FOURTH REPUBLIC
8TH NATIONAL ASSEMBLY
SECOND SESSION
NO. 36

HOUSE OF REPRESENTATIVES
FEDERAL REPUBLIC OF NIGERIA
VOTES AND PROCEEDINGS

Tuesday, 8 November, 2016

1. The House met at 11.18 a.m. Mr Speaker read the Prayers.

2. **Votes and Proceedings**
Mr Speaker announced that he had examined and approved the *Votes and Proceedings* of Thursday, 3 November, 2016.

*The **Votes and Proceedings** was adopted by unanimous consent.*

3. **Announcements**
***Visitors in the Gallery*:**
Mr Speaker recognized the presence of the following visitors:

(*i*) Staff and Students of ***De-Kapital Education Centre***, Bwari, Abuja; and

(*ii*) Staff and Students of ***Light of Day School***, Kubwa, Abuja.

4. **Matter of Urgent Public Importance (Standing Order Eight, Rule 4)**
***Call to Immortalise Lt Colonel Mohammed Abu Ali and Six Others who died in the Line of Duty on Friday, 4 November, 2016, when Boko Haram Terrorists Attacked their Location in Mallam Fatori, Borno State*:**
Hon. Abdussamad Dasuki (*Kebbe/Tambuwal Federal Constituency and 5 others*) introduced the matter and prayed the House to:

(*a*) consider and approve the matter as one of urgent public importance; and

(*b*) suspend Order Eight, Rule 4 (3) to allow debate on the matter forthwith.

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

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

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Call to Immortalise Lt Colonel Mohammad Abu Ali and Six Others who died in the Line of Duty on Friday, 4 November, 2016, when Boko Haram Terrorists Attacked their Location in Mallam Fatori, Borno State:

The House:

Notes that the nation has been torn in grief since November 4, 2016, following a fatal attack on a military unit at the forefront of the war against Boko Haram in the Northeast, in which Lt Colonel Muhammad Abu Ali, commanding officer, 272 Task Force Tank Battalion, alongside six other soldiers, namely, Sgt Mu'azu Ibrahim, Sgt Hussain Jafaru, Sgt Bassey Okon, Cpl Chukwu Simon, Able Seaman Patrick Paul and Pvt Salisu Lawal, paid the ultimate sacrifice for our country;

Also notes that since his death, Lt Colonel Muhammed Abu Ali has been the subject of inspirational stories in media and private discourses, as Nigerians recall the role he and his men played in the liberation of such towns as Monguno, Baga, New Marte, Bama, Gwoza, Banki Junction, Gamboru-Nglala, Yale, Yanteke, Bita, Deruwa, Daira Kangaruwa and Mallam Fatori, as confirmed in the eulogies by the Chief of Army Staff, Lieutenant-General Tukur Yusuf Buratai;

Further notes that many Nigerian Troops had fallen in the war against terror, and that the story of Lt Colonel Abu Ali, the testimonies of his colleagues and the military authorities portray him as a motivational and an exemplary leader both in life and in death;

Aware that Col. Abu Ali became a terror to Boko Haram whose plot to stop him only made the soldier braver, while their exceptional gallantry earned him accelerated promotion to the rank of Lieutenant Colonel in September 2015, a rare feat and a proof of commitment to duty without skepticism or compromise;

Also aware that having paid the supreme price in the defense of the nation, Nigeria must device a befitting way to immortalize his valour as no amount of tributes or financial pledges would suffice in compensation of these fallen patriots, in order to inspire others to greater dedication and patriotism as well as send the strong message to their killers that Nigerians acknowledges and appreciates the sacrifice of the military;

Concerned that Lt Col. Muhammad Abu Ali died at the age of 36 and was survived by a wife, three children (aged between 1 and 5), siblings, mother, father (Brigadier-General Abu Ali (*rtd*)), who is the traditional ruler of Etsu of Bassa-Nge Kingdom in Kogi State;

Also concerned that the height of Lt Col. Abu's commitment and sacrifice in defense of the nation was aptly captured in the tribute by one of his colleagues when he recalled that the officer, while manning his tank, often said "Gentlemen, just follow me and do only 5% and I will do the 95%";

Impressed that Lt Col. Abu Ali led his men into the dangerous terrain of Sambisa forest and was described as a model military officer who deserves to be made the face of patriotism;

Further concerned that the death of Lt Colonel Ali and six other soldiers is an unfortunate incident capable of demoralizing other troops and arming their killers with a strong tool of derisory propaganda;

Resolves to:

(*i*) Observe one minute silence in honour of the fallen heroes;

(*ii*) urge the President and Commander-in-Chief of the Armed Forces to bestow Lt Colonel Mohammad Abu Ali with posthumous rank of One-Star General in the Nigerian Army;

(*iii*) call the President and Commander-in-Chief of the Armed Forces, to award Lt Colonel Muhammad Abu Ali and the other six slain Armed forces personnel, National Honours in recognition of their uncommon bravery and patriotism in protecting the country's territorial integrity, for which they have paid the ultimate price;

(*iv*) urge the Federal Government to offer the spouse of Lt Colonel Muhammad Abu Ali automatic employment and his children educational scholarship to the highest level;

(*v*) also urge the Federal Government to immortalize Lt Colonel Abu Ali by naming a befitting national monument or institution in his honour; and

(*vi*) further urge the Federal Government to accelerate the disbursement of all benefits accruable to the families of the fallen heroes and mandate the Committee on Defence to ensure compliance with this resolution (*Hon. Abdussamad Dasuki — Kebbe/Tambuwal Federal Constituency*).

Debate.

Amendments Proposed:

(*i*) *Insert* a new Prayer (*vii*) as follows:
"Mandate the Committees on Defence, and Army, to visit the families of the slain Heroes to convey the condolences of the House" (*Hon. Gyang Istifanus Dung — Barikinladi/Riyom Federal Constituency*).

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

(*ii*) *Leave out* all the words in Prayer (*ii*) and *insert* as follows:
"Urge the Federal Government to grant Lt Colonel Mohammed Abu Ali and Six Others a posthumous promotion to the next rank" (*Hon. Ayo Omidiran — Ayedaade/Irewole/Isokan Federal Constituency*).

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

(*iii*) *Insert* a new Prayer (*viii*) as follows:
"Mandate the Committees on Defence, Army, Navy, and Air Force, to ensure that Armed Forces personnel do not overstay at the war front, to avoid fatigue" (*Hon. Yakubu Barde — Chikun/Kajuru Federal Constituency*).

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

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

The House:

Noted that the nation has been torn in grief since November 4, 2016, following a fatal attack on a military unit at the forefront of the war against Boko Haram in the Northeast, in which Lt Colonel Muhammad Abu Ali, commanding officer, 272 Task Force Tank Battalion, alongside six other soldiers, namely, Sgt Mu'azu Ibrahim, Sgt Hussain Jafaru, Sgt Bassey Okon, Cpl Chukwu Simon, Able Seaman Patrick Paul and Pvt Salisu Lawal, paid the ultimate sacrifice for our country;

Also noted that since his death, Lt Colonel Muhammad Abu Ali has been the subject of inspirational stories in media and private discourses, as Nigerians recall the role he and his men played in the liberation of such towns as Monguno, Baga, New Marte, Bama, Gwoza, Banki Junction, Gamboru-Nglala, Yale, Yanteke, Bita, Deruwa, Daira Kangaruwa and Mallam Fatori, as confirmed in the eulogies by the Chief of Army Staff, Lieutenant-General Tukur Yusuf Buratai;

Further noted that many Nigerian Troops had fallen in the war against terror, and that the story of Lt Colonel Abu Ali, the testimonies of his colleagues and the military authorities portray him as a motivational and an exemplary leader both in life and in death;

Aware that Col. Abu Ali became a terror to Boko Haram whose plot to stop him only made the soldier braver, while his exceptional gallantry earned him accelerated promotion to the rank of Lieutenant Colonel in September 2015, a rare feat and a proof of commitment to duty without skepticism or compromise;

Also aware that having paid the supreme price in the defense of the nation, Nigeria must device a befitting way to immortalize their valour as no amount of tributes or financial pledges would suffice in compensation of these fallen patriots, in order to inspire others to greater dedication and patriotism as well as send the strong message to their killers that Nigerians acknowledges and appreciates the sacrifice of the military;

Concerned that Lt Col. Muhammad Abu Ali died at the age of 36 and was survived by a wife, three children (aged between 1 and 5), siblings, mother, father (Brigadier-General Abu Ali (*rtd*)), who is the traditional ruler of Etsu of Bassa-Nge Kingdom in Kogi State;

Also concerned that the height of Lt Col. Abu's commitment and sacrifice in defense of the nation was aptly captured in the tribute by one of his colleagues when he recalled that the officer, while manning his tank, often said "Gentlemen, just follow me and do only 5% and I will do the 95%";

Impressed that Lt Col. Abu Ali led his men into the dangerous terrain of Sambisa forest and was described as a model military officer who deserves to be made the face of patriotism;

Further concerned that the death of Lt Colonel Ali and six other soldiers is an unfortunate incident capable of demoralizing other troops and arming their killers with a strong tool of derisory propaganda;

Resolved to:

(*i*) Observe one minute silence in honour of the fallen heroes;

(*ii*) urge the Federal Government to grant Lt Colonel Mohammed Abu Ali and Six Others a posthumous promotion to the next rank;

(*iii*) call the President and Commander-in-Chief of the Armed Forces, to award Lt Colonel Muhammad Abu Ali and the other six slain Armed forces personnel, National Honours in recognition of their uncommon bravery and patriotism in protecting the country's territorial integrity, for which they have paid the ultimate price;

(*iv*) urge the Federal Government to offer the spouse of Lt Colonel Muhammad Abu Ali automatic employment and his children educational scholarship to the highest level;

(*v*) also urge the Federal Government to immortalize Lt Colonel Abu Ali by naming a befitting national monument or institution in his honour;

(*vi*) further urge the Federal Government to accelerate the disbursement of all benefits accruable to the families of the fallen heroes and mandate the Committee on Defence to ensure compliance with this resolution;

(*vii*) mandate the Committees on Defence, and Army, to visit the families of the slain Heroes to convey the condolences of the House;

(*viii*) also mandate the Committees on Defence, Army, Navy, and Air Force, to ensure that Armed Forces personnel do not overstay at the war front, to avoid fatigue **(HR. 178/2016)**.

The House observed a minute silence in honour of the fallen heroes.

5. **Presentation of Report**
Committees on Legislative Budget and Research, and Poverty Alleviation:
Motion made and Question proposed, " That the House do receive the Report of the Committees on Legislative Budget and Research, and Poverty Alleviation, on the Urgent Need for the Framework and Details of the 500 Billion Naira Social Intervention Fund **(HR. 11/2016)**" (*Hon. Timothy Golu S. — Paskshin/Kanka/Kanam Federal Constituency*).

Agreed to.

Report laid.

6. **Consolidation of Bills**

(*i*) *Motion made and Question proposed*, "That a Bill for an Act to make Provisions for Offences Relating to Terrorism, Prohibit the Financing of Terrorism and Consolidate all Acts Relating to Terrorism, and for Other Related Matters (HB. 333), a Bill for an Act to Amend the Terrorism Act of 2011, for the Purpose of Applying Stringent Prison Terms for Offences of Terrorism, and Remove Ambiguities in the Act, and for Other Related Matters (HB. 447) 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 Amend the Marketing (Breast-Milk Substitutes) Act, Cap. M5, Laws of the Federation of Nigeria, 2004 to Review the Penalties and Change the Title of the Act, and for Other Related Matters (HB. 354), a Bill for an Act to Amend the Marketing (Breast-Milk Substitutes) Act, Cap. M5, Laws of the Federation of Nigeria, 2004, to review the Penalties and change the title of Act, and for Other Related Matters (HB. 194) be now consolidated" (*Hon. Orker-Jev Emmanuel Yisa — Buruku Federal Constituency*).

Agreed to.

7. **A Bill for an Act to Amend the National Institute for Policy and Strategic Studies Act, Cap. N51, Laws of the Federation of Nigeria, 2004, to Reduce the Size of the Board, Make Provision for Removal of Members of the Board, Give the Board the Power to Approve Additional Directors and Expand the Borrowing Powers of the Institute, and for Other Related Matters (HB. 210) — *Second Reading***

Order read; deferred by leave of the House.

8. **A Bill for an Act to Amend the Nigerian Ports Authority Act, Cap. N126, Laws of the Federation of Nigeria, 2004, to introduce concession arrangements for the encouragement of private sector participation and promotion of competitive markets through the review, update and overhaul of the Act, and for Other Related Matters (HB. 569) — *Second Reading***
Motion made and Question proposed, "That a Bill for an Act to Amend the Nigerian Ports Authority Act, Cap. N126, Laws of the Federation of Nigeria, 2004, to introduce concession arrangements for the encouragement of private sector participation and promotion of competitive markets through the review, update and overhaul of the Act, and for Other Related Matters (HB. 569) be now read a Second Time" (*Hon. Ossai Nicholas Ossai — Ndokwa East/Ndokwa West/Ukwuani 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 Ports, Harbour and Waterways.

9. **A Bill for an Act to Provide for Free Zones in Nigeria; Establish the Nigeria Free Zones Authority and to Repeal the Nigeria Export Processing Zones Act, and for Other Matters Connected Therewith (HB. 37) — *Second Reading***

Order read; deferred by leave of the House.

10. **A Bill for an Act to Provide for a Time Frame within which to Act on the Recommendations of the National Judicial Council with Regard to Judicial Appointments so as to Avoid Delay in Appointments of Judicial Officers and Ensure Expeditious Appointments of such Officers for Enhanced Justice Delivery, and for Other Related Matters (HB. 797) — *Second Reading***

Order read; deferred by leave of the House.

11. **A Bill for an Act to Ensure the Safe Transportation of Glass-Bottled Drinks and Other Substances on Roads and Highways, and for Other Related Matters (HB. 801) — *Second Reading***

Order read; withdrawn by leave of the House.

12. **A Bill for an Act to Amend the Insurance Act, Cap. I17, Laws of the Federation of Nigeria, 2004, to provide for Limit of Liability in Respect of Third Party Liability in Compulsory Insurance of Public Buildings and Buildings under Construction, and for Other Related Matters (HB. 402) — *Second Reading***

Order read; deferred by leave of the House.

13. **Reconsideration of Outstanding Bills from the Preceding Assembly: Order Twelve, Rule 16 of the Standing Orders of the House of Representatives**
***FCT College of Nursing and Midwifery Bill*, 2016 (HB. 597):**
Motion made and Question proposed:

The House:

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

Also notes that the FCT College of Nursing and Midwifery Bill, 2016, was passed by the preceding Assembly and forwarded to the President for assent but for which assent or withholding thereof was not communicated before the end of the tenure of the last Assembly;

Aware that the Bill has been re-gazetted as HB. 597 and read the first time on Wednesday, 8 June, 2016;

Resolves to:

Commit the Bill to the Committee of the Whole for consideration (*Hon. Gaza Jonathan Gbefwi — Karu/Keffi/Kokona Federal Constituency*).

Agreed to.

Bill Committed to the Committee of the Whole, pursuant to Order Twelve, Rule 16.

14. **Urgent Need for the Implementation of an Accelerated National Broadband Policy**

Order read; deferred by leave of the House.

15. **Need to Release Pregnant/Nursing Mothers Awaiting Trial from the Prisons**
Motion made and Question proposed:

The House:

Notes that the prison is a place where convicts and accused persons are remanded for crimes committed or alleged to have been committed, and there are many female inmates in various prison facilities who are awaiting trial;

Concerned that due to the lengthy time these female suspects have spent in the prisons, more than ninety percent (90%) of them have either got pregnant or given birth while awaiting trial;

Also concerned that those children born in the prisons are unwittingly being locked-up, and also made to serve prison terms alongside their mothers who ought to have been released on bail while awaiting trial;

Further concerned that as these children keep growing up in the prisons, they could be exposed to corruptive influences; miss the opportunity of acquiring education, suffer hardships and psychological trauma which no amount of compensation can cure;

Resolves to:

Mandate the Committees on Interior, Human Rights, and Justice, to undertake a study of the phenomenon of children born in prisons to female inmates awaiting trial, who are made to live in the prisons with their mothers and determine ways to cause the release of the mothers in the interest of the children, and report back to the House in eight (8) weeks, for further legislative action (*Hon. Sodaguwo A. Festus-Omoni — Ogbia Federal Constituency*).

Debate.

Motion withdrawn by leave of the House.

16. **Adjournment:**
That the House do adjourn till Wednesday, 9 *November*, 2016 *at* 11.00 *a.m.* (*Hon. Jibril Umar Buba — Deputy House Leader*).

The House adjourned accordingly at 1.34 *p.m.*

Yakubu Dogara
Speaker