



HOUSE OF REPRESENTATIVES FEDERAL REPUBLIC OF NIGERIA

VOTES AND PROCEEDINGS

Wednesday, 5 April, 2006

1. The House met at 2.30 p.m. Mr Deputy Speaker read Prayers.
2. Votes and Proceedings:
Mr Deputy Speaker announced that he had examined and approved the Votes and Proceedings of Tuesday, 4 April, 2006.

By unanimous consent, the Votes and Proceedings was adopted.
3. Announcement:
Conference Committee:
Mr Deputy Speaker named the following Conferees on a Bill for an Act to Repeal the Nigeria Deposit Insurance Corporation Act, 1988 and to Re-Enact the Nigeria Deposit Insurance Corporation Act, 2006 and for Matters Connected Therewith:
 - (a) Hon. Claver Ikisikpo
 - (b) Hon. Alex Nwofe
 - (c) Hon. Bala Ibn. Na'Allah
 - (d) Hon. Celestine Ughanze
 - (e) Hon. Ita Enang
 - (f) Hon. Garba Lawal.
4. Petitions:
Two petitions were received and referred to the House Committee on Public Petitions:
 - (i) Hon. O. Animashaun, from Enitan Lisk-Carew, praying the House to investigate his victimization and alleged wrongful dismissal from the Service of the Nigeria Security and Civil Defence Corps in the interest of justice;
 - (ii) Hon. Mike Ohaeri, from Prof. C. C. Nweke, protesting the maltreatment meted to him by the Vice Chancellor, Nnamdi Azikiwe University, Awka and praying the House to call the Vice-Chancellor to order.
5. Presentation of Bills:
 - (i) Youth Disorder Bill, 2006 — *Read the First Time.*
 - (ii) Chartered Institute of Taxation of Nigeria (Amendment) Bill, 2006 — *Read the First Time.* (iii) Personal Health Information Bill, 2006 — *Read the First Time,* (iv) Statistics Bill, 2006 — *Read the First Time.*
 - (v) National Council for Management Development (Amendment) Bill, 2006 — *Read the First Time.*

(vi) Chartered Institute of Export of Nigeria Bill, 2006 — *Read the First Time.*

6 Consideration of Report:

Joint Committee on Electoral Matters and Justice:

Motion made and Question proposed, "That this House do resume consideration of the Report of the Joint Committee on Electoral Matters and Justice on a Bill for an Act to Regulate the Conduct of Federal, State and Local Government Elections and to Repeal the Electoral Act, 2001; and for Connected Purposes" (Hon. Hamisa Shira).

Question put and agreed to.

Question that the House do resolve into Committee of the Whole to resume consideration of the Report, agreed to.

HOUSE IN COMMITTEE)

(Mr Deputy Speaker in the Chair)

A BILL FOR AN ACT TO REGULATE THE CONDUCT OF ELECTIONS IN THE
FEDERAL, STATE, AND LOCAL GOVERNMENTS, AND THE REGISTRATION OF VOTERS
AND MATTERS CONNECTED THEREWITH

Committee Recommendation:

Clause 20: Demand for information regarding registration.

In the performance of his or her duties under this Act, a registration officer and an update officer may—

- (a) demand from any applicant the information necessary to enable him to ascertain whether the applicant is qualified to be registered as a voter in accordance with the provisions of this Act; and
- (b) require any voter or applicant to complete an application form within a period specified by the Commission (*Hon. Hamisu Shira*).

Amendment Proposed:

In paragraph (b), lines 1 and 2, *leave out* the words "within a period specified by the Commission" and *insert* the words "for the purpose of the registration" instead thereof (*Hon. N. C. Ughanze*).

Question that the amendment be made, put and agreed to.

Another Amendment to paragraph (b) as agreed to:

Immediately after the word "registration", *insert* the following:

"however, in the case of an illiterate or disabled person, such application form may be completed by the registration officer on the applicant's request" (*Hon. Datti Baba-Ahmed*).

Question that the amendment be made, put and agreed to.

Question that Clause 20 as amended, stand part of the Bill, put and agreed.

Committee Recommendation:

Clause 21: Power to print and issue register of voters.

The Commission shall cause a voters' register for each State to be printed, and any person may obtain from the Commission, on payment of such charges and subject to such conditions as may be prescribed, copies of any voters' register for the State or for a Local Government/Area Council or Registration Area within it (*Hon. Hamisu Shira*).

Amendment Proposed:

In lines 2 and 3, *leave out* the words "and subject to such conditions as may be prescribed" (*Hon. Ternga Tsegba*).

Question that the amendment be made, put and agreed to.

Another Amendment proposed to Clause 21 as amended:

In line 1, after the word "person", *insert* the words "or political party"¹ (*Hon. Abubakar Momoh*).

Question that the amendment be made, put and agreed to.

Another Amendment proposed to Clause 21 as amended:

In line 2, after the word "charges", insert the word "certified" (*Hon. N. C. Ughanze*).

Question that the amendment be made, put and agreed to.

Question that Clause 21 as amended, stand part of the Bill, put and agreed.

Committee Recommendation:**Clause 22: Power to print and issue voters cards.**

- (1) The Commission shall design, print and control the issuance of voters' cards to voters whose names appear in the register.
- (2) No voter shall hold more than one valid voter's card.
- (3) Any person who contravenes subsection (2) of this section commits an offence and is liable on conviction, to a fine not exceeding N100,000 or imprisonment not exceeding one year or both.
- (4) The Commission may, whenever it considers it necessary, replace all or any voters' cards for the time being held by voters (*Hon. Hamisu Shira*).

Amendment Proposed:

Leave out the provision in subclause (4) (*Hon. Nasiru Garba Dantiye*).

Question that the amendment be made, put and negatived.

Question that Clause 22 stand part of the Bill, put and agreed.

Committee Recommendation:**Clause 23: Custody of the voters' register.**

- (1) Each Electoral Officer shall take custody of the voters' register for his Local Government Area under the general supervision of the Resident Electoral Commissioner.
- (2) The voters' register shall be kept in such form as may be prescribed by the Commission (*Hon. Hamisu Shira*) — *Agreed to.*

Question that Clause 23 stand part of the Bill, put and agreed.

Committee Recommendation:**Clause 24: Power to issue duplicate voters' cards.**

- (1) Whenever a Voters' card is lost, destroyed, defaced, torn or otherwise damaged, the voter shall, at least fourteen (14) days before polling day, apply in person to the Electoral Officer or any other officer duly authorized for that purpose by the Resident Electoral Commissioner, stating the circumstances of the loss, destruction, defacement or damage.
- (2) If the Electoral Officer or that other officer is satisfied as to the circumstances of the loss, destruction, defacement or damage of the Voter's card, he shall issue to the voter another copy of the voter's original voter's card with the word "DUPLICATE" clearly marked or printed on it, showing the date of issue.
- (3) No person shall issue a duplicate voter's card to any voter on polling day or within seven (7) days before polling day.
- (4) Any person who contravenes subsection (3) of this section commits an offence and is liable on conviction, to a fine not exceeding N100,000 or imprisonment not exceeding one year or both (*Hon. Hamisu Shira*).

Amendments Proposed:

- (i) Retain the provision in subclause (1) of the proposed Bill (*Hon. Ahmed Lawan*).

Question that the amendment be made, put and agreed to.

- (ii) In subclause (3), line 2, leave out the word and figure "seven (7)" and insert the word and figure "fourteen (14)" instead thereof (*Hon. Almajir Geidam*).

Question that the amendment be made, put and agreed to.

- (c) buys or offers to buy any voter's card whether on his own behalf or on behalf of any other person, commits an offence and is liable, on conviction, to a fine not exceeding N200,000 or imprisonment not exceeding two years or both (*Hon. Hamisu Shim*) — *Agreed to.*

Question that Clause 29 stand part of the Bill, put and agreed.

Committee Recommendation:

Clause 30: Offences relating to registration of voters.

- (1) Any person who—
- (a) makes a false statement in any application for registration as a voter knowing it to be false or;
 - (b) after demand or requisition made of him under (a) or (b) of Section 6 without just cause, fails to give any such information as he or she possesses or does not give the information within the time specified,
 - (c) in the name of any other person, whether living, dead or fictitious, signs an application form for registration as a voter to have that other person registered as a voter;
 - (d) transmits or is concerned in transmitting to any person as genuine a declaration relating to registration which is false in any material particular, knowing it to be false;
 - (e) by himself or any other person procures the registration of himself or any other person on a voters' register for a State, knowing that he or that other person is not entitled to be registered on that voters' register or is already registered on it or on another voters' register;
 - (f) by himself or any other person procures the registration of a fictitious person, commits an offence and is liable on conviction to a fine not exceeding N100, 000 or imprisonment not exceeding one year or both.
- (2) Any person who —
- (a) by duress, including threats of any kind causes or induces any person or persons generally to refrain from registering as a voter or voters;
 - (b) in any way hinders another person from registering as a voter, commits an offence and is liable on conviction, to a fine not exceeding N200,000 or imprisonment not exceeding two years (*Hon. Hamisu Shim*).

Consideration deferred to enable the Chairman, Committee on Electoral Matters clarify the provision in subclause (1) (b).

PART IV — PROCEDURE AT ELECTION

Committee Recommendation:

Clause 31: Day of election.

Elections into the offices of the President and Vice-President, the Governor and Deputy Governor of a State, and to the Membership of the Senate, the House of Representatives and the House of Assembly of each State of the Federation and Chairman and Vice-Chairman and Membership of an Area Council shall be held on the dates to be appointed by the Independent National Electoral Commission (*Hon. Hamisu Shira*) — *Agreed to.*

Question that Clause 31 stand part of the Bill, put and agreed.

Committee Recommendation:

Clause 32: Postponement of election.

- (1) Where a date has been appointed for the holding of an election, and there is reason to believe that a serious breach of the peace is likely to occur if the election is proceeded with on that date or it is impossible to conduct the elections as a result of natural disasters or other emergencies, the Commission may postpone the election and shall in respect of the area, or areas concerned, appoint another date for the holding of the postponed election.

- (2) Where an election is postponed under this Act on or after the last date for the delivery of nomination papers, and a poll has to be taken between the candidates then nominated, the Electoral Officer shall, on a new date being appointed for the election, proceed as if the date appointed were the date for the taking of the poll between the candidates.
- (3) Where the Commission appoints a substituted date in accordance with Subsections (1) and (2) of this section, there shall be no return for the election until polling has taken place in the area or areas affected.
- (4) Notwithstanding the provision of subsection (3) of this section, the Commission may, if satisfied that the result of the election will not be affected by voting in the area or areas in respect of which substituted dates have been appointed, direct that a return of the election be made.
- (5) The decision of the Commission under subsection (4) may be challenged by any of the contestants at a Court of Law or Tribunal of competent jurisdiction and on such challenge, the decision shall be suspended until the matter is determined (*Hon. Hamisu Shira*) — *Agreed to*.

Question that Clause 32 stand part of the Bill, put and agreed.

Committee Recommendation:

Clause 33: Announcement of election results.

- (1) The Electoral Officer shall act as Returning Officer for election to the office of Chairman of Area Council.
- (2) Results of all the elections shall be announced by —
 - (a) the Presiding Officer at the Polling Station
 - (b) the Ward Returning Officer at the Ward Collation Centre
 - (c) the Returning Officer at the Local Government/Area Council;
 - (d) the Returning Officer at the State Constituency Collation Centre
 - (e) the Returning Officer at the Federal Constituency Collation Centre;
 - (f) the Returning Officer at the Senatorial District Collation Centre
 - (g) the Resident Electoral Commissioner who shall be the Returning Officer at the Governorship election; and
 - (h) the Chief Electoral Commissioner who shall be the Returning Officer at the Presidential election.
- (4) No person who is a member of a political party or who has openly expressed support for any candidate shall be appointed into any position for the purposes of registration of voters or election under this Act (*Hon. Hamisu Shira*) — *Agreed to*.

Question that Clause 33 stand part of the Bill, put and agreed.

Chairman to report progress.

(HOUSE IN PLENARY)

Mr Deputy Speaker in the Chair, reported that the House in the Committee of Whole resumed consideration of the Report of the Joint Committee on Electoral Matters and Justice on a Bill for an Act to Regulate the Conduct of Federal, State and Local Government Elections and to Repeal the Electoral Act, 2001; and for Connected Purposes, 2005. It approved Clauses 20 and 21 as amended, Clauses 22, 23, 24 and Clauses 25 as amended, approved Clauses 26, 27, 28, 29 and deferred consideration of Clause 30, approved Clauses 31, 32 and 33. He asked leave to sit again.

Question that the House do adopt the report of the Committee of Whole, put and agreed to.

7. Matter of Special Interest:*Power Outage in Apo Legislators Quarters:*

Following the frustration expressed by Hon. Members over the persistent power outage at the Apo Legislative Quarters which had plunged the Quarters in darkness for the past two weeks, Mr Deputy Speaker invited the Chairman, Committee on Power to brief the House on the matter.

Briefing the House, Hon. Gabriel Suswam, Chairman, Committee on Steel noted that the current power outage was a national phenomenon and not peculiar to Members' Quarters. He blamed the situation on the destruction of installations and facilities of the Power Holding Company of Nigeria especially the Company's gas pipelines to generating stations by militants in the Niger-Delta area of the country. As a result, power generation had reduced drastically necessitating rationing of power nationwide.

He explained that he had discussed the situation with the Hon. Minister of Power who was already in Bayelsa State as well as the Governor of that State with a view to finding solutions. Concluding, he pleaded with Member-colleagues from the South-South zone of the Federation to assist in finding a peaceful resolution of the conflict in the area.

Committee on Power ordered to brief the House tomorrow on measures by the Government to address the problem at the national level and on the situation in Abuja.

8. Adjournment:

That this House do now adjourn till Thursday, 6 April, 2006 at 10.00 a.m. {Hon. Abdul Ningi}.

Adjourned accordingly at 4.26p.m.

Austin Opara
Deputy Speaker