



HOUSE OF REPRESENTATIVES FEDERAL REPUBLIC OF NIGERIA

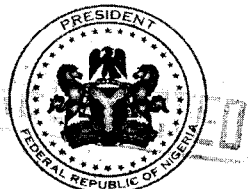
VOTES AND PROCEEDINGS

Tuesday, 11 December, 2018

1. The House met at 11.26 a.m. Mr Speaker read the Prayers.
2. **Votes and Proceedings**
Mr Speaker announced that he had examined and approved the *Votes and Proceedings* of Thursday, 6 December, 2018.

The Votes and Proceedings was adopted by unanimous consent.

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



**PRESIDENT,
FEDERAL REPUBLIC OF NIGERIA**

6th December, 2018

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

Dear Rt Hon. 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), hereby convey to the House of Representatives, my decision on 6th December, 2018 to decline Presidential Assent to the **Electoral (Amendment) Bill, 2018** recently passed by the National Assembly.

I am declining assent to the Bill principally because I am concerned that passing a new electoral bill this far into the electoral process for the 2019 general elections which commenced under the 2015 Electoral Act, could create some uncertainty about the applicable legislation to govern the process. Any real or apparent change to the rules this close to the election may provide an opportunity for disruption and confusion in respect of which law governs the electoral process.

This leads me to believe that it is in the best interest of the country and our democracy for the National Assembly to specifically state in the Bill, that the Electoral Act will come into effect and be applicable to elections commencing after the 2019 General Elections.

It is also important for the following drafting amendments to be made to the Bill:

- (a) Section 5 of the Bill, amending section 18 of the Principal Act should indicate the subsection to which the substitution of the figure "30" for the figure "60" is to be effected.
- (b) Section 11 of the Bill, amending Section 36 should indicate the subsection in which the proviso is to be introduced.
- (c) Section 24 of the Bill which amends Section 85 (1) should be redrafted in full as the introduction of the "electing" to the sentence may be interpreted to mean that political parties may give 21 days' notice of the intention to merge, as opposed to the 90 days provided in Section 84 (2) of the Electoral Act which provides the provision for merger of political parties.
- (d) The definition of the term "Ward Collection Officer" should be revised to reflect a more descriptive definition than the capitalized and undefined term "Registration Area Collation Officer".

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

Yours Sincerely,

(Signed)

Muhammadu Buhari

4. Announcement

(a) Defection:

Mr. Speaker read a communication from Hon. Ibrahim Danmazari Murtala (*Musawa/Matazu Federal Constituency*), announcing his defection from the All Progressives Congress (APC) to the Peoples Democratic Party (PDP).

(b) Bereavement:

Mr Speaker read the following communications from:

- (i) Hon. Gogo Bright Tamuno (*Okrika/Ogu/Bolo Federal Constituency*), informing the House of the death of his mother, Lady Violet Gogo which occurred on Friday, 7 December, 2018; and
- (ii) Hon. Nassir Ali Ahmed (*Nasarawa Federal Constituency*), announcing the demise of his father, Alhaji Ali Ahmed on Friday, 7 December, 2018.

A minute silence was observed in honour of the deceased.

5. Petitions

- (i) A petition from White Plains British School, on the alleged forgery of a Mortgage document by First Bank of Nigeria Plc, was presented and laid by Hon. Zaphaniah Jisalo (*Abuja Municipal/Bwari Federal Constituency*).
- (ii) Petitions from the following persons were presented and laid by Hon. Sylvester Ogbaga (*Izzi/Abakaliki Federal Constituency*):
 - (a) U. C. Oparaugo & Co. (Legal Practitioners & Solicitors), on behalf of Olukemi Joy Komolafe, on the non-compliance with the House Resolution to reinstate her by the Nigerian Communications Commission (NCC);
 - (b) D. J. Bature on behalf of the Attorney-General of the Federation and Minister of Justice, on a petition by the Association of Catholic Medical Practitioners of Nigeria (ACMPN), Owerri Archdiocese, Imo State, on the National Emergency Alert to stop free contraceptives policy that would raise HIV/AIDS prevalence to 35% in Nigeria;
 - (c) Golden Promise Ikpuku, on behalf of Okrika host communities, on the neglect of periodic inspections and maintenance of the pipelines in their community by the Federal Government of Nigeria;
 - (d) David Olusegun Agbaja, on the failure of the Nigerian Customs to comply fully with all the House Resolutions of Wednesday, 4 October, 2017;
 - (e) Adamu Garba, on the withholding of his appointment letter by the Nigeria Immigration Service;
 - (f) Sunday Owoicha, on the termination of his appointment by the Nigeria Police Force;
 - (g) Law Theatre (Advocates, Solicitors & Consultants), on behalf of Alkhairi Oil Plus Energy Limited, on the alleged torture and dehumanizing treatment of their client, Ibrahim Bature by officers of the Nigeria Police, Garki Police Station, Abuja;
 - (h) L. O. Arinze & Co. (Royal Chambers), on behalf of JEB Petroleum Limited and 1 other, on alleged non-compliance with court judgment in Suit No. FCT/HC/CV/2138/2010 by Paul Odili and 3 others;
 - (i) John Mary C. Jideobi & Co. (Gold Standard Attorney), on behalf of Hope Development and Empowerment Foundation, on alleged misrepresentation of facts by Stella Okoete regarding her qualification for appointment as the Executive Director, Nigerian Export and Import Bank (NEXIM);
 - (j) Chike Onyali Chambers (Barristers, Solicitors & Legal Consultants), on behalf of Olajumoke O., on his dismissal from the Nigeria Customs Service; and
 - (k) Chike Onyali Chambers (Barristers, Solicitors & Legal Consultants), on behalf of Kayode Adebayo and 8 others, on the refusal by the Nigeria Customs to comply with the court judgment in Suit No: FHC/ABJ/CS/786/2011 to reinstate them.

Petitions referred to the Committee on Public Petitions.

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

Need for the Federal Government to Intensify the Fight against Drug Abuse in Nigeria:

Hon. Eucharika Azodo (*Aguata 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.

Need for the Federal Government to Intensify the Fight against Drug Abuse in Nigeria:

The House:

Notes that the Committee on Narcotics Drugs in its bid to mitigate the high incidence of drug abuse in Nigeria, and reduce its negative consequences especially on the youths, resolved to embark on a sensitization programme on drug abuse and election violence with the national flag - off campaign on Wednesday, 12 December, 2018 in Abuja and thereafter follow up to the grassroots in the 36 States of the Federation;

Aware that the world, as a global village, is immersed in insecurity ranging from terrorism, armed robbery, kidnapping, insurgencies and many other security related problems;

Also aware that Nigeria, as a fledgling democratic nation, has its own share of global problems; as insurgencies and other social vices have reached unprecedented proportions in the country as evident in the North East (Boko Haram), the Herders attacks in the Middle Belt Region, and the armed bandits perpetuating all sorts of criminalities in several parts of the country, like in Zamfara State and other areas;

Worried that past and recent researches have consistently linked the youths to many of these negative and retrogressive activities, as outcome of their perpetual and indiscriminate abuse of narcotics in their forms like marijuana, cocaine, cannabis, codeine syrup, etc.;

Also worried that the use of Narcotic drugs by our youths is the most common negative inducement that drives them to commit unlawful activities;

Alarmed that the cumulative effects of drug abuse and psychotropic substances have become overwhelming and tending towards insecurity, violent crimes, etc. which must be tackled head on especially as we approach the 2019 elections with the attendant negative effects on the country's economy;

Determined that this campaign would contribute immensely in reducing both the incidents and consequences of drug abuse in Nigeria, especially among the youths;

Resolves to:

- (i) urge the Federal Government to take the issue of drug abuse very seriously due to its negative impact on the youths; and
- (ii) also urge the Federal Government to increase the funding of the National Drug Law Enforcement Agency (NDLEA) which has been under-funded for twenty-seven years (*Hon. Eucharika O. Azodo — Aguata Federal Constituency*).

Debate.

Amendments Proposed:

- (i) *Insert* a new Prayer (iii) as follows:
“further urge the Federal Government to establish a special fund to finance the war against drug abuse” (*Hon. Uzoma Nkem-Abonta — Ukwa East/Ukwa West Federal Constituency*).

Question that the amendment be made — Agreed to.

- (ii) *Insert* a new Prayer (iv) as follows:
“urge the National Drug Law Enforcement Agency (NDLEA), to embark on massive recruitment of personnel for effective check on drug abuse” (*Hon. Uzoma Nkem-Abonta — Ukwa East/Ukwa West Federal Constituency*).

Question that the amendment be made — Agreed to.

Question on the Motion as amended — Agreed to.

The House:

Noted that the Committee on Narcotics Drugs in its bid to mitigate the high incidence of drug abuse in Nigeria, and reduce its negative consequences especially on the youths, resolved to embark on a sensitization programme on drug abuse and election violence with the national flag - off campaign on Wednesday, 12 December, 2018 in Abuja and thereafter follow up to the grassroots in the 36 States of the Federation;

Aware that the world, as a global village, is immersed in insecurity ranging from terrorism, armed robbery, kidnapping, insurgencies and many other security related problems;

Also aware that Nigeria, as a fledgling democratic nation, has its own share of global problems; as insurgencies and other social vices have reached unprecedented proportions in the country as evident in the North East (Boko Haram), the Herders attacks in the Middle Belt Region, and the armed bandits perpetuating all sorts of criminalities in several parts of the country, like in Zamfara State and other areas;

Worried that past and recent researches have consistently linked the youths to many of these negative and retrogressive activities, as outcome of their perpetual and indiscriminate abuse of narcotics in their forms like marijuana, cocaine, cannabis, codeine syrup, etc.;

Also worried that the use of Narcotic drugs by our youths is the most common negative inducement that drives them to commit unlawful activities;

Alarmed that the cumulative effects of drug abuse and psychotropic substances have become overwhelming and tending towards insecurity, violent crimes, etc. which must be tackled head on especially as we approach the 2019 elections with the attendant negative effects on the country's economy;

Determined that this campaign would contribute immensely in reducing both the incidents and consequences of drug abuse in Nigeria, especially among the youths;

Resolved to:

- (i) urge the Federal Government to take the issue of drug abuse very seriously due to its negative impact on the youths; and
- (ii) also urge the Federal Government to increase the funding of the National Drug Law Enforcement Agency (NDLEA) which has been under funded for twenty-seven years;

- (iii) further urge the Federal Government to establish a special fund to finance the war against drug abuse; and
- (iv) urge the National Drug Law Enforcement Agency (NDLEA), to embark on massive recruitment of personnel for effective check on drug abuse (HR. 103/12/2018).

7. Presentation of Bills

The following Bills were read the *First Time*:

- (1) National Biosafety Management Agency Act (Amendment) Bill, 2018 (HB.1578).
- (2) Federal College of Agriculture, Kirikasamma (Establishment) Bill, 2018 (HB.1579).
- (3) Federal College of Education, Birniwa (Establishment) Bill, 2018 (HB.1580).
- (4) Federal Polytechnic, F.C.T, Abuja (Establishment) Bill, 2018 (HB.1581).
- (5) Criminal Code Act (Amendment) Bill, 2018 (HB. 1582).

8. Presentation of Reports

(i) **Committee on Banking and Currency:**

Motion made and Question propose, "That the House do receive the Report of the Committee on Banking and Currency on a Bill for an Act to Establish the Chartered Institute of Public Administration of Nigeria charged with Responsibility of Standard of Persons seeking to become Public Administration Practitioners in Nigeria and Provide Disciplinary Measures against Members for Unprofessional Conducts, including cancellation of Practitioners' Membership; and for Related Matters (HB. 1435)" (Hon. Abubakar Lawal Garba — Yola North/Yola South/Gire Federal Constituency).

Agreed to.

Report laid.

(ii) **Committee on Banking and Currency:**

Motion made and Question propose, "That the House do receive the Report of the Committee on Banking and Currency on a Bill for an Act to Repeal the Banks and Other Financial Institutions Act, Cap. B3, Laws of the Federation of Nigeria, 2004 and Enact the Banks and Other Financial Institutions Bill; and for Related Matters (HB.961 and HB. 1095)" (Hon. Abubakar Lawal Garba — Yola North/Yola South/Gire Federal Constituency).

Agreed to.

Report laid.

(iii) **Committee on Public Petitions:**

Petition by Alhaji Alih:

Motion made and Question propose, "That the House do receive the Report of the Committee on Public Petitions on the Petition by Alhaji Alih against the Public Complaints Commission on alleged wrongful dismissal from service" (Hon. Uzoma Nkem-Abonta — Ukwu East/Ukwu West Federal Constituency).

Agreed to.

Report laid.

(iv) **Committee on Public Petitions:**

Petition by V. O. Efurhievwe and Associates:

Motion made and Question propose, "That the House do receive the Report of the Committee on Public Petitions on the Petition by V. O. Efurhievwe and Associates against the Nigerian Gas Company on the alleged Non-payment of Compensation from the effects of Environmental Pollution caused by the Nigerian Gas Company" (*Hon. Uzoma Nkem-Abonta — Ukwa East/Ukwa West Federal Constituency*).

Agreed to.

Report laid.

(v) **Committee on Public Petitions:**

Petition by Ukpebor, Ukpebor & Co.:

Motion made and Question propose, "That the House do receive the Report of the Committee on Public Petitions on the Petition by Ukpebor, Ukpebor & Co., against the Nigerian Gas Company on the bubbling of Gas from the Nigerian Gas Company's Rusted Pipeline in Okpeke Clan, Etsako East Local Government Area of Edo State" (*Hon. Uzoma Nkem-Abonta — Ukwa East/Ukwa West Federal Constituency*).

Agreed to.

Report laid.

(vi) **Committee on Public Petitions:**

Petition by G. U Moneke and Co.:

Motion made and Question propose, "That the House do receive the Report of the Committee on Public Petitions on the Petition by G. U. Moneke and Co., against the Independent National Electoral Commission (INEC) for Compulsory Retirement of Chizoba Akutaekwe from the Commission and Blatant refusal to obey the Order of the Court" (*Hon. Uzoma Nkem-Abonta — Ukwa East/Ukwa West Federal Constituency*).

Agreed to.

Report laid.

(vii) **Committee on Public Petitions:**

Petition by Quadri Taura:

Motion made and Question propose, "That the House do receive the Report of the Committee on Public Petitions on the Petition by Quadri Taura against the Ikeja Electricity Distribution Company (IKEDC) on the injustice meted out to him by the Management" (*Hon. Uzoma Nkem-Abonta — Ukwa East/Ukwa West Federal Constituency*).

Agreed to.

Report laid.

9. Consolidation of Bills:

Motion made and Question proposed, "That a Bill for an Act to Repeal the National Universities Commission Act, Cap. N81, Laws of the Federation of Nigeria, 2004 and Enact the National Universities Commission Bill for the purpose of Establishing the National Universities Commission to Reform the Nigerian University system in line with Modern Realities and International Best Practices; and for Related Matters (HB. 1194), a Bill for an Act to Amend the National Universities Commission Act, Cap. NC1, Laws of the Federation of Nigeria, 2004 to Empower the Commission to Exercise Supervisory Control over any Research and Allied Institute in Accreditation of Programmes in Nigerian Universities; and for Related Matters (HB.1385), and a Bill for an Act to

Amend the National Universities Commission Act, Cap. N81, Laws of the Federation of Nigeria, 2004; and for Related Matters. (HB. 1449) be now consolidated" (*Hon. Edward Pwajok Gyang — Jos South/Jos East Federal Constituency*).

Agreed to.

10. **A Bill for an Act to Establish the Chartered Polymer Institute of Nigeria; and for Related Matters (HB. 1029) — Third Reading**
Motion made and Question proposed, "That a Bill for an Act to Establish the Chartered Polymer Institute of Nigeria; and for Related Matters (HB. 1029) be now read the Third Time" (*Hon. Femi Gbajabiamila — House Leader*).

Agreed to.

Bill read the Third Time and passed.

11. **A Bill for an Act to Amend the Interpretation Act, Cap. I7, Laws of the Federation of Nigeria, 2004 to provide that for any person to be qualified to act in any Office, the Person must be qualified to hold the Substantive Position and such Acting Position must not be beyond six months; and for Related Matters (HB 137) — Third Reading**
Motion made and Question proposed, "That a Bill for an Act to Amend the Interpretation Act, Cap. I7, Laws of the Federation of Nigeria, 2004 to provide that for any person to be qualified to act in any Office, the Person must be qualified to hold the Substantive Position and such Acting Position must not be beyond six months; and for Related Matters (HB 137) be now read the Third Time" (*Hon. Femi Gbajabiamila — House Leader*).

Agreed to.

Bill read the Third Time and passed.

12. **A Bill for an Act to Amend the Pre-shipment Inspection of Export Act, Cap. P25, Laws of the Federation of Nigeria, 2004, to provide that a Person acting for a Body Corporate is equally guilty alongside the Body Corporate for an Offence Committed by it; and for Related Matters (HB. 363) — Third Reading**
Motion made and Question proposed, "That a Bill for an Act to Amend the Pre-shipment Inspection of Export Act, Cap. P25, Laws of the Federation of Nigeria, 2004, to provide that a Person acting for a Body Corporate is equally guilty alongside the Body Corporate for an Offence Committed by it; and for Related Matters (HB. 363) be now read the Third Time" (*Hon. Femi Gbajabiamila — House Leader*).

Agreed to.

Bill read the Third Time and passed.

13. **A Bill for an Act to Amend the Nigerian National Heroes Register Act, Cap. N121, Laws of the Federation of Nigeria, 2004 to provide for the Recognition and Registration of all Qualified Persons as National Heroes; and for Related Matters (HB. 130) — Third Reading**
Motion made and Question proposed, "That a Bill for an Act to Amend the Nigerian National Heroes Register Act, Cap. N121, Laws of the Federation of Nigeria, 2004 to provide for the Recognition and Registration of all Qualified Persons as National Heroes; and for Related Matters (HB. 130) be now read the Third Time" (*Hon. Femi Gbajabiamila — House Leader*).

Agreed to.

Bill read the Third Time and passed.

14. **A Bill for an Act to Establish the Federal Capital Territory Area Councils Service Commission; and for Related Matters (HB. 975) — Third Reading**

Motion made and Question proposed, "That a Bill for an Act to Establish the Federal Capital Territory Area Councils Service Commission; and for Related Matters (HB. 975) be now read the Third Time" (Hon. Femi Gbajabiamila — House Leader).

Agreed to.

Bill read the Third Time and passed.

15. **A Bill for an act to amend the Inland Fisheries Act, Cap. 110, Laws of the Federation of Nigeria, 2004 to review upward the penalties under the Act; and for Related Matters (HB. 357) — Third Reading**

Motion made and Question proposed, "That a Bill for an act to amend the Inland Fisheries Act, Cap. 110, Laws of the Federation of Nigeria, 2004 to review upward the penalties under the Act; and for Related Matters (HB. 357) be now read the Third Time" (Hon. Femi Gbajabiamila — House Leader).

Agreed to.

Bill read the Third Time and passed.

16. **A Bill for an Act to Amend the Food, Drugs and Related Products (Registration, etc.) Act, Cap. F33, Laws of the Federation of Nigeria, 2004 to increase the fines and confer jurisdiction on the High Court of a State to try Offences under the Act; and for Related Matters (HB. 359) — Third Reading**

Motion made and Question proposed, "That a Bill for an Act to Amend the Food, Drugs and Related Products (Registration, etc.) Act, Cap. F33, Laws of the Federation of Nigeria, 2004 to increase the fines and confer jurisdiction on the High Court of a State to try Offences under the Act; and for Related Matters (HB. 359) be now read the Third Time" (Hon. Femi Gbajabiamila — House Leader).

Agreed to.

Bill read the Third Time and passed.

17. **A Bill for an Act to Repeal the National Agricultural Seeds Act, Cap. N5, LFN, 2004 and Re-enact the National Agricultural Seeds Council Bill; and for Related Matters (HB. 472) — Third Reading**

Motion made and Question proposed, "That a Bill for an Act to Repeal the National Agricultural Seeds Act, Cap. N5, LFN, 2004 and Enact the National Agricultural Seeds Council Bill; and for Related Matters (HB. 472) be now read the Third Time" (Hon. Femi Gbajabiamila — House Leader).

Agreed to.

Bill read the Third Time and passed.

18. **A Bill for an Act to Establish the Facilities Management Council of Nigeria to Regulate the Practice, Register and Certify Practitioners in the Profession; and for Related Matters (HB. 1551) — Second Reading**

Motion made and Question proposed, "That a Bill for an Act to Establish the Facilities Management Council of Nigeria to Regulate the Practice, Register and Certify Practitioners in the Profession; and for Related Matters (HB. 1551) be now read a Second Time" (Hon. Femi Gbajabiamila — House Leader).

Debate.

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

Bill read the Second Time.

Bill referred to the Committee of the Whole.

19. **A Bill for an Act to Prohibit Unlawful Establishment, Composition, Finance and Functions of Local Government Area Councils in the Federation, provide Punishment for Offenders and to ensure that all Local Government Area Councils in Nigeria are composed through democratically elected system as guaranteed by the Constitution of the Federal Republic of Nigeria, 1999 (as amended); and for Related Matters (HB. 1568) — Second Reading**

Motion made and Question proposed, “That a Bill for an Act to Prohibit Unlawful Establishment, Composition, Finance and Functions of Local Government Area Councils in the Federation, provide Punishment for Offenders and to ensure that all Local Government Area Councils in Nigeria are composed through democratically elected system as guaranteed by the Constitution of the Federal Republic of Nigeria, 1999 (as amended); and for Related Matters (HB. 1568) be now read a Second Time” (*Hon. Wayo Benjamin Iorember — Kwande/Ushongo Federal Constituency*).

Debate.

Debate adjourned.

Ordered: *Committees on Justice, and Judiciary to examine the constitutionality of the provisions of the Bill and report back to the House.*

20. ***Motion made and Question proposed***, “That items 12 to 21 on the **Order Paper** be set down, pursuant to Order Eight, Rule 6 (3)” (*Hon. Edward Pwajok Gyang — Jos South/Jos East Federal Constituency*).

21. **Adjournment**

That the House do adjourn till Wednesday, 12 December, 2018 at 11.00 a.m. (*Hon. Femi Gbajabiamila — House Leader*).

The House adjourned accordingly at 3.01 p.m.

Yakubu Dogara
Speaker