



HOUSE OF REPRESENTATIVES FEDERAL REPUBLIC OF NIGERIA

FIRST VOTES AND PROCEEDINGS

Thursday, 26 January, 2017

1. The House met at 11.08 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 Wednesday, 25 January, 2017.

The Votes and Proceedings was adopted by unanimous consent.

3. **Petitions**

(i) A petition from the Firm of Rose & Associates (Solicitors, Advocates & Notary Public), on behalf of Geospan Marine Services Nigeria Limited, on the disposal of the company's Dump Barge Property by the Joint Task Force in Bayelsa State, was presented and laid by Hon. Leo Ogor (*Isoko North/Isoko South Federal Constituency*):

(ii) A petition from Salehu Sabo O., on his dismissal from service by the Nigerian Customs Service, was presented and laid by Hon. Ezekiel Adaji (*Otuipo Ohimini Federal Constituency*):

(iii) Petitions from the following persons were presented and laid by Hon. Albert Adeogun Abiodun (*Ife Central/Ife East/Ife North/Ife South Federal Constituency*):

(a) Hurera Hassan Turaki, on his removal from office as National Secretary of the Public Complaints Commission;

(b) Lance Corporal Alarape Abiodun, on his dismissal from service by the Nigerian Air Force;

(c) Anthony Agbonlahor & Associates (Legal Practitioners and Property Consultant), on behalf of Macobarb International Limited, on breach of contractual agreement by the Nigerian Liquefied Natural Gas Company (NLNG);

(d) Ude Abaru Chika, on the stoppage of her salary and termination of her appointment by the Federal Road Safety Commission (FRSC);

- (e) Julius Okorafor and 1 other, on behalf of Ewho Okorafor community, Aboh, Ndokwa East Local Government Area, Delta State, on the need for Oil Companies operating in their community to fulfill their obligations to them;
- (f) Woman Police Constable Rose Samuel, on her dismissal from service by the Nigeria Police Force;
- (g) Onyeme Felix, on the termination of his appointment by the Midwestern Oil and Gas Company Ltd;
- (h) Gold Odilu Ikogwe and 2 others, on the land ownership of the Oil well acquired by Seplat Petroleum Plc, within Ogbagu Ogune community, Ndokwa West Local Government Area, Delta State; and
- (i) Johnson Onukwu, on the termination of his appointment by the management of Network of People Living with HIV/AIDS in Nigeria (NEPWHAN).

Petitions referred to the Committee on Public Petitions.

4. Presentation of Reports

(i) *Committee on Justice:*

Motion made and Question proposed. "That the House do receive the Report of the Committee on Justice, on a Bill for an Act to Provide for Personal Data Protection to Regulate the Processing of Information Relating to Individuals, including Obtaining, Holding, Use or Disclosure of such Information and for Other Related Matters (HB. 2)" (Hon. Olabode Ayorinde – Owo/Ose Federal Constituency).

Agreed to.

Report laid.

(ii) *Committee on Justice:*

Motion made and Question proposed. "That the House do receive the Report of the Committee on Justice, on a Bill for an Act to Amend the National Institute for Legislative Studies Act, 2011, to Among Other Things, Change the Name of the Institute from National Institute for Legislative Studies to National Institute for Legislative and Democratic Studies in Order to Empower the Institute to Provide Training and Research Services in Legislative and Democratic Studies and for Other Related Matters (HB. 827)" (Hon. Olabode Ayorinde – Owo/Ose Federal Constituency).

Agreed to.

Report laid.

(iii) *Committee on Justice:*

Motion made and Question proposed. "That the House do receive the Report of the Committee on Justice, on a Bill for an Act to Provide for the Manner in which Individuals may in the Public Interest, Disclose Information that Relate to Crime, for the Protection against Victimization of Persons who make these Disclosures; to Establish a Fund for the sake of Enhancing Crime Information Gathering for Security Utilization and for Other Related Matters (HB. 03)" (Hon. Olabode Ayorinde – Owo/Ose Federal Constituency).

Agreed to.

Report laid.

(iv) **Committee on Justice:**

Motion made and Question proposed. "That the House do receive the Report of the Committee on Justice, on a Bill for an Act to Provide for Timely Composition of a Cabinet with Attached Portfolios by the President of the Federal Republic of Nigeria and for Other Related Matters (HB. 159)" (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

Agreed to.

Report laid.

(v) **Committee on Justice:**

Motion made and Question proposed. "That the House do receive the Report of the Committee on Justice, on a Bill for an Act to Amend the Matrimonial Causes Act, Cap. M7, Laws of the Federation of Nigeria, 2004 to Increase the Amount Paid as Penalty and for Other Matters Connected Therewith (HB. 110)" (*Hon. Olabode Ayorinde — Owo/Ose Federal Constituency*).

Agreed to.

Report laid.

5. **Need for more Pro-Active Steps to Abate the Hardships Being Experienced by Nigerians as a Result of the Current Economic Recession**

Motion made and Question proposed:

The House:

Notes that the Federal Government, of which the National Assembly is a most important segment, has declared that Nigeria is experiencing economic recession;

Aware that the House of Representatives wing of the National Assembly is charged with the functions of representing the people, making laws for the order and good governance of the country, checking the actions of the executive arm and its Ministries, Departments and Agencies and controlling the finances of the State;

Also aware that in carrying out these functions, members cannot claim to be oblivious of the hardships Nigerians currently face as a result of the skyrocketing prices of foodstuff, transportation, petroleum products and other essential commodities, which have left children, women and the common man worse hit;

Concerned that as a result of the economic recession, commercial banks recently reviewed upward the interest paid on credits, to the effect that consumers of bank credit facilities now pay between 27% and 30%, while the exchange rate between the naira and the dollar has not only been very unstable, but highly polarized and progressively depreciating against the dollar;

Also concerned that the effects of all these unstable economic climate include the continuous loss of jobs by Nigerians which is inflicting pains and suffering on the old, the young and even the rich, some of whom had to practically abandon their bases during the yuletide season due to the pressures for assistance from dependent relatives and the less privileged in the society who are increasingly resorting to suicide and divorce as a way out of their financial constraints;

Acknowledges that although the Executive Arm of Government appears to be taking various steps and formulating fresh policies to abate the economic recession and return the economy to the path of recovery and development, Nigerians expect the House to voice their concerns by pushing for measures that would alleviate their sufferings;

Resolves to:

Set up an *Ad hoc* Tactical Committee on Economic Recession to monitor the various steps and policies of the Government, interact with the various Ministries and Agencies relevant to overcoming the challenges, liaise with the Manufacturers Association of Nigeria, the Nigeria Labour Congress, the Civil Society Organisations and any other body that is considered relevant in the bid to arrest the recession and return the economy to the path of growth and stability, and to report to the House on quarterly basis for further legislative action (*Hon. Orker-Jev Emmanuel Yisa — Buruku Federal Constituency and 1 other*).

Debate.

Amendments Proposed:

- (i) In line 5 of the Prayer, immediately after the word "House", *leave out* the words "on quarterly basis" and *insert* the words "within three months" (*Hon. Chinda Kingsley — Obio/Akpor Federal Constituency*).

Question that the amendment be made — Agreed to.

- (ii) *Insert* a new Prayer (ii) as follows:
"Hold a sectoral debate during which relevant Heads of Ministries, Departments, and Agencies would brief the House on concrete plans to take the country out of the economic recession" (*Hon. Chinda Kingsley — Obio/Akpor Federal Constituency*).

Question that the amendment be made — Agreed to.

Question on the Motion as amended — Agreed to.

The House:

Noted that the Federal Government, of which the National Assembly is a most important segment, has declared that Nigeria is experiencing economic recession;

Aware that the House of Representatives wing of the National Assembly is charged with the functions of representing the people, making laws for the order and good governance of the country, checking the actions of the executive arm and its Ministries, Departments and Agencies and controlling the finances of the State;

Also aware that in carrying out these functions, members cannot claim to be oblivious of the hardships Nigerians currently face as a result of the skyrocketing prices of foodstuff, transportation, petroleum products and other essential commodities, which have left children, women and the common man worse hit;

Concerned that as a result of the economic recession, commercial banks recently reviewed upwards the interest paid on credits, to the effect that consumers of bank credit facilities now pay between 27% and 30%, while the exchange rate between the naira and the dollar has not only been very unstable, but highly polarized and progressively depreciating against the dollar;

Also concerned that the effects of all these unstable economic climate include the continuous loss of jobs by Nigerians which is inflicting pains and suffering on the old, the young and even the rich, some of whom had to practically abandon their bases during the yuletide season due to the pressures for assistance from dependent relatives and the less privileged in the society who are increasingly resorting to suicide and divorce as a way out of their financial constraints;

Acknowledged that although the Executive Arm of Government appears to be taking various steps and formulating fresh policies to abate the economic recession and return the economy to the path of recovery and development, Nigerians expect the House to voice their concerns by pushing for measures that would alleviate their sufferings:

Resolved to:

- (i) set up an *Ad-hoc* Tactical Committee on Economic Recession to monitor the various steps and policies of the Government, interact with the various Ministries and Agencies relevant to overcoming the challenges, liaise with the Manufacturers Association of Nigeria, the Nigeria Labour Congress, the Civil Society Organisations and any other body that is considered relevant in the bid to arrest the recession and return the economy to the path of growth and stability, and to report to the House within three months for further legislative action; and
- (ii) hold a sectoral debate during which relevant Heads of Ministries, Departments, and Agencies would brief the House on concrete plans to take the country out of the economic recession (HR. 31/2017).

Ad-hoc Committee on Economic Recession:

Mr Speaker named Members of the Ad-hoc Committee as follows:

(1)	Hon. Olabode Ayorinde	—	<i>Chairman</i>
(2)	Hon. Moriki Oseni Abubakar	—	<i>Member</i>
(3)	Hon. Ayodele Oladimeji	—	<i>Member</i>
(4)	Hon. Chika Abubakar Adamu	—	<i>Member</i>
(5)	Hon. Sunday Katung	—	<i>Member</i>
(6)	Hon. Linda Ikpeazu	—	<i>Member</i>
(7)	Hon. Baido Danladi	—	<i>Member</i>
(8)	Hon. Douye Diri	—	<i>Member</i>
(9)	Hon. Abbas Tajudeen	—	<i>Member</i>
(10)	Hon. Mahmood Abdullahi Gaiya	—	<i>Member</i>
(11)	Hon. Shuaibu Abdulrahman	—	<i>Member</i>
(12)	Hon. Wale Tasir Raji	—	<i>Member</i>
(13)	Hon. Jerry Alagbaoso	—	<i>Member</i>
(14)	Hon. Asabe Wilita Bashir	—	<i>Member</i>
(15)	Hon. Betty Apiafi	—	<i>Member</i>
(16)	Hon. Danburam Abubakar Nuhu	—	<i>Member</i>

6. Devastating Erosion Threatening Communities in Okitipupa/Irele Federal Constituency

Motion made and Question proposed:

The House:

Notes that the coastal area of Ode-Irele, Ode-Aye, Broad Street, Ayeka, Igbotako, Ilutitun and Ode-Erinje communities in Okitipupa Local Government Area of Ondo State are being threatened by severe gully erosion caused by the absence of drainage systems and adequate modern bridges in the communities;

Also notes that the erosion has almost swept away bridges in C.A.C Urelejare area of Ikoya, Gbagba at Igbotako and Oniju area of Iju-Odo, thus making living in those communities unbearable;

Worried that erosion has caused the displacement of the people from their ancestral homes, while significant portions of agricultural farmlands have been washed away and crops totally destroyed by the floods;

Also worried that the floods have resulted in endangerment and loss of lives due to bites by dangerous reptiles like snakes and dragon lizards which were forced out of their natural habitats by the torrents;

Concerned that if urgent steps are not taken to control the erosion, people will be permanently displaced from their communities and the affected communities may be wiped out:

Resolves to:

- (i) urge the Federal Ministry of Environment and the Ecological Fund Office to mobilize to the affected areas, conduct a survey to ascertain the degree of damages caused by the gully erosion and take appropriate actions to remedy the situation; and
- (ii) mandate the Committees on Environment and Habitat, and Appropriations to include funds in the 2017 budget proposal to carry out erosion control projects in Okitipupa/Irele Federal Constituency (*Hon. Michael Adeniyi Omogbehin — Okitipupa/Irele Federal Constituency*).

Agreed to.

(HR. 32/2017).

Motion referred to the Committees on Environment and Habitat, and Appropriations, pursuant to Order Eight, Rule 9 (5).

7. **Constitutional Breaches, Impunity and Other Infractions Against the Niger Delta Power Holding Company (NDPHC) and the Need to Ensure Probity and Enforcement of Statutory Oversight Functions**
Motion made and Question proposed:

The House:

Aware that considering the initial approval of \$2.5 Billion for the National Integrated Power Project (NIPP) by the National Assembly and the National Council of State in August 2005 from the Excess Crude Oil Account belonging to the three tiers of Government, the Federal Government incorporated the Niger Delta Power Holding Company (NDPHC) as a Limited Liability company to serve as a special purpose vehicle to manage NIPP assets and projects by employing best business practices:

Also aware that the NIPP was a government-funded fast track initiative conceptualized in 2004 to enhance Nigeria's electricity supply before the full implementation of the private sector driven Electric Power Sector Reform Act:

Further aware that the NIPP encompassed projects from every aspect of the electricity value chain, including generation, transmission and distribution and thus required an initial investment in the construction of ten (10) power plants in different parts of the country; amongst several other projects:

Concerned that a company with majority shares held by the Federal Government which manages the utilization of over \$12 billion already approved by the National Assembly and the National Council of State since its incorporation in 2005, does not submit its annual budget and project plans for appropriation by the National Assembly while it generates an operating surplus which cannot be determined because it is neither divulged nor paid into the coffers of the Federal Government but rather expended by the company without legislative approval:

Alarmed at reports that the NDPHC has commenced the sale of NIPP assets, including power plants and is also awarding numerous inflated contracts without due process and has continued to pay outrageous amounts as way leave payments to communities with significant cost implications to the Government, and is further reported to have received funding of about \$9 billion from the Central Bank of Nigeria (CBN) for priority projects but has allegedly diverted these funds to other areas:

Also alarmed at the lack of completion of the ten (10) power plants awarded by the NDPHC since 2006, though a few of the plants have been completed and handed over since 2010 but a local contractor, Rockson Engineering has refused to hand over four (4) power plants it was awarded in controversial circumstances and appears to be holding the Federal Government to ransom over the completion of the plants while the equipment and infrastructure continue to experience wear and tear due to the protracted delay;

Worried that the NDPHC appears to believe that it is only accountable to the Office of the Vice President and has therefore refused to subject itself to the oversight and appropriation roles of the National Assembly while its actions and inactions have adversely affected the power requirements of the country;

Resolves to:

Mandate the Committee on Power to conduct an investigative hearing involving all relevant stakeholders to identify any constitutional breaches and ascertain the veracity of reported infractions by the NDPHC and report to the House within six (6) weeks for further legislative action (*Hon. Mark Terseer Gbillah — Gwer East/Gwer West Federal Constituency*).

Debate.

Agreed to.

The House:

Aware that considering the initial approval of \$2.5 Billion for the National Integrated Power Project (NIPP) by the National Assembly and the National Council of State in August 2005 from the Excess Crude Oil Account belonging to the three tiers of Government, the Federal Government incorporated the Niger Delta Power Holding Company (NDPHC) as a Limited Liability company to serve as a special purpose vehicle to manage NIPP assets and projects by employing best business practices;

Also aware that the NIPP was a government-funded fast track initiative conceptualized in 2004 to enhance Nigeria's electricity supply before the full implementation of the private sector driven Electric Power Sector Reform Act;

Further aware that the NIPP encompassed projects from every aspect of the electricity value chain, including generation, transmission and distribution and thus required an initial investment in the construction of ten (10) power plants in different parts of the country, amongst several other projects;

Concerned that a company with majority shares held by the Federal Government which manages the utilization of over \$12 billion already approved by the National Assembly and the National Council of State since its incorporation in 2005, does not submit its annual budget and project plans for appropriation by the National Assembly while it generates an operating surplus which cannot be determined because it is neither divulged nor paid into the coffers of the Federal Government but rather expended by the company without legislative approval;

Alarmed at reports that the NDPHC has commenced the sale of NIPP assets, including power plants and is also awarding numerous inflated contracts without due process and has continued to pay outrageous amounts as well as leave payments to communities with significant cost implications to the Government, and is further reported to have received funding of about \$9 billion from the Central Bank of Nigeria (CBN) for priority projects but has allegedly diverted these funds to other areas;

Also alarmed at the lack of completion of the ten (10) power plants awarded by the NDPHC since 2006, though a few of the plants have been completed and handed over since 2010 but a local contractor, Rockson Engineering has refused to hand over four (4) power plants it was awarded in controversial circumstances and appears to be holding the Federal Government to ransom over the completion of the plants while the equipment and infrastructure continue to experience wear and tear due to the protracted delay:

Worried that the NDPHC appears to believe that it is only accountable to the Office of the Vice President and has therefore refused to subject itself to the oversight and appropriation roles of the National Assembly while its actions and inactions have adversely affected the power requirements of the country:

Resolved to:

Mandate the Committee on Power to conduct an investigative hearing involving all relevant stakeholders to identify any constitutional breaches and ascertain the veracity of reported infractions by the NDPHC and report to the House within six (6) weeks for further legislative action (HR. 33/2017).

8. **Need to Address the Massive Revenue Losses Caused by Serial Under-Payments by Telecommunications Service Providers**

Motion made and Question proposed:

The House:

Observes that over the years, Nigeria has recorded colossal losses of revenues from telecommunications service providers who have consistently taken advantage of certain regulatory loopholes to underpay the Federal Government:

Also observes that considering the volume, values and traffic on each of those telecommunications service providers, the revenues generated by Nigeria through operating levy as well as income tax on profit paid by the firms have been grossly inadequate:

Worried that the Federal Government receives only revenues based on what is declared by the telecom operators through their self-assessment and self-declaration mechanisms that are usually skewed in their favour:

Disturbed that the Nigerian Communications Commission does not carry out appropriate verification of the volume of transactions done by these telecom providers:

Alarmed that sometime in April 2015, without the approval of the Nigerian Communications Commission, the telecom service providers unilaterally increased the termination fee for inbound international traffic into their networks to ₦10 per minute from ₦3.90k, which led to increased revenues for these firms without corresponding increase in revenues accruable to the Federal Government:

Also alarmed that unlike some neighbouring countries, Nigeria does not have a well-structured platform to duly verify the transactions and declarations made by these telecom service providers with a view to correcting the anomalies in revenues remitted to the Federal Government:

Concerned that due to the absence of an effective and efficient monitoring mechanism, Nigeria has lost humongous revenues because the huge traffic brought in at higher termination fee is usually credited as local calls and the service providers pay the Federal Government same rate as the rates from local calls:

Also concerned that the service providers take advantage of the non-uniformity of data computed by the Nigerian Communications Commission and the National Bureau of Statistics in terms of inbound termination calls into Nigeria by paying the Federal Government whatever suits them, thus shortchanging Nigeria of the appropriate revenues accruable to it;

Notes that despite its size, population and traffic of international calls, revenues paid to the Federal Government is abysmally low when compared with other countries like Ghana which with the implementation of International Inbound Traffic Regulation, generated about \$ 143million in additional revenue between June 2010 and June 2012;

Resolves to,

Set up an *Ad-hoc* Committee to carry out a comprehensive investigation of the activities of Telecommunications service providers which leads to massive revenue losses to the Federal Government and report to the House within four (4) weeks for further legislative action (*Hon. Yusuf Ayo Tajudeen – Ijumu/Kabba-Bunu Federal Constituency*).

Debate,

Amendment Proposed:

In line 1 of the Prayer, *leave out* the words “Set up an *Ad-hoc* Committee” and *insert* the words “Mandate the Committee on Telecommunications” instead thereof (*Hon. Udende Emmanuel Memga – Katsina Ala/Logo/Ukum Federal Constituency*).

Question that the amendment be made — Agreed to.

Question on the Motion as amended — Agreed to.

The House:

Observed that over the years, Nigeria has recorded colossal losses of revenues from telecommunications service providers who have consistently taken advantage of certain regulatory loopholes to underpay the Federal Government;

Also observed that considering the volume, values and traffic on each of those telecommunications service providers, the revenues generated by Nigeria through operating levy as well as income tax on profit paid by the firms have been grossly inadequate;

Worried that the Federal Government receives only revenues based on what is declared by the telecom operators through their self-assessment and self-declaration mechanisms that are usually skewed in their favour;

Disturbed that the Nigerian Communications Commission does not carry out appropriate verification of the volume of transactions done by these telecom providers;

Alarmed that sometime in April 2015, without the approval of the Nigerian Communication Commission, the telecom service providers unilaterally increased the termination fee for inbound international traffic into their networks to ₦10 per minute from ₦3.90k, which led to increase revenues for these firms without corresponding increase in revenues accruable to the Federal Government;

Also alarmed that unlike some neighbouring countries, Nigeria does not have a well-structured platform to duly verify the transactions and declarations made by these telecom service providers with a view to correcting the anomalies in revenues remitted to the Federal Government;

Concerned that due to the absence of an effective and efficient monitoring mechanism, Nigeria has lost humongous revenues because the huge traffic brought in at higher termination fee is usually credited as local calls and the service providers pay the Federal Government same rate as the rates from local calls;

Also concerned that the service providers take advantage of the non-uniformity of data computed by the Nigerian Communications Commission and the National Bureau of Statistics in terms of inbound termination calls into Nigeria by paying the Federal Government whatever suits them, thus shortchanging Nigeria of the appropriate revenues accruable to it;

Noted that despite its size, population and traffic of international calls, revenues paid to the Federal Government is abysmally low when compared with other countries like Ghana which with the implementation of International Inbound Traffic Regulation, generated about \$ 143million in additional revenue between June 2010 and June 2012;

Resolved to:

Mandate the Committee on Telecommunications to carry out a comprehensive investigation of the activities of Telecommunication service providers which lead to massive revenue losses to the Federal Government and report to the House within four (4) weeks for further legislative action (HR. 34, 2017).

9. **Need to Investigate the Planned Relocation of Shell Petroleum Development Company (SPDC) from Port Harcourt to Forestall an Impending Crises in the Niger-Delta Region**

Motion made and Question proposed:

The House,

Aware of the planned relocation of Shell Petroleum Development Company's (SPDC) operational base from Port Harcourt and the consequent threat to the national security ensuing there from;

Also aware that SPDC issued a tender document dated 15th September, 2016 and published in the website of Shell Nigeria Exploration and Production Company Limited (SNEPCO) advertising for tenders for the construction of a Supply Base Service;

Further aware that the Niger-Delta region has witnessed increasing divestments and relocation by SPDC on spurious reasons that border on high operational costs and is further poised to divest the region of meaningful investments;

Notes that the major demand of the Pan Niger-Delta Forum (PAN-DEF) at its meeting with President Muhammadu Buhari in December 2016 was the return of the operational bases of all oil companies and oil servicing companies to the Niger-Delta region to help assuage the restive youths of the region;

Also notes that the major cause of militancy in the region is the allegation of abandonment of the region by operators in the oil sector and the consequential poverty and degraded environment which is the effect of long years of neglect;

Worried that several youths and stakeholders in the region are provoked by and are already protesting the planned relocation which will escalate the restiveness and militancy in the region and this will affect the Nigerian economy that is already recessed due to low crude oil output;

Resolves to:

- (i) urge the Minister of State (Petroleum), the National Petroleum Investment Management Services (NAPIMS) and the SPDC to suspend the planned relocation of SPDC operational base from Port Harcourt and allow the House the opportunity to intervene in the matter; and

- (ii) set up an *Ad-hoc* Committee to investigate the reasons behind the planned re-location and its implication and report to the House within four (4) weeks for further legislative action (*Hon. Kingsley Chinda - Obio/Akpor Federal Constituency and 7 others*).

Debate.

Agreed to.

The House:

Aware of the planned relocation of Shell Petroleum Development Company's (SPDC) operational base from Port Harcourt and the consequent threat to the national security ensuring there from;

Also aware that SPDC issued a tender document dated 15th September, 2016 and published in the website of Shell Nigeria Exploration and Production Company Limited (SNEPCO) advertising for tenders for the construction of a Supply Base Service;

Further aware that the Niger-Delta region has witnessed increasing divestments and relocation by SPDC on spurious reasons that border on high operational costs and is further poised to divest the region of meaningful investments;

Noted that the major demand of the Pan Niger-Delta Forum (PAN-DEF) at its meeting with President Muhammadu Buhari in December 2016 was the return of the operational bases of all oil companies and oil servicing companies to the Niger-Delta region to help assuage the restive youths of the region;

Also noted that the major cause of militancy in the region is the allegation of abandonment of the region by operators in the oil sector and the consequential poverty and degraded environment which is the effect of long years of neglect;

Worried that several youths and stakeholders in the region are provoked by and are already protesting the planned relocation which will escalate the restiveness and militancy in the region and this will affect the Nigerian economy that is already recessed due to low crude oil output;

Resolved to:

- (i) urge the Minister of State (Petroleum), the National Petroleum Investment Management Services (NAPIMS) and the SPDC to suspend the planned relocation of SPDC operational base from Port Harcourt and allow the House the opportunity to intervene in the matter; and
- (ii) set up an *Ad-hoc* Committee to investigate the reasons behind the planned re-location and its implication and report to the House within four (4) weeks for further legislative action (**HR. 35/2017**).

10. Need to Impress upon the Executive Arm of Government the Importance of Obeying Court Orders

Motion made and Question proposed:

The House:

Notes that Nigeria as a country is built on the Constitution of the Federal Republic of Nigeria, 1999 which provides for the separation of powers between the three arms of government namely the Executive, Legislative and Judicial arms;

Also notes that under the principle of separation of powers, no arm of government can usurp the powers of any other arm or take steps to prevent any other arm from carrying out its functions as laid down in the Constitution or undermine it in anyway;

Informed that in the recent times, some security agencies, such as the Department of State Services have been consistently flouting Court Orders, especially as they relate to bail and production of accused persons in court;

Further notes that the Judiciary is the acclaimed last hope of the common man and therefore any attempt to denigrate the Courts to the point where citizens feel they no longer have any legal recourse to them may lead to anarchy and resort to self help;

Cognizant of the need to impress upon the executive arm of Government the need to direct security agencies to obey court orders and operate within legal parameters, citizens will continue to live in palpable fear and the economy will continue to suffer capital flight since investors tend to avoid climes where security agencies operate without regard for laws and court orders;

Conscious of the need for agencies of Government not to act in ways that make citizens live in fear and hurt the economy through capital flights;

Resolves to:

- (i) urge the executive arm to direct security agencies to obey court orders, especially those relating to bail and production of accused persons in Court for trials; and
- (ii) mandate the Committees on Human Rights, and Justice to investigate cases of detention of accused persons beyond the statutory period in contravention of subsisting Court Orders granting them bail, failure to release or produce accused persons in Court for trial and prevail on the offending agencies to ensure their releases and report to the House within four (4) weeks for further legislative action (*Hon. Sergius Ose Ogun —Esan Northeast/Esan Southeast Federal Constituency*).

Debate.

Agreed to.

The House:

Noted that Nigeria as a country is built on the Constitution of the Federal Republic of Nigeria, 1999 which provides for the separation of powers between the three arms of government namely the Executive, Legislative and Judicial arms;

Also noted that under the principle of separation of powers, no arm of government can usurp the powers of any other arm or take steps to prevent any other arm from carrying out its functions as laid down in the Constitution or undermine it in anyway;

Informed that in the recent times, some security agencies, such as the Department of State Services have been consistently flouting Court Orders, especially as they relate to bail and production of accused persons in court;

Further noted that the Judiciary is the acclaimed last hope of the common man and therefore any attempt to denigrate the Courts to the point where citizens feel they no longer have any legal recourse to them may lead to anarchy and resort to self help;

Cognizant of the need to impress upon the executive arm of Government the need to direct security agencies to obey court orders and operate within legal parameters, citizens will continue to live in palpable fear and the economy will continue to suffer capital flight since investors tend to avoid climes where security agencies operate without regard for laws and court orders;

Conscious of the need for agencies of Government not to act in ways that make citizens live in fear and hurt the economy through capital flights:

Resolved to:

- (i) urge the executive arm to direct security agencies to obey court orders, especially those relating to bail and production of accused persons in Court for trials; and
- (ii) mandate the Committees on Human Rights, and Justice to investigate cases of detention of accused persons beyond the statutory period in contravention of subsisting Court Orders granting them bail, failure to release or produce accused persons in Court for trial and prevail on the offending agencies to ensure their releases and report to the House within four (4) weeks for further legislative action (**HR. 36/2017**).

11. Need to Check Cases of Persistent Fundamental Human Rights Breaches and Acts of Impunity by Security Agencies

Motion made and Question proposed:

The House:

Notes that Chapter IV of the Constitution of the Federal Republic of Nigeria, 1999 and the African Charter on Human and Peoples Rights guarantee, among others rights to peaceful assembly, personal liberty and freedom of movement but concerned about the rising cases of violation of those rights:

Also notes the air of impunity with which some personnel of the security agencies treat citizens and the worrisome tendencies to disobey court orders:

Concerned about the recent arrests and detention, on 22 December, 2016, of some members of civil society organisations such as Lawyers in Defence of Democracy, National Youth Council of Nigeria and Citizens for Good Governance by the State Security Service for allegedly planning a peaceful protest and they have remained in detention for over 29 days since their arrests without being charged to Court or released:

Cognizant that these actions are unacceptable in a democratic society:

Resolves to:

- (i) request the Department of State Service (DSS) to immediately release Comrade Ugo Apuamagha, Emeka Idibia, Barr Ikengalmo Ugochinyere and Ejike Nwachukwu who were arrested on 22 December, 2016 for allegedly planning a protest or charge them to court without further delay; and
- (ii) mandate the Committees on Human Rights, Police Affairs, National Security and Intelligence, and Justice to investigate this incident and all other cases of unlawful and arbitrary arrests and detention of citizens and disobedience of Court Orders since June 2015 and report to the House within four (4) weeks for further legislative action (*Hon. Toby Okechukwu — Aninri/Agwu/Oji-River Federal Constituency and 10 others*).

Debate:

Agreed to.

The House:

Noted that Chapter IV of the Constitution of the Federal Republic of Nigeria, 1999 and the African Charter on Human and Peoples Rights guarantee, among others rights to peaceful assembly, personal liberty and freedom of movement but concerned about the rising cases of violation of those rights:

Also noted the air of impunity with which some personnel of the security agencies treat citizens and the worrisome tendencies to disobey court orders;

Concerned about the recent arrests and detention, on 22 December, 2016, of some members of civil society organisations such as Lawyers in Defence of Democracy, National Youth Council of Nigeria and Citizens for Good Governance by the State Security Service for allegedly planning a peaceful protest and they have remained in detention for over 29 days since their arrests without being charged to Court or released;

Cognizant that these actions are unacceptable in a democratic society;

Resolved to:

- (i) request the Department of State Service (DSS) to immediately release Comrade Ugo Apuamagha, Emeka Idibia, Barr Ikengalmo Ugochinyere and Ejike Nwachukwu who were arrested on 22 December, 2016 for allegedly planning a protest or charge them to court without further delay; and
- (ii) mandate the Committees on Human Rights, Police Affairs, National Security and Intelligence and Justice to investigate this incident and all other cases of unlawful and arbitrary arrests and detention of citizens and disobedience of Court Orders since June 2015 and report to the House within four (4) weeks for further legislative action (**HR. 37/2017**).

12. Need to Declare a State of Emergency in the Critical Economic Sectors to Arrest the Worsening Economic Situation in the Country

Order read; withdrawn by leave of the House.

13. Non- Representation of Abia, Imo and Ondo States in the Board of the Niger Delta Development Commission (NDDC)

Motion made and Question proposed;

The House:

Notes that sometime in July 2016, President Muhammadu Buhari forwarded names of persons to be members of the Governing Board of the Niger Delta Development Commission (NDDC) to the Senate for confirmation;

Recalls that the Senate, on 11 October, 2016 turned down confirmation of the nominees from Abia, Imo and Ondo States because the nominees were not from the oil producing areas of their respective States, as enshrined in Section 2 (1) (b) of the NDDC Act of 2000;

Also notes that the Board was subsequently inaugurated on 4 November, 2016 by the President without representatives of the three States;

Aware that the Board has powers to manage the affairs of the Commission, prepare its budget and execute projects which are to make life meaningful for the neglected oil producing areas;

Concerned that the Commission has been operating for almost three months without recourse to whether it was properly constituted by equal representation of all members States, meanwhile projects and opportunities are being extended to other States excluding Ondo, Imo and Abia States;

Disturbed that the implications for these unrepresented States are grave as a result of their non-participation in the budgeting process, non-representation of their interests and failure to determine the projects that are of great importance to them;

Resolves to:

- (i) urge the President to, without further delay forward the names of the representatives of the affected States who, in accordance with the NDDC Act of 2000, shall be persons from the oil producing areas of their respective States, to the Senate for confirmation in order to enable those States to be represented on the Board of the NDDC; and
- (ii) mandate the Committee on Niger Delta Development Commission to ensure Implementation and report to the House within four (4) week for further legislative action (*Hon. Victor Kolade Akinjo -- Eseodo/Itaje Federal Constituency*).

Debate.

Agreed to.

The House:

Noted that sometime in July 2016, President Muhammadu Buhari forwarded names of persons to be members of the Governing Board of the Niger Delta Development Commission (NDDC) to the Senate for confirmation;

Recalled that the Senate, on 11 October, 2016 turned down confirmation of the nominees from Abia, Imo and Ondo States because the nominees were not from the oil producing areas of their respective States, as enshrined in Section 2 (1) (b) of the NDDC Act of 2000;

Also noted that the Board was subsequently inaugurated on 4 November, 2016 by the President without representatives of the three States;

Aware that the Board has powers to manage the affairs of the Commission, prepare its budget and execute projects which are to make life meaningful for the neglected oil producing areas;

Concerned that the Commission has been operating for almost three months without recourse to whether it was properly constituted by equal representation of all members States, meanwhile projects and opportunities are being extended to other States excluding Ondo, Imo and Abia States;

Disturbed that the implications for these unrepresented States are grave as a result of their non-participation in the budgeting process, non-representation of their interests and failure to determine the projects that are of great importance to them;

Resolved to:

- (i) urge the President to, without further delay forward the names of the representatives of the affected States who, in accordance with the NDDC Act of 2000, shall be persons from the oil producing areas of their respective States, to the Senate for confirmation in order to enable those States to be represented on the Board of the NDDC; and
- (ii) mandate the Committee on Niger Delta Development Commission to ensure Implementation and report to the House within four (4) week for further legislative action (**HR. 38/2017**).

14. Need to Stop Medical Officers in the Public Service from Engaging in Private Practice for Personal Gains

Motion made and Question proposed:

The House:

Notes that by virtue of Section 1, Part I, Fifth Schedule to the Constitution of the Federal Republic of Nigeria, 1999, a Public Officer shall not put himself in a position where his personal interest conflicts with his duties and responsibilities;

Also notes that by virtue of Section 2 (b), Part I, Fifth Schedule to the Constitution, public officer shall not, except where he is not employed on full time basis, engage or participate in the management or running of any private business, profession or trade except engaging in farming;

Aware that these constitutional provisions are reinforced by Rules 04428 and 04429 of the Public Service Rules (Revised to 1st January, 2000) which equally prohibit a Public Officers from engaging in private practice for personal gains;

Also aware that by virtue of section 18 (2), Part I, Fifth Schedule to the Constitution, contravention of any of the provisions of the Code of Conduct for Public Officers by any officer in the Public Service attracts punishment which includes vacation of office, disqualification from holding any public office for a period not exceeding 10 years, seizure and forfeiture to the state of any property acquired in abuse or corruption of office;

Wonders why in spite of the clear wordings of the Constitution and the Public Service Rules prohibiting Public Officers from engaging or participating in private practice, some Medical Officers, particularly those working in public hospitals, apparently with the tacit acquiescence of the Nigerian Medical Association and the Medical and Dental Council of Nigeria, engage in private practice with impunity for their personal gains and to the detriment of the patients and the general public;

Worried that this unethical and unpatriotic practice by some medical officers is grossly undermining the quality of services being rendered by public hospitals, thereby leading, in some cases, to untimely death of patients and sufferings of mestimable proportion;

Also worried that this practice is gradually turning our public hospitals to mere referral centres in favour of private hospitals owned by the medical officers in the public service.

Resolves to:

- (i) call for a stop to the trend of Medical Officers in the Public Service engaging in private practice for personal gains; and
- (ii) mandate the Committees on Health Care Services, and Health Institutions to liaise with the Federal Ministry of Health, the Nigerian Medical and Dental Council of Nigeria, the Nigerian Medical Association, the Code of Conduct Bureau, the Federal Civil Service Commission and other relevant agencies with the view to ensuring the stoppage of the practice in accordance with the laws of the nation (*Hon. Abbas Tajudeen – Zaria Federal Constituency*).

Debate.

Agreed to.

The House:

Noted that by virtue of Section 1, Part I, Fifth Schedule to the Constitution of the Federal Republic of Nigeria, 1999, a Public Officer shall not put himself in a position where his personal interest conflicts with his duties and responsibilities;

Also noted that by virtue of Section 2 (b), Part I, Fifth Schedule to the Constitution, public officer shall not, except where he is not employed on full time basis, engage or participate in the management or running of any private business, profession or trade except engaging in farming;

Aware that these constitutional provisions are reinforced by Rules 04428 and 04429 of the Public Service Rules (Revised to 1st January, 2000) which equally prohibit a Public Officers from engaging in private practice for personal gains;

Also aware that by virtue of section 18 (2), Part I, Fifth Schedule to the Constitution, contravention of any of the provisions of the Code of Conduct for Public Officers by any officer in the Public Service attracts punishment which includes vacation of office, disqualification from holding any public office for a period not exceeding 10 years, seizure and forfeiture to the state of any property acquired in abuse or corruption of office;

Wonders why in spite of the clear wordings of the Constitution and the Public Service Rules prohibiting Public Officers from engaging or participating in private practice, some Medical Officers, particularly those working in public hospitals, apparently with the tacit acquiescence of the Nigerian Medical Association and the Medical and Dental Council of Nigeria, engage in private practice with impunity for their personal gains and to the detriment of the patients and the general public;

Worried that this unethical and unpatriotic practice by some medical officers is grossly undermining the quality of services being rendered by public hospitals, thereby leading, in some cases, to untimely death of patients and sufferings of inestimable proportion;

Also worried that this practice is gradually turning our public hospitals to mere referral centres in favour of private hospitals owned by the medical officers in the public service;

Resolved to:

- (i) call for a stop to the trend of Medical Officers in the Public Service engaging in private practice for personal gains; and
- (ii) mandate the Committees on Health Care Services, and Health Institutions to liaise with the Federal Ministry of Health, the Nigerian Medical and Dental Council of Nigeria, the Nigerian Medical Association, the Code of Conduct Bureau, the Federal Civil Service Commission and other relevant agencies with the view to ensuring the stoppage of the practice in accordance with the laws of the nation. (HR. 39/2017)

15. Need to Investigate the Fraudulent Acts of Allocation Programming, Lifting, Distribution and Diversion of Petroleum Products by Staff of Nigerian Products Marketing Company (NPMC) at Port Harcourt, Warri, and Kaduna Depots

Motion made and Question proposed:

The House:

Notes that the Government of the day is poised to eradicating all the fraudulent practices that have hitherto plagued the Petroleum Sector of the economy;

Also notes that the Petroleum Depots in Kaduna, Warri and Port Harcourt are saddled with the responsibility of allocating, programming and distribution of Petroleum Products;

Aware that these Petroleum Products are being allocated, programmed and distributed fraudulently, to the benefit of the Management staff of NPMC and Staff of the respective Depots;

Also aware that most Independent Petroleum Marketers have not been allocated Products for many months because the top management Staff allocate these products to their cronies and surrogates, thus putting them at advantage of making huge gains, to the detriment of other marketers and the general public.

Concerned that this fraudulent practice is sabotaging the economy and depriving legitimate Oil Marketers from carrying out their activities, just to the benefit of top management Staff of NPMC and Staff of the respective Depots, an unwholesome practice that also creates room for monopoly and economic sabotage in the Petroleum Sector;

Resolves to:

Set up an *Ad-hoc* Committee to investigate the activities of the Staff of NPMC and the Staff of Representative Government own Depots across the country (*Hon. Dickson D. Tarkighir — Makurdi/Guma Federal Constituency and 1 other*).

Debate.

Agreed to.

The House:

Noted that the Government of the day is poised to eradicating all the fraudulent practices that have hitherto plagued the Petroleum Sector of the economy;

Also noted that the Petroleum Depots in Kaduna, Warri and Port Harcourt are saddled with the responsibility of allocating, programming and distribution of Petroleum Products;

Aware that these Petroleum Products are being allocated, programmed and distributed fraudulently, to the benefit of the Management staff of NPMC and Staff of the respective Depots;

Also aware that most Independent Petroleum Marketers have not been allocated Products for many months because the top management Staff allocate these products to their cronies and surrogates, thus putting them at advantage of making huge gains, to the detriment of other marketers and the general public;

Concerned that this fraudulent practice is sabotaging the economy and depriving legitimate Oil Marketers from carrying out their activities, just to the benefit of top management Staff of NPMC and Staff of the respective Depots, an unwholesome practice that also creates room for monopoly and economic sabotage in the Petroleum Sector;

Resolved to:

Set up an *Ad hoc* Committee to investigate the activities of the Staff of NPMC and the Staff of Representative Government own Depots across the country (HR. 40/2017).

16. A Bill for an Act to Authorise the issue from the Consolidated Revenue Fund of the Federation the total sum of ₦7,298,507,709,937 (Seven Trillion, Two Hundred and Ninety-Eight Billion, Five Hundred and Seven Million, Seven Hundred and Nine Thousand, Nine Hundred and Thirty-Seven Naira) only, of which, ₦419,020,648,000 (Four Hundred and Nineteen Billion, Twenty Million, Six Hundred and Forty-Eight Thousand Naira) only, is for Statutory Transfers, ₦1,663,885,430,499 (One Trillion, Six Hundred and Sixty-Three Billion, Eight Hundred and Eighty-Five Million, Four Hundred and Thirty Thousand, Four Hundred and Ninety-Nine Naira) only, is for Debt Service, ₦177,460,296,707 (One Hundred and Seventy-Seven Billion, Four Hundred and Sixty Million, Two Hundred and Ninety-Six Thousand, Seven Hundred and Seven Naira) only, is for Sinking Fund for Maturing Bonds, ₦2,979,151,756,196 (Two Trillion, Nine Hundred and Seventy-Nine Billion, One Hundred and Fifty-One Million, Seven Hundred and Fifty-Six Thousand, One Hundred and Ninety-Six Naira) only, is for Recurrent (Non-Debt) Expenditure while the sum of ₦42,058,989,578,536 (Two Trillion, Fifty-Eight Billion, Nine-Hundred and Eighty-Nine Million, Five Hundred and Seventy-Eight Thousand, Five Hundred and Thirty-Six Naira) only, is for contribution to the

Development Fund for Capital Expenditure (Exclusive of Capital Expenditure in Statutory Transfers) for the Year Ending on 31st December, 2017 (HB. 884) — *Second Reading*

Motion made and Question proposed. "That the House do resume debate on a Bill for an Act to Authorise the issue from the Consolidated Revenue Fund of the Federation the total sum of ₦7,298,507,709,937 (Seven Trillion, Two Hundred and Ninety-Eight Billion, Five Hundred and Seven Million, Seven Hundred and Nine Thousand, Nine Hundred and Thirty-Seven Naira) only, of which, ₦419,020,648,000 (Four Hundred and Nineteen Billion, Twenty Million, Six Hundred and Forty-Eight Thousand Naira) only, is for Statutory Transfers, ₦1,663,885,430,499 (One Trillion, Six Hundred and Sixty-Three Billion, Eight Hundred and Eighty-Five Million, Four Hundred and Thirty Thousand, Four Hundred and Ninety-Nine Naira) only, is for Debt Service, ₦177,460,296,707 (One Hundred and Seventy-Seven Billion, Four Hundred and Sixty Million, Two Hundred and Ninety-Six Thousand, Seven Hundred and Seven Naira) only, is for Sinking Fund for Maturing Bonds, ₦2,979,151,756,196 (Two Trillion, Nine Hundred and Seventy-Nine Billion, One Hundred and Fifty-One Million, Seven Hundred and Fifty-Six Thousand, One Hundred and Ninety-Six Naira) only, is for Recurrent (Non-Debt) Expenditure while the sum of ₦2,058,989,578,536 (Two Trillion, Fifty-Eight Billion, Nine Hundred and Eighty-Nine Million, Five Hundred and Seventy-Eight Thousand, Five Hundred and Thirty-Six Naira) only, is for contribution to the Development Fund for Capital Expenditure (Exclusive of Capital Expenditure in Statutory Transfers) for the Year Ending on 31st December, 2017 (HB. 884)" (*Hon. Femi Gbajabamila — House Leader*).

Debate resumed.

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

Bill read the Second Time.

Bill referred to the Committee on Appropriations.

17. A Bill for an Act to Amend the Federal Character Commission Act, Cap. F7, Laws of the Federation of Nigeria, 2004 to Provide for the Establishment of the Federal Character Tribunal for the Prosecution of Violations of the Federal Character Principle and Review of the Penalties and a Bill for an Act to Amend the Federal Character Commission Act, Cap. F7, Laws of the Federation of Nigeria, 2004 to Provide for the Representation of Each of the Senatorial Districts of the Federation in Order to Ensure Total Inclusiveness in the Federal Government Recruitments and for Other Related Matters (HBs 832 and HB. 885) — *Second Reading*

Motion made and Question proposed. "That a Bill for an Act to Amend the Federal Character Commission Act, Cap. F7, Laws of the Federation of Nigeria, 2004 to Provide for the Establishment of the Federal Character Tribunal for the Prosecution of Violations of the Federal Character Principle and Review of the Penalties and a Bill for an Act to Amend the Federal Character Commission Act, Cap. F7, Laws of the Federation of Nigeria, 2004 to Provide for the Representation of Each of the Senatorial Districts of the Federation in Order to Ensure Total Inclusiveness in the Federal Government Recruitments and for Other Related Matters (HBs 832 and HB. 885) be now read a Second Time" (*Hon. Uchechuku Nnam-Obi — Ogbu Eghema Ndoni/Abiodun West Federal Constituency and A other*).

Debate.

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

Bill read the Second Time.

Bill referred to the Committee on Federal Character.

18. **A Bill for an Act to make Agricultural Science a Core and Compulsory Subject in Secondary Schools in Nigeria and for Other Related Matters (HB. 881) — *Second Reading***

Motion made and Question proposed. "That a Bill for an Act to make Agricultural Science a Core and Compulsory Subject in Secondary Schools in Nigeria and for Other Related Matters (HB. 881) be now read a Second Time" (*Hon. Yusuf Buba Yakub — Gombe Hong Federal Constituency*).

Debate.

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

Bill read the Second Time.

Bill referred to the Committee on Basic Education and Services.

19. **Adjournment**

That this House do adjourn the First Sitting till 3.40 p.m. (*Hon. Buba Umar Jibril — Deputy House Leader*)

The House adjourned accordingly at 3.35 p.m.

Yakubu Dogara
Speaker