agreed to.***

Long Title:
A Bill for an Act to Establish the National Intelligence Agency Pensions Board to Handle Pension Matters for Personnel of the Agency and for Other Connected Purposes (*Hon. Hassan Adamu Shekarau — Birnin/Gwari/Giwa 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 Pensions on a Bill for an Act to Establish the National Intelligence Agency Pensions Board to Handle Pension Matters for Personnel of the Agency and for Other Connected Purposes (HB. 842) and approved Clauses 1 - 15, the Schedule, and the Long Title of the Bill.

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

22. **Adjournment**
That the House do adjourn till Wednesday, 5 April, 2017 at 11.00 a.m. (Hon. Femi Gbajabiamila — House Leader).

The House adjourned accordingly at 3.03 p.m.

Yakubu Dogara
Speaker

CORRIGENDUM

In the *Votes and Proceedings* of Thursday, 23 March, 2017, page 1,709, item 23, immediately after the title of the motion ***"Call on the Federal Government to Drop the 20% Tariff Imposed on Imported Medicines"***, *leave out* all the other words, and *insert* as follows instead thereof:

"Order read; deferred by leave of the House".