



HOUSE OF REPRESENTATIVES FEDERAL REPUBLIC OF NIGERIA

VOTES AND PROCEEDINGS

Wednesday, 10 October, 2018

1. The House met at 11.54 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 Tuesday, 9 October, 2018.

The Votes and Proceedings was adopted by unanimous consent.

3. **Oaths of Allegiance and Membership**
A Member-elect, Haruna Isah (*Lokoja/Kogi/Koton Karfe Federal Constituency*) took and subscribed to the Oaths of Allegiance and Membership as prescribed by law.
4. **Messages**
Mr Speaker read the following messages from the President of the Federal Republic of Nigeria:

(i)



**PRESIDENT,
FEDERAL REPUBLIC OF NIGERIA**

18th August, 2018

Right Honourable Yakubu Dogara
*Speaker of the House of Representatives,
National Assembly Complex,
Three Arms Zone,
Abuja.*

Dear Rt Hon. Y. Dogara,

RESUMPTION OF OFFICE

In compliance with Section 145 of the 1999 Constitution (as amended), I write to intimate the House of Representatives that I have resumed my functions as the President of the Federal Republic of Nigeria with effect from today, Saturday, 18th August, 2018, after my vacation.

Please accept, Honourable Speaker, the assurances of my highest consideration.

Yours Sincerely,

(Signed)

Muhammadu Buhari

(ii)



**PRESIDENT,
FEDERAL REPUBLIC OF NIGERIA**

27th August, 2018

Rt. Hon. Yakubu Dogara
*Speaker of the House of Representatives,
National Assembly Complex,
Three Arms Zone,
Abuja.*

Dear Rt Hon. Y. Dogara,

**PRESIDENTIAL DECISION TO DECLINE ASSENT TO
THE ADVANCE FEE FRAUD AND OTHER RELATED
OFFENCES (AMENDMENT) BILL, 2017**

Pursuant to Section 58 (4) of Constitution of the Federal Republic of Nigeria, 1999 (as amended), I hereby convey to the House of Representatives, my decision, on (27th August, 2018) to decline Presidential Assent to the Advance Fee Fraud and Other Related Offences (Amendment) Bill, 2017 recently passed by the National Assembly.

I am declining Presidential Assent to this Bill which would reduce the minimum punishment for the offences under the Advance Fee Fraud and Other Related Offences Act due to the prevalence of the offences, the need to deter the offences and the need to adequately punish offenders. I am also concerned that the amendment to the Principal Act have watered down the sentences by giving the courts too much discretion in respect of the minimum sentence.

Please accept, Right Honourable Speaker, the assurances of my highest consideration.

Yours Sincerely,

(Signed)

Muhammadu Buhari

(iii)



**PRESIDENT,
FEDERAL REPUBLIC OF NIGERIA**

27th August, 2018

Rt. Hon. Yakubu Dogara
*Speaker of the House of Representatives,
National Assembly Complex,
Three Arms Zone,
Abuja.*

Dear Rt Hon. Y. Dogara,

**PRESIDENTIAL DECISION TO DECLINE ASSENT TO THE
NATIONAL AGRICULTURAL SEEDS COUNCIL BILL, 2018**

Pursuant to Section 58 (4) of Constitution of the Federal Republic of Nigeria, 1999 (as amended), I hereby convey to the House of Representatives, my decision, on (27th August, 2018) to decline Presidential Assent to the National Agricultural Seeds Council Bill, 2018 recently passed by the National Assembly.

I am declining assent to this Bill because there already exists a National Crop Varieties and Livestock Breed (Registration, etc.) ("NVRC") Act which covers some of the proposed functions of the National Agricultural Seed Council Bill, 2018. For example, Sections 4 (3) of the NSAC duplicates Section 6 (a) and (b) of the existing NVRC with respect to the registration and release of crop varieties.

The passage into law of this Bill would thus create confusion as to the proper authority to regulate crop varieties in Nigeria.

Please accept, Right Honourable Speaker, the assurances of my highest consideration.

Yours Sincerely,

(Signed)

Muhammadu Buhari

(iv)



**PRESIDENT,
FEDERAL REPUBLIC OF NIGERIA**

30th August, 2018

Rt. Hon. Yakubu Dogara
*Speaker of the House of Representatives,
National Assembly Complex,
Three Arms Zone,
Abuja.*

Dear Rt Hon. Y. Dogara,

**PRESIDENTIAL DECISION TO DECLINE ASSENT TO THE
NIGERIAN MARITIME ADMINISTRATION AND SAFETY
AGENCY (AMENDMENT) BILL, 2017**

*Pursuant to Section 58 (4) of Constitution of the Federal Republic of Nigeria, 1999 (as amended), I hereby convey to the House of Representatives, my decision to decline Presidential Assent to the **Nigerian Maritime Administration and Safety Agency (Amendment) Bill, 2017** recently passed by the National Assembly.*

*I am declining assent to this Bill because the amendment will create distortions to the operationalization of the NIMASA Act. I urge the House to focus on passing the **Suppression of Piracy and Other Related Offences Bill** currently before the National Assembly to achieve a more comprehensive review of operations in the Maritime Sector, with the objective of realigning its agencies for more efficient service delivery and focus on the security of our maritime frontiers.*

Please accept, Right Honourable Speaker, the assurances of my highest consideration.

Yours Sincerely,

(Signed)

Muhammadu Buhari

(v)



**PRESIDENT,
FEDERAL REPUBLIC OF NIGERIA**

30th August, 2018

Rt Hon. Yakubu Dogara
Speaker of the House of Representatives,
National Assembly Complex,
Three Arms Zone,
Abuja.

Dear Rt Hon. Y. Dogara,

**PRESIDENTIAL DECISION TO DECLINE ASSENT TO THE NATIONAL
RESEARCH AND INNOVATION COUNCIL (ESTABLISHMENT) BILL, 2017**

Pursuant to Section 58 (4) of Constitution of the Federal Republic of Nigeria, 1999 (as amended), I hereby convey to the House of Representatives, my decision, on 30th August, 2018 to decline Presidential Assent to the *National Research and Innovation Council (Establishment) Bill, 2017* recently passed by the National Assembly.

My reasons for withholding assent to the bill include the following:

- (a) The requirement for 5% of the annual allocation of 14 entities listed in section 17 of the Bill to be paid into the Research and Innovation Fund is unwieldy and may be practically difficult to implement in some instances, example the Tertiary Education Trust Fund does not receive any federal allocation.
- (b) Furthermore, the requirement that 1% of the National Gross Domestic Product (GDP) to be sourced from the Federal Government should be paid into the Research and Innovation Fund is also practically unworkable as the GDP is an economic measure of the market value of all the final goods and services produced in a period of time, it is not cash or revenue accruable to the Federal Government.
- (c) There are also incorrect references to some of the entities specified in Section 17 of the Bill. For instance, the Information Technology and Development Fund should be the National Information Technology Development Fund.

Please accept, Right Honourable Speaker, the assurances of my highest consideration.

Yours Sincerely,

(Signed)

Muhammadu Buhari

(vi)



**PRESIDENT,
FEDERAL REPUBLIC OF NIGERIA**

30th August, 2018

Rt Hon. Yakubu Dogara
Speaker of the House of Representatives,
National Assembly Complex,
Three Arms Zone,
Abuja.

Dear Rt Hon. Y. Dogara,

**PRESIDENTIAL DECISION TO DECLINE ASSENT
TO THE ELECTORAL (AMENDMENT) BILL, 2018**

Pursuant to Section 58 (4) of Constitution of the Federal Republic of Nigeria, 1999 (as amended), I hereby convey to the House of Representatives, my decision, on 30th August, 2018 to decline Presidential Assent to the **Electoral (Amendment) Bill, 2018** recently passed by the National Assembly.

I am declining assent to the Electoral Amendment Bill due to some drafting issues that remain unaddressed following the prior revisions to the Bill. I invite the Hon. House of Representatives to address these issues as quickly as possible so that I may grant President Assent to the Electoral Amendment Bill.

The outstanding issues are as follows:

- (a) There is a cross referencing error in the proposed amendment to Section 18 of the Bill. The appropriate amendment is to substitute the existing subsection (2) with the proposed subsection (1) (a), while the proposed subsection (1) (b) is the new subsection (2) (a).
- (b) The proposed amendment to include a new Section 67 (14) which stipulates a specific period within which political party primaries are required to be held has the unintended consequence of leaving INEC with only 9 days to collate and compile lists of candidates and political parties as well as manage the primaries of 91 political parties for the various elections. This is because the Electoral Amendment Bill does not amend sections 31, 34 and 85 which stipulate times for submission of lists of candidates, publication of lists of candidates and notice of convention, congresses for nominating candidates for elections.
- (c) Qualifying language should also be considered to the provisions of Section 36 (3) since an unintended effect of the current drafting may be to unduly increase the cost and administrative burden of conducting elections in the event that any candidate, no matter how inconsequential to the overall electoral process passes away during the elections.

Please accept, Right Honourable Speaker, the assurances of my highest consideration.

Yours Sincerely,

(Signed)

Muhammadu Buhari

(vii)



**PRESIDENT,
FEDERAL REPUBLIC OF NIGERIA**

30th August, 2018

Rt. Hon. Yakubu Dogara
*Speaker of the House of Representatives,
National Assembly Complex,
Three Arms Zone,
Abuja.*

**PRESIDENTIAL DECISION TO DECLINE ASSENT TO THE NATIONAL
INSTITUTE OF HOSPITALITY AND TOURISM (ESTABLISHMENT) BILL, 2018**

Pursuant to Section 58 (4) of Constitution of the Federal Republic of Nigeria, 1999 (as amended), I hereby convey to the House of Representatives, my decision, on 30th August, 2018 to decline Presidential Assent to the National Institute of Hospitality and Tourism (Establishment) Bill, 2018 recently passed by the National Assembly.

I am declining assent to the Bill because:

- (a) *There is no compelling reason for the requirement in Section 5 (3) (k) that 25% of the revenue generated for the Federal Government should be used directly by the Institute. The retention of such a high amount is to the determinant of the revenue available for funding the budget of the Federal Government and is far in excess of what the Federal Inland Revenue and the Nigeria Customs Service are able to retain which is 4% and 7% respectively; and*
- (b) *A number of provisions in the First Schedule to the Bill in respect of the Supplementary Provisions relating to the Board are not in accordance with good practice in corporate governance.*

Please accept, Right Honourable Speaker, the assurances of my highest consideration.

Yours Sincerely,

(Signed)

Muhammadu Buhari

(viii)



**PRESIDENT,
FEDERAL REPUBLIC OF NIGERIA**

30th August, 2018

Rt. Hon. Yakubu Dogara
*Speaker of the House of Representatives,
National Assembly Complex,
Three Arms Zone,
Abuja.*

Dear Rt Hon. Y. Dogara,

***PRESIDENTIAL DECISION TO DECLINE ASSENT TO THE
SUBSIDIARY LEGISLATION (LEGISLATIVE SCRUTINY) BILL, 2018***

*Pursuant to Section 58 (4) of Constitution of the Federal Republic of Nigeria, 1999 (as amended). I hereby convey to the House of Representatives. my decision to decline Presidential Assent to the **Subsidiary Legislation (Legislative Scrutiny) Bill, 2018.***

I am declining Presidential assent to this Bill because I am concerned that:

- (a) The Bill will slow down the administrative process for implementing agencies;*
- (b) The Bill does not leave room for administrative discretion borne out from administrative experiences that would enable sectors work faster in handling or addressing urgent matters;*
- (c) The Bill may also impede the Federal Government's drive for increased revenue collection since an implementing agency that drives revenue from licenses will now have to go through a legislative process every time it intends to update its administrative process of increase license fees.*

Please accept, Right Honourable Speaker, the assurances of my highest consideration.

Yours Sincerely,

(Signed)

Muhammadu Buhari

(ix)



**PRESIDENT,
FEDERAL REPUBLIC OF NIGERIA**

30th August, 2018

Rt Hon. Yakubu Dogara
Speaker of the House of Representatives,
National Assembly Complex,
Three Arms Zone,
Abuja.

Dear Rt Hon. Y. Dogara,

**PRESIDENTIAL DECISION TO DECLINE ASSENT TO THE
CHARTERED INSTITUTE OF ENTREPRENEURSHIP
(ESTABLISHMENT) BILL, 2018**

Pursuant to Section 58 (4) of Constitution of the Federal Republic of Nigeria, 1999 (as amended), I hereby convey to the House of Representatives, my decision on 30th August, 2018 to decline Presidential assent to the **Chartered Institute of Entrepreneurship (Establishment) Bill, 2018** recently passed by the National Assembly.

I am declining assent to the Bill because:

- (a) I believe it is unnecessary in view of the fact that potential entrepreneurs have various existing options to hone their skills such as universities which currently offer entrepreneurship as a course of study;
- (b) The creation of the institute by legislation is not coextensive or coterminous with capacity development, and
- (c) The proposed Bill may constrain citizen's rights and freedom of action.

Please accept, Right Honourable Speaker, the assurances of my highest consideration.

Yours Sincerely,

(Signed)

Muhammadu Buhari

(x)



**PRESIDENT,
FEDERAL REPUBLIC OF NIGERIA**

17th September, 2018

Rt Hon. Yakubu Dogara
*Speaker of the House of Representatives,
National Assembly Complex,
Three Arms Zone,
Abuja.*

Dear Rt Hon. Y. Dogara,

**TRANSMISSION OF THE NIGERIA POLICE ACADEMY
(ESTABLISHMENT, ETC.) BILL, 2018 FOR CONSIDERATION
AND PASSAGE INTO LAW**

*Pursuant to Section 58 of Constitution of the Federal Republic of Nigeria, 1999 (as amended), I formally request that the **Nigeria Police Academy (Establishment, etc.) Bill, 2018** be considered by the House of Representatives for passage into law.*

The Bill seeks to formally establish, by law, the Nigeria Police Academy. The Federal Ministry of Justice, in finalizing the Bill, has ensured that its contents have been couched in line with the best traditions of legislative drafting.

I trust that this conveyance of the Nigeria Police Academy (Establishment, etc.) Bill, 2018 will be favourably considered and passed into law by the National Assembly.

Please accept, Right Honourable Speaker, the assurances of my highest consideration.

Yours Sincerely,

(Signed)

Muhammadu Buhari

(xi)



**PRESIDENT,
FEDERAL REPUBLIC OF NIGERIA**

19th September, 2018

*Rt Hon. Yakubu Dogara
Speaker of the House of Representatives,
National Assembly Complex,
Three Arm Zone,
Abuja*

Dear Rt Hon. Y. Dogara,

REQUEST FOR VIREMENT/SUPPLEMENTARY BUDGET

You may recall that in my letter dated 11th July, 2018, I requested for the kind consideration of the National Assembly for a virement under the 2018 Appropriation Act. Part of this request was for the funding of the requests made by the Independent National Electoral Commission (INEC) and Security Agencies for the 2019 general elections.

In ~~my letter~~, I indicated that INEC, and the Security Agencies indicated that their total funding requirements for the 2019 elections would amount to **₦242,445,322,600.00**. Of that amount, I have requested that **₦164,104,792,065.00** be accommodated in the 2018 Budget, by way of virement within the 2018 Appropriation Act, whilst the balance of **₦78,340,530,535.00**, should be considered by the National Assembly as part of the 2019 Budget.

When the Hon. Minister of Budget and National Planning, Senator Udoma Udo Udoma, appeared before the Joint Committee of the National Assembly, set up to consider my request, he was informed that the National Assembly would be willing to consider accommodating the total amount required for the funding of the 2019 elections as part of the virements of the 2018 Appropriation Act, provided there was a specific request made by me.

In the light of the current realities, and in order to ensure that the 2019 general elections are not affected by any delays in the passage into law of the 2019 Budget, I accept this kind suggestion. I therefore wish to formally request that the total amount of **₦242,445,322,600.00** requested by INEC, and the Security Agencies, be considered for inclusion in my virement request under the 2018 Appropriation Act.

I look forward to your urgent consideration of this request to ensure that the 2019 general elections are properly conducted.

Please accept, Right Honourable Speaker, the assurances of my highest consideration.

Yours Sincerely,

(Signed)

Muhammadu Buhari

(xii)



**PRESIDENT,
FEDERAL REPUBLIC OF NIGERIA**

4th October, 2018

Rt Hon. Yakubu Dogara
Speaker of the House of Representatives,
National Assembly Complex,
Three Arms Zone,
Abuja.

Dear Rt Hon. Y. Dogara,

**NIGER DELTA DEVELOPMENT COMMISSION (NDDC)
2018 STATUTORY BUDGET PROPOSAL**

Pursuant to the Niger Delta Development Commission (Establishment) Act, I forward herewith the 2018 Budget Estimates of the Commission, for the kind consideration and passage by the House of Representatives of the Federal Republic of Nigeria.

The Commission's Revenue and expenditure profile is as shown in the table below:

	2017 Approved Budget (₦) Million	2018 Approved Budget (₦) Million
A. REVENUE		
Revenue Brought Forward	15,532.00	10,500
Federal Government Contribution	64,023.55	81,882
Unpaid Arrears by Federal Government,	50,000.00	33,981
Oil Companies Contribution and Others	219,902.55	220,000
Ecological Funds	15,000.00	—
Other Realised Income	50.00	150
Total Revenue	364,508.1	346,513.0
B. EXPENDITURE		
Recurrent		
Personnel	17,797	19,522
Overhead	12,459	12,737
Capital		
Internal Capital	4,402	2,883
Development Projects and Coastal States Special Projects	329,850.1	311,371
Total Expenditure	364,508.1	346,513.0

While hoping that this request will receive the expeditious consideration of the House of Representatives, please accept, Right Honourable Speaker, the assurances of my highest consideration.

Yours Sincerely,

(Signed)

Muhammadu Buhari

Request referred to the Committee on Niger Delta Development Commission (NDDC).

5. Technical Committee on Bills not Assented to by the President

Mr Speaker announced the Membership of the Committee as follows:

- | | | | |
|-----|------------------------------|---|-----------------|
| (1) | Hon. Orker-Jev Emmanuel Isah | — | <i>Chairman</i> |
| (2) | Hon. Edward Pwajok | — | <i>Member</i> |
| (3) | Hon. Adeyinka Ajayi | — | <i>Member</i> |
| (4) | Hon. Lawal Shuaibu | — | <i>Member</i> |
| (5) | Hon. Gabriel Onyeweife | — | <i>Member</i> |
| (6) | Hon. Chinda Kingsley | — | <i>Member</i> |
| (7) | Hon. Soba Mohammed | — | <i>Member</i> |

6. Announcement

- (i) Mr Speaker read a communication from Hon. Ahmed Usman Babba Kaita (*Kankia/Kusada Ingawa Federal Constituency*):

Rep. Ahmed Usman Babba Kaita
CHAIRMAN, HOUSE COMMITTEE ON HOUSING

24 August, 2018

The Right Honourable Speaker
House of Representative
National Assembly
Three Arm Zone,
Abuja.

**NOTICE OF MY ELECTION INTO THE SENATE AS SENATOR
REPRESENTING DAURA SENATORIAL ZONE OF KATSINA STATE**

Consequent upon the conclusion of the by-election held in Daura Senatorial Zone of Katsina State on the 11th of August, 2018, in which I contested keenly and won, I am obliged to notify your office that INEC has issued me with my certificate of return as the duly elected Senator (Find enclosed with this letter the photocopy of my certificate of return).

I feel deeply indebted to thank you and all my colleagues in the House of Representatives for the cordial relationship and the show of support and solidarity that I received which am sure will continue as I move to the Senate.

Please accept with this letter Mr Speaker, the consideration of my most esteemed regards.

(Signed)

Hon. Ahmed Babba Kaita

(ii) Nomination of Deputy Majority Leader of the House:

Mr Speaker read a communication from Hon. Femi Gbajabiamila (*House Leader*) announcing the nomination of Hon. Ahmed Idris Wase (*Wase Federal Constituency*) as the Deputy House Leader.

7. Closed Session

Motion made and Question proposed, "That the House do resolve into a Closed Session" (Hon. Femi Gbajabiamila — House Leader) — Agreed to.

House in Closed Session — 12.32 p.m.

House in Open Session — 1.52 p.m.

8. Welcome Address by Mr Speaker

Mr Speaker addressed Hon. Members as follows:

Protocols:

I am delighted to welcome all members back to plenary after our recess. I have no doubt that we have all refreshed ourselves in preparation for the concluding part of our tenure, even though it was a politically busy period.

2. *Let me first of all commend all members of the various Committees that engaged in some legislative activities during the recess. In particular, I commend the Joint Committee on INEC for the patriotism, sacrifice and commitment they put into the work on the INEC Supplementary Budget for the 2019 General Elections. This was the irreducible first step to be taken before the matter goes to the Appropriations Committee for further legislative action as stipulated by our Rules.*

3. *Hon. Members, you are all aware that during our recess, what I will describe as the rudest assault ever, was dealt on the institution of the National Assembly on Tuesday, 7th August, 2018, when masked personnel of the Department of State Services, DSS, for inexplicable reasons, invaded this complex and forcefully locked up and occupied the National Assembly. This despicable assault was the third by security agencies working in concert with anti democratic elements in quick succession.*

4. *Expectedly, this last display of brute force by agencies that have constitutionally assigned responsibilities of protecting all of us, attracted national and international uproar and condemnation. This mindless assault on our hard won democracy was a rude reminder to all of us that our democracy is still very fragile and therefore we should never go to sleep believing that the work of democracy is done and that progress is inevitable. We cannot but thank those vigilant NASS members who at great risks confronted these heavily armed, masked and hooded fascist agents. In the same vein, we must also thank the Press, Civil Society Organisations, the generality of Nigerians and the international community for rising to the occasion as living heroes of our democracy to stave the savaging of our democratic institutions.*

5. *In this regard, we commend the then Acting President, His Excellency, Professor Yemi Osinbajo, SAN who swiftly took disciplinary action against some of the perpetrators of these seditious and subversive action. We call on the Executive to ensure that all other assessors, before or after the fact of this treasonable act must be quickly brought to book; as the then DG, SSS could never have acted alone. This must be the case if we hope to put an end to this kind of brinkmanship going forward.*

6. *We must remind ourselves at all times that our loyalty in tandem with our oath of office is to the nation and not to any individual or sectional cause or interest. The goal of some people who are working to enthrone tyranny and despotism is to harass, intimidate and ridicule this great institution of the people to the point that we are forced to abdicate our responsibilities and fidelity to our oath of office. It's a pity that these elements know nothing about the character of this great Institution and the fact that our devotion to the rule of law far surpasses our love and admiration for any individual or group of persons. If this was not the case, third term would have succeeded and the motion on the doctrine of necessity would have failed. We cannot drift, in our own time, from the path of honour*

and courage that has been the hallmark of this hallowed Chambers. As patriots, we owe it a duty to patriotically support the patriotic even if they are our foes and to patriotically oppose or defeat the unpatriotic even if they are our best friends.

7. As we settle down to business, let me reiterate that the INEC Supplementary budget Bill must be accorded expeditious consideration. Furthermore, the pending issue of the Electoral Act amendment Bill, which was unfortunately vetoed by Mr President, must also be expeditiously considered and passed. The new Electoral Act amendment Bill has provisions that are designed to guarantee free, fair and transparent elections in Nigeria. The amendment Bill entrenches the Smart Card Reader and electronic transmission of results among others. Any further attempt to frustrate the passing into law of the Bill, will be indicative of our desire not to improve on the successes of the 2015 general elections further fueling the fears that some including our international partners have about some forces who intend to manipulate the forthcoming elections by exploiting identified loopholes in the Electoral Act currently in force.

8. At this juncture, Honourable colleagues, I wish to reiterate that as we enter the last leg of our tenure, we should not lose sight of the fact that we still have much business to do. I urge us not to be so absorbed by the politics of 2019 as to allow our Legislative duties to suffer. We must utilise the available time judiciously to serve the country and our people to the best of our ability. Having started strong with ground breaking and record setting achievements, we will be on the wrong side of history if we fail to finish as strongly as we started. It is said that the end of a matter is better than the beginning thereof.

9. Permit me to congratulate all Hon. Members who have won their primary elections, and to wish those whose elections may still be in process, a favourable conclusion. Others are said to have lost their nominations in circumstances which remain contentious, to such, we shall do all within our powers to assist them in the various political parties to get fair opportunity. We have all made tremendous sacrifices and it is only fair that this is rewarded.

10. The leadership is aware of the impunity that characterised the conduct of some primaries in which some of our members allegedly lost the ticket to contest in the next election. We have done our best to ensure internal democracy within parties but it appears Parties prefer to pander to the whims and caprices of some individuals rather than the law. May I reiterate the warning of Kekere-Ekun, JSC in *MATO V. HEMBER & 2 ORS* (2018) 5 NWLR (PT. 1612) 258 at pages 297-298 PARAGRAPHS C-B

"This case, in my view is a clear example of the mischief sought to be tackled by section 87 (9) of the Electoral Act, 2010 as amended. While it is true that the courts will not interfere in the internal affairs of a political party nor its choice of candidate, Section 87 (9) of the Electoral Act ensures that in making their choice of candidates for elective office political parties do not stray beyond the confines of the Electoral Act or their own electoral guidelines. The section seeks to curb the impunity with which political parties hitherto acted without regard to the democratic norms they profess to practice. As stated by my learned brother in the lead judgment, this court in a plethora of cases has asserted the fact that political parties must obey their own constitutions and guidelines and where necessary (as provided by law) the courts will intervene and wield the big stick to prevent arbitrariness. The only way our democratic dispensation can work effectively is where every aspirant for political office, who is qualified to contest an election, is given an even playing field. The failure of internal democracy within our political parties right from the grassroots level eventually leads to instability in the entire political system. The failure of internal democracy is one of the reasons why the courts, 'dockets' are congested with pre-election disputes". It is a pity that the 2018 primaries will throw up more pre-election cases than ever before witnessed in Nigeria due to display of impunity by parties in the conduct of primaries across board.

11. *May I appeal to all of us that in whatever party we now belong, we should continue to focus on the success of the 8th Assembly, as well as the peace and good governance of Nigeria. We must be individually and collectively committed to the successful and peaceful conduct of the 2019 elections.*

12. *In closing, I want to thank you all, most sincerely, for your continued support to the leadership of the House, and for your understanding in these trying times. Thank you for preserving the oneness, unity and brotherhood of the House, irrespective of Party or geopolitical divides and I urge you to, please, keep up the good spirit.*

13. *God bless you and God bless the Federal Republic of Nigeria.*

9. Petition

A petition from Baba Adamu, on his dismissal from the Nigeria Customs Service, was presented and laid by Hon. Hassan Isa Mohammed (*Jama'are/Itas-Gadua Federal Constituency*);

Petition referred to the Committee on Public Petitions.

10. Matter of Urgent Public Importance (Standing Order Eight, Rule 4)

Urgent Release of Hon. Abubakar Abdullahi Lado (Suleja Federal Constituency) Detained by the Special Anti-Robbery Squad (SARS):

Hon. Toby Okechukwu (*Aninri/Agwu/Oji-River Federal Constituency*) introduced the matter and prayed the House to:

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

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

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

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

Urgent Release of Hon. Abubakar Abdullahi Lado (Suleja Federal Constituency) Detained By Special Anti-Robbery Squad (SARS)

The House:

Aware of the detention of Hon. Abubakar Abdullahi Lado (Suleja Federal Constituency) by the Special Anti-Robbery Squad (SARS);

Also aware of his continued detention for the past three (3) days which is a breach of his fundamental human rights as enshrined in the Constitution of the Federal Republic of Nigeria, 1999 (as amended);

Embarrassed that the intervention of the House Leadership was rebuffed by the Nigeria Police ostensibly because it is only the Governor of Niger State that can give instruction for his release;

Briefed that the detention arose out of issues related to the All Progressives Congress (APC) primaries which he had earlier notified the police authorities of the plan to cause crisis by his opponents;

Further aware that the invitation of Hon. Abubakar Lado was not done through due process and therefore breaches the Legislative Houses (Powers and Privileges) Act — which requires notifying of the Presiding Officer before a member is invited or arrested.

Resolves to:

- (i) urge the Nigeria Police Force to release Hon. Abubakar Abdullahi Lado immediately; and
- (ii) mandate the House Leadership to ensure his release within the next twenty (24) hours (*Hon. Toby Okechukwu — Aninri/Agwu/Oji-River Federal Constituency*).

Debate.

Amendments Proposed:

- (i) Insert a new Prayer (iii) as follows:
"Institute a legal action against the Nigeria Police on behalf of Hon. Abubakar Abdullahi Lado" (*Hon. Edward Pwajok — Jos South/Jos East Federal Constituency*).

Question that the amendment be made — Agreed to.

- (ii) Leave out Prayer (i) and insert a new Prayer (i) as follows:
"urge the Nigeria Police Force to release Hon. Abubakar Abdullahi Lado before mid-night of 10 October, 2018, failing which the Inspector-General of Police would be summoned to appear before the House on Thursday, 11 October, 2018 at 11.00 a.m to explain his continued detention without bail" (*Hon. Femi Gbajabiamila — Surulere 1 Federal Constituency*).

Question that the amendment be made — Agreed to.

Question on the Motion as amended — Agreed to.

Agreed to.

The House:

Aware of the detention of Hon. Abubakar Abdullahi Lado (*Suleja Federal Constituency*) by the Special Anti-Robbery Squad (SARS);

Also aware of his continued detention for the past three (3) days which is a breach of his fundamental human rights as enshrined in the Constitution of the Federal Republic of Nigeria, 1999 (as amended);

Embarrassed that the intervention of the House Leadership was rebuffed by the Nigeria Police ostensibly because it is only the Governor of Niger State that can give instruction for his release;

Briefed that the detention arose out of issues related to the All Progressives Congress (APC) primaries which he had earlier notified the police authorities of the plan to cause crisis by his opponents;

Further aware that the invitation of Hon. Abubakar Lado was not done through due process and therefore breaches the Legislative Houses (Powers and Privileges) Act — which requires notifying of the Presiding Officer before a member is invited or arrested.

Resolved to:

- (i) urge the Nigeria Police Force to release Hon. Abubakar Abdullahi Lado before mid-night of 10 October, 2018, failing which the Inspector-General of Police would be summoned to appear before the House on Thursday, 11 October, 2018 at 11.00 a.m to explain his continued detention without bail;
- (ii) mandate the House Leadership to ensure his release within the next twenty (24) hours; and

- (iii) institute a legal action against the Nigeria Police on behalf of Hon. Abubakar Abdullahi Lado (HR. 44/10/2018).

11. Presentation of Bills

The following Bills were read the *First Time*:

- (1) Federal College of Dental Technology and Therapy (Establishment) Act (Amendment) Bill, 2018 (HB. 1496).
- (2) Federal University of Health Science, Otuipo (Establishment, etc.) Bill, 2018 (HB. 1535).
- (3) Federal University of Education, Zaria (Establishment, etc.) Bill, 2018 (HB. 1536).
- (4) Alvan Ikoku Federal University of Education, Owerri (Establishment) Bill, 2018 (HB. 1537).
- (5) Federal University of Education, Kano (Establishment, etc.) Bill, 2018 (HB. 1538).
- (6) Adeyemi Federal University of Education, Ondo (Establishment, etc.) Bill, 2018 (HB. 1539).
- (7) Chartered Institute of Forensic and Investigative Auditors of Nigeria (Establishment) Bill, 2018 (HB. 1540).
- (8) Federal College of Education, Misau (Establishment, etc.) Bill, 2018 (HB. 1541).
- (9) Projects Development Agency, Enugu (Establishment) Bill, 2018 (HB. 1542).

12. Adjournment

That the House do adjourn till Thursday, 11 October, 2018 at 11.00 a.m. (Hon. Femi Gbajabiamila — House Leader).

The House adjourned accordingly at 3.31 p.m.

Yakubu Dogara
Speaker