



HOUSE OF REPRESENTATIVES FEDERAL REPUBLIC OF NIGERIA

VOTES AND PROCEEDINGS

Wednesday, 7 June, 2017

1. The House met at 11.29 a.m. Mr Speaker read the Prayers.
2. **Votes and Proceedings**
Mr Speaker announced that he had examined and approved the *Votes and Proceedings* of Tuesday, 6 June, 2017.
The Votes and Proceedings was adopted by unanimous consent.
3. **Announcement**
Visitors in the Gallery:
Mr Speaker recognized the presence of the following visitors:
 - (i) Staff and Students of *Kingdom Heritage Model Schools*, Nyanya, Abuja;
 - (ii) Staff and Students of *St Mary Polytechnic*, Suleja, Niger State; and
 - (iii) Staff and Students of *Complete-Man International School*, Gauraka, Niger State.
4. **Matters of Urgent Public Importance (Standing Order Eight, Rule 4)**
 - (i) **Need to Arrest the Spate of Kidnapping in Chikun/Kajuru Federal Constituency, Kaduna State:**
Hon. Yakubu Umar Barde (*Chikun/Kajuru Federal Constituency*) introduced the matter and prayed the House to consider and approve it as one of urgent public importance.
Question that the matter be considered as one of urgent public importance — Agreed to.
Matter to stand over till the next legislative day, pursuant to Order Eight, Rule 4 (3).
 - (ii) **Need to Provide Portable Drinking Water, Medications, and other Relief Materials to Internally Displaced Persons (IDPs) in Banki Town, Bama Local Government Area of Borno State:**
Hon. Mohammed Nur Sheriff (*Bama/Ngala/Kalabaje Federal Constituency*) introduced the matter and prayed the House to consider and approve it as one of urgent public importance.
Question that the matter be considered as one of urgent public importance — Agreed to.

Matter to stand over till the next legislative day, pursuant to Order Eight, Rule 4 (3).

5. **A Bill for an Act to Establish the North-East Development Commission charged with the Responsibility of, among Other Things, Receiving and Managing Funds Allocated by the Federal Government and International Donors for the Resettlement, Rehabilitation, Integration and Reconstruction of Roads, Houses and Business Premises of Victims of Insurgency and Terrorism as well as Tackling the Menace of Poverty, Illiteracy, Ecological Problems and any Other Related Environmental or Developmental Challenges in the North-East States and for Other Related Matters (HB.158) — Third Reading.**

Motion made and Question proposed, "That a Bill for an Act to Establish the North-East Development Commission charged with the Responsibility of, among Other Things, Receiving and Managing Funds Allocated by the Federal Government and International Donors for the Resettlement, Rehabilitation, Integration and Reconstruction of Roads, Houses and Business Premises of Victims of Insurgency and Terrorism as well as Tackling the Menace of Poverty, Illiteracy, Ecological Problems and any Other Related Environmental or Developmental Challenges in the North-East States and for Other Related Matters (HB.158) be now read the Third Time" (Hon. Femi Gbajabiamila — House Leader).

Question agreed to.

Bill read the Third Time and passed.

6. **A Bill for an Act to Amend the Deep Offshore and Inland Basin Production Sharing Contracts and for Other Related Matters (HB. 708) — Third Reading.**

Motion made and Question proposed, "That a Bill for an Act to Amend the Deep Offshore and Inland Basin Production Sharing Contracts and for Other Related Matters (HB. 708) be now read the Third Time" (Hon. Femi Gbajabiamila — House Leader).

Question agreed to.

Bill read the Third Time and passed.

7. **A Bill for an Act to Establish the Federal College of Dental Technology and Therapy to Provide for Courses Leading to the Award of Degrees, Diplomas and Certificates in Dental Technology, Dental Therapy and for Other Related Matters (HB. 1018) — Third Reading.**

Motion made and Question proposed, "That a Bill for an Act to Establish the Federal College of Dental Technology and Therapy to Provide for Courses Leading to the Award of Degrees, Diplomas and Certificates in Dental Technology, Dental Therapy and for Other Related Matters (HB. 1018) be now read the Third Time" (Hon. Femi Gbajabiamila — House Leader).

Question agreed to.

Bill read the Third Time and passed.

8. **A Bill for an Act to Amend the Surveyors Registration Council of Nigeria Act, Cap. S18, Laws of the Federation of Nigeria, 2004 to Review the Fines Upwards and for Other Related Matters (HB. 545) — Third Reading.**

Motion made and Question proposed, "That a Bill for an Act to Amend the Surveyors Registration Council of Nigeria Act, Cap. S18, Laws of the Federation of Nigeria, 2004 to Review the Fines Upwards and for Other Related Matters (HB. 545) be now read the Third Time" (Hon. Femi Gbajabiamila — House Leader).

Question agreed to.

Bill read the Third Time and passed.

9. **A Bill for an Act to Provide for the Protection, Promotion and Maintenance of Health, for proper Sanitation in Matters Relating to Housing, Food and generally the Protection of the Environment and Control of Services and Activities and for Other Related Matters (HB. 27) — Third Reading.**

Motion made and Question proposed, "That a Bill for an Act to Provide for the Protection, Promotion and Maintenance of Health, for proper Sanitation in Matters Relating to Housing, Food and generally the Protection of the Environment and Control of Services and Activities and for Other Related Matters (HB. 27) be now read the Third Time" (*Hon. Femi Gbajabiamila — House Leader*).

Question agreed to.

Bill read the Third Time and passed.

10. **Consolidation of Bills:**

Motion made and Question proposed, "That a Bill for an Act to Provide for the Governance and Institutional Framework for the Petroleum Industry and to Establish a Fiscal Framework that Encourages Further Investment in the Petroleum Industry Whilst Increasing Accruable Revenues to the Federal Government of Nigeria and for Other Related Matters (HB. 477 and HB. 878), and a Bill for an Act to Provide for the Governance and Institutional Framework for the Petroleum Industry and for Other Related Matters (HB. 1053) be now consolidated" (*Hon. Orker-Jev Emmanuel Yisa — Buruku Federal Constituency*).

Agreed to.

11. **A Bill for an Act to Provide for the Governance and Institutional Framework for the Petroleum Industry and to Establish a Fiscal Framework that Encourages Further Investment in the Petroleum Industry Whilst Increasing Accruable Revenues to the Federal Government of Nigeria (HB. 477, HB. 878 and HB. 1053) — Second Reading**

Order read; deferred by leave of the House.

12. **A Bill for an Act to Provide for a Framework Relating to Petroleum Producing Host Community's Participation, Cost and Benefit sharing among the Government, Petroleum Exploration Companies and Petroleum Host Communities and for Other Related Matters (HB. 879) — Second Reading**

Order deferred by leave of the House.

13. **A Bill and Memorandum on Legal and Regulatory Framework, Institutions and Regulatory Authorities for the Nigerian Petroleum Industry, to Establish Guidelines for the Operations of the Upstream and Downstream Sectors and to Provide for the Establishment of the Legal and Regulatory Framework and Authorities as well as Guidelines for the Operation of the Upstream and Downstream Sectors of the Nigeria Petroleum Industry and for the Other Connected Purposes (HB. 336 and HB. 877) — Second Reading**

Order deferred by leave of the House.

14. **A Bill for an Act to Amend the National Environmental Standards and Regulations Enforcement Agency Act, Cap. N164, Laws of the Federation of Nigeria, 2004 to Provide for the Payment of all Monies Received by the Agency into the Federation Account in Accordance with Section 162 of the Constitution of the Federal Republic of Nigeria, 1999 and to Provide for and Adopt Clean Air Policies and for Other Related Matters (HB. 951, HB. 992 and HB. 1043) — Second Reading**

Motion made and Question proposed, "That a Bill for an Act to Amend the National Environmental Standards and Regulations Enforcement Agency Act, Cap. N164, Laws of the Federation of Nigeria, 2004 to Provide for the Payment of all Monies Received by the Agency into the Federation Account

in Accordance with Section 162 of the Constitution of the Federal Republic of Nigeria, 1999 and to Provide for and Adopt Clean Air Policies and for Other Related Matters (HB. 951, HB. 992 and HB. 1043) be now read a Second Time” (*Hon. Sadiq Ibrahim — Fufore/Song Federal Constituency and 3 others*).

Debate.

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

Bill read the Second Time.

Bill referred to the Committee on Environment and Habitat.

15. **A Bill for an Act to Amend the Births, Deaths, etc. (Compulsory Registration) Act, Cap. B9, Laws of the Federation of Nigeria, 2004 to Expand the Scope of Births and Deaths Certificates Issuance or Re-Issuance and Replacement and for Other Related Matters (HB. 986) — Second Reading**

Motion made and Question proposed, “That a Bill for an Act to Amend the Births, Deaths, etc. (Compulsory Registration) Act, Cap. B9, Laws of the Federation of Nigeria, 2004 to Expand the Scope of Births and Deaths Certificates Issuance or Re-Issuance and Replacement and for Other Related Matters (HB. 986) be now read a Second Time” (*Hon. Lovette Ederin Idisi — Ethiope East/Ethiope West 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 Justice.

16. **Need to Convert the Delta State Polytechnic, Ozoro to Federal Polytechnic, Ozoro**
Motion made and Question proposed;

The House:

Notes that the Federal Government had established about thirty two (32) Federal Polytechnics spread across the country but none of them is located in Delta State;

Aware of the existence of Delta State Polytechnic, Ozoro that is sited on a large expanse of land with a serene academic environment, standard and adequate lecture halls, hostels, auditorium, Olympic size stadium and other facilities;

Convinced of the need for the State Polytechnic to be converted to a Federal Polytechnic which will have the immediate effect of providing more employment opportunities and enhanced admission prospects for students at little or no extra cost to the Federal Government;

Resolves to:

- (i) urge the Federal Government to convert the Delta State Polytechnic, Ozoro to a Federal Polytechnic in order to enhance admission prospects, provide more employment opportunities and give Delta State a sense of belonging among States with Federal Polytechnics; and
- (ii) mandate the Committee on Tertiary Education and Services to ensure implementation (*Hon. Leo Okuweh Ogor — Isoko North/Isoko South Federal Constituency*).

Debate.

Agreed to.

The House:

Noted that the Federal Government had established about thirty two (32) Federal Polytechnics spread across the country but none of them is located in Delta State;

Aware of the existence of Delta State Polytechnic, Ozoro that is sited on a large expanse of land with a serene academic environment, standard and adequate lecture halls, hostels, auditorium, Olympic size stadium and other facilities;

Convinced of the need for the State Polytechnic to be converted to a Federal Polytechnic which will have the immediate effect of providing more employment opportunities and enhanced admission prospects for students at little or no extra cost to the Federal Government;

Resolved to:

- (i) urge the Federal Government to convert the Delta State Polytechnic, Ozoro to a Federal Polytechnic in order to enhance admission prospects, provide more employment opportunities and give Delta State a sense of belonging among States with Federal Polytechnics; and
- (ii) mandate the Committee on Tertiary Education and Services to ensure implementation (**HR. 244/2017**).

17. Call for Establishment of a Federal Polytechnic in Tambuwal Local Government Area of Sokoto State

Motion made and Question proposed;

The House:

Aware that education is a powerful tool for reducing poverty and inequality and Polytechnics offer vocational education through diverse technical courses leading to the award of the Ordinary National Diploma (OND) and the Higher National Diploma (HND) through a practical/hands on approach that imparts the right mix of knowledge and skill sets required to succeed in the new age of technology and global competitiveness that are necessary to achieve the economic diversification strategy of the present Administration;

Also aware that Sokoto State has an approximate population of 5 million people, half of which are below eighteen (18) years of age and an opportunity exists to harness this expanding youth population for the benefit of the State's economy and consequently national prosperity, hence the urgent need for a fresh approach to delivering qualitative and entrepreneurial education to this teeming population;

Notes that Sokoto South in general contributes a significant amount to the economy of Sokoto State while Tambuwal Local Government Area in particular is arguably one of the most viable local governments in the country as other than its rich cultural and historical heritage and significance, it is strategically located on the A1 highway that links Sokoto, Kebbi, Niger, Oyo and Lagos States and of all Tambuwal's areas of comparative advantage, perhaps its highest prospects stem from the resulting industrial potentials due to its unique topography, flora, fauna and bright prospects, yet there is no Federal tertiary institution located in the area;

Convinced that the youth of the area crave quality education due to the industry demonstrated by eminent sons of the soil whom, despite the inconveniences of having studied far away from home, excelled and contributed their quota to national development and have become the pride of the people, such as the globally acclaimed car designer, Jelani Aliyu and our very own Rt. Hon. Aminu Waziri Tambuwal;

Also convinced that in addition to the favorable location of Southern Sokoto, the peoples' quest for qualitative education for human capital development and economic potentials have created an urgent need for the establishment of a Federal Polytechnic to offer technical and vocational courses that the conventional Universities in the State do not offer;

Resolves to:

- (i) urge the Federal Ministry of Education to initiate the process for the establishment of a Federal Polytechnic in Tambuwal Local Government Area of Sokoto State for the benefit of the people of Sokoto State, the North-West Zone and Nigeria at large; and
- (ii) mandate the Committees on Tertiary Education and Services, and Legislative Compliance to ensure implementation and report back within six (6) weeks for further legislative action (*Hon. Abdussamad Dasuki — Kebbi/Tambuwal Federal Constituency and 1 other*).

Agreed to.

(HR. 245/2017).

Motion referred to the Committees on Tertiary Education and Services, and Legislative Compliance, pursuant to Order Eight, Rule 9 (5).

18. Need to Complete the New Ibadan Prison

Motion made and Question proposed;

The House:

Notes that construction work on the new Ibadan Prison started in 1980 as part of the developmental policy of the government to expand the criminal justice system to conform with international best practices;

Also notes that the project was also conceived to decongest Agodi Prison which was constructed in 1894 as the only prison yard serving the whole of Ibadan, Ibarapa and Oke-Ogun areas of Oyo State;

Further notes that similar projects located in other parts of the country, and started at the same time, have been completed over ten (10) years ago;

Aware that due to the non-completion of the new Ibadan prison, the existing prison which was built to accommodate 580 inmates now accommodates between 1,100 to 1,500 inmates;

Also aware that over congestion of Agodi Prison has led to series of attempted jail breaks and unimaginable health hazards among inmates and Prison staff;

Believes that if the new Ibadan Prison is completed, the problems associated with jail breaks and health hazards at Agodi Prison will be significantly reduced;

Resolves to:

- (i) urge the Federal Ministry of Interior to initiate the process to complete the new Ibadan Prison at Olunde in Oluyole Local Government Area of Oyo State; and
- (ii) mandate the Committee on Interior to ensure compliance (*Hon. Adedapo Lam-Adesina — Ibadan Northeast/Ibadan Southeast Federal Constituency*).

Agreed to.

(HR. 246/2017).

Motion referred to the Committee on Interior, pursuant to Order Eight, Rule 9 (5).

19. Call to Investigate the Release and Use of ₦37 Billion (Thirty Seven Billion Naira) for the Relocation/Welfare of the Bakassi People of Cross River State

Order read; deferred by leave of the House.

20. Need to Regulate the Use of Bisphenol “A” (BPA) Plastics in the Production of Bottled Water
Motion made and Question proposed;

The House:

Notes the growing concern over the effects of drinking water in plastic containers that had been left under the sun or near a heat source, which has been linked to degenerative diseases;

Aware that plastics are hydrocarbons that are obtained from crude oil which, when heated, become unstable and slowly release chemicals which then enter the water;

Also aware that most plastics contain a chemical known as Bisphenol “A” (BPA) which is also known as “environmental estrogen” that is known to cause reproductive defects as well as neurological abnormalities and prostate issues;

Cognizant that during the hot and humid weather, the demand for water is on the increase and as such, production of bottled water is on the rise;

Concerned that the production of bottled water for the most part is unregulated, as a result, the use of BPA plastics, which are by far cheaper than the non-BPA ones, is commonplace and generally used by companies producing bottled water;

Resolves to:

- (i) urge the Federal Government to ban the use of Bisphenol “A” (BPA) plastics in the production of bottled water; and
- (ii) mandate the Committee on Healthcare Services to liaise with relevant agencies and companies producing bottled water to work out modalities on how to effectively put an embargo on the use of BPA plastics in the country (*Hon. Sergius Oseasochie Ogun — Esan Northeast/Esan Southeast Federal Constituency*).

Debate.

Amendment proposed:

Leave out Prayer (ii) and insert a new Prayer (ii) as follows:

“mandate the Committee on Healthcare Services to invite the Minister of Health, and the Director-General, National Agency for Food and Drug Administration and Control (NAFDAC) for proper investigation and report back within four weeks” (Hon. Agbonayinma Johnson Ehiozuwa — Egor/Ikpoba/Okha Federal Constituency).

Question that the amendment be made — Agreed to.

Question on the Motion as amended — Agreed to.

The House:

Noted the growing concern over the effects of drinking water in plastic containers that had been left under the sun or near a heat source, which has been linked to degenerative diseases;

Aware that plastics are hydrocarbons that are obtained from crude oil which, when heated, become unstable and slowly release chemicals which then enter the water;

Also aware that most plastics contain a chemical known as Bisphenol “A” (BPA) which is also known as “environmental estrogen” that is known to cause reproductive defects as well as neurological abnormalities and prostate issues;

Cognizant that during the hot and humid weather, the demand for water is on the increase and as such, production of bottled water is on the rise;

Concerned that the production of bottled water for the most part is unregulated, as a result, the use of BPA plastics, which are by far cheaper than the non-BPA ones, is commonplace and generally used by companies producing bottled water;

Resolved to:

- (i) urge the Federal Government to ban the use of Bisphenol “A” (BPA) plastics in the production of bottled water; and
- (ii) mandate the Committee on Healthcare Services to invite the Minister of Health, and the Director-General, National Agency for Food and Drug Administration and Control (NAFDAC) for proper investigation and report back within four weeks (HR. 247/2017).

21. Need for Intervention of the Federal Government in the Exorbitant Fares Proposed for the 2017 Hajj Exercise

Motion made and Question proposed:

The House:

Notes that section 4 of the National Hajj Commission of Nigeria (NAHCON) Establishment Act of 2006 provides the functions of the Commission to include licensing, supervising and performing oversight functions over Organisations, Corporate and Non-Corporate, and fixing fares for each year's Hajj Exercise;

Also notes that the One Million, Five Hundred Thousand Naira (₦1,500,000) fare fixed by NAHCON for the Hajj is beyond the financial capacity of most intending pilgrims due to the prevailing economic situation in the country;

Aware that the exorbitant fare is making most intending pilgrims to have a rethink on whether to request for a refund of their deposits or consider patronizing private operators who are charging One Million, Two Hundred Thousand Naira (₦1,200,000);

Observes that over the years, Hajj and Umrah operations had been characterized by many challenges, including spiritual, material and inadequate planning;

Concerned that NAHCON and other stakeholders have turned Hajj and Umrah operations into exploitative ventures, thereby charging higher fares than those that are charged anywhere in the African and Middle Eastern countries, and Nigerian pilgrims, after paying so much, receive less qualitative services in the Holy Land in terms of accommodation, feeding and transportation;

Resolves to:

Set-up an *Ad-hoc* Committee to interface with the National Hajj Commission of Nigeria (NAHCON) and other stakeholders in order to determine the reasons for the increase in fares and find ways of reducing it to an acceptable level, and report back within two (2) weeks (*Hon. Aliyu Sani Madaki — Dala Federal Constituency*).

Debate.

Amendments Proposed:

(i) *Insert* a new Prayer (ii) as follows:

“Urge the Federal Government to intervene by directing NAHCON to find ways of reducing the fares charged for Hajj operations” (*Hon. Aishatu Jibril Dukku — Dukku/Nafada Federal Constituency*).

Question that the amendment be made — Agreed to.

(ii) In the Prayer, *leave out* the words “Set up an *Ad-hoc* Committee” and *insert* the words “Committee on Foreign Affairs” (*Hon. Herman Hembe — Konshisha/Vandekiya Federal Constituency*).

Question that the amendment be made — Negatived.

Question on the Motion as amended — Agreed to.

The House:

Noted that section 4 of the National Hajj Commission of Nigeria (NAHCON) Establishment Act of 2006 provides the functions of the Commission to include licensing, supervising and performing oversight functions over Organisations, Corporate and Non-Corporate, and fixing fares for each year's Hajj Exercise;

Also noted that the One Million, Five Hundred Thousand Naira (₦1,500,000) fare fixed by NAHCON for the Hajj is beyond the financial capacity of most intending pilgrims due to the prevailing economic situation in the country;

Aware that the exorbitant fare is making most intending pilgrims to have a rethink on whether to request for a refund of their deposits or consider patronizing private operators who are charging One Million, Two Hundred Thousand Naira (₦1,200,000);

Observed that over the years, Hajj and Umrah operations had been characterized by many challenges, including spiritual, material and inadequate planning;

Concerned that NAHCON and other stakeholders have turned Hajj and Umrah operations into exploitative ventures, thereby charging higher fares than those that are charged anywhere in the African and Middle Eastern countries, and Nigerian pilgrims, after paying so much, receive less qualitative services in the Holy Land in terms of accommodation, feeding and transportation;

Resolved to:

- (i) Set-up an *Ad-hoc* Committee to interface with the National Hajj Commission of Nigeria (NAHCON) and other stakeholders in order to determine the reasons for the increase in fares and find ways of reducing it to an acceptable level, and report back within two (2) weeks; and
- (ii) urge the Federal Government to intervene by directing NAHCON to find ways of reducing the fares charged for Hajj operations (**HR. 248/2017**).

22. Consideration of Reports

- (i) **A Bill for an Act to Amend the Public Procurement Act, 2007 by Adding a New Member to the Council, Amending the Procedure for Appointing the Director General of the Bureau and Extending the Application of the Act to Defence Procurement and for Other Matters Connected Therewith (HB. 475) (Committee of the Whole):**

Motion made and Question proposed, "That the House do consider the Report on a Bill for an Act to Amend the Public Procurement Act, 2007 by Adding a New Member to the Council, Amending the Procedure for Appointing the Director General of the Bureau and Extending the Application of the Act to Defence Procurement and for Other Matters Connected Therewith (HB. 475) and approve the recommendations therein".

Agreed to.

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

(HOUSE IN COMMITTEE)

(Mr Deputy Speaker in the Chair)

A BILL FOR AN ACT TO AMEND THE PUBLIC PROCUREMENT ACT, 2007 BY ADDING A NEW MEMBER TO THE COUNCIL, AMENDING THE PROCEDURE FOR APPOINTING THE DIRECTOR GENERAL OF THE BUREAU AND EXTENDING THE APPLICATION OF THE ACT TO DEFENCE PROCUREMENT AND FOR OTHER MATTERS CONNECTED THEREWITH (HB. 475)

PART I — ESTABLISHMENT OF NATIONAL COUNCIL ON PUBLIC PROCUREMENT

Clause 1: Amendment of Section 5: Functions of the Bureau.
The Bureau shall :

- (a) formulate the general policies and guidelines relating to public sector procurement for the approval of the Council;
- (b) publicize and explain the provisions of this Act;
- (c) subject to thresholds as may be set by the Council, certify Federal procurement prior to the award of contract;
- (d) supervise the implementation of established procurement policies ;
- (e) monitor the prices of tendered items and keep a national database of standard prices;

- (f) publish the details of all major contracts in the procurement journal, or any national newspapers and cause same to be published in the official website of the Bureau, procuring entity and other social media platforms as it may deem fit;
- (h) maintain a national database of the particulars, classification, and categorization of federal contractors, suppliers, consultants and service providers;
- (g) publish paper and electronic editions of the procurement journal and maintain an archival system for the procurement journal;
- (h) maintain a national database of the particulars and classification and categorization of federal contractors and service providers;
- (i) collate and maintain in an archival system, all federal procurement plans and information;
- (j) undertake procurement research and surveys;
- (k) organize training and development programmes for procurement professionals;
- (l) periodically review the socioeconomic effect of the policies on procurement and advise the Council accordingly;
- (m) prepare and update standard bidding and contract documents;
- (n) prevent fraudulent and unfair procurement and where necessary apply administrative sanctions;
- (o) review the procurement and award of contract procedures of every entity to which this Act applies;
- (p) perform procurement audits and reviews and after approval of the Council, submit such report to the President and the National Assembly bi-annually;
- (q) introduce, develop, update and maintain related database and technology;
- (r) establish a single internet portal that shall, subject to Section 16 (21) to this Act serve as a primary and definitive source of all information on government procurement containing and displaying all public sector procurement information at all times;
- (s) co-ordinate relevant training programs to build institutional capacity;
- (t) introduce a credit scoring system for federal contractors and services providers;
- (u) perform procurement project monitoring and evaluation after the issuance of a Certificate of No Objection for contracts awarded by a procuring entity; and
- (v) the Bureau shall develop and update the special guidelines and regulations applicable to Defence Procurement (*Hon. Busayo Oluwole Oke — Obokun/Oriade Federal Constituency*).

Amendment Proposed:

Clause 1:

In Clause 1 (f), line 1, immediately after the word “all”, *leave out* the word “major” (*Hon. Femi Gbajabiamila — Surulere I Federal Constituency*).

Question that the amendment be made — Agreed to.

Question that Clause 1 as amended, stand part of the Bill — Agreed to.

Clause 2: Amendment of Section 21: Procurement Planning Committee.

(1) For each financial year each procuring entity shall establish a Procurement Planning Committee.

(2) The Procurement Planning Committee shall consist of:

(a) the accounting officer of the procuring entity or his representative who shall chair the Committee;

(b) a representative of:

(i) the procurement unit of the procuring entity who shall be the Secretary,

(ii) the unit directly in requirement of the procurement (the user department / unit),

(iii) the financial unit of the procuring entity,

(iv) the planning, research and statistics unit of the procuring entity,

(v) technical personnel of the procuring entity with expertise in the subject matter for each particular procurement, and

(vi) the legal unit of the procuring entity.

(4) The procurement unit or department of the procuring entity shall undertake independent mandatory regular monitoring of all projects and render returns to the relevant Tenders Board and directly to the Bureau on monthly basis.

(5) The user department/unit shall be responsible for initiating procurement or disposal, proposing technical specifications for the goods, works and services to be procured and work directly with consultants, contractors/suppliers to ensure that the items are delivered as signed in the contract agreement (*Hon. Busayo Oluwole Oke — Obokun/Oriade Federal Constituency*).

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

PART VI — PROCUREMENT METHODS (WORKS, GOODS AND SERVICES)**Clause 3: Amendment of Section 25: Invitations to bid.**

(1) Invitations to bid may be either by way of National Competitive Bidding or International Competitive Bidding and the Bureau shall from time to time set the monetary thresholds for which procurements shall fall under either system.

- (2) Every invitation to an open competitive bid shall:
- (i) in the case of goods and works under International Competitive Bidding, the invitation for bids shall be advertised in at least two national newspapers and one relevant internationally recognised publication, any official websites of the procuring entity or internet and social media platforms that ensures a mass dissemination of information and the Bureau as well as the procurement journal not less than four weeks before the deadline for submission of the bids for the goods and works,
 - (ii) in the case of goods and works valued under National Competitive Bidding, the invitation for bids shall be advertised on the notice board of the procuring entity, any official web sites of the procuring entity, or internet and social media platforms that ensures a mass dissemination of information at least two national newspapers, and in the procurement journal not less than three weeks before the deadline for submission of the bids for the goods and works except for emergency situation or urgent needs.
- (3) (i) The Bureau or Procuring Entities shall where necessary and appropriate, shorten the time provided in this Act or Regulations issued pursuant to this Act for any emergency procurement activity to ensure timely execution.
- (ii) A Procuring Entity acting with respect to paragraph (i) of this section shall notify the Bureau within 7 days of such action (*Hon. Busayo Oluwole Oke — Obokun/Oriade Federal Constituency*).

Amendments Proposed:

- (i) In Subclause (2) (i), line 4, immediately after the word “entity”, *leave out* the words “or internet and social medial platforms that ensures a mass dissemination of information” (*Hon. Oluwole Oke - Obokun/Oriade Federal Constituency*).

Question that the amendment be made — Agreed to.

- (ii) In Subclause (2) (ii), line 3, immediately after the word “entity”, *leave out* the words “or internet and social medial platforms that ensures a mass dissemination of information” (*Hon. Oluwole Oke - Obokun/Oriade Federal Constituency*).

Question that the amendment be made — Agreed to.

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

Clause 4: Amendment of Section 35: Mobilization fees.

- (1) In addition to any other regulations as may be prescribed by the Bureau, a mobilization fee of not more than 30% to be paid to a supplier or contractor supported by the following:
- (a) in the case of National Competitive Bidding - an irrevocable advance payment guarantee or insurance bond issued by a reputable bank or insurance company; and
 - (b) in the case of International Competitive Bidding, an irrevocable bank guarantee issued by a banking institution.

Provided that in the case of national competitive bidding involving substantial foreign component, a mobilization fee of not more than 50% may be paid to the supplier or contractor.

- (2) Once a mobilization fee has been paid to any supplier or contractor, no further payment shall be made to the supplier or contractor without an interim performance certificate issued in accordance with the contract agreement.
- (3) Any person or authority who accesses mobilization fee and absconds or does not carry out the services or works commensurate to the fee paid shall be guilty of an offence and punishable with 2 years imprisonment or a fine equivalent to the fee paid or both (*Hon. Busayo Oluwole Oke — Obokun/Oriade Federal Constituency*).

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

Clause 5: Citation.

This Bill may be cited as the Public Procurement Act (Amendment) Bill, 2017 (*Hon. Busayo Oluwole Oke — Obokun/Oriade Federal Constituency*).

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

Long Title:

A Bill for an Act to Amend the Public Procurement Act, 2007 by Adding a New Member to the Council, Amending the Procedure for Appointing the Director General of the Bureau and Extending the Application of the Act to Defence Procurement and for Other Matters Connected Therewith (HB. 475) (*Hon. Busayo Oluwole Oke — Obokun/Oriade Federal Constituency*).

Agreed to.

Chairman to report Bill.

(HOUSE IN PLENARY)

(HOUSE IN PLENARY)

Mr Deputy Speaker in the Chair, reported that the House in Committee of the Whole considered the Report on a Bill for an Act to Amend the Public Procurement Act, 2007 by Adding a New Member to the Council, Amending the Procedure for Appointing the Director General of the Bureau and Extending the Application of the Act to Defence Procurement and for Other Matters Connected Therewith (HB. 475) approved Clause 1 as amended, approved Clause 2, approved Clause 3 as amended, approved Clauses 4 - 5, and the Long Title of the Bill.

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

- (ii) **A Bill for an Act to Establish the Federal University of Petroleum Resources, Effurun and for Other Matters Connected Therewith (HB. 381) (Committee of the Whole):**

Order read; deferred by leave of the House.

- (iii) **A Bill for an Act to Provide for the Establishment of the National Institute for Cancer Research and Treatment and for Other Connected Purposes (HB. 702) (Committee of the Whole):**

Order read; deferred by leave of the House.

- (iv) **A Bill for an Act to Incorporate Annex 12 to the Convention on International Civil Aviation, 1944 into Nigerian Law, to Establish the Nigerian Search and Rescue Service and to Provide for Other Matters Connected Therewith (HB. 319) (Committee of the Whole):**

Order read; deferred by leave of the House.

23. Adjournment

That the House do adjourn till Thursday, 8 June, 2017 at 11.00 a.m. (Hon. Femi Gbajabiamila — House Leader).

The House adjourned accordingly at 3.33 p.m.

Yakubu Dogara
Speaker