



HOUSE OF REPRESENTATIVES FEDERAL REPUBLIC OF NIGERIA

VOTES AND PROCEEDINGS

Thursday, 20 July, 2017

1. The House met at 11.19 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, 19 July, 2017.
The Votes and Proceedings was adopted by unanimous consent.
3. **Message**
Mr Speaker read a message from the Acting President of the Federal Republic of Nigeria as follows:



**ACTING PRESIDENT,
FEDERAL REPUBLIC OF NIGERIA**

BD/2000/EXP/S.857/III/

18th July, 2017

*The Speaker,
House of Representatives,
Notional Assembly Complex,
Three Arms Zone,
Abuja.*

The Right Hon. Speaker,

REQUEST FOR VIREMENT OF FUNDS FROM VARIOUS BUDGET LINES TO FUND FEDERAL GOVERNMENT'S PRIORITY PROJECTS AND PROGRAMMES

You will recall that the 2017 Appropriation Bill was signed into law on 12 June, 2017. However, prior to the signing, discussions and consultations were held between the Executive and the Leadership of the Notional Assembly on some critical priority items for which adequate provisions had not been made in the 2017 Appropriation Act.

2. You would also recall that it was agreed that the Executive should submit a Virement Proposal to the Notional Assembly for your consideration. The purpose of this letter, therefore, is to forward the Virement Proposal.

3. The total amount of virement being proposed is ₦135,643,018,749, and the Ministries affected are as follows:

1.	Federal Ministry of Power Works & Housing Amount to be vired within projects in th Ministry	₦46,004,049,292
2.	Federal Ministry of Transportation Amount to be vired	₦66,000,000,000
	Sources of Virement:	
	(a) Federal Ministry of Transportation	₦33,247,000,000
	(b) Fed. Min. of Power, Works & Housing (b)	₦3,181,973,545
	(c) Office of Secretary to the Govt. of the Federation (b)	₦14,130,719,780
	(d) Office of the National Security Adviser	₦5,000,000,000
	(e) Fed. Min. Of Science & Technology	₦5,009,244,926
	(f) Fed. Min. Of Trade & Investment	₦5,404,065,749
		₦66,000,000,000
3.	Federal Ministry of Agriculture and Rural Development Amount to be vired within projects in the Ministry	₦1,000,000,000
4.	Federal Ministry of Interior Amount to be vired	₦7,698,811,674
	Sources of Virement:	
	(a) Federal Ministry of Interior	₦7,698,811,674
	(b) Fed. Min. Of Trade & Investment	₦80,500,000
		₦7,698,811,674
5.	Ministry of Defence Amount to be vired within projects within the Ministry	₦3,150,000,000
6.	Federal Ministry of Education Amount to be vired within projects within the Ministry	₦70,000,000
7.	Federal Capital Territory Administration Amount to be vired	₦3,000,000,000
	Sources of virement:	
	(a) Federal Capital Territory Administration	₦1,700,000,000
	(b) Fed. Min. Of Trade & Investment	₦1,300,000,000
		₦3,000,000,000
8.	Federal Ministry of Health Hqtrs Amount to be vired within projects within the Ministry	₦1,000,000,000
9.	Office of the Secretary to the Govt. of the Federation Amount to be vired within projects within the Ministry	₦735,035,000
10.	Federal Ministry of Labour and Employment Amount to be vired within projects within the Ministry	₦1,093,579,983

11.	Federal Ministry of Information and Culture <i>Amount to be vired within projects within the Ministry</i>	₦729,000,000
12.	Federal Ministry of Communication Technology <i>Amount to be vired within projects within the Ministry</i>	₦734,000,000
13.	Federal Ministry of Water Resources <i>Amount to be vired within projects within the Ministry</i>	₦2,387,541,000
14.	Federal Ministry of Mines and Steel Development <i>Amount to be vired within projects within the Ministry</i>	₦1,100,000,000
15.	Federal Ministry of Environment <i>Amount to be vired within projects within the Ministry</i>	₦241,001,800
	Grand Total	₦135,643,018,740

4. The specific appropriated items to be vired to are contained in *Schedule 1* while the specific appropriated items from which to vire the amounts required are contained in *Schedule 2*, both of which are attached.

5. In the light of the above, I implore you to urgently consider this virement proposal in order to support our collective efforts to improve the well-being of our citizens.

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

(Signed)

Professor Yemi Osinbajo, SAN, GCON
Acting President and Commander-in-Chief,
Federal Republic of Nigeria

Request referred to the Committee on Appropriations

4. Announcements

(a) *Visitors in the Gallery:*

Mr Speaker recognized the presence of the following visitors:

- (i) Members of *Environmental Design Students' Association, Faculty of Environmental Design, Ahmadu Bello University, Zaria, Kaduna State*;
- (ii) Members of *National Union of Benue State Students (NUBESS), University of Abuja*;
- (iii) Members of *Nigeria Association of Adventist Students, Northern Nigeria Union Conference, Ahmadu Bello University, Zaria, Kaduna State*, and
- (iv) Members of *Voters Education Club (VEDUC), Alhudahuda College Chapter, Zaria, Kaduna State*.

(b) *Bereavement:*

Mr Speaker read a communication from Hon. Igbokwe Raphael Nnanna (*Ahiazu Mbaise/Ezinihitte Federal Constituency*), informing the House of the demise of Senator Isidore Obinna Obasi, the Akaraka II of Ihitteafoukwu Autonomous Community, a former Member of the House of Representatives (1979 - 1983), and a former Senator of the Federal Republic of Nigeria in 1983, who passed away at the age of 82.

The House observed a minute silence in honour of the deceased.

(c) **Conference Committees:**

Mr Speaker named the following Conference Committees as follows:

(i) **Conference Committee on the Witness Protection Bill, 2017:**

(1)	Hon. Nkeiruka Onyejeocha	—	Chairman
(2)	Hon. Mohammed Tahir Monguno	—	Member
(3)	Hon. Aminu Shehu Shagari	—	Member
(4)	Hon. Istifanus Gyang	—	Member
(5)	Hon. Solomon Ahwinahwi	—	Member
(6)	Hon. Odebunmi Olusegun	—	Member

(ii) **Conference Committee on the Federal Competition and Consumer Protection Bill, 2017:**

(1)	Hon. Sylvester Ogbaga	—	Chairman
(2)	Hon. Ohiozogh Peter Akpatason	—	Member
(3)	Hon. Bulus Solomon Maren	—	Member
(4)	Hon. Azubogu Chris Ifeanyi	—	Member
(5)	Hon. Shehu Nicholas Garba	—	Member
(6)	Hon. Ahmed Garba Bichi	—	Member

(d) **Millennium Development Goals on Water Supply Exit Programmes:**

Mr Speaker directed the Committee on Sustainable Development Goals (SDG's) to conclude work on House Resolution (HR. 266/2015) on the **"Investigation of the Provision of 10.7 Billion Naira Millennium Development Goals on Water Supply Exit Programmes"**, that was assigned to the Committee since 8 December, 2015, and submit its report within two (2) weeks, failure which, the Committee would be discharged of the matter.

(e) **Report of the Special Ad-hoc Committee on the Review of the 1999 Constitution:**

Mr Speaker announced that Voting on the Clauses to the amendment to the Constitution of the Federal Republic of Nigeria, 1999 (as amended) would be taken on Wednesday 26, and Thursday 27, July 2017.

5. Petitions

- (i) A petition from Eziafor Development Union on behalf of Hon. O. O. Okoro and 1 other, on the failure of Sermatech Nigeria Limited to restore high tension poles along Eziafor - Asaga Road in Ohafia Local Government Area of Abia State, was presented and laid by Hon. Nkole Uko Ndukwe (*Arochukwu/Ohafia Federal Constituency*);
- (ii) A petition from The Liberation Chambers (Barristers and Solicitors) on behalf of Duncan Support Services Limited, on the alleged fraudulent banking deals by Zenith Bank Plc, was presented and laid by Hon. Israel Famurewa Ajibola (*Atakunmosa East/Atakunmosa West/Ilesa Federal Constituency*);
- (iii) A petition from Richard Osaigboro Osunbor on behalf of Ukhirhi-Ecesoyer community, Edo Kingdom, Edo State, on the continued billing of the community by Benin Electricity Distribution Company (BEDC), despite being disconnected, was presented and laid by Hon. Agbonayinma Johnson Ehiozuwa (*Egor/Ikpoba/Okha Federal Constituency*);
- (iv) Petitions from the following persons were presented and laid by Hon. Simon Yakubu Arabo (*Kauru Federal Constituency*):
 - (a) Ezekiel Inmiya, on his dismissal from the service of the Nigeria Police Force;
 - (b) Comfort Yohanna, on the termination of her appointment by the Nigeria Police Force;

- (c) Happiness Samuel and 27 others, on their alleged wrongful disengagement from the service of the Nigeria Police Force;
- (v) Petitions from the following persons were presented and laid by Hon. Ekpoattai Owoidighe Ime (*Eket/Onna/Esit Eket/Ibena Federal Constituency*):
- (a) Michael Olukorede Odumodu, on the stoppage of his monthly pension by the Pension Transitional Arrangement Directorate (PTAD);
 - (b) Okonkwo Chukwudi Duke, on the termination of his appointment by the Federal Polytechnic, Nekede, Owerri, Imo State;
 - (c) Mbembe Peoples Assembly, on behalf of Bright Ibingha and 2 others, on the boundary dispute between communities in Cross-River and Ebonyi States; and
 - (d) Mustapha Aliyu Abubakar, on the termination of his appointment by the Abuja Investment Company Limited;
- (vi) Petitions from the following persons were presented and laid by Hon. Chinda Kingsley (*Obio/Akpor Federal Constituency*):
- (a) Chima O. L. Akaniwor, on the alleged withholding of his son's result by the University of Port-Harcourt;
 - (b) Boyle Damiete, on behalf of Parents of students of the University of Port-Harcourt, who were affected by the institution policy of "no school fees, no examination result"; and
- (vii) A petition by Golden Seraf Nigeria Limited, on behalf of Gibson Emeka Ogu, on the refusal of the Federal Ministry of Communication Technology, Abuja to vacate their Ware House and pay the accumulated rent owed to the company, was presented and laid by Hon. Linus Okorie (*Ivo/Ohaozara/Onicha Federal Constituency*).

Petitions referred to the Committee on Public Petitions.

6. Presentation of Bills

The following Bills were read the *First Time*:

- (1) National Housing Fund (Repeal and Re-enactment) Bill, 2017 (HB. 1077).
- (2) Federal University, Ubulu-Uku (Establishment) Bill, 2017 (HB. 1078).
- (3) Niger Delta Institute of Technology and Skills Acquisition (Establishment) Bill, 2017 (HB. 1079).
- (4) Nigerian Security Systems Surveillance Regulatory Commission (Establishment) Bill, 2017 (HB. 1080).

7. Presentation of Reports

- (i) *Ad-hoc Committee on the Review of the 1999 Constitution:*
Motion made and Question proposed, "That the House do receive the Report of the Special *Ad-hoc Committee on the Review of the 1999 Constitution* on a Bill for an Act to Alter the Provisions of the Constitution of the Federal Republic of Nigeria, 1999 (as amended)" (Hon. Sulaimon Lasun Yussuff — *Irepodun/Olorunda/Osogbo/Orolu Federal Constituency*).

Agreed to.

Report laid.

(ii) **Committee on Healthcare Services:**

Motion made and Question proposed, "That the House do receive the Report of the Committee on Healthcare Services on Investigation of the Activities of the Medical and Dental Council of Nigeria with regard to Licensing of fresh Graduated Medical Practitioners Preparatory to the National Youth Service (**HR. 167/2015**)" (*Hon. Chike John Okafor — Ehime Mbano/Ihitte Uboma/Obowo Federal Constituency*).

Agreed to.

Report laid.

(iii) **Committee on Healthcare Services:**

Motion made and Question proposed, "That the House do receive the Report of the Committee on Healthcare Services on the Call for Provision of Enough Manpower and Healthcare Facilities in the Federal Capital Territory, Abuja (**HR. 158/2015**)" (*Hon. Chike John Okafor — Ehime Mbano/Ihitte Uboma/Obowo Federal Constituency*).

Agreed to.

Report laid.

8. **A Bill for an Act to Make Provision for Freedom from Hunger and the Right to Adequate Food of Acceptable Quality; the Right of Every Child to Basic Nutrition and for Connected Purposes (HB. 825) — Second Reading**

Motion made and Question proposed, "That the House do resume debate on a Bill for an Act to Make Provision for Freedom from Hunger and the Right to Adequate Food of Acceptable Quality; the Right of Every Child to Basic Nutrition and for Connected Purposes (HB. 825)" (*Hon. Mohammed Tahir Monguno — Monguno/Marte/Nganzai Federal Constituency*).

Resumed debate.

Question that the Bill be read a Second Time — Negatived.

9. **A Bill for an Act to Repeal the Nigerian Inland Waterways Authority Act, Cap. N47, Laws of the Federation of Nigeria, 2004 and Re-enact the Nigerian Inland Waterways Authority Act to Provide for the Management and Development of Nigerian Inland Waterways and to Promote Private Sector Participation in the Development of Inland Waterways in Nigeria and for Related Matters (HB.1034) — Second Reading**

Order read; deferred by leave of the House.

10. **A Bill for an Act to Establish the Nigerian Ports and Harbour Authority to Provide for the Ownership, Management and Development of Ports and Harbour and Repeal the Nigerian Ports Authority Act, Cap. P126, LFN, 2004 and for Related Matters (HB.1031) — Second Reading**

Order read; deferred by leave of the House.

11. **A Bill for an Act to Provide for the Establishment of the National Poverty Eradication Commission and for Matters Connected Therewith (HB. 965) — Second Reading**

Order read; deferred by leave of the House.

12. **A Bill for an Act to Establish the National Sports Commission to be charged with Responsibility of Administering, Encouraging and Developing Sports and Games throughout Nigeria and for Matters Incidental Thereto (HB. 1051) — Second Reading**
Motion made and Question proposed, "That a Bill for an Act to Establish the National Sports Commission to be charged with the Responsibility of Administering, Encouraging and Developing Sports and Games throughout Nigeria and for Matters Incidental Thereto (HB. 1051) be now read a Second Time" (*Hon. Mohammed Tahir Monguno — Monguno/Marte/Nganzai Federal Constituency*)
- Debate.*
- Debate adjourned.*
13. **A Bill for an Act to Establish the Nigerian Independent Warehouse Regulatory Agency and for Related Matters (HB. 1052) — Second Reading**
- Order read; deferred by leave of the House.*
- Ordered: Chairman, Committee on Rules and Business should liaise with the Chairman, Committee on Capital Market and Institutions to ensure that the Report on the Bill is presented and considered before the House proceeds on recess.*
14. **A Bill for an Act to Repeal the Nigeria Football Association Act, Cap. N110, Laws of the Federation of Nigeria, 2004 and Re-enact the Nigeria Football Federation and for Matters Connected Thereto (HB. 1076) — Second Reading**
- Order read; deferred by leave of the House.*
15. **A Bill for an Act to Amend the National Lottery Act, 2005 to make Consequential Provisions for Effective Operation of Lottery in Nigeria; and for Other Related Matters (HB. 478) — Second Reading**
Motion made and Question proposed, "That a Bill for an Act to Amend the National Lottery Act, 2005 to make Consequential Provisions for Effective Operation of Lottery in Nigeria; and for Other Related Matters (HB. 478) be now read a Second Time" (*Hon. Orker-Jev Emmanuel Yisa — Buruku Federal Constituency*).
- Debate.*
- Question that the Bill be read a Second Time — Agreed to.*
- Bill read the Second Time.*
- Bill referred to the Committee of the Whole.*
16. **A Bill for an Act to Repeal the Federal Mortgage Bank of Nigeria Act, Cap. F16, Laws of the Federation of Nigeria, 2004 to make Comprehensive Provisions for the Re-Establishment of the Federal Mortgage Bank of Nigeria and its Board of Directors and for Related Matters (HB. 911) — Second Reading**
Motion made and Question proposed, "That a Bill for an Act to Repeal the Federal Mortgage Bank of Nigeria Act, Cap. F16, Laws of the Federation of Nigeria, 2004 to make Comprehensive Provisions for the Re-Establishment of the Federal Mortgage Bank of Nigeria and its Board of Directors and for Related Matters (HB. 911) be now read a Second Time" (*Hon. Abdullahi Umar Faruk — Bunza/Birnin Kebbi/Kalgo 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 Housing.

17. **A Bill for an Act to Establish a Federal University of Education, Nsugbe to Provide Training and Teaching Instructions in every aspect of Education and such other Fields of Applied Learning relevant to the Needs of the Development of Education in Nigeria, Matters of Administration and Discipline of Students and for Related Matters (HB. 1067) — Second Reading**

Order read; deferred by leave of the House.

18. **A Bill for an Act to Regulate International Trips for Medical Treatment by Public Officers to Strengthen Health Institutions for Efficient Service Delivery and for Related Matters (HB. 1007) — Second Reading**

Bill withdrawn by leave of the House.

19. **Need to Repair the Collapsed Bridges Along Jebba-Mokwa Highway and Mokwa-Makera Road in Mokwa Local Government Area of Niger State**

Order read; deferred by leave of the House.

20. **Need to Evaluate the Multi Year Tariff Order (MYTO) System of Electricity Tariff in Nigeria**
Motion made and Question proposed;

The House:

Notes that Section 76 of the Electric Power Sector Reform Act (EPSRA) of 2005 provides for the National Electricity Regulatory Commission (NERC) to adopt an appropriate tariff methodology which, among other general tariff principles, shall allow for the recovery of efficient costs, including a reasonable rate of return to the power sector and provide incentives to market operators to improve efficiency and quality of power supply;

Also notes that to this effect, in 2008, NERC adopted the Multi Year Tariff Order (MYTO) methodology to regulate electricity tariff and the tariff setting process in consultation with industry stakeholders, labour and consumer groups to provide a correct pricing of electricity, taking into consideration the key principles of cost reflectivity, affordability, incentives for efficient operations and other assumptions such as interest rates, exchange rates, inflation, gas prices and subsidies;

Concerned that the new tariff regime which intends to provide for both residential and commercial consumers a new, affordable and acceptable price continues to increase from an average of ₦10 per kwh (RI) in 2008 to an average of ₦24.20 per kwh (RI) in 2017 without significant improvement in power supply;

Also concerned by the quantum of public outcry over the continuous increase in the price of a unit of electricity set under this new tariff regime, despite the ₦213 billion Nigerian Electricity Market Stabilization Fund provided by the Federal government as subsidy to the industry operators;

Further concerned that even the presently fixed price unit of electricity is said to be underpriced and that plans are underway to gradually increase the tariff to cover full costs;

Equally concerned that the new tariff is not in tandem with the economic realities of Nigeria, coupled with the attendant untold hardships being experienced by Nigerians due to the collapse of small and medium scale businesses and industries;

Resolves to:

Set up an *Ad-hoc* Committee to interface with the National Electricity Regulatory Commission (NERC) and other stakeholders to critically evaluate the MYTO system and re-assess all its inputs and assumptions in order to come up with a realistic and acceptable tariff regime, and report back in six (6) weeks for further legislative action (*Hon Shehu Aliyu Musa — Bauchi Federal Constituency*).

Agreed to.

(HR. 58/2017).

Motion referred to an Ad-hoc Committee, pursuant to Order Eight, Rule 9 (5) (when constituted).

21. **Need to Investigate the Invasion of Ipetu-Ijesa Campus of Osun State University and Assault of Students and Staff by Personnel of the Nigerian Airforce Safety Institute, Ipetu-Ijesa, Osun State**

Order read; deferred by leave of the House.

22. **Need to Ensure Full Compliance with the National Housing Fund Act for Effective Housing Delivery in Nigeria**
Motion made and Question proposed;

The House:

Notes that Section 2 of the National Housing Fund Act, Cap. N45, LFN, 2004 provides that the objectives of the Fund shall be:

- (i) facilitate mobilization of funds for the provision of houses for Nigerians at affordable prices,
- (ii) ensure the constant supply of loans to Nigerians for the purpose of building, purchasing and improvement of residential houses,
- (iii) provide incentives for the capital market to invest in property development,
- (iv) encourage the development of specific programs that would ensure effective financing of housing development, in particular low cost housing for low income workers,
- (v) provide proper policy control over the allocation of resources and funds between the housing sector and other sectors of the Nigerian economy, and
- (vi) provide long-term loans to mortgage institutions for on-lending to contributors to the Fund;

Also notes that Section 3 of the Act provides that funding of the scheme shall be derived primarily from mandatory contributions by Nigerians, both in the public and private sectors, investments by commercial and merchant banks, insurance companies registered under the Insurance Act and contributions by the Federal Government for long-term housing loans;

Aware that Section 5 of the Act provides that “every commercial or merchant bank shall invest 10 percent of its loans and advances in the Fund at an interest rate of 1 percent above the interest rate payable on current account by banks” and “every registered insurance company shall invest a minimum of 20 percent of its non-life funds and 40 percent of its life funds in real property development of which not less than 50 percent shall be paid into the Fund through the Federal Mortgage Bank of Nigeria at an interest rate not exceeding 4 percent”;

Also aware that Section 11 of the Act further provides that “the Central Bank of Nigeria (CBN) shall collect from commercial and merchant banks at the end of every year and not later than one month thereafter, the percentage of their contributions to the Fund and shall within two months of making the collection, pay the money to the Federal Mortgage Bank for investment in the Fund”;

Observes that no commercial or merchant bank or insurance company in Nigeria has ever invested any money in the National Housing Fund (NHF) since its inception in complete violation of Sections 5 (1) and 11 (1) of the National Housing Fund Act, thereby sabotaging the achievement of the National Housing Policy;

Further aware that available figures from the Central Bank of Nigeria (CBN) of loans and advances made by Banks from 2011 to 2015 amounts to ₦51.46 trillion, that at 10% investment of such loans and advances into the National Housing Fund (NHF), about ₦5.146 Trillion should have been invested in the Fund by the Banks over a period of five years;

Equally aware that preliminary analysis of total loans and advances by commercial and merchant banks for the financial year ending on December 31, 2016 amounted to ₦15.53 trillion, and at the rate of 10% investment, the Central Bank of Nigeria (CBN) is supposed to have credited the National Housing Fund (NHF) with the sum of ₦1,553,673,116,100.00 by March 31, 2017, pursuant to Section 11 (1) of the National Housing Fund Act;

Concerned by data from the National Insurance Commission (NAICOM) showing that the total non-life premiums for the period of 2006 to 2010 was about ₦599.79 billion and the total life premiums collections over the same period was ₦147.55 billion and by Section 5 (2) of the National Housing Fund (NHF) Act, the insurance companies ought to have paid the sum of ₦89.49 billion into the coffers of Federal Mortgage Bank of Nigeria (FMBN) for the National Housing Fund (NHF) for the five-year period;

Cognizant of Section 16 of the Constitution of the Federal Republic of Nigeria, 1999 which enjoins the state to direct its policy towards ensuring that suitable and adequate shelter is provided for all citizens;

Recalls the promise of the Federal Government to “create an additional middle class of at least 4 million new home owners by 2019 by enacting national mortgage single digit interest rates for purchase of owner occupier houses as well as review of the collateral qualification to make funding for home ownership easier, with a 15 to 30-year mortgage terms which will equally help the banking system to migrate from short to long term perspective of their role in sustaining the economy”;

Conscious of the fact that the Federal Government could create at least one (1) million new home owners through a national mortgage single digit interest rate for purchase of owner occupier houses at an average rate of ₦6.0 million per unit of house, the funds required to provide a million new home owners per annum is ₦6,000,000,000,000.00 (six trillion Naira) only;

Resolves to:

Mandate the Committee on Housing to hold a Public Hearing to enable stakeholders, particularly the Banks, Insurance Companies, the Central Bank of Nigeria (CBN), the National Insurance Commission (NAICOM) and relevant Ministries, Departments and Agencies (MDAs) to establish the reasons for the non-compliance with the National Housing Fund (NHF) Act by Banks and Insurance Companies with a view to ensuring effective delivery of affordable housing for all Nigerians, and report back in four (4) weeks for further legislative action (*Hon. Ahmad Babba Kaita — Federal Constituency*).

Debate.

Agreed to.

The House:

Noted that Section 2 of the National Housing Fund Act, Cap. N45, LFN, 2004 provides that the objectives of the Fund shall be:

- (i) facilitate mobilization of funds for the provision of houses for Nigerians at affordable prices,
- (ii) ensure the constant supply of loans to Nigerians for the purpose of building, purchasing and improvement of residential houses,
- (iii) provide incentives for the capital market to invest in property development,
- (iv) encourage the development of specific programs that would ensure effective financing of housing development, in particular low cost housing for low income workers,
- (v) provide proper policy control over the allocation of resources and funds between the housing sector and other sectors of the Nigerian economy, and
- (vi) provide long-term loans to mortgage institutions for on-lending to contributors to the Fund;

Also noted that Section 3 of the Act provides that funding of the scheme shall be derived primarily from mandatory contributions by Nigerians, both in the public and private sectors, investments by commercial and merchant banks, insurance companies registered under the Insurance Act and contributions by the Federal Government for long-term housing loans;

Aware that Section 5 of the Act provides that “every commercial or merchant bank shall invest 10 percent of its loans and advances in the Fund at an interest rate of 1 percent above the interest rate payable on current account by banks” and “every registered insurance company shall invest a minimum of 20 percent of its non-life funds and 40 percent of its life funds in real property development of which not less than 50 percent shall be paid into the Fund through the Federal Mortgage Bank of Nigeria at an interest rate not exceeding 4 percent”;

Also aware that Section 11 of the Act further provides that “the Central Bank of Nigeria (CBN) shall collect from commercial and merchant banks at the end of every year and not later than one month thereafter, the percentage of their contributions to the Fund and shall within two months of making the collection, pay the money to the Federal Mortgage Bank for investment in the Fund”;

Observed that no commercial or merchant bank or insurance company in Nigeria has ever invested any money in the National Housing Fund (NHF) since its inception in complete violation of Sections 5 (1) and 11 (1) of the National Housing Fund Act, thereby sabotaging the achievement of the National Housing Policy;

Further aware that available figures from the Central Bank of Nigeria (CBN) of loans and advances made by Banks from 2011 to 2015 amounts to ₦51.46 trillion, that at 10% investment of such loans and advances into the National Housing Fund (NHF), about ₦5.146 Trillion should have been invested in the Fund by the Banks over a period of five years;

Equally aware that preliminary analysis of total loans and advances by commercial and merchant banks for the financial year ending on December 31, 2016 amounted to ₦15.53 trillion, and at the rate of 10% investment, the Central Bank of Nigeria (CBN) is supposed to have credited the National Housing Fund (NHF) with the sum of ₦1,553,673,116,100.00 by March 31, 2017, pursuant to Section 11 (1) of the National Housing Fund Act;

Concerned by data from the National Insurance Commission (NAICOM) showing that the total non-life premiums for the period of 2006 to 2010 was about ₦599.79 billion and the total life premiums collections over the same period was ₦147.55 billion and by Section 5 (2) of the National Housing Fund (NHF) Act, the insurance companies ought to have paid the sum of ₦89.49 billion into the coffers of Federal Mortgage Bank of Nigeria (FMBN) for the National Housing Fund (NHF) for the five-year period;

Cognizant of Section 16 of the Constitution of the Federal Republic of Nigeria, 1999 which enjoins the state to direct its policy towards ensuring that suitable and adequate shelter is provided for all citizens;

Recalled the promise of the Federal Government to "create an additional middle class of at least 4 million new home owners by 2019 by enacting national mortgage single digit interest rates for purchase of owner occupier houses as well as review of the collateral qualification to make funding for home ownership easier, with a 15 to 30-year mortgage terms which will equally help the banking system to migrate from short to long term perspective of their role in sustaining the economy";

Conscious of the fact that the Federal Government could create at least one (1) million new home owners through a national mortgage single digit interest rate for purchase of owner occupier houses at an average rate of ₦6.0 million per unit of house, the funds required to provide a million new home owners per annum is ₦6,000,000,000,000.00 (six trillion Naira) only;

Resolved to:

Mandate the Committee on Housing to hold a Public Hearing to enable stakeholders, particularly the Banks, Insurance Companies, the Central Bank of Nigeria (CBN), the National Insurance Commission (NAICOM) and relevant Ministries, Departments and Agencies (MDAs) to establish the reasons for the non-compliance with the National Housing Fund (NHF) Act by Banks and Insurance Companies with a view to ensuring effective delivery of affordable housing for all Nigerians, and report back in four (4) weeks for further legislative action (**HR. 59/2017**).

23. Call for Inclusion of Abia State in the List of Educationally Disadvantaged States and to Establish a Conventional Tertiary Institution in the State

Motion made and Question proposed;

The House:

Notes that Adamawa, Bauchi, Bayelsa, Benue, Borno, Cross River, Ebonyi, Gombe, Jigawa, Kaduna, Kano, Katsina, Kebbi, Kwara, Nasarawa, Niger, Plateau, Rivers, Sokoto, Taraba, Yobe and Zamfara States are considered as educationally less developed or disadvantaged as a result of which their indigenes are usually given special consideration for admissions into federal institutions of higher learning;

Aware that the yardstick for declaring a State educationally disadvantaged includes the presence or availability of federal institutions in the state as well as the number of students from the state in federal institutions across the country;

Also aware that an analysis of federal educational infrastructural developments in the states classified as educationally less developed or disadvantaged shows that Abia State is worse than any of those States, yet it is currently not listed as educationally disadvantaged;

Also notes that Michael Okpara University of Agriculture, Umudike, established as a specialized tertiary institution, is the only federal institution in Abia State offering solely agriculture - related courses and also has the entire country as its "catchment area";

Further aware that the federal government's guidelines for admissions into institutions of higher learning are based on forty-five percent (45%) merit, thirty-five percent (35%) catchment/locality and twenty percent (20%) educationally disadvantaged status;

Concerned that there is no conventional federal institution of higher learning in Abia State as a result of which Abians desirous of studying regular courses like medicine, law, engineering, etc. are highly disadvantaged as the available State owned conventional higher institutions are outrageously expensive and grossly insufficient to accommodate the thousands of candidates seeking admissions yearly, a good number of whom are forced to go to neighbouring and distant States and even countries in quest for tertiary education;

Cognizant that unless the Federal Government establishes a conventional tertiary institution in Abia State, it would remain educationally disadvantaged;

Resolves to:

- (i) urge the Federal Government to include Abia State in the list of educationally less developed or disadvantaged States; and
- (ii) mandate the Committee on Tertiary Education and Services to liaise with the Federal Ministry of Education with a view to establishing a conventional tertiary institution in Abia State to cater for the educational needs of the people and report back within eight (8) weeks for further legislative action (*Hon. Solomon Adaelu — Obingwa/Osisioma/Ugunagbo Federal Constituency and 1 other*).

Debate.

Agreed to.

The House:

Noted that Adamawa, Bauchi, Bayelsa, Benue, Borno, Cross River, Ebonyi, Gombe, Jigawa, Kaduna, Kano, Katsina, Kebbi, Kwara, Nasarawa, Niger, Plateau, Rivers, Sokoto, Taraba, Yobe and Zamfara States are considered as educationally less developed or disadvantaged as a result of which their indigenes are usually given special consideration for admissions into federal institutions of higher learning;

Aware that the yardstick for declaring a State educationally disadvantaged includes the presence or availability of federal institutions in the state as well as the number of students from the state in federal institutions across the country;

Also aware that an analysis of federal educational infrastructural developments in the states classified as educationally less developed or disadvantaged shows that Abia State is worse than any of those States, yet it is currently not listed as educationally disadvantaged;

Also noted that Michael Okpara University of Agriculture, Umudike, established as a specialized tertiary institution, is the only federal institution in Abia State offering solely agriculture - related courses and also has the entire country as its "catchment area";

Further aware that the federal government's guidelines for admissions into institutions of higher learning are based on forty-five percent (45%) merit, thirty-five percent (35%) catchment/locality and twenty percent (20%) educationally disadvantaged status;

Concerned that there is no conventional federal institution of higher learning in Abia State as a result of which Abians desirous of studying regular courses like medicine, law, engineering, etc. are highly disadvantaged as the available State owned conventional higher institutions are outrageously expensive and grossly insufficient to accommodate the thousands of candidates seeking admissions yearly, a good number of whom are forced to go to neighbouring and distant States and even countries in quest for tertiary education;

Cognizant that unless the Federal Government establishes a conventional tertiary institution in Abia State, it would remain educationally disadvantaged;

Resolved to:

- (i) urge the Federal Government to include Abia State in the list of educationally less developed or disadvantaged States; and
- (ii) mandate the Committee on Tertiary Education and Services to liaise with the Federal Ministry of Education with a view to establishing a conventional tertiary institution in Abia State to cater for the educational needs of the people and report back within eight (8) weeks for further legislative action (**HR. 60/2017**).

24. Consideration of Reports

- (i) **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)**

Order read; deferred by leave of the House

- (ii) ***Ad-hoc Committee to Investigate all Cases of Invasion of Properties and Arrests of Persons for Reasons Outside the General Duties of the State Security Service (SSS):***
Motion made and Question proposed, "That the House do consider the Report of the Ad-hoc Committee to investigate all cases of invasion of property and arrests of persons for reasons outside the general duties of the State Security Service (SSS) as prescribed by the National Security Agencies Act, since 29 May, 2015 and approve the recommendations therein" (Hon. Garba Datti Muhammad — Sabon Gari Federal Constituency).

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)

Recommendation (i):

"That there is a need to amend the National Security Agencies Act, to more clearly state the powers of the State Security Service to investigate corruption cases that affect national security and not leave it to conjecture as is currently the case" (Hon. Garba Datti Muhammad — Sabon Gari Federal Constituency).

Agreed to.

Recommendation (ii):

"That there is a need to amend the National Security Agencies Act, by incorporating the principles enshrined in the Instrument No. SSS I to make for a more comprehensive statute as well as end speculation over the status of the Instrument in Nigeria's hierarchy of laws" (Hon. Garba Datti Muhammad — Sabon Gari Federal Constituency).

Agreed to.

Recommendation (iii):

"That there is a need to amend the sections 14 and 15 of the Evidence Act, 2011 by the repeal of the two sections to make evidence procured or obtained as a result of an illegal search inadmissible as is the case in that analogous jurisdictions like the United States" (*Hon. Garba Datti Muhammad — Sabon Gari Federal Constituency*).

Agreed to.

Recommendation (iv):

"That for the purpose of future arrests, the SSS must differentiate between cases of persons who offer no threat both in terms of physical violence and capacity for escape and therefore not needing to be subjected to auxiliary measures (including arrest at night) on the one hand, and those persons in respect of whom such measures are justifiable on the other hand, in order to minimise the needless apprehension and trauma to which such persons were subjected to" (*Hon. Garba Datti Muhammad — Sabon Gari Federal Constituency*).

Agreed to.

Recommendation (v):

"That the Recommended amendments to the NSA Act contained in Recommendations (i) and (iii) can only be attained by the procedure mandated for the alteration of the 1999 Constitution under section 9 (1) and (2). This is on account of the provisions of section 315 (5) of the 1999 Constitution, which provides that the NSA Act, amongst others, "shall not be altered or repealed except in accordance with the provisions of section 9 (2) of this Constitution" (*Hon. Garba Datti Muhammad — Sabon Gari Federal Constituency*).

Agreed to.

Recommendation (vi):

"That the SSS should tender an unreserved apology to the Akwa Ibom State Government for the embarrassment occasioned by the failure of the SSS to clarify to both the Akwa Ibom State Government and the public the circumstances in which it executed the search warrant at the Akwa Ibom State Government Lodge and the outcome of the search" (*Hon. Garba Datti Muhammad — Sabon Gari Federal Constituency*).

Agreed to.

Recommendation (vii):

"That given what has happened on the arrest and prosecution of judges for corruption related offences and the incident in Port Harcourt during the botched attempt to arrest a judge, there is the need for the SSS to adopt a system of briefing political office holders and senior public servants at the onset of their appointments on the conduct expected of them and what would be considered improper or unlawful conduct under the law. This should be one of the responsibilities of the various State Directors of the SSS" (*Hon. Garba Datti Muhammad — Sabon Gari Federal Constituency*).

Agreed to.

Chairman to report proceeding.

(HOUSE IN PLENARY)

Mr Deputy Speaker in the Chair, reported that the House in Committee of the Whole considered the Report of the *Ad-hoc* Committee to investigate all cases of invasion of property and arrests of persons for reasons outside the general duties of the State Security Service (SSS) as prescribed by the National Security Agencies Act, since 29 May, 2015 and approved Recommendations (i) — (vii) of the Report.

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

(iii) **Committee on Works:**

Motion made and Question proposed, "That the House do resume consideration of the Report of the Committee on Works on a Bill for an Act to Establish the National Roads Fund for the Purpose of Financing Routine and Periodic Maintenance of National Roads and approve the recommendations therein" (*Hon. Toby Okechukwu — Aninri/Agwu/Oji-River Federal Constituency*).

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 ESTABLISH THE NATIONAL ROADS FUND FOR THE PURPOSE
OF FINANCING ROUTINE AND PERIODIC MAINTENANCE OF NATIONAL ROADS
AND FOR OTHER RELATED MATTERS

PART II — ESTABLISHMENT OF THE NATIONAL ROADS FUND

Committee Recommendation:

Clause 4: Sources of the Roads Fund

- (1) From the commencement of this Bill revenue accruing from all of the following sources shall be chargeable and paid into the Roads Fund as prescribed under the Second Schedule to this Bill —
- (a) Fuel Levy on Imported Petroleum Products
 - (b) Fuel Levy on Locally Refined Petroleum Products
 - (c) Axle Load Control Charges
 - (d) Toll Fees
 - (e) International Vehicle Transit Charges
 - (f) Inter-State Mass Transit User Charge
 - (g) Roads Fund Surcharge
 - (h) Lease, License or other Fees from Non-Vehicular Road Usages
 - (i) grants and loans to the Roads Fund by the Federal, State or Local Government, statutory corporations in the Federation, or any agency or institutions of any government, any international organization, or private foundation or any person whatsoever;
 - (j) gifts of land, money or other property upon such terms and conditions, if any, as may be specified by the person or organization making the gift, provided such terms and conditions are not inconsistent with the objectives of the Roads Fund under this Bill; and
 - (k) all other assets which may, from time to time, accrue to the Roads Fund.

- (2) In the interests of cost effectiveness, efficiency and transparency, the Roads Fund shall:
- (a) put in place cost-effective, transparent and accountable arrangements for the collection of money falling due for payment into the Fund, such arrangements may include direct payment into the Roads Fund by the government agencies, or their agents, responsible for the collection of money from which money accruing to the Roads Fund is paid into the Roads Fund designated account; and,
 - (b) notwithstanding arrangements put in place, incorporate an effective and efficient independent system for verifying amounts.
- (3) Any revenue accruing to the Roads Fund shall be payable into the designated Roads Fund account only and shall not be deemed to be revenue accruing or payable into the Consolidated Revenue Fund of the Federation (*Hon. Toby Okechukwu — Aninri/Agwu/Oji River Federal Constituency*).

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

SECOND SCHEDULE

PROVISIONS RELATED TO CHARGING, PAYMENT AND COLLECTION OF LEVIES, FEES, CHARGES, SURCHARGES OR OTHER STIPULATED SOURCES OF FUNDING UNDER THIS BILL

Levies, fees, charges and surcharges stated in Section 4 (a) - (g) under this Bill shall be administered as prescribed under this Schedule;

Fuel Levy on Imported Petroleum Products

1. (a) There shall be paid into the Roads Fund a levy of one Naira (₦ 1) per litre on any volume of petrol and diesel products imported into Nigeria;
- (b) The levy shall be paid in full directly into the designated accounts of the Roads Fund by the importer and the evidence of payment shall be required to be provided to the Nigerian Customs Service for the purposes of clearing and permitting the importation of such products;
- (c) The Nigerian Customs Service shall at all times be responsible for assessing and ensuring the accurate remittance of the payable Fuel Levy into the designated accounts of the Roads Fund and shall render reports and accounts to the Board of the Roads Fund of the total amounts from receipts of payment of such levies to the Roads Fund account; and,
- (d) The Minister shall in consultation with the Minister for Petroleum have the power to review and determine the amount to be charged as Fuel Levy every five years from the commencement of this Bill provided that any increment shall not exceed a 30% increase over the preceding amount of levy payable.

Fuel Levy on Locally Refined Petroleum Products

2. (a) There shall be paid into the Roads Fund a levy of one Naira (₦1) per litre on any volume of petrol and diesel products sold out from any refinery in Nigeria;

- (b) The refinery and the agency in charge of marketing petroleum products in Nigeria shall be responsible for assessing and ensuring the accurate payment or remittance of the payable Fuel Levy into the designated accounts of the Roads Fund; and,
- (c) The Fuel Levy payable on locally refined petroleum products under subsection (a) and (b) of this section shall be payable no later than thirty (30) days after the delivery of the petroleum products from the refinery.
- (d) The Minister shall have the power to review and determine the amount to be charged as Fuel Levy every five years from the commencement of this Bill provided that any increment shall not exceed a 30% increase over the preceding amount of levy payable and it shall be approved by the National Assembly.

Axle Load Control Charges

- 3. (a) There shall be paid into the Roads Fund Axle Load Control Charges which shall be paid in a manner and rate as shall be determined and prescribed by the Minister from time to time under Regulations to be made under the provisions of this Bill; and,
- (b) The Federal Roads Agency shall be responsible for assessing and ensuring the accurate remittance of all Axle Load Control Charges into the designated accounts of the Roads Fund.

Toll Fees

- 4. (a) There shall be paid into the Roads Fund, Toll Fees, chargeable on any road owned by the federal government and designated as a toll road by the Minister;
- (b) A percentage not less than 10% of any revenue paid as user charge per vehicle on any road designated as a toll road under subsection (a) of this subsection shall accrue and be payable to the Roads Fund;
- (c) Any toll road operator, concessionaire or other authority responsible for the collection of toll fees on any road designated as a toll road under subsection (a) of this section shall be responsible for assessing and ensuring the accurate payment or remittance of the payable revenue from toll fees into the designated accounts of the Roads Fund; and,
- (d) The Minister has the power to review and vary the amount of the percentage of revenue that shall accrue to the Roads Fund as provided under subsection (b) of this section

International Vehicle Transit Charges

- 5. (a) There shall be paid into the Roads Fund, International Vehicle Transit Charges on any foreign registered vehicle entering into Nigeria at any time through any land border;
- (b) The charge shall be paid in full directly into the designated accounts of the Roads Fund by the person bringing a vehicle into Nigeria and the evidence of the payment of which shall be provided to the Customs Service for the purposes of permitting of such vehicle entry into Nigeria;
- (c) The Nigerian Customs Service shall ensure accurate remittance of the payable International Vehicle Transit Charge into the designated accounts of the Roads Fund and shall render reports and accounts to the Board of the Roads Fund and to the Minister of the total amounts from receipts of payment of charges to the Roads Fund account; and,

- (d) The Minister shall have the power to review and determine the amount to be charged as International Vehicle Transit Charge from time to time.

Inter-State Mass Transit User Charge

6. (a) There shall be paid into the Roads Fund, Inter-State Mass Transit User Charge being a 0.5% charge on the fare paid by passengers to commercial mass transit operators for inter-state travel
- (b) The charging and collection of the Inter-State Mass Transit User Charge shall be as determined by the Road Sector Regulator under the provisions of its Act
- (c) Any funds accruing to the Roads Fund for Inter-State Mass Transit User Charges shall be paid into the designated accounts of Roads Fund

Roads Fund Surcharge

7. (a) There shall be paid into the Roads Fund a surcharge of 0.5% on the assessed value of any vehicle imported at any time into Nigeria;
- (b) The surcharge shall be paid in full into the designated accounts of the Roads Fund by the importer of any vehicle and the evidence of the payment shall be provided to the Nigeria Customs Service for the purposes of clearing and permitting the importation of a vehicle;
- (c) The Nigeria Customs Service shall be responsible for assessing and ensuring the accurate remittance of the payable Roads Fund Surcharge into the designated accounts of the Roads Fund and shall render reports and accounts to the Board of the Roads Fund of the total amounts from receipts of payment of such levies to the Roads Fund account; and,
- (d) The Minister shall have the power to review and determine the amount to be charged as Roads Fund Surcharge from time to time.

Lease, License or Other Fees

8. (a) There shall be paid into the Roads Fund revenue accruing from lease or license or other fees pertaining to non-vehicular road usages to include the placement of advertising, billboard and signage, telecommunications equipment (masts, cables, etc.) or other equipment along any federal road at rates as may be prescribed by the Minister under a regulation made under this Bill.
- (b) The Federal Roads Agency shall be responsible for the assessment, charging and collection of fees prescribed under this section as above, and shall remit an amount of not less than 10% of such revenue into the Roads Fund (*Hon. Toby Okechukwu. — Aninri/Agwu/Oji River Federal Constituency*).

Question that the provisions of the Second Schedule stand part of the Bill — Agreed to.

Chairman to report Bill.

(HOUSE IN PLENARY)

Mr Deputy Speaker in the Chair, reported that the House in Committee of the Whole resumed the consideration of the Report of the Committee on Works on a Bill for an Act to Establish the National Roads Fund for the Purpose of Financing Routine and Periodic Maintenance of National Roads and approved Clause 4, and the Second Schedule of the Bill.

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

25. Adjournment

That the House do adjourn till Tuesday, 25 July, 2017 at 11.00 a.m. (Hon. Mohammed Tahir Monguno — Monguno/Marte/Nganzai Federal Constituency).

The House adjourned accordingly at 3.30 p.m.

Yakubu Dogara
Speaker