



HOUSE OF REPRESENTATIVES FEDERAL REPUBLIC OF NIGERIA

VOTES AND PROCEEDINGS

Tuesday, 6 June, 2017

1. The House met at 11.22 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, 1 June, 2017.

The Votes and Proceedings was adopted by unanimous consent.

3. **Message**
Mr Speaker read a message from the Acting President, Federal Republic of Nigeria.



**ACTING PRESIDENT,
FEDERAL REPUBLIC OF NIGERIA**

SH/AG.PRESIDENT/HOUSE/02/6

25th May, 2017

*His Excellency
Rt. Hon. Yakubu Dogara
Speaker
House of Representatives, Federal Republic of Nigeria
National Assembly Complex
Three Arms Zone
Abuja.*

Dear Rt. Hon. Speaker,

**RE: FEDERAL EXECUTIVE COUNCIL APPROVAL OF THE 2016-2018 EXTERNAL
BORROWING (ROLLING) PLAN**

I write in reference to my earlier letter requesting for the consideration and approval of the House of Representatives for the 2016-2018 External Borrowing (Rolling) Plan and to request the

House to separate the States' Projects from the items listed therein with a view to giving them accelerated consideration. The affected States and the list of projects are as follows:

	<i>Donor Agency</i>	<i>State Loan</i>	<i>Amount</i>
(a)	World Bank Assisted Project		
(i)	Kaduna State Development Policy Operation (DPO)	Kaduna	USD350 million
(ii)	Ogun State Development Policy Operation (DPO)	Ogun	USD350 million
(b)	African Development Bank		
(i)	Ebonyi Ring Road Project (to be co-financed with Islamic Development Bank)	Ebonyi	USD70 million
(ii)	Rural Access and Mobility Project (RAMP)	Abia	USD100 million
(c)	Islamic Development Bank		
(i)	Health System Project	Katsina	USD110 million
(ii)	Integrated Rural Development Project	Jigawa	USD32.4 million
(iii)	Ring Road Project (to be Co-financed with AIDB)	Ebonyi	USD80 million
(iv)	Integrated Agricultural and Water Resources Development	Kano	USD200 million
(d)	French Development Agency		
	Third National Urban Water Sector Reform Project (NUWSRP-III)	Enugu, Kano, Plateau and Ondo	USD200 million
			Total = USD1,492,400,000.00

2. Honourable Speaker, you may wish to know that the request for the separation of the States Projects from the list became imperative in view of the current economic realities in the country and the pressing needs of these States to provide infrastructural and social amenities for their citizens. The total loans for the States being presented for special consideration and approval is US\$1,492,400,000.00 as listed in paragraph 1 above.

3. Honourable Speaker, it will be highly appreciated if you could kindly give this request an expedited consideration and 'approval to enable the States meet up with all other effectiveness conditions for the implementation of the Projects in their respective States. Attached hereto is the list of the States' loans under reference.

4. Honourable Speaker, please accept the assurances of my highest regards, always.

(Signed)

Prof. Yemi Osinbajo, SAN, GCON
Acting President of the Federal Republic of Nigeria

Request referred to the Committee on Aids, Loans and Debt Management.

4. Announcement

Visitors in the Gallery:

Mr Speaker recognized the presence of the following visitors:

- (i) Staff and Students of *Kingdom Heritage Model Schools*, Kuje, Abuja; and
- (ii) Staff and Students of *Kingdom Heritage Model Schools*, Jikwoyi, Abuja.

5. Petition

A petition from the Leaders' and Deputy Leaders' Forum, Anambra State Local Government Legislative Councils, on behalf of their immediate past Leaders and Deputy Leaders, on the non-payment of their salaries and entitlements by the Anambra State Government, was presented and laid by Hon. Tony Nwoye (*Anambra East/Anambra West Federal Constituency*).

Petition referred to the Committee on Public Petitions.

6. Presentation of Bills

The following Bills were read the *First Time*:

- (1) National Sports Commission Bill, 2017 (HB. 1051).
- (2) Warehouse Receipts Bill, 2017 (HB. 1052).
- (3) Petroleum Industry and Governance Bill, 2017 (HB. 1053).
- (4) Federal University of Technology, Enugu (Establishment) Bill, 2017 (HB. 1054).
- (5) Farmers Registration Bill, 2017 (HB. 1055).
- (6) Maritime Security and Anti-Piracy Bill, 2017 (HB. 1056).
- (7) Tertiary Education Trust Fund Act (Amendment) Bill, 2017 (HB. 1057).
- (8) Compulsory, Free, Universal Basic Education Act (Amendment) Bill, 2017 (HB. 1058).
- (9) Micro, Small and Medium Scale Enterprises Encouragement and Support Bill, 2017 (HB. 1059).

7. Consolidation of Bills:

- (i) *Motion made and Question proposed*, "That a Bill and Memorandum on Legal and Regulatory Framework, Institutions and Regulatory Authorities for the Nigerian Petroleum Industry, to Establish Guidelines for the Operations of the Upstream and Downstream Sectors and for the Other Connected Purpose Therewith (HB. 336), and a Bill for an Act to Provide for the Establishment of the Legal and Regulatory Framework and Authorities as well as Guidelines for the Operation of the Upstream and Downstream Sectors of the Nigeria Petroleum Industry and for Other Related Matters (HB. 877) be now consolidated" (*Hon. Orker-Jev Emmanuel Yisa — Buruku Federal Constituency*).

Agreed to.

- (ii) *Motion made and Question proposed*, "That a Bill for an Act to Provide for the Governance and Institutional Framework for the Petroleum Industry and for Other Related Matters (HB. 477), and a Bill for an Act to Establish a Fiscal Framework that Encourages Further Investment in the Petroleum Industry Whilst Increasing Accruable Revenues to the Federal Government of Nigeria and for Other Related Matters (HB. 878) be now consolidated" (*Hon. Orker-Jev Emmanuel Yisa — Buruku Federal Constituency*).

Agreed to.

8. **A Bill for an Act to Amend the National Information Technology Development Agency Act, 2007 to Vest in the Agency more Functions, Enhance Internet Security and more Powers to Set, Coordinate and Regulate Minimum E-Governance Standards in all Federal Government Ministries, Departments and Agencies and for Other Related Matters (HB. 840) — Second Reading.**

Order read; deferred by leave of the House.

9. **A Bill for an Act to Amend the Public Holiday Act, Cap. P40, Laws of the Federation of Nigeria, 2004 to Increase the Penalties for Breaches of the Provisions of the Act and for Other Related Matters (HB. 919) — Second Reading**

Order read; deferred by leave of the House.

10. **A Bill for an Act to Amend the Copyright Act, Cap. C28, Laws of the Federation of Nigeria, 2004 to Provide for stiffer penalties for Contravention of the Act and for Other Related Matters (HB. 987) — Second Reading**

Motion made and Question proposed, "That a Bill for an Act to Amend the Copyright Act, Cap. C28, Laws of the Federation of Nigeria, 2004 to Provide for stiffer penalties for Contravention of the Act and for Other Related Matters (HB. 987) be now read a Second Time" (*Hon. Bede Eke — Abolh-Mabise/Ngor Okpala 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. **A Bill for an Act to Amend the Births, Deaths, etc. (Compulsory Registration) Act, Cap. B9, Laws of the Federation of Nigeria, 2004 to Expand the Scope of Births and Death Certificates Issuance or Re-Issuance and Replacement and for Other Related Matters (HB. 986) — Second Reading**

Order read; deferred by leave of the House.

12. **A Bill for an Act to Amend the Architects (Registration, etc.) Act, Cap. A19, Laws of the Federation of Nigeria, 2004 to enhance the Penalties and to Make Appeals from the Disciplinary Committee Lie to the High Court and for the Other Related Matters (HB. 254) — Second Reading**

Motion made and Question proposed, "That a Bill for an Act to Amend the Architects (Registration, etc.) Act, Cap. A19, Laws of the Federation of Nigeria, 2004 to enhance the Penalties and to Make Appeals from the Disciplinary Committee Lie to the High Court and for the Other Related Matters (HB. 254) be now read a Second Time" (*Hon. Gaza Jonathan Gbefwi — Karu/Keffi/Kokona 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.

13. Closed Session

Motion made and Question proposed, "That the House do resolve into a Closed Session" (Hon. Orker-Jev Emmanuel Yisa — Buruku Federal Constituency) — Agreed to.

House in Closed Session — 12. 28 p.m.

House in Open Session — 1. 37 p.m.

14. Devastating Flood and Storm Threatening Riverine Communities in Ovia Federal Constituency, Edo State

Motion made and Question proposed;

The House:

Notes that several riverine communities in Ovia Federal constituency, including Ofunama, Ajakurama, Abere, Binidodogha and Itagbene communities are suffering untold hardship from perennial flooding and stormy conditions which have led to the destruction of many houses and schools, rendering many people homeless;

Aware that the disaster has made students of the destroyed schools to be learning under poor and unsafe conditions;

Determined to have the menace of flooding and storm threatening lives and properties in those riverine communities addressed;

Resolves to:

- (i) urge the Federal Government to direct the Ecological Fund Office to carry-out environmental impact assessment of the affected areas and embark on erosion and flood control projects to alleviate the suffering of the inhabitants of these communities;
- (ii) also urge the National Emergency Management Agency (NEMA) to come to the aid of the affected communities and victims displaced by the flood and storm disaster; and
- (iii) mandate the Committee on Environment and Habitat to visit the erosion and flooding in those communities and make recommendations on measures to be adopted to ensure a permanent solution (Hon. Omosedede Igbinedion — Ovia Northeast/Ovia Southwest Federal Constituency).

Agreed to.

(HR. 239/2017).

Motion referred to the Committee on Environment and Habitat, pursuant to Order Eight, Rule 9 (5)

15. Threat of Ocean Surge in Ogheye-Egheroke Community and other Communities along the Shores in Warri Federal Constituency, Delta State

Motion made and Question proposed;

The House:

Notes that Ogheye-Egheroke, a riverine oil community located at an elevation of one meter above sea level and predominantly inhabited by the Itsekiris and Ilajes, is facing the threat of surge from the Atlantic Ocean which is washing away the community that is one of the major oil producing areas of Delta State and host to oil tank farms, export terminal, other oil facilities and also a major fishing port along the Benin River coast line;

Aware that exploration activities of Oil Companies in and around the shoreline of those communities are the major cause of the ocean surge threatening the people of those communities who are predominantly fishermen;

Also aware that the surge has washed over 2km of the community's land into the Atlantic Ocean, resulting in hundreds of houses being submerged and many people driven from their ancestral homes and left to wander from one location to another;

Concerned that if steps are not taken to provide basic infrastructure such as shoreline protection to save the lives and properties of those helpless Nigerians from further destruction, more lives would be lost and the future of the community would remain unassured;

Resolves to:

- (i) urge the Federal Government to, as a matter of urgency, direct the Ecological Fund Office to release funds to the Federal Ministry of Environment to enable it commence Ogheye shoreline protection which design had been completed about 5 years ago; and
- (ii) mandate the Committee on Environment and Habitat to ensure implementation and report back within six (6) weeks for further legislative action (*Hon. Reyenieju Daniel — Warri South/Warri West Federal Constituency*).

Agreed to.

(HR. 240/2017).

Motion referred to the Committee on Environment and Habitat, pursuant to Order Eight, Rule 9 (5).

16. Call to Investigate the Public Private Partnership (PPP) Programmes and Concessions Agreements

Order read; deferred by leave of the House.

17. Need for the Budget Office of the Federation to Comply with the Provisions of the Fiscal Responsibility Act

Motion made and Question proposed;

The House:

Notes that the Budget Office of the Federation is an Agency of the Federal Ministry of Budget and National Planning and was established among others to provide and implement budgets and fiscal policies of the Federal Government;

Also notes that in recent times, there have been concerns about an apparent failure of the Budget Office to comply with certain provisions of the Fiscal Responsibility Act, Cap F40, Laws of the Federation of Nigeria, 2004;

Aware of the provision of Sections 26, 30 (1) and (2) and 50 of the Act to the effect that:

Section 26: *"The Minister shall, within thirty days of the enactment of the Appropriation Act, prepare and publish a Disbursement Schedule derived from the Annual Cash Plan for the purpose of implementing the Appropriation Act";*

Section 30 (1): *"The Minister of Finance, through the Budget Office of the Federation, shall monitor and evaluate the implementation of the Annual Budget, assess the attainment of fiscal targets and report thereon on a quarterly basis to the Fiscal Responsibility Council and the Joint Finance Committee of the National Assembly";*

Section 30 (2): *"The Minister of Finance shall cause the report prepared pursuant to subsection (1) of this Section to be published in the mass and electronic media and on the Ministry of Finance website, not later than thirty days after the end of each quarter"; and*

Section 50: *"The Federal Government through its Budget Office shall within thirty days after the end of each quarter, publish a summarized report on the budget execution in such form as may be prescribed by the Fiscal Responsibility Commission and not later than six months after the end of the financial year, a consolidated budget execution report showing implementation against physical and financial performance targets shall be published by the Minister of Finance for submission to the National Assembly and dissemination to the public";*

Also aware that the Budget Office, through its Department of Budget Monitoring and Evaluation, monitors projects and disbursement of funds and its application by spending Ministries or Agencies;

Cognizant that unless the Budget Office of the Federation lives up to its responsibilities, achievement of transparency and effective budget implementation would continue to elude the nation at great costs;

Resolves to:

Mandate the Committees on Appropriations, Public Accounts, Finance, Public Procurement and Governmental Affairs to investigate the infractions of the Fiscal Responsibility Act by the Executive Arm of Government and report back within four (4) weeks for further legislative action (*Hon. Kingsley Chinda — Obio/Akpor Federal Constituency*).

Debate.

Agreed to.

The House:

Noted that the Budget Office of the Federation is an Agency of the Federal Ministry of Budget and National Planning and was established among others to provide and implement budgets and fiscal policies of the Federal Government;

Also noted that in recent times, there have been concerns about an apparent failure of the Budget Office to comply with certain provisions of the Fiscal Responsibility Act, Cap F40, Laws of the Federation of Nigeria, 2004;

Aware of the provision of Sections 26, 30 (1) and (2) and 50 of the Act to the effect that:

Section 26: “The Minister shall, within thirty days of the enactment of the Appropriation Act, prepare and publish a Disbursement Schedule derived from the Annual Cash Plan for the purpose of implementing the Appropriation Act”;

Section 30 (1): “The Minister of Finance, through the Budget Office of the Federation, shall monitor and evaluate the implementation of the Annual Budget, assess the attainment of fiscal targets and report thereon on a quarterly basis to the Fiscal Responsibility Council and the Joint Finance Committee of the National Assembly”;

Section 30 (2): “The Minister of Finance shall cause the report prepared pursuant to subsection (1) of this Section to be published in the mass and electronic media and on the Ministry of Finance website, not later than thirty days after the end of each quarter”; and

Section 50: “The Federal Government through its Budget Office shall within thirty days after the end of each quarter, publish a summarized report on the budget execution in such form as may be prescribed by the Fiscal Responsibility Commission and not later than six months after the end of the financial year, a consolidated budget execution report showing implementation against physical and financial performance targets shall be published by the Minister of Finance for submission to the National Assembly and dissemination to the public”;

Also aware that the Budget Office, through its Department of Budget Monitoring and Evaluation, monitors projects and disbursement of funds and its application by spending Ministries or Agencies;

Cognizant that unless the Budget Office of the Federation lives up to its responsibilities, achievement of transparency and effective budget implementation would continue to elude the nation at great costs;

Resolved to:

Mandate the Committees on Appropriations, Public Accounts, Finance, Public Procurement and Governmental Affairs to investigate the infractions of the Fiscal Responsibility Act by the Executive Arm of Government and report back within four (4) weeks for further legislative action (**HR. 241/2017**).

18. Call for Intervention in the Ongoing Impasse Between Oil Workers and ExxonMobil

Order read; deferred by leave of the House.

19. Need to Evaluate the Effect of Withdrawal of HIV Funding by International Donors

Motion made and Question proposed;

The House:

Notes that the World Health Organization (WHO) classed Nigeria as having the second highest HIV epidemic in the World after South Africa;

Also notes that since 2005, the number of annual AIDS-related death has multiplied, indicative of the fact that only 51% of those living with HIV in Nigeria have access to the antiretroviral treatment (ART);

Further notes that the country's health sector is partly dependent on International Donors for the procurement of antiretroviral drugs as the Federal Government contributes 25% of funding for HIV management;

Aware that in consideration of the rating of Nigeria as the biggest economy in Africa, International Donors have withdrawn funding as regards HIV response, which is reserved for poorer countries;

Concerned that as a country with large number of persons living with HIV who require treatment, Nigeria is unable to produce any of the prescribed World Health Organization (WHO) drugs required for the management of HIV;

Cognizant of the need to increase HIV response, especially with regard to funding;

Resolves to:

- (i) urge the Federal Government to urgently commence plans for effective funding of HIV management; and
- (ii) mandate the Committee on HIV/AIDS, Tuberculosis and Malaria Control to liaise with relevant Agencies in the Health sector to work out modalities for the effective management of HIV (*Hon. Sergius Oseasochie Ogun — Esan Northeast/Esan Southeast Federal Constituency*).

Debate.

Agreed to.

The House:

Noted that the World Health Organization (WHO) classed Nigeria as having the second highest HIV epidemic in the World after South Africa;

Also noted that since 2005, the number of annual AIDS-related death has multiplied, indicative of the fact that only 51% of those living with HIV in Nigeria have access to the antiretroviral treatment (ART);

Further noted that the country's health sector is partly dependent on International Donors for the procurement of antiretroviral drugs as the Federal Government contributes 25% of funding for HIV management;

Aware that in consideration of the rating of Nigeria as the biggest economy in Africa, International Donors have withdrawn funding as regards HIV response, which is reserved for poorer countries;

Concerned that as a country with large number of persons living with HIV who require treatment, Nigeria is unable to produce any of the prescribed World Health Organization (WHO) drugs required for the management of HIV;

Cognizant of the need to increase HIV response, especially with regard to funding;

Resolved to:

- (i) urge the Federal Government to urgently commence plans for effective funding of HIV management; and
- (ii) mandate the Committee on HIV/AIDS, Tuberculosis and Malaria Control to liaise with relevant Agencies in the Health sector to work out modalities for the effective management of HIV (HR. 242/2017).

20. **Call to Regulate the Operations of Abattoirs within the Federal Capital Territory**

Order read; deferred by leave of the House.

21. Need for the Federal Government to Address the Escalating Price of Cement

Motion made and Question proposed;

The House:

Notes the escalating prices of different brands of cement at the instance of Cement Manufacturers Association of Nigeria without consideration of their negative implications on the building industries;

Also notes that the immediate consequences of the sharp price increase will be for contractors to either apply for variations in contract terms or abandonment of projects;

Concerned that if nothing is done to cause a reduction in the price of cement it could lead to more cases of building collapse and resultant loss of lives as dishonest builders and contractors would start using lesser quantity of cement for construction works in order to reduce cost, and will also make it extremely difficult for an average Nigerian to build his house and reduce the capacity of government to provide mass housing for the citizens;

Resolves to:

- (i) urge the Federal Ministry of Industry, Trade and Investment to interface with the Cement Manufacturers Association of Nigeria (CMAN) and other stakeholders with a view to addressing the escalating price of cement; and
- (ii) mandate the Committee on Industry to ensure implementation and report back within four (4) weeks for further legislative action (*Hon. Abubakar Ahmad Yunusa — Yamaltu/Deba Federal Constituency*).

Debate.

Agreed to.

The House:

Noted the escalating prices of different brands of cement at the instance of Cement Manufacturers Association of Nigeria without consideration of their negative implications on the building industries;

Also noted that the immediate consequences of the sharp price increase will be for contractors to either apply for variations in contract terms or abandonment of projects;

Concerned that if nothing is done to cause a reduction in the price of cement it could lead to more cases of building collapse and resultant loss of lives as dishonest builders and contractors would start using lesser quantity of cement for construction works in order to reduce cost, and will also make it extremely difficult for an average Nigerian to build his house and reduce the capacity of government to provide mass housing for the citizens;

Resolved to:

- (i) urge the Federal Ministry of Industry, Trade and Investment to interface with the Cement Manufacturers Association of Nigeria (CMAN) and other stakeholders with a view to addressing the escalating price of cement; and
- (ii) mandate the Committee on Industry to ensure implementation and report back within four (4) weeks for further legislative action (**HR. 243/2017**).

22. Adjournment

That the House do adjourn till Wednesday, 7 June, 2017 at 11.00 a.m. (Hon. Orker-Jev Emmanuel Yisa — Buruku Federal Constituency).

The House adjourned accordingly at 2.33 p.m.

Yakubu Dogara
Speaker

