



# HOUSE OF REPRESENTATIVES FEDERAL REPUBLIC OF NIGERIA

## VOTES AND PROCEEDINGS

Wednesday, 18 December, 2019

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1. The House met at 12.06 p.m. Mr Speaker read the Prayers.
2. **The House recited the National Pledge**
3. **Votes and Proceedings**  
Mr Speaker announced that he had examined and approved the *Votes and Proceedings* of Tuesday, 17 December, 2019.  
  
*The Votes and Proceedings was adopted by unanimous consent.*
4. **Oaths of Allegiance and Membership**  
A Member-elect, Lawal M. Rabi (Lere Federal Constituency), took and subscribed the Oaths of Allegiance and Membership as prescribed by law.
5. **Announcement**  
*Visitors in the Gallery:*  
Mr Speaker recognised the presence of Members of the *Students' Union Government, Bayero University*, Kano State.
6. **Mr Speaker's End of Year Remarks**  
Mr Speaker expressed special appreciation to the entire Members of the House of Representatives for their cooperation during the year, especially for the expeditious passage of the 2020 Appropriation Bill. He noted that President Muhammadu Buhari was particularly delighted at the level of cooperation of the National Assembly, particularly in ensuring that the national budget was restored to the annual budget cycle of January to December. He stated that Mr President also enjoined Members to continue to provide the needed legislative support to move the country forward.

While wishing Members a Merry Christmas, he prayed for God's protection during the break and safety on their return to resume the work for nation building through legislative business. He further thanked the Management and staff of the House of Representatives, other supporting and legislative staff, the Media, the Press and all those who made the work of the House a success during the year.

## 7. Petitions

- (i) A petition from Patrick Ogbonnaya, on the termination of his appointment from the services of the Federal Medical Centre, Nguru, Yobe State, was presented and laid by Hon. Makwe Livinus (*Ohaozara/Onicha/Ivo Federal Constituency*); and
- (ii) A petition from Basawa community, Basawa, Zaria, Kaduna State, on the alleged seizure of their farmland by the Nigerian Army for the construction of Basawa Barrack, was presented and laid by Hon. Garba Datti Muhammad (*Darazo/Ganjuwa Federal Constituency*).

*Petitions referred to the Committee on Public Petitions.*

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

### ***Need to Investigate the ₦1.343 Trillion Unremitted Revenue by the Petroleum Products Pricing Regulatory Agency (PPPRA):***

Hon. Julius Ihonvbere (*Owan East/Owan West Federal Constituency and 1 other*) introduced the matter and prayed the House to:

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

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

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

### **Need to Investigate the ₦1.343 Trillion Unremitted Revenue by the Petroleum Products Pricing Regulatory Agency (PPPRA):**

The House:

*Notes that the Petroleum Products Pricing Regulatory Agency (PPPRA) is alleged to be withholding ₦1.343 trillion internally generated revenue belonging to the Federal Government and payable into the Federation Account domiciled in the Central Bank of Nigeria, in contravention of Section 162 (1) of the Constitution of the Federal Republic of Nigeria, 1999 (as amended);*

*Also notes that disclosure was made in 2018 by the Director-General, Budget Office of the Federation, Ben Akabueze, during a town hall meeting with Chief Executive Officers (CEOs) of Government-owned enterprises (GOEs) in Abuja, where he named the PPPRA as the worst culprit;*

*Aware that Section 22 (1) of the Fiscal Responsibility Act, 2007 provides that "notwithstanding the provisions of any written law governing the Corporation, each Corporation shall establish a general reserve fund and shall allocate thereto at the end of each financial year, one fifth of its operating surplus for the year" and such payments are to be made every year after preparation of Audited Accounts;*

*Also aware that Section 22 (2) of the said Act stipulates that "the balance of the operating surplus shall be paid into the Consolidated Revenue Fund (CRF) of the Federal Government not later than one month following the statutory deadline for publishing each Corporation's Account";*

*Cognizant of the fact that the alleged ₦1.343 trillion unremitted revenues by PPPRA was collected as part of its total Internally Generated Revenue (IGR) thereby constituting a breach of the Public Accounting Principle and the Treasury Single Account policy of the Federal Government;*

*Concerned that this allegation is not only grave, but worthy of investigation, especially in the face of paucity of funds and the economic crunch the government is currently passing through;*

*Also concerned* that the issue of non-remittances by the Petroleum Products Pricing Regulatory Agency (PPPRA) have accumulated over several years, thus undermining the Federal Government's drive to fight corruption and ensure that there are no leakages in the collection of government;

*Deeply worried* that lack of transparency in public sector accounting occasioned by fiscal indiscipline by Ministries, Departments and Agencies of Government have continued to sink holes in government purse and consequently encouraging corruption, abuse of power, inefficiency and impunity, and if not checked, could deepen the nation's socio-economic challenges;

*Resolves to:*

Mandate the Committee on Petroleum Resources (Downstream) to investigate this allegation and report back in ten (10) weeks (*Hon. Julius Ihonvbere — Owan East/Owan West Federal Constituency and 1 Other*).

*Debate.*

***Agreed to.***

The House:

*Noted* that the Petroleum Products Pricing Regulatory Agency (PPPRA) is alleged to be withholding ₦1.343 trillion internally generated revenue belonging to the Federal Government and payable into the Federation Account domiciled in the Central Bank of Nigeria, in contravention of Section 162 (1) of the Constitution of the Federal Republic of Nigeria, 1999 (as amended);

*Also noted* that disclosure was made in 2018 by the Director-General, Budget Office of the Federation, Ben Akabueze, during a town hall meeting with Chief Executive Officers (CEOs) of Government-owned enterprises (GOEs) in Abuja, where he named the PPPRA as the worst culprit;

*Aware* that Section 22 (1) of the Fiscal Responsibility Act, 2007 provides that "notwithstanding the provisions of any written law governing the Corporation, each Corporation shall establish a general reserve fund and shall allocate thereto at the end of each financial year, one fifth of its operating surplus for the year" and such payments are to be made every year after preparation of Audited Accounts;

*Also aware* that Section 22 (2) of the said Act stipulates that "the balance of the operating surplus shall be paid into the Consolidated Revenue Fund (CRF) of the Federal Government not later than one month following the statutory deadline for publishing each Corporation's Account";

*Cognizant* of the fact that the alleged ₦1.343 trillion unremitted revenues by PPPRA was collected as part of its total Internally Generated Revenue (IGR) thereby constituting a breach of the Public Accounting Principle and the Treasury Single Account policy of the Federal Government;

*Concerned* that this allegation is not only grave, but worthy of investigation, especially in the face of paucity of funds and the economic crunch the government is currently passing through;

*Also concerned* that the issue of non-remittances by the Petroleum Products Pricing Regulatory Agency (PPPRA) have accumulated over several years, thus undermining the Federal Government's drive to fight corruption and ensure that there are no leakages in the collection of government;

*Deeply worried* that lack of transparency in public sector accounting occasioned by fiscal indiscipline by Ministries, Departments and Agencies of Government have continued to sink holes in government purse and consequently encouraging corruption, abuse of power, inefficiency and impunity, and if not checked, could deepen the nation's socio-economic challenges;

Mandate the Committee on Petroleum Resources (Downstream) to investigate this allegation and report back in ten (10) weeks (**HR. 284/12/2019**).

**9. Presentation of Bills**

The following Bills were read the *First Time*:

- (1) Federal University of Petroleum Resources, Effurun Act (Amendment) Bill, 2019 (HB.613).
- (2) Secondary School Certificate Examinations Standard (Regulation) Bill, 2019 (HB.614).
- (3) Nigerian Legion Act (Amendment) Bill, 2019 (HB.615).
- (4) Tertiary Education Trust Fund Act (Amendment) Bill, 2019 (HB.616).
- (5) Pharmacists Council Act (Amendment) Bill, 2019 (HB.617).
- (6) Zonal Development Commission (Establishment) Bill, 2019 (HB.618).
- (7) Nigeria Road Infrastructure Intervention Bill, 2019 (HB.619).
- (8) Pension Reform Act (Amendment) (HB.620).
- (9) Nigerian Oil and Gas Industry Development Act (Repeal and Enactment) Bill, 2019 (HB. 621).

**10. Presentation of Report**

***Committees on Federal Capital Territory, and Federal Capital Territory Area Councils and Ancillary Matters:***

*Motion made and Question proposed*, “That the House do receive the Report of the Committees on Federal Capital Territory, and Federal Capital Territory Area Councils and Ancillary Matters on a Bill for an act to Authorise the issue from the Federal Capital Territory Administration Statutory Revenue fund of the Federal Capital Territory Administration Account, the total sum of ₦278,355,365,947.00 (Two Hundred and Seventy-Eight Billion, Three Hundred and Fifty-Five Million, Three Hundred and Sixty-Five Thousand, Nine Hundred and Forty-Seven Naira) only, of which the sum of ₦55,878,241,095.00 (Fifty-Five Billion, Eight Hundred and Seventy-Eight Million, Two Hundred and Forty-One Thousand and Ninety Five Naira) only, is for Personnel Costs; and the sum of ₦62,343,723,435.00 (Sixty-Two Billion, Three Hundred and Forty-Three Million, Seven Hundred and Twenty-Three Thousand, Four Hundred and Thirty-Five Naira) only, is for Overhead Costs; while the balance of ₦160,133,401,417.00 (One Hundred and Sixty Billion, One Hundred and Thirty-Three Million, Four Hundred and One Thousand, Four Hundred and Seventeen Naira) only, is for Capital Projects for the Service of the Federal Capital Territory, Abuja for the year ending on 31 December, 2020 (HB. 603)” (*Hon. Abdullahi Idris Garba — Kontagora/Wushishi/Mariga/Mashegu Federal Constituency*).

***Agreed to.***

*Report laid.*

11. **A Bill for an Act to Provide for the Establishment of the National Institute for Hospitality and Tourism for Training, Certification and Registration of Hospitality, Travel and Tourism Personnel in Nigeria; and for Related Matters (HB.45) — *Third Reading***

*Motion made and Question proposed*, “That a Bill for an Act to Provide for the Establishment of the National Institute for Hospitality and Tourism for Training, Certification and Registration of Hospitality, Travel and Tourism Personnel in Nigeria; and for Related Matters (HB.45) be now read the Third Time” (*Hon. Akpatason Peter — Deputy House Leader*).

*Agreed to.*

*Bill read the Third Time and passed.*

12. **A Bill for an Act to Provide for the Establishment of the Federal College of Agriculture, Ijebu-Ijesa; and for Related Matters (HB. 322) — *Second Reading***

*Motion made and Question proposed*, “That a Bill for an Act to Provide for the Establishment of the Federal College of Agriculture, Ijebu-Ijesa; and for Related Matters (HB.322) be read a Second Time” (*Hon. Oluwole Oke — Obokun/Oriade Federal Constituency*).

*Debate.*

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

*Bill read the Second Time.*

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

13. **A Bill for an Act to Amend the Third Schedule of the Constitution of the Federal Republic of Nigeria, 1999 to include Presiding Officers of the National Assembly in the Membership of the National Security Council; and for Related Matters (HB. 328) — *Second Reading***

*Motion made and Question proposed*, “That a Bill for an Act to Amend the Third Schedule of the Constitution of the Federal Republic of Nigeria, 1999 to include Presiding Officers of the National Assembly in the Membership of the National Security Council; and for Related Matters (HB. 328) be read a Second Time” (*Hon. Odebunmi Olusegun — Ogoluwa/Surulere Federal Constituency*).

*Debate.*

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

*Bill read the Second Time.*

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

14. **A Bill for an Act to Reconstitute the Metallurgical Training Institute, Onitsha by Establishing the National Metallurgical Training Institute, Onitsha to Provide Training, Information, Supervision, Guidance and Advice to Students, Researchers and Personnel in Iron and Steel, and Oil and Gas Industries for National Development; and for Related Matters (HB. 356) — *Second Reading***

*Motion made and Question proposed*, “That a Bill for an Act to Reconstitute the Metallurgical Training Institute, Onitsha by Establishing the National Metallurgical Training Institute, Onitsha to Provide Training, Information, Supervision, Guidance and Advice to Students, Researchers and Personnel in Iron and Steel, and Oil and Gas Industries for National Development; and for Related Matters (HB. 356) be read a Second Time” (*Hon. Lynda Chuba Ikpeazu — Onitsha North/Onitsha South Federal Constituency*).

*Debate.*

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

*Bill read the Second Time.*

*Bill referred to the **Committee on Steel.***

**15. A Bill for an Act to Establish the Federal Medical Center, Ganduje, DawakinTofa, Kano State; and for Related Matters (HB. 585) — Second Reading**

*Motion made and Question proposed, “That a Bill for an Act to Establish the Federal Medical Center, Ganduje, DawakinTofa, Kano State; and for Related Matters (HB. 585) be read a Second Time” (Hon. Ibrahim Muhammad Hafiz Kawu — Tarauni Federal Constituency).*

*Debate.*

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

*Bill read the Second Time.*

*Bill referred to the **Committee on Health Institutions.***

**16. Outstanding Bill from the Preceding Assembly (Order Twelve, Rule 16)**

*Motion made and Question proposed:*

The House:

*Notes that pursuant to Order Twelve, Rule 16 of the Standing Orders of the House of Representatives, 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 Arbitration and Conciliation Act (Repeal and Enactment) Bill, 2019 (HB. 91) 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 was re-gazetted as HB. 91 and read the first time;*

*Resolves to:*

*Commit the Bill to the Committee of the Whole for consideration (Hon. Abubakar Hassan Fulata — Birniwa/Guri/Kiri-Kasamma Federal Constituency).*

*Agreed to.*

**17. Need to Rehabilitate and Dualize Kano - Gezewa - Gabasawa - Garki - Gumel - Malam - Madori Hadeja Federal Road**

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

**18. Need to Ban Illegal Cooking Gas Outlets and Operators in the Country**

*Motion made and Question proposed:*

The House:

*Notes* the policy of the Federal Government to encourage the use of cooking gas in homes across the country as an alternative to kerosene usage and in order to achieve this objective, there is need to have cooking gas skid operators and outlets at every nook and cranny of the country;

*Aware* that there are rules to be followed, operational guidelines to be complied with and licenses to be obtained before one can become a cooking gas skid operator, and also safety measures to meet before the license is issued;

*Also aware* that part of the requirements include having enough space which will help diffuse gas leakage, providing buckets of sharp sand, well ventilated shop, two fire extinguishers, display of appropriate warning and danger signs, emergency number, distance from fire source etc;

*Worried* that many of the cooking gas skid operators do not comply with those requirements or meet the safety measures before starting business activities and of the outlets are located in residential areas, and in some cases, in between buildings, and even under stair cases of houses in some urban areas;

*Concerned* that those abnormalities and carelessness have, over the years, resulted into gas explosions and uncontrollable fire accidents that have led to loss of lives and destruction of properties in virtually all the States of the Federation;

*Deeply worried* that many lives and properties worth several millions of naira have been lost due to this negligence and carelessness on the part of the people and agencies of government empowered to ensure compliance and enforce the law as a result that gas explosion and fire victims have never received any compensation and no one has been brought to book for his or her role in the incidents;

*Resolves to:*

- (i) urge the Department of Petroleum Resources (DPR) to enforce its rules and guidelines by banning illegal cooking gas skid outlets all over the country and carry out periodic checks on outlets and operators to ensure compliance and discipline errant operators;
- (ii) also urge the National Emergency Management Agency (NEMA) to assist victims of gas explosions and fire incidents; and
- (iii) mandate the Committee on Gas Resources to ensure compliance (*Hon. Kolawole Taiwo Musibau — Ajeromi/Ifelodun Federal Constituency*).

*Debate.*

*Agreed to.*

The House:

*Noted* the policy of the Federal Government to encourage the use of cooking gas in homes across the country as an alternative to kerosene usage and in order to achieve this objective, there is need to have cooking gas skid operators and outlets at every nook and cranny of the country;

*Aware* that there are rules to be followed, operational guidelines to be complied with and licenses to be obtained before one can become a cooking gas skid operator, and also safety measures to meet before the license is issued;

*Also aware* that part of the requirements include having enough space which will help diffuse gas leakage, providing buckets of sharp sand, well ventilated shop, two fire extinguishers, display of appropriate warning and danger signs, emergency number, distance from fire source etc;

*Worried* that many of the cooking gas skid operators do not comply with those requirements or meet the safety measures before starting business activities and of the outlets are located in residential areas, and in some cases, in between buildings, and even under stair cases of houses in some urban areas;

*Concerned* that those abnormalities and carelessness have, over the years, resulted into gas explosions and uncontrollable fire accidents that have led to loss of lives and destruction of properties in virtually all the States of the Federation;

*Deeply worried* that many lives and properties worth several millions of naira have been lost due to this negligence and carelessness on the part of the people and agencies of government empowered to ensure compliance and enforce the law as a result that gas explosion and fire victims have never received any compensation and no one has been brought to book for his or her role in the incidents;

*Resolved to:*

- (i) urge the Department of Petroleum Resources (DPR) to enforce its rules and guidelines by banning illegal cooking gas skid outlets all over the country and carry out periodic checks on outlets and operators to ensure compliance and discipline errant operators;
- (ii) also urge the National Emergency Management Agency (NEMA) to assist victims of gas explosions and fire incidents; and
- (iii) mandate the Committee on Gas Resources to ensure compliance (**HR. 285/12/2019**).

**19. Call for Remediation, Shore Protection and Canalization of Rivers and Streams in Nigeria**

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

**20. Need to Phase-Out Unpainted Taxis in the Federal Capital Territory, Abuja**

*Motion made and Question proposed:*

The House:

*Notes* that Section 299 of the Constitution of the Federal Republic of Nigeria, 1999 (as amended), empowers the National Assembly to legislate for the Federal Capital Territory, Abuja;

*Also notes* that under the provisions of section 299 of the 1999 Constitution, the National Assembly enacted the Federal Capital Territory Act, Cap F6, Laws of the Federation of Nigeria, 2004 and by Section 1 (3) of the Act, the Federal Capital Territory shall be administered by the Government of the Federation to the exclusion of any other authority;

*Further notes* that the Federal Capital Territory Administration established the Federal Capital Territory Road Transport Secretariat which has responsibility for Road Traffic and Motor Vehicle Administration in the Federal Capital Territory;

*Worried* that operations of taxi cabs and commercial vehicles in the Federal Capital Territory is largely unregulated or inefficiently administered thus giving room for many private vehicle owners to engage in commercial taxi operations known as "kabukabu" and thereby exposing commuters to incidents of kidnappings and several other risks that come with unlicensed taxi operations;



*Cognizant* that in most developed cities of the world, commercial taxi operators are well registered, regulated and licensed, with only city cabs or painted cabs approved for legal commercial vehicle operations;

*Believes* that if taxi operations in the Federal Capital Territory remains unregulated, with unpainted and unlicensed commercial vehicles operating, kidnappers, armed robbers and other criminals will continue to take advantage of the unregulated use of taxis to carry out their nefarious activities;

*Resolves to:*

- (i) urge the Federal Capital Territory Transport Secretariat, to liaise with the Federal Road Safety Corps to ban the use of unpainted and unlicensed taxi operations in the Federal Capital Territory, Abuja;
- (ii) also urge the Federal Capital Territory Transport Secretariat to commence the registration, regulation and licensing of all private and corporate commercial vehicles operating in the Federal Capital Territory; and
- (iii) mandate the Committee on Federal Capital Territory to ensure compliance (*Hon. Leke Abejide — Yagba East/Yagba West/Mopamuro Federal Constituency*).

*Debate.*

***Agreed to.***

The House:

*Noted* that Section 299 of the Constitution of the Federal Republic of Nigeria, 1999 (as amended), empowers the National Assembly to legislate for the Federal Capital Territory, Abuja;

*Also noted* that under the provisions of section 299 of the 1999 Constitution, the National Assembly enacted the Federal Capital Territory Act, Cap. F6, Laws of the Federation of Nigeria, 2004 and by Section 1 (3) of the Act, the Federal Capital Territory shall be administered by the Government of the Federation to the exclusion of any other authority;

*Further noted* that the Federal Capital Territory Administration established the Federal Capital Territory Road Transport Secretariat which has responsibility for Road Traffic and Motor Vehicle Administration in the Federal Capital Territory;

*Worried* that operations of taxi cabs and commercial vehicles in the Federal Capital Territory is largely unregulated or inefficiently administered thus giving room for many private vehicle owners to engage in commercial taxi operations known as "kabukabu" and thereby exposing commuters to incidents of kidnappings and several other risks that come with unlicensed taxi operations;

*Cognizant* that in most developed cities of the world, commercial taxi operators are well registered, regulated and licensed, with only city cabs or painted cabs approved for legal commercial vehicle operations;

*Believed* that if taxi operations in the Federal Capital Territory remains unregulated, with unpainted and unlicensed commercial vehicles operating, kidnappers, armed robbers and other criminals will continue to take advantage of the unregulated use of taxis to carry out their nefarious activities;

*Resolved to:*

- (i) urge the Federal Capital Territory Transport Secretariat, to liaise with the Federal Road Safety Corps to ban the use of unpainted and unlicensed taxi operations in the Federal Capital Territory, Abuja;
- (ii) also urge the Federal Capital Territory Transport Secretariat to commence the registration, regulation and licensing of all private and corporate commercial vehicles operating in the Federal Capital Territory; and
- (iii) mandate the Committee on Federal Capital Territory to ensure compliance (**HR. 286/12/2019**).

**21. Call for Investigation of the Non-Remittance of Eight Trillion Naira into the Federation Account by the Nigeria Ports Authority**

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

**22. Need to Promote and Standardize the Herbal Industry in Nigeria**

*Motion made and Question proposed:*

The House:

*Notes* that the use of herbal medicine in Africa has greatly elevated and enhanced the primary health care system as it is common knowledge that herbal medicine is one of the oldest forms of medicine in the world, indeed, it has been very well researched and documented in some countries;

*Also notes* the need to promote and standardize the herbal industry in Nigeria, as plants have always been a component of mankind's health care system given that their leaves, fruits, flower, stem, bark and roots or even whole plants have themselves been used in the treatment of illnesses for more than 200 years now;

*Aware that* young generations of Africans have accepted the safe healing power of herbal medicine and the value of the local herbal industry in Nigeria has significantly increased, thus creating a good market for indigenous pharmaceutical industry to thrive;

*Also aware* that the World Health Organisation (WHO) recognizes Traditional Medicine and Complementary Alternative Medicine and refers to "herbs, herbal materials, herbal preparations and finished herbal products that contain whole plants parts of plants, or other plant materials, including leaves, bark, berries, flowers, roots and/or their extracts as active ingredients intended for human therapeutic use";

*Further aware* that owing to the economic downturn, many Nigerians now resort to the traditional herbal system for their primary health care needs and in other parts of Africa, particularly West Africa, new drugs are not often affordable thus making over 60% to 80% of the population to rely on medicinal plants since herbal products in form of supplements, herbal teas, extracts and essential oils are easy to come by and are readily available;

*Further notes* that there is need to educate traditional practitioners like herbalists, traditional birth attendants, bone setters, diviners, traditional surgeons, spiritualists, etc. in order to regulate and bring their services to an acceptable standard;

*Observes* that in Sub-Saharan Africa, there is one traditional healer to every 500 people which is grossly inadequate especially going by the WHO recommendation of one doctor to 600 people, hence the need to urgently accord herbal medicine the desired recognition;

*Convinced* that herbal medicine has a bright future and that the Federal Government should fund the development of scientific herbal medicine, embark on training and re-training of herbal medicine practitioners, establish and implement policy framework for the standardization of herbal medicine;

*Also convinced* that the herbal industry, if given the necessary incentives, could generate \$10 billion dollars annually, with large scale cultivation and harvesting of medicinal plants which will provide sufficient raw materials for research, local production, industrial processing and packaging for export;

*Desirous* of the need to raise the standard of African traditional herbal medicine to international standards through inter-country collaboration which will put African herbal medicine in an admirable and competitive position in the World health care system;

*Resolves to:*

- (i) urge the Federal Ministry of Health to pay more attention to the traditional healthcare sector as orthodox medical practice and traditional Chinese medicine are practiced and taught together in Chinese medical institutions, in like manner specialized training in herbal medicine by pharmacy and medical schools are essential in achieving a sustainable height;
- (ii) also urge the Federal Ministry of Health to liaise with NAFDAC to promote effective monitoring, evaluation and regulation of herbal medical practice and ensure improved collaboration between traditional practitioners and modern healthcare professionals and researchers;
- (iii) call on the National Agency for Food and Drug Administration and Control (NAFDAC) to sensitize the public that any herbal product without NAFDAC number should be discarded;
- (iv) mandate the Committee on Banking and Currency to interface with the Central Bank of Nigeria (CBN) and Commercial Banks to pave way for indigenous herbal manufacturers to have more access to loan facilities for production and packaging and are also given tax incentives and exemptions from Value Added Tax (VAT), tariffs and duties to enable them grow; and
- (v) also mandate the Committee on Healthcare Services to interface with stakeholders to work out modalities of administering both the orthodox and herbal medicine on patients and also to ensure formal training of traditional herbal practitioners and report back within eight (8) weeks (*Hon. Muraina Ajibola Saubana — Ibarapa Central/Ibarapa North Federal Constituency*).

*Debate.*

***Agreed to.***

The House:

*Noted* that the use of herbal medicine in Africa has greatly elevated and enhanced the primary health care system as it is common knowledge that herbal medicine is one of the oldest forms of medicine in the world, indeed, it has been very well researched and documented in some countries;

*Also noted* the need to promote and standardize the herbal industry in Nigeria, as plants have always been a component of mankind's health care system given that their leaves, fruits, flower, stem, bark and roots or even whole plants have themselves been used in the treatment of illnesses for more than 200 years now;

*Aware that* young generations of Africans have accepted the safe healing power of herbal medicine and the value of the local herbal industry in Nigeria has significantly increased, thus creating a good market for indigenous pharmaceutical industry to thrive;

*Also aware that* the World Health Organisation (WHO) recognizes Traditional Medicine and Complementary Alternative Medicine and refers to "herbs, herbal materials, herbal preparations and finished herbal products that contain whole plants parts of plants, or other plant materials, including leaves, bark, berries, flowers, roots and/or their extracts as active ingredients intended for human therapeutic use";

*Further aware that* owing to the economic downturn, many Nigerians now resort to the traditional herbal system for their primary health care needs and in other parts of Africa, particularly West Africa, new drugs are not often affordable thus making over 60% to 80% of the population to rely on medicinal plants since herbal products in form of supplements, herbal teas, extracts and essential oils are easy to come by and are readily available;

*Further noted that* there is need to educate traditional practitioners like herbalists, traditional birth attendants, bone setters, diviners, traditional surgeons, spiritualists, etc in order to regulate and bring their services to an acceptable standard;

*Observed that* in Sub-Saharan Africa, there is one traditional healer to every 500 people which is grossly inadequate especially going by the WHO recommendation of one doctor to 600 people, hence the need to urgently accord herbal medicine the desired recognition;

*Convinced that* herbal medicine has a bright future and that the Federal Government should fund the development of scientific herbal medicine, embark on training and re-training of herbal medicine practitioners, establish and implement policy framework for the standardization of herbal medicine;

*Also convinced that* the herbal industry, if given the necessary incentives, could generate \$10 billion dollars annually, with large scale cultivation and harvesting of medicinal plants which will provide sufficient raw materials for research, local production, industrial processing and packaging for export;

*Desirous of the need to raise the standard of African traditional herbal medicine to international standards through inter-country collaboration which will put African herbal medicine in an admirable and competitive position in the World health care system;*

*Resolved to:*

- (i) urge the Federal Ministry of Health to pay more attention to the traditional healthcare sector as orthodox medical practice and traditional Chinese medicine are practiced and taught together in Chinese medical institutions, in like manner specialized training in herbal medicine by pharmacy and medical schools are essential in achieving a sustainable height;
- (ii) also urge the Federal Ministry of Health to liaise with NAFDAC to promote effective monitoring, evaluation and regulation of herbal medical practice and ensure improved collaboration between traditional practitioners and modern healthcare professionals and researchers;
- (iii) call on the National Agency for Food and Drug Administration and Control (NAFDAC) to sensitize the public that any herbal product without NAFDAC number should be discarded;

- (iv) mandate the Committee on Banking and Currency to interface with the Central Bank of Nigeria (CBN) and Commercial Banks to pave way for indigenous herbal manufacturers to have more access to loan facilities for production and packaging and are also given tax incentives and exemptions from Value Added Tax (VAT), tariffs and duties to enable them grow; and
- (v) also mandate the Committee on Healthcare Services to interface with stakeholders to work out modalities of administering both the orthodox and herbal medicine on patients and also to ensure formal training of traditional herbal practitioners and report back within eight (8) weeks (**HR. 287/12/2019**).

**23. Need to Curb the Consumption of Alcohol by Under-Aged Youths in Nigeria**

*Motion made and Question proposed:*

The House:

*Notes* with dismay the disturbing trend of alcohol consumption and abuse by the under aged population, especially among Students in Secondary Schools, which is affecting their physical health and mental development as well as behavioral patterns, thus posing a major public and national health hazard;

*Also notes* the Global Status Report of the World Health Organization (WHO) on Alcohol and health and the increasing rise in alcohol related deaths globally as a result of indiscriminate or wrongful use of alcohol which was the cause of 3 million deaths in 2016 alone and is also a leading risk factor for population health and has a direct impact on the achievement of national target on Sustainable Development Goals on Health;

*Aware* that Nigeria, because of her large population, is estimated to have one of the highest rates of alcohol consumption in the world, and is also adversely affected by the negative consequences of alcohol use and abuse, especially among the younger population because of lack of enforcement, poor enlightenment and social influence which lead them to experiment with illicit substances.

*Concerned* that alcohol is regarded as a gateway drug, the indulgence of which often leads to the use of more addictive drugs and research has shown that timeous prevention of alcohol use in teenagers reduces the likelihood of them getting involved with other illicit drugs later in life;

*Also concerned* that alcohol consumption among teenagers has led to increased tendency towards violence in schools and related environments, high incidences of school drop outs and cases of mental and physical challenges;

*Worried* that the long term effects of alcohol use among the under aged population is placing a burden on the health care and criminal justice system, and also impacting adversely on the leaders of tomorrow, and if not addressed, will portend dire consequences for the future of the country;

*Resolves to:*

- (i) call on the Federal Ministry of Health to liaise with the National Agency for Food and Drug Administration and Control (NAFDAC) and the Consumer Protection Council (CPC) to put mechanisms in place to implement the age restriction on alcohol consumption;
- (ii) urge the Federal Ministry of Education to liaise with the Federal Ministry of Health to carry out alcohol prevention campaigns in Secondary Schools to educate students on the danger of alcohol use and abuse;

- (iii) also urge the National Orientation Agency to embark on public enlightenment and awareness campaigns to discourage liquor stores, restaurants, night clubs and beer parlors from the sale of alcohol to under aged children, especially those less than 18 years of age; and
- (iv) mandate the Committees on Healthcare Services, and Information, National Orientation, Ethics and Values to ensure compliance (*Hon. Chinedu Emeka Martins — Ahiazu/Izinihitte/Mbaise Federal Constituency*).

*Debate.*

*Agreed to.*

The House:

*Notes* with dismay the disturbing trend of alcohol consumption and abuse by the under aged population, especially among Students in Secondary Schools, which is affecting their physical health and mental development as well as behavioral patterns, thus posing a major public and national health hazard;

*Also notes* the Global Status Report of the World Health Organization (WHO) on Alcohol and health and the increasing rise in alcohol related deaths globally as a result of indiscriminate or wrongful use of alcohol which was the cause of 3 million deaths in 2016 alone and is also a leading risk factor for population health and has a direct impact on the achievement of national target on Sustainable Development Goals on Health;

*Aware* that Nigeria, because of her large population, is estimated to have one of the highest rates of alcohol consumption in the world, and is also adversely affected by the negative consequences of alcohol use and abuse, especially among the younger population because of lack of enforcement, poor enlightenment and social influence which lead them to experiment with illicit substances.

*Concerned* that alcohol is regarded as a gateway drug, the indulgence of which often leads to the use of more addictive drugs and research has shown that timeous prevention of alcohol use in teenagers reduces the likelihood of them getting involved with other illicit drugs later in life;

*Also concerned* that alcohol consumption among teenagers has led to increased tendency towards violence in schools and related environments, high incidences of school drop outs and cases of mental and physical challenges;

*Worried* that the long term effects of alcohol use among the under aged population is placing a burden on the health care and criminal justice system, and also impacting adversely on the leaders of tomorrow, and if not addressed, will portend dire consequences for the future of the country;

*Resolves to:*

- (i) call on the Federal Ministry of Health to liaise with the National Agency for Food and Drug Administration and Control (NAFDAC) and the Consumer Protection Council (CPC) to put mechanisms in place to implement the age restriction on alcohol consumption;
- (ii) urge the Federal Ministry of Education to liaise with the Federal Ministry of Health to carry out alcohol prevention campaigns in Secondary Schools to educate students on the danger of alcohol use and abuse;
- (iii) also urge the National Orientation Agency to embark on public enlightenment and awareness campaigns to discourage liquor stores, restaurants, night clubs and beer parlors from the sale of alcohol to under aged children, especially those less than 18 years of age; and

- (iv) mandate the Committees on Healthcare Services, and Information, National Orientation Ethics and Values to ensure compliance (**HR. 288/12/2019**).

*By leave of the House, Hon. Ndudi Elumelu (Aniocha North/Aniocha South/Oshimili North/Oshimili South Federal Constituency) moved a Motion without notice.*

**24. Need to investigate Messrs Ninno Engineering Nig Ltd, Petrogas Specialist Services Ltd and Quintus Investment Co. Nig. Ltd for Abandoning the Construction of Onicha-Uku/Idumuje, Onicha-Uku/Idumu-Ogo roads and Onicha-Uku Civic Centre Projects:**

*Motion made and Question proposed:*

The House:

*Notes with serious concern that Messrs Ninno Engineering Ltd was awarded the construction of Onicha-Uku/Idumuye Unor link road, while Messrs Quintus Investment Co. Nig. Ltd was awarded the Onicha-Uku/Idumu-Ogo link road and Messrs Petrogas Specialist Services Ltd was awarded the Construction of Onicha-Uku Civic Center in 2012 by the Niger Delta Development Commission (NDDC) with the contract execution period of three (3) months;*

*Aware that the Commission mobilized the contractors since 2012 for the three projects.*

*Concerned that since the contractors were mobilized to the sites, nothing has been done on any of the roads and the land allotted for the civic centre has long become a forest, over grown by weeds and trees with an uncompleted structure inside;*

*Also concerned that the inability to complete the construction of these roads has hampered the social economic activities of these environments thereby causing untold hardships on the indigenes living within the localities;*

*Worried that from the information available, the contractors after being mobilized have abandoned the projects and absconded without doing the job as contained in the contractual agreement;*

*Disturbed that all efforts made to bring the contractors back to the sites have proved abortive, while all monies paid to them as mobilizations have gone with the winds;*

*Also disturbed that the contractors have shown no remorse as to the consequences of their dereliction of duties since 2012, instead they claim that sufficient funds have not been provided for them to return to the sites;*

*Resolves to:*

*Mandate the Committee on Niger Delta Development Commission (NDDC) to invite the Management of Niger Delta Development Commission (NDDC) and the contractors, Messrs Ninno Engineering Nig Ltd, Messrs Quintus Investment Co. Nig. Ltd, and Messrs Petrogas Specialist Services Ltd, and investigate to ascertain the levels of work done and report back in six (6) weeks (Hon. Ndudi Godwin Elumelu — Aniocha North/Aniocha South/Oshimili North/Oshimili South Federal Constituency).*

*Debate.*

*Agreed to.*

The House:

*Noted* with serious concern that Messrs Ninno Engineering Ltd was awarded the construction of Onicha-Uku/Idumuye Unor link road, while Messrs Quintus Investment Co. Nig. Ltd was awarded the Onicha-Uku/Idumu-Ogo link road and Messrs Petrogas Specialist Services Ltd was awarded the Construction of Onicha-Uku Civic Center in 2012 by the Niger Delta Development Commission (NDDC) with the contract execution period of three (3) months;

*Aware* that the Commission mobilized the contractors since 2012 for the three projects.

*Concerned* that since the contractors were mobilized to the sites, nothing has been done on any of the roads and the land allotted for the civic centre has long become a forest, over grown by weeds and trees with an uncompleted structure inside;

*Also concerned* that the inability to complete the construction of these roads has hampered the social economic activities of these environments thereby causing untold hardships on the indigenes living within the localities;

*Worried* that from the information available, the contractors after being mobilized have abandoned the projects and absconded without doing the job as contained in the contractual agreement;

*Disturbed* that all efforts made to bring the contractors back to the sites have proved abortive, while all monies paid to them as mobilizations have gone with the winds;

*Also disturbed* that the contractors have shown no remorse as to the consequences of their dereliction of duties since 2012, instead they claim that sufficient funds have not been provided for them to return to the sites;

*Resolved to:*

Mandate the Committee on Niger Delta Development Commission (NDDC) to invite the Management of Niger Delta Development Commission (NDDC) and the contractors, Messrs Ninno Engineering Nig. Ltd, Messrs Quintus Investment Co. Nig. Ltd, and Messrs Petrogas Specialist Services Ltd, and investigate to ascertain the levels of work done and report back in six (6) weeks (**HR. 289/12/2019**).

## 25. Consideration of Reports

(i) *A Bill for an Act to Amend the National Council on Public Procurement and the Bureau of Public Procurement Act, No. 14, 2017 to Review the Mobilization Fees paid to Contractors, Institute E-Procurement and Provide time frame for the Procurement Process etc.; and for Related Matters (HB.583) (Committee of the Whole):*

*Motion made and Question proposed, "That the House do consider the Report on a Bill for an Act to Amend the National Council on Public Procurement and the Bureau of Public Procurement Act, No. 14, 2017 to Review the Mobilization Fees paid to Contractors, Institute E-Procurement and Provide time frame for the Procurement Process etc.; and for Related Matters (HB.583)"(Hon. Akpatason Peter — Deputy House Leader).*

*Agreed to.*

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

**(HOUSE IN COMMITTEE)**

*(Mr Deputy Speaker in the Chair)*



A BILL FOR AN ACT TO AMEND THE NATIONAL COUNCIL ON  
PUBLIC PROCUREMENT AND THE BUREAU OF PUBLIC PROCUREMENT ACT,  
NO. 14 OF 2007 TO REVIEW THE MOBILIZATION FEES PAID TO  
CONTRACTORS, INSTITUTE E-PROCUREMENT AND PROVIDE TIME FRAME  
FOR THE PROCUREMENT PROCESSES, ETC.; AND FOR RELATED MATTERS

**Clause 1: Amendment of the Procurement Act No.14 2007.**

The Procurement Act No. 14 of 2007, (in this Bill referred to as "the Principal Act") is amended as set out in this Bill (*Hon. Peter Akpatason — Akoko-Edo Federal Constituency*).

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

**Clause 2: Amendment of Section 1.**

Section 1 of the principal Act is amended:

- (a) in subsection (2) by inserting new paragraphs (a) -(e);
- (b) in subsection (2) (f) (i) by inserting the word "President", before the word "Chartered" in line 1;
- (c) in paragraph (f) by deleting sub-paragraphs (ii), (iii), (v) and (vi);
- (d) in sub-paragraph (iv) by inserting the word "President", before the word "Nigerian";
- (e) in subsection (2) (f) by inserting new sub-paragraphs (vii)-(ix) as follows:
  - (vii) president, Nigerian Institute of Estate Surveyors and Valuers;
  - (viii) president, Nigerian Institute of Quantity Surveyors; and
  - (ix) president, Nigerian Institute of Architects;
- (f) by inserting new subsections (4) and (5) as follows:
  - "(4) A member of the Council shall hold office for a term of four years and is eligible for re-appointment for another term of four years.
  - (5) (a) Without prejudice to the already stated manners of removing members of the National Council other than the person holding the office of the Director General a member of the Council shall cease to hold office if he —
    - (i) ceases to be a member of the Council, or
    - (ii) acts in a manner prejudicial to the interest of the Council or engages in any activity that is capable of maligning the reputation and credibility of the Council;

- (b) a member of the Council may also be removed in accordance with the provisions of the Regulations of the Council" (*Hon. Peter Akpatason — Akoko-Edo Federal Constituency*).

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

**Clause 3: Amendment of Section 4.**

Section 4 of the principal Act is amended by inserting the words "propose to the Council" before the word "harmonization" and inserting the words "and formulation of new policies and standards" immediately between the words "practice" and "on" (*Hon. Peter Akpatason — Akoko-Edo Federal Constituency*).

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

**Clause 4: Amendment of Section 5.**

(a) Section 5 of the principal Act is amended by substituting for the existing subsections (f), (g), (h), (p) and (r) new subsections (f), (g), (h), (p) and (r) as follows:

- "(f) ensure that no procuring entity exceeds the price limit for any item in (e) above;
- (g) publish the details of major contracts in the procurement journal and on the Bureau's internet portal;
- (h) maintain a national database of the particulars and classification and categorization of federal contractors, suppliers, consultants and service providers;
- (p) perform procurement audits and reviews by procurement professionals, and after approval of the Council submit such report to the National Assembly annually within the first quarter of the preceding year; and
- (r) establish a single e-procurement portal that shall, subject to Section 16 (21) to this Bill serve as a primary and definitive source of all information on government procurement containing and displaying all public sector procurement information at all times to the public (*Hon. Peter Akpatason — Akoko-Edo Federal Constituency*).

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

**Clause 5: Amendment of Section 6.**

Section 6 of the principal Act is amended by inserting a new subsection (2) and renumbering:

- "(2) The request for the Certificate of No Objection shall be processed within two weeks (2) weeks from its presentation to the Bureau by the Committee and upon approval the Director-General shall issue Certificate of No Objection within four (4) working days.

All Certificates of No Objection not issued by the Director-General within the prescribed period shall be deemed to have been issued for the purpose of the procurement" (*Hon. Peter Akpatason — Akoko-Edo Federal Constituency*).

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

**Clause 6: Amendment of Section 7.**

Section 7 of the principal Act is amended in subsection (2) (c) by substituting for the existing paragraph (c) and subsection (5) a new paragraph (c) and subsection (5) as follows:

"(c) a person who is competent and experienced in public procurement and possesses the relevant and adequate professional qualification of not less than 15 years.

(5) In the absence of the Director-General, the Council may designate the most senior staff member of the Bureau as the acting Director-General" (*Hon. Peter Akpatason — Akoko-Edo Federal Constituency*).

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

**Clause 7: Amendment of Section 12.**

Section 12 (4) of the principal Act is amended by inserting new subsection (e) and new subsections (5) and (6) as follows:

"(e) any expenditure connected with all or any of the functions of the Bureau under this Bill.

(5) Local and international grants, loans and donations received by the Bureau for its activities.

(6) Expenditure shall be subject to the approval of the Council" (*Hon. Peter Akpatason — Akoko-Edo Federal Constituency*).

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

**Clause 8: Amendment of Section 13.**

Section 13 (4) of the principal Act is amended in subsection (4) by inserting immediately after the word "Bureau" the words "subject to the approval of the Council, shall" (*Hon. Peter Akpatason — Akoko-Edo Federal Constituency*).

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

**Clause 9: Amendment of Section 14.**

Section 14 of the principal Act is amended in subsection (2) by substituting for the existing subsection (2) a new subsection (2):

"(2) The Director-General of the Bureau, its officers, employees or agents shall not personally be subject to any action, claim or demand by, or liable to any person in respect of anything done or omitted to be done in exercise of any functions or power conferred by this Bill upon the Bureau, its Director-General, officers, employees or agents" (*Hon. Peter Akpatason — Akoko-Edo Federal Constituency*).

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

**Clause 10: Amendment of Section 15.**

Section 15 of the principal Act is amended:

- (a) in subsection (1) by substituting for the existing subsection (1) a new subsection (1) and renumbering;

"(1) This Act shall be applicable to all public procuring and disposal entities under the three arms of the Federal Government".

- (b) by inserting new paragraphs (c)- (i)-(ix), (d), (e) and (2) (a)- (c) as follows:

"(c) without limiting subsections (a) and (b) above, the Act applies to:

(i) Federal Government; Ministries, Departments and Agencies,

(ii) Federal Government Institutions,

(iii) Federal Government owned enterprises, corporations, councils, authorities and commissions provided that they utilize public funds,

(iv) Federal Tertiary and non-Tertiary Educational Institutions,

(v) Federal Hospitals and other Health Institutions,

(vi) the Central Bank of Nigeria and other Federal Government owned Financial Institutions,

(vii) the National Defence and National Security Agencies,

(viii) the National Assembly, and

(ix) the Judiciary;

(d) procurement with internally generated revenues, grants, loans taken or guaranteed by the Federal Government and foreign aid funds except where the applicable loan agreement, guarantee contract or foreign agreement specifically provides the procedure for the use of the funds.

(e) disposal of public properties including stores, plants and equipment.

- (2) The National Defence and national security agencies shall comply with the provisions of this Bill subject to the following:

- (a) the Ministers of Defence, Police Affairs and Interior shall seek and obtain President's approval categorizing the goods, works and services to be procured into either open or special/restricted items;
- (b) the National Defence and national security agencies and the Bureau shall agree on the special and restricted procurement methods, including request for proposals and request for quotations, set out in this Act that shall be applied for the procurement of the restricted items accordingly; and
- (c) the National Defence and national security agencies shall include the Armed Forces, the Nigeria Police Force and any other agency as may be approved by the President" (*Hon. Peter Akpatason — Akoko-Edo Federal Constituency*).

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

**Clause 11: Amendment of Section 16.**

Section 16 of the principal Act is amended:

- (a) in subsection (1) (a) and (b) by inserting immediately after the words "by the" the word "Council".

"(1) Subject to any exemption allowed by this Bill, all public procurement shall be conducted:

- (a) based on the prior review thresholds as may from time to time be set by the Council;
- (b) based only on procurement plans supported by prior budgetary appropriations and no procurement proceedings shall be formalized until the procuring entity has ensured that funds are available to meet the obligations and subject to the threshold in the regulations set by the Council".

- (b) by moving subsection 2 and renumbering it as subsection 35 (3).

- (c) by substituting for the existing subsections (2), (3), (4), (5), (6) (d), (7), (21) (a) and (b) with new subsections (2), (3), (4), (5), (6) (d), (7), (21) (a) and (b) as follows:

"(2) Subject to the provisions of this Bill, the Bureau shall issue the following Certificates of No Objections:

- (i) Certificate of No Objection on the annual procurement plan for each procuring entity;
- (ii) Certificate of No Objection for any contract/project to be executed not through open competitive bidding; and

- (iii) Certificate of No Objection for upward review of existing contract above the approved annual procurement plan.
- (3) For all cases where the Council set a prior review threshold, the Bureau shall prescribe by regulation, guidelines and the conditions precedent to the award of each of the above Certificate of "No Objection" under this Bill.
- (4) Subject to the prior review thresholds as may be set by the Council, any procurement purported to be awarded without a "Certificate of 'No Objection' to Contract Award" and approval of the contract award by a Tenders Board shall be null and void.
- (5) A supplier, contractor or service provider may be a natural person, a legal person or a combination of the two. Suppliers, contractors or service providers acting jointly are jointly and severally liable for all obligations and or responsibility arising from this Bill and the non-performance or improper performance of any contract awarded pursuant to this Bill.
- (6) All bidders in addition to requirements contained in any solicitation documents shall:
- (d) have fulfilled all its obligations to pay taxes for contracts within the Ministerial Tenders Board, while pensions and social security contributions only for contracts above the Ministerial Tenders Board.
- (7) The procuring entity may require a bidder to provide documentary evidence, electronic data or other information it considers necessary as proof that the bidder is qualified in accordance with this Bill and the solicitation documents and for this purpose any such requirements shall apply equally to all bidders.
- (21) (a) The accounting officer of a procuring entity has the primary responsibility to ensure that the provisions of this Bill and the regulations laid down by the Bureau are complied with, and concurrent approval by any Tenders Board shall not absolve the accounting officer from accountability for anything done in contravention of this Bill or the regulations laid down hereunder;
- (b) Where the inflation of contract and or irregular award of contract involve the issuance of the Certificate of No Objection and approved by the Tenders Board, all the members that issue the certificate and all members that approve the contract shall be severally and collectively sanctioned" (*Hon. Peter Akpatason — Akoko-Edo Federal Constituency*).

**Clause 12: Amendment of Section 17.**

(1) Section 17 of the principal Act is amended by substituting for the existing section a new section as follows:

"Subject to the monetary and prior review thresholds for procurements in this Bill as may from time to time be determined by the Council, the following shall be the approving authority for the conduct of public procurement:

- (a) in the case of :
- (i) a government agency, parastatal, or corporation, a Parastatals Tenders Board,
  - (ii) a ministry or extra-ministerial entity, the Ministerial Tender Board,
  - (iii) in the National Assembly, the Parastatals Tenders Board and the National Assembly Tenders Board, and
  - (iv) in the Judiciary, the Judicial Bodies Tenders Board and the Courts Tenders Board;
- (b) in the case of any other public procurement the value of which exceeds the Ministerial Tenders Board threshold or any other thresholds set by the Council :
- (i) the Federal Executive Council for the Executive Arm of Government,
  - (ii) the National Assembly Tenders Board for the Legislative Arm of Government, and
  - (iii) the National Judicial Council Tenders Board for the Judicial Arm of Government.
- (2) (i) The Chief Executive Officer/Accounting Officer of the procuring entity shall chair the Parastatal Tenders Board, the Permanent Secretary shall chair the Ministerial Tenders Board, while the President or his representative shall chair the Federal Executive Council.
- (ii) The accounting officers of the parastatals under the National Assembly shall chair the Parastatals Tenders Board, while the Clerk to the National Assembly shall chair the National Assembly Tenders Board;
- (iii) The Secretaries and Chief Registrars shall chair the Boards of the Judicial Bodies respectively, while the Chief Justice of Nigeria or his representative shall chair the National Judicial Council Tenders Board.

- (3) (i) The Secretary to the Government of the Federation or his representative shall be the Secretary of the Federal Executive Council, the Secretary, Directorate of Procurement, Estate and Works shall serve as Secretary to the National Assembly Tenders Board while the Executive Secretary of the National Judicial Council or his representative shall be the secretary of the National Judicial Council Tenders Board.
- (ii) For the Parastatal Tenders Board/ the Ministerial Tenders Boards, the Directors of Procurement shall be the secretaries, in the case of the judiciary, the Directors of Procurement shall be secretaries of the Judicial Bodies (*Hon. Peter Akpatason — Akoko-Edo Federal Constituency*).

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

**Clause 13: Amendment of Section 18.**

Section 18 of the principal Act is amended in subsection (f) by inserting immediately after the word "procurement" the words "provided in this Bill" (*Hon. Peter Akpatason — Akoko-Edo Federal Constituency*).

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

**Clause 14: Amendment of Section 20.**

Section 20 of the principal Act is amended:

- (a) in subsection(1) by inserting immediately after the word "responsibility" the words "in the case of the National Assembly, the Clerk; and in the case of the Judiciary, the Secretaries of the judicial bodies.
- (b) by inserting new subsections (3), (4), (5), and (6) as follows;
- "(3) The accounting officer of each procuring entity is empowered to purchase or approve contracts without open competitive tendering provided the value of such procurement (low-value procurement) does not exceed certain threshold set by the Council. For such low-value procurement, the advert shall be for one week on the Notice Board of the procuring entity. The Bureau shall prescribe the procedure and other conditions applicable for different procuring entities and for different goods, works and services to be procured. The accounting officer must render a quarterly report to the Parastatal Tenders Board.
- (4) Each employee of a procuring entity and each member of a board or committee of a public entity shall ensure that this Bill, within the areas of assigned responsibility of the employee or member, is complied with.
- (5) All bidders for the procurement of any goods, works and services for any public entity shall comply with all relevant provisions of this Bill.



- (6) Any stakeholder, be it the accounting officer, an officer of the procuring entity, a member of a committee or board of a public entity and any bidder of public goods, works and services, who fails to independently perform within the respective assigned responsibility as prescribed in this Bill and or who contravenes the provisions of this Bill, shall be guilty of an offence" (*Hon. Peter Akpatason — Akoko-Edo Federal Constituency*).

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

**Clause 15: Amendment of Section 21.**

Section 21 of the principal Act is amended by inserting a new subsection(3) as follows:

- "(3) (i) the user department/unit shall be responsible for initiating procurement or disposal, proposing technical specifications for the goods, works and services to be procured; and
- (ii) to ensure that the items are delivered as signed in the contract agreement" (*Hon. Peter Akpatason — Akoko-Edo Federal Constituency*).

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

**Clause 16: Amendment of Section 22.**

Section 22 (1) and (5) of the principal Act is amended by substituting new subsections (1) and (5)

- (1) There is hereby established by this Bill:

For the executive Arm of the Government:

- (i) the parastatals Tenders Board in each procuring entity;
- (ii) the Ministerial Tenders Board in each Ministry and extra-Ministerial Department; and
- (iii) the Federal Executive Council.

For the legislative Arm of Government:

- (i) the Parastatals Tenders Board in each procuring entity under the legislature; and
- (ii) the National Assembly Tenders Board in the National Assembly.

For the Judicial Arm of Government:

- (i) the Judicial Bodies and Courts Tenders Boards in each Parastatal under the Judiciary and all Courts; and
- (ii) the National Judicial Council Tenders Board.

- (5) The decisions of all Tenders Boards shall be confirmed respectively by the Political Heads of the procuring entities provided that the Political Heads are not the Chairmen of the Tenders Board" (*Hon. Peter Akpatason — Akoko-Edo Federal Constituency*).

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

**Clause 17: Amendment of Section 24.**

Section 24 of the principal Act is amended by substituting for the existing subsections (1) and (2) new subsections (1) and (2);

- "(1) Except as provided by this Bill, all procurements of goods, works and services by all procuring entities shall be conducted by open competitive bidding. Any procuring entity that shall apply any other procurement option prescribed in this Bill, the accounting officer of the entity shall submit a request and obtain the approval of the Bureau.
- (2) Any reference to open competitive bidding in this Bill means the process by which a procuring entity based on previously defined criteria, effects public procurements by offering to every interested bidder, equal simultaneous information and opportunity to offer the goods, works and services needed" (*Hon. Peter Akpatason — Akoko-Edo Federal Constituency*).

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

**Clause 18: Amendment of Section 25.**

Section 25 is amended by substituting for the existing subsections (2) paragraphs (i) and(ii):

- "(2) Every invitation to an open competitive bid shall:
- (i) in the case of goods and works under International Competitive Bidding, the invitation for bids shall be advertised in at least two national newspapers and one relevant internationally recognized publication, any official websites of the procuring entity and the Bureau as well as the procurement journal of not more than four weeks for contracts within the thresholds of the Parastatals and Ministerial Tenders Boards and not more than six weeks for contracts above the threshold of the Ministerial Tenders Board before the deadline for the submission of the bids for the goods, works and services; and
- (ii) in the case of goods and works valued under National Competitive Bidding, the invitation for bids shall be advertised on the notice board of the procuring entity, any official web sites of the procuring entity, at least two national newspapers, and in the procurement journal not more than four weeks for contracts within the thresholds of the Parastatals and Ministerial Tenders Boards and not more than six weeks for contracts above the threshold of the Ministerial Tenders Board before the deadline for submission of the bids

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

**Clause 19: Amendment of Section 26.**

Section 26 of the principal Act is amended:

- (a) by inserting immediately after the words "set by the" the word "Council".
- (b) by substituting for the existing subsections (2) and (3) new subsections (2) and (3):
  - "(2) The Bureau shall from time to time specify the principal terms and conditions of the required bid security which shall be included in the tender documents of the procuring entity.
  - (3) When the procuring entity requires all bidders submitting tenders to provide a bid security the requirement shall apply to all bidders" (*Hon. Peter Akpatason — Akoko-Edo Federal Constituency*).

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

**Clause 20: Amendment of Section 27.**

Section 27 of this Bill is amended by substituting for the existing subsection (1) new subsection (1):

- "(1) All bids in response to an invitation to open competitive bidding shall be submitted in writing, electronic or any other format stipulated in the tender documents signed (physically or electronically) by an official authorized to bind the bidder to a contract and placed in a sealed envelope.
- (2) All submitted bids shall be deposited in a secured tamper-proof bid-box.
- (3) All bids submitted shall be in English language.
- (4) The procuring entity shall issue a receipt showing the date and time the bid was delivered.
- (5) Any bid received after the deadline for the submission of bids shall not be opened and must be returned to the supplier or contractor which submitted it.
- (6) No communication shall take place between procuring entities and any supplier or contractor after the publication of a bid solicitation other than as provided in this Bill" (*Hon. Peter Akpatason — Akoko-Edo Federal Constituency*).

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

**Clause 21: Amendment of Section 30.**

- (a) substituting for the existing subsection (e) new subsection (e):
- "(e) call-over to the hearing of all present, the name and address of each bidder, the total amount of each bid, the bid currency, validity period, completion period and shall ensure that these details are recorded by the Secretary of the Tenders Opening Committee or his delegate in the minutes of the bid opening"
- (b) inserting new subsection (f) as follows:
- "(f) this exercise shall be carried out by the procurement department of the procuring entities in the presence of the Legal officer of the entity and all those specified in section 19 (b) of this Bill" (*Hon. Peter Akpatason — Akoko-Edo Federal Constituency*).

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

**Clause 22: Amendment of Section 31.**

Section 31 of the principal Act is amended by inserting immediately after the word "ask" the word "bidder" (*Hon. Peter Akpatason — Akoko-Edo Federal Constituency*).

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

**Clause 23: Amendment of Section 35.**

Section 35 of the principal Act is amended by substituting for the existing subsection (1) new subsection (1) as follows:

- "(1) In addition to any other regulations as may be prescribed by the Bureau, a mobilization fee of not more than 30% for local contractors only may be paid to a supplier or contractor supported by an unconditional bank guarantee or insurance bond issued by an institution acceptable to the procuring entity until the mobilization fee is fully amortized or recovered" (*Hon. Peter Akpatason — Akoko-Edo Federal Constituency*).

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

**Clause 24: Amendment of Section 36.**

Section 36 of the principal Act is amended:

- (a) immediately after the word "Guarantee" by inserting the words "and Letter of Credit" in the marginal notes.
- (b) by substituting for the existing section 36 a new subsection 36 as follows:
- "(1) The provision of a Performance Guarantee, an unconditional insurance bond shall be a precondition for the award of any procurement contract upon which any mobilization fee is to be paid, provided however it shall not be less than 10% of the contract value.



- (2) All contracts approved by a Tenders Board requiring the opening of irrevocable letter shall be stated explicitly in the contract agreement and the procuring entity shall liaise with the Central Bank of Nigeria, CBN for further guidelines" (*Hon. Peter Akpatason — Akoko-Edo Federal Constituency*).

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

**Clause 25: Amendment of Section 55.**

Section 55 of the principal Act is amended in by substituting for subsection (1) a new subsection (1) as follows:

"This Section shall apply to the disposal of all depreciated items procured by procuring entities under this Act while the Public Enterprises (Privatization and Commercialization) Act, 1999 shall apply to the disposal of larger national asset" (*Hon. Peter Akpatason — Akoko-Edo Federal Constituency*).

*Question that Clause 25 stands part of the Bill — Agreed to.*

**Clause 26: Amendment of Section 60.**

Section 60 of the principal Act is amended by substituting for the existing definitions as follows:

"Contract" means an agreement entered in writing between a procuring entity and a contractor, supplier or consultant (*Hon. Peter Akpatason — Akoko-Edo Federal Constituency*).

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

"Procuring entity" means any public body or Government organ engaged in procurement and includes a Ministry, Extra-Ministerial office, Government Agency, Parastatal, Corporation, Commission, National Assembly and Judiciary" (*Hon. Peter Akpatason — Akoko-Edo Federal Constituency*).

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

"Public Procurement" means the acquisition by any means of goods, works and services by the Government (*Hon. Peter Akpatason — Akoko-Edo Federal Constituency*).

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

*Question that Clause 26 stands part of the Bill — Agreed to.*

**Clause 27: Short Title.**

This Bill may be cited as the Public Procurement Act, No.14 of 2007 (Amendment) Bill, 2019 (*Hon. Peter Akpatason — Akoko-Edo Federal Constituency*).

*Question that Clause 27 stands part of the Bill — Agreed to.*

**Explanatory Memorandum:**

This Bill seeks to amend the National Council on Public Procurement and the Bureau of Public Procurement to review mobilization fee paid to contractors, institute e-procurement and to provide time frame for the procurement processes, etc. (*Hon. Peter Akpatason — Akoko-Edo Federal Constituency*).

*Agreed to.*

**Long Title:**

A Bill for an Act to Amend the National Council on Public Procurement and the Bureau of Public Procurement Act, No. 14 of 2007 to Review the Mobilization Fees Paid to Contractors, Institute e-procurement and Provide Time Frame for the Procurement Processes, etc.; and for Related Matters (HB. 583) (*Hon. Peter Akpatason — Akoko-Edo Federal Constituency*).

*Agreed to.*

*Chairman to report Bill.*

**(HOUSE IN PLENARY)**

Mr Deputy Speaker in the Chair, reported that the House in Committee of the Whole considered the Report on a Bill for an Act to Amend the National Council on Public Procurement and the Bureau of Public Procurement Act, No. 14, 2017 to Review the Mobilization Fees paid to Contractors, Institute E-Procurement and Provide time frame for the Procurement Process etc.; and for Related Matters (HB.583) and approved Clauses 1 - 27, the Explanatory Memorandum, and the Long Title of the Bill.

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

**(ii) A Bill for an Act to Amend the Nigerian Maritime Administration and Safety Agency Act, No. 17, 2017 to Allocate One Percent of the Maritime Fund to the Fund Established under Section 6 of the Maritime Operation Coordinating Board Act; and for Related Matters (HB. 477) (Committee of the Whole):**

*Motion made and Question proposed, “That the House do consider the Report on a Bill for an Act to Amend the Nigerian Maritime Administration and Safety Agency Act, No. 17, 2017 to Allocate One Percent of the Maritime Fund to the Fund Established under Section 6 of the Maritime Operation Coordinating Board Act; and for Related Matters (HB. 477)” (Hon. Yusuf Gagdi — Kanke/Paskshin/Kanam Federal Constituency).*

*Agreed to.*

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

**(HOUSE IN COMMITTEE)**

*(Mr Deputy Speaker in the Chair)*

A BILL FOR AN ACT TO AMEND THE NIGERIAN MARITIME ADMINISTRATION AND SAFETY AGENCY ACT, NO. 17, 2017 TO ALLOCATE ONE PERCENT OF THE MARITIME FUND TO THE FUND ESTABLISHED UNDER SECTION 6 OF THE MARITIME OPERATION COORDINATING BOARD ACT; AND FOR RELATED MATTERS

**Clause 1: Amendment Act, No. 17, 2007.**

The Nigerian Maritime Administration and Safety Agency Act, No. 17, 2007 (in this Bill referred to as "the Principal Act") is amended as set out in this Bill (*Hon. Yusuf Adamu Gagdi — Kanke/Paskshin/Kanam Federal Constituency*).

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

**Clause 2: Amendment of section 17.**

Section 17 of the Principal Act is amended by inserting after subsection (4), a new subsection "(4A)" —

"(4A) One per cent of the maritime fund shall be subjected to the Maritime Fund under section 6 of the Maritime Security Operation Coordinating Board Act" (*Hon. Yusuf Adamu Gagdi — Kanke/Paskshin/Kanam Federal Constituency*).

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

**Clause 3: Amendment of section 22.**

Section 22 of the Principal Act is amended by deleting subsections (2) - (6) (*Hon. Yusuf Adamu Gagdi — Kanke/Paskshin/Kanam Federal Constituency*).

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

**Clause 4: Citation.**

This Bill may be cited as Nigerian Maritime Administration and Safety Agency Act (Amendment) Bill, 2019 (*Hon. Yusuf Adamu Gagdi — Kanke/Paskshin/Kanam Federal Constituency*).

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

**Explanatory Memorandum:**

This Bill amends the Nigerian Maritime Administration and Safety Agency Act No. 17, 2017 to allocate one percent of the maritime funds to the Fund established under section 6 of the Maritime Operation Coordinating Board Act (*Hon. Yusuf Adamu Gagdi — Kanke/Paskshin/Kanam Federal Constituency*).

*Agreed to.*

**Long Title:**

A Bill for an Act to Amend the Nigerian Maritime Administration and Safety Agency Act, No. 17, 2017 to Allocate One Percent of the Maritime Fund to the Fund Established Under Section 6 of the Maritime Operation Coordinating Board Act; and for Related Matters (HB. 477) (*Hon. Yusuf Adamu Gagdi — Kanke/Paskshin/Kanam Federal Constituency*).

*Agreed to.*

*Chairman to report Bill.*

**(HOUSE IN PLENARY)**

Mr Deputy Speaker in the Chair, reported that the House in Committee of the Whole considered the Report on a Bill for an Act to Amend the Nigerian Maritime Administration and Safety Agency Act, No. 17, 2017 to Allocate One Percent of the Maritime Fund to the Fund Established under Section 6 of the Maritime Operation Coordinating Board Act; and for Related Matters (HB. 477) and approved Clauses 1 - 4, the Explanatory Memorandum, and the Long Title of the Bill.



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

**(iii) A Bill for an Act to Provide for the Establishment of the Institute of Environmental Practitioners of Nigeria; and for Related Matters (HB. 353) (Committee of the Whole):**

*Motion made and Question proposed, “That the House do consider the Report on a Bill for an Act to Provide for the Establishment of the Institute of Environmental Practitioners of Nigeria; and for Related Matters (HB. 353)”(Hon. Makwe Livinus Makwe — Ivo/Ohaozara/Onicha Federal Constituency).*

**Agreed to.**

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

**(HOUSE IN COMMITTEE)**

*(Mr Deputy Speaker in the Chair)*

**A BILL FOR AN ACT TO PROVIDE FOR THE ESTABLISHMENT OF  
THE INSTITUTE OF ENVIRONMENTAL PRACTITIONERS OF  
NIGERIA AND FOR RELATED MATTERS (HB. 353)**

*Consideration deferred.*

*Chairman to report progress.*

**(HOUSE IN PLENARY)**

Mr Deputy Speaker in the Chair, reported that the House in Committee of the Whole deferred consideration of the Report on a Bill for an Act to Provide for the Establishment of the Institute of Environmental Practitioners of Nigeria; and for Related Matters (HB. 353).

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

**(iv) A Bill for an Act to Repeal the Pharmacists Council of Nigeria, Act, Cap. P17, Laws of the Federation of Nigeria, 2004 and Enact the Pharmacy Council of Nigeria Bill to Regulate the Training and Practice of Pharmacy; and for Related Matters (HB. 334) (Committee of the Whole):**

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

**(v) Ad-hoc Committee on the Investigation of the Circumstances of the Alleged Abscondment of Five Nigerian Soldiers:**

*Motion made and Question proposed, “That the House do consider the Report of the Ad-hoc Committee on the Investigation of the Circumstances of the Alleged Abscondment of Five Nigerian Soldiers of the Operation Harbin Kunama III with large Amount of Cash and approve the recommendations therein”(Hon. Suleiman Aminu — Fagge Federal Constituency).*

**Agreed to.**

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

**(HOUSE IN COMMITTEE)**

*(Mr Deputy Speaker in the Chair)*

**Recommendation (i):**

Urge the Military Authority to fast-track the completion of its internal disciplinary mechanism as provided for in the Armed Forces Act, Cap. A20, Laws of the Federation of Nigeria, 2004 to enable the relevant Authority commence prosecution of those indicted and recover the stolen money (*Hon. Suleiman Aminu — Fagge Federal Constituency*).

**Agreed to.**

**Recommendation (ii):**

also urge the Military Authority and all other Law Enforcement Agencies, particularly the Police to make public the details of the five Soldiers alleged to have absconded and, as a matter of urgency, take steps to apprehend them and recover the stolen money, considering that those individuals are highly trained Soldiers and if left unattended to, may portend grave and serious security threat to the nation (*Hon. Suleiman Aminu — Fagge Federal Constituency*).

**Agreed to.**

**Additional Recommendations:****Recommendation (iii):**

Condemn the Military authority of the 8 Division of the Nigerian Army for allowing the practice that encourages their personnel to carry large volume of cash belonging to the Division thereby enabling fraud (*Hon. James Abiodun Faleke — Ikeja Federal Constituency*).

**Agreed to.**

**Recommendation (iv):**

also urge the Military Authority of the 8 Division of the Nigerian Army to discontinue with the practice of cash-based transaction and ensure that no officer is allowed to handle large volumes of cash on behalf of the Division (*Hon. Ndudi Elumelu — Aniocha/Oshimili Federal Constituency*).

**Agreed to.**

*Chairman to report proceedings.*

**(HOUSE IN PLENARY)**

Mr Deputy Speaker in the Chair, reported that the House in Committee of the Whole considered the Report of the *Ad-hoc* Committee on Investigation of the Circumstances of the Alleged Abscondment of Five Nigerian Soldiers of the Operation Harbin Kunama III with large Amount of Cash and approved Recommendations (i) and (ii), and approved new Recommendations (iii) and (iv) of the Report.

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

**26. Adjournment**

*That the House do adjourn till Thursday, 19 December, 2019 at 11.00 a.m. (Hon. Peter Akpatason — Deputy House Leader).*

*The House adjourned accordingly at 3.17 p.m.*

**Femi Hakeem Gbajabiamila**  
*Speaker*