



HOUSE OF REPRESENTATIVES FEDERAL REPUBLIC OF NIGERIA

VOTES AND PROCEEDINGS

Wednesday, 25 October, 2017

1. The House met at 11.12 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, 24 October, 2017.

The Votes and Proceedings was adopted by unanimous consent.

3. **Announcement**
Conference Committee on the Chartered Institute of Capital Market Registrars Bills, 2017:
Mr Speaker named the Membership of the Conference Committee as follows:

(1)	Hon. Yusuf Ayo Tajudeen	—	<i>Chairman</i>
(2)	Hon. Sadiq Ibrahim	—	<i>Member</i>
(3)	Hon. Ekpoattai Owoidighe Ime	—	<i>Member</i>
(4)	Hon. Sylvester Ogbaga	—	<i>Member</i>
(5)	Hon. Mohammed Gudaji Kazaure	—	<i>Member</i>
(6)	Hon. Akinloye Hazeer Babajide	—	<i>Member</i>

4. **Presentation of Reports**
 - (i) **Committees on Petroleum Resources (Upstream) and Petroleum Resources (Downstream):**
Motion made and Question proposed, "That the House do receive the Report of the Committees on Petroleum Resources (Upstream) and Petroleum Resources (Downstream) on a Bill for an Act to Establish the National Oil and Gas Museum and Research Centre, Oloibiri; and for Related Matters (HB. 489)" (Hon. Gbillah Mark Terseer — Gwer East/Gwer West Federal Constituency).

Agreed to.

Report laid.

- (ii) **Committee on Petroleum Resources (Upstream):**
Motion made and Question proposed, "That the House do receive the Report of the Committee on Petroleum Resources (Upstream) on the Need to Investigate the Abandonment of the Multi-Billion Naira Kaduna Petroleum College (HR. 233/2016)" (Hon. Gbillah Mark Terseer — Gwer East/Gwer West Federal Constituency).

Agreed to.

Report laid.

(iii) **Committee on Agricultural Production and Services:**

Motion made and Question proposed, "That the House do receive the Report of the Committee on Agricultural Production and Services on a Bill for an Act to establish the National Agricultural Development Fund and for Related Matters (HB. 473)" (*Hon. Mohammed Tahir Monguno — Monguno/Marte/Nganzai Federal Constituency*).

Agreed to.

Report laid.

5. **A Bill for an Act to Establish the Regional Centre for Oral Health Research and Training Initiative to, among other things, be responsible for Advising, Implementing, Training and Co-ordinating Research on Matters of Oral Health and to Facilitate the Implementation and Co-ordination of Collaborative Research and Training in Consultation with the World Health Organisation and Other National and International Allied Agencies; and for Related Matters (HB.1158) — Second Reading**

Motion made and Question proposed, "That a Bill for an Act to Establish the Regional Centre for Oral Health Research and Training Initiative to, among other things, be responsible for Advising, Implementing, Training and Co-ordinating Research on Matters of Oral Health and to Facilitate the Implementation and Co-ordination of Collaborative Research and Training in Consultation with the World Health Organisation and Other National and International Allied Agencies; and for Related Matters (HB.1158) be now read a Second Time" (*Hon. Gyang Istifanus Dung — Barikinladi/Riyom 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 Health Institutions.

6. **A Bill for an Act to Provide for the Political and Administrative Structure of the Federal Capital Territory; and for Related Matters (HB.1153) — Second Reading**

Order read; deferred by leave of the House.

7. **A Bill for an Act to Amend the University of Abuja Act, Cap. U12, Laws of the Federation of Nigeria, 2004 to specify the Minimum Qualification for the Chairman of the Governing Council, Ownership of Intellectual Property and to Provide for Pre-action Notice to the University Authority; and for Related Matters (HB. 1100) — Second Reading**

Order read; deferred by leave of the House.

8. **A Bill for an Act to Amend the University of Calabar Act, Cap. U5, Laws of the Federation of Nigeria, 2004 to specify the Minimum Qualification for the Chairman of the Governing Council, Ownership of Intellectual Property and to Provide for Pre-action Notice to the University Authority; and for Related Matters (HB. 1102) — Second Reading**

Order read; deferred by leave of the House.

9. **A Bill for an Act to Amend the University of Ibadan Act, Cap. U6, Laws of the Federation of Nigeria, 2004 to specify the Minimum Qualification for the Chairman of the Governing Council, Ownership of Intellectual Property and to Provide for Pre-action Notice to the University Authority; and for Related Matters (HB. 1103) — *Second Reading***

Order read; deferred by leave of the House.

10. **Ocean Surge and Devastating Floods at Burutu Federal Constituency of Delta State**
Motion made and Question proposed;

The House:

Notes the destruction inflicted on the coastland of Burutu Federal Constituency by ocean surge and the consequent displacement of the people;

Also notes that several communities in Ayakoromo, Ofonibeighan, Gbekebor, Obotebe, Akparemogbene, Ebeberegbenne, Kiagbodo, Ojobo, Torugbene, Bolou-Ndoro, Tuomo, Tamigbe, Tebegbe, Ogulagha, Sokebolou, Obotobo, Odimodi, Burutu, etc. are groaning under the devastating effects of the floods;

Concerned that the displacement of people and loss of parts of the coastland occasioned by the ocean surge indicated a state of passivity and submissiveness to the forces of nature, and calls for assistance to the people have not been hearkened to by agencies charged with responsibilities to ameliorate such disasters;

Cognizant of the pledges made by the Federal Government to resolve the infrastructural deficits in the Niger-Delta region and also to promote the well-being of all areas in the Federation;

Resolves to:

- (i) call on the National Emergency Management Agency (NEMA) to, as a matter of urgency, provide relief materials and medications to the affected communities;
- (ii) urge the Federal Ministries of Works, Power and Housing, and Environment to undertake an assessment of the affected coastland with a view to providing for the construction of a shore line protection project in the 2018 budget; and
- (iii) mandate the Committees on Environment and Habitat, and Works to undertake a study of the ecological peculiarities of the coastland of the Niger-Delta area with a view to proffering enduring solution, and report back within six (6) weeks for further legislative action (*Hon. Julius G. Pondi — Burutu Federal Constituency*).

Agreed to.

(HR. 131/2017).

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

11. Need to Arrest the Incessant Killing of People and Destruction of Property by Rival Cult Groups in Awarra Court Area of Ohaji/Egbema Local Government Area, Imo State
Motion made and Question proposed;

The House:

Notes that Awarra Court Area is one of the Oil Producing Communities in Imo State and is host to the largest gas discovery in Africa with Shell Development Company Plc, Seplat Petroleum Development Company Plc and Watersmith Petroleum Oil Limited having acquired about two hundred hectares of land, preparatory to commencement of full scale Gas Gathering Projects between now and 2018;

Also notes that Awarra, which comprises three electoral wards, namely Awarra, Assa and Obile, has been caught in the throes of bitter and deadly conflict between two rival cult groups that has led to loss of lives and destruction of properties and the conflict has lingered since 2012 as the struggle for supremacy between the cult groups has defied all efforts made by security operatives to curb it;

Concerned that if the seemingly unending feud between the two groups is not contained urgently, it will continue to hamper socio-political and economic activities in the area, particularly the oil exploration and gas exploitation programmes of the Oil and Gas companies on behalf of the Federal Government, a development that will impact adversely on the economic fortunes of the nation that is running a monolithic economy and has just exited from recession;

Determined to ensure an immediate end to the crisis and the attendant loss of lives and destruction of properties;

Resolves to:

- (i) commend the security agencies in Imo State for their efforts to curtail the crisis;
- (ii) urge the Government of Imo State to be more pro-active towards bringing the cult war to an end;
- (iii) also urge the Inspector-General of Police and the Chief of Army Staff to deploy more men and resources to strengthen the Joint Task Force in Awarra Court Area and the entire border communities of Ohaji/Egbema and Oguta Local Government Areas of Imo State; and
- (iv) mandate the Committees on Police Affairs, Army, and National Security and Intelligence to ensure implementation and report back in four (4) weeks for further legislative action (*Hon. Goodluck Nanah Opiah — Ohaji/Egbema/Oguta/Oru West Federal Constituency*).

Debate.

Amendments Proposed:

- (i) *Insert* a new Prayer (v) as follows:
“urge the National Emergency Management Agency, to provide relief materials to the affected people of Awarra, Assa and Obile” (*Hon. Rita Orji — Ajeromi/Ifelodun Federal Constituency*).

Question that the amendment be made — Agreed to.

- (ii) *Insert* a new Prayer (vi) as follows:
“urge the Inspector-General of Police, to urgently create a standard and well-equipped Divisional Police Station in Awarra Court Area” (*Hon. Rita Orji — Ajeromi/Ifelodun Federal Constituency*).

Question that the amendment be made — Agreed to.

The House:

Noted that Awarra Court Area is one of the Oil Producing Communities in Imo State and is host to the largest gas discovery in Africa with Shell Development Company Plc, Seplat Petroleum Development Company Plc and Watersmith Petroleum Oil Limited having acquired about two hundred hectares of land, preparatory to commencement of full scale Gas Gathering Projects between now and 2018;

Also noted that Awarra, which comprises three electoral wards, namely Awarra, Assa and Obile, has been caught in the throes of bitter and deadly conflict between two rival cult groups that has led to loss of lives and destruction of properties and the conflict has lingered since 2012 as the struggle for supremacy between the cult groups has defied all efforts made by security operatives to curb it;

Concerned that if the seemingly unending feud between the two groups is not contained urgently, it will continue to hamper socio-political and economic activities in the area, particularly the oil exploration and gas exploitation programmes of the Oil and Gas companies on behalf of the Federal Government, a development that will impact adversely on the economic fortunes of the nation that is running a monolithic economy and has just exited from recession;

Determined to ensure an immediate end to the crisis and the attendant loss of lives and destruction of properties;

Resolved to:

- (i) commend the security agencies in Imo State for their efforts to curtail the protracted crisis;
- (ii) urge the Government of Imo State to be more pro-active towards bringing the cult war to an end;
- (iii) also urge the Inspector-General of Police and the Chief of Army Staff to deploy more men and resources to strengthen the Joint Task Force in Awarra Court Area and the entire border communities of Ohaji/Egbema and Oguta Local Government Areas of Imo State;
- (iv) mandate the Committees on Police Affairs, Army, and National Security and Intelligence to ensure implementation and report back in four (4) weeks for further legislative action;
- (v) urge the National Emergency Management Agency, to provide relief materials to the affected people of Awarra, Assa and Obile; and
- (vi) urge the Inspector-General of Police, to urgently create a standard and well-equipped Divisional Police Station in Awarra Court Area (**HR. 132/2017**).

12. Consideration of Reports

(i) *Committee on National Security and Intelligence:*

Motion made and Question proposed, "That the House do consider the Report of the Committee on National Security and Intelligence on a Bill for an Act to Provide for the Protection of Identities of National Security Agencies Officers, Agents, Sources, Informants and Operational Methods from Unlawful Disclosure and to Protect their Establishments, Facilities and Equipment against Unauthorized Access, as well as Provide for the Promotion and Engagement of Nigeria's External Security; and for Related Matters (HB. 830) and approve the recommendations therein" (*Hon. Aminu Sani Jaji — Kaura/Namoda/Birnin/Magaji 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 PROVIDE FOR THE PROTECTION OF THE IDENTITY OF OFFICERS, AGENTS, SOURCES OF INFORMATION, INFORMANTS AND METHOD OF OPERATION OF NATIONAL SECURITY AGENCIES FROM UNLAWFUL DISCLOSURE; AND TO PROTECT ITS ESTABLISHMENTS, FACILITIES AND EQUIPMENT AGAINST UNAUTHORIZED ACCESS AND TO PROVIDE FOR THE PROMOTION AND ENHANCEMENT OF NATIONAL SECURITY AND FOR RELATED MATTERS

PART ONE — PROTECTION OF OFFICERS' IDENTITY AND OTHER MATERIALS

Committee Recommendation:**Clause 1: Protection of Identities of Officers.**

- (1) The Identity of an Officer or Agent shall not without due authorization from the Agency be disclosed to any other person.
- (2) A person who willfully discloses the identity of an Officer or Agent to a person to whom he is not authorized on behalf of the government to disclose, is guilty of an offence and shall be liable on conviction to imprisonment for a term of five years or a fine not less than the sum of five hundred thousand Naira or both.
- (3) Where the unauthorized disclosure of the identity of an Officer or Agent is likely to or results in grievous bodily harm or death of the Officer or Agent or in any manner impedes the intelligence collection of the Agency, the punishment shall be as follows:
 - (i) likely to death is five (5) years imprisonment;
 - (ii) result to death is ten (10) years imprisonment;
 - (iii) impedes the intelligence collection is five (5) years imprisonment
(*Hon. Aminu Sani Jaji — Kaura-Namoda/Birnin-Magaji Federal Constituency*).

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

Committee Recommendation:**Clause 2: Protection of Agency facilities.**

- (1) A person is guilty of an offence if, without lawful authority, he:
 - (a) enters or is in the vicinity of or inspects an establishment or facility of the Agency;
 - (b) photographs, sketches or in any other manner makes a record of the description of, or of anything situated in a facility or establishment of the Agency;
 - (c) obtains, reproduces or retains any photograph, sketch, plan, model or document relating to, or to anything situated in a facility of the Agency; or
 - (d) obstructs, misleads or otherwise interferes with a person engaged in guarding a facility of the Agency.

- (2) A person charged with an offence under subsection (1) (a), (b) and (c) of this Section shall be deemed to have acted without lawful authority if he carries out any of the acts without the written permission of the Head of the Agency.
- (3) A person who commits an offence under this section is liable on conviction to imprisonment not exceeding three (3) years (*Hon. Aminu Sani Jaji — Kaura-Namoda/Birnin-Magaji Federal Constituency*).

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

Committee Recommendation:

Clause 3: Damaging Disclosure.

- (1) A person who is or has been a Public Officer or Government Contractor or Consultant if, without lawful authority, makes a damaging disclosure of information, document or other article in his possession originating from, or given to the Agency:
 - (a) relating to security or intelligence;
 - (b) relating to classified international relations;
 - (c) received in confidence from an Agent or a State other than the Federal Republic of Nigeria or its agencies; or
 - (d) received in confidence from an international organization or a member thereof; is guilty of an offence and shall be liable on conviction to imprisonment for a term of five years or a fine not below the sum of five hundred thousand Naira or both.
- (2) For the purpose of Section 4, a disclosure is damaging if it is likely to cause harm to the interest of the Agency or Government of the Federal Republic of Nigeria or impedes the work of the Agency or causes injury or harm to any of its Officers or Agents (*Hon. Aminu Sani Jaji — Kaura-Namoda/Birnin-Magaji Federal Constituency*).

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

Committee Recommendation:

Clause 4: Further protection of security materials.

Any person who obtains, reproduces or retains any information, document or article relating to security or intelligence originating from, or given to the Agency, which he is not authorized on behalf of the Government to obtain, reproduce or retain, as the case may be, is guilty of an offence and liable upon conviction to imprisonment for a term of five years or a fine not below the sum of five hundred thousand Naira (*Hon. Aminu Sani Jaji — Kaura-Namoda/Birnin-Magaji Federal Constituency*).

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

Committee Recommendation:

Clause 5: Information resulting from authorized disclosure or entrusted in confidence.

Where any information, document or other article protected against disclosure by the foregoing provisions of this Bill has come into a person's possession as a result of having been:

- (a) disclosed (whether to him or another) by a Public Officer, Government Contractor or any other source without lawful authority;

- (b) entrusted to him by a Public Officer, Government Contractor, or any other source on terms requiring it to be held in confidence or in circumstances in which the disclosing party could reasonably expect that it would be so held; or
- (c) disclosed (whether to him or another) without lawful authority by a person to whom it was entrusted as mentioned in paragraphs (a) and (b) above; such a person is guilty of an offence if he discloses it without lawful authority knowing or having reasonable cause to believe that it is protected against disclosure and is liable upon conviction to a term of imprisonment not exceeding five years (*Hon. Aminu Sani Jaji — Kaura-Namoda/Birnin-Magaji Federal Constituency*).

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

Committee Recommendation:

Clause 6: Duty of care regarding classified information.

A person is guilty of an offence and punishable with a term of imprisonment not exceeding three years if:

- (a) he fails to take such care to prevent disclosure of a classified material, document or article as a person in his position may reasonably be expected to take;
- (b) being a Public Officer, he retains a classified material, document or article contrary to his official duty; or
- (c) being a Government Contractor or Consultant, he fails to comply with an official directive for the return or disposal of a classified material, document or article (*Hon. Aminu Sani Jaji — Kaura-Namoda/Birnin-Magaji Federal Constituency*).

Question that Clause 6 stand part of the Bill — Agreed to.

Committee Recommendation:

Clause 7: Further offences.

- (1) A person is guilty of an offence and punishable with a term of imprisonment not exceeding five years if, without lawful authority, he discloses any official information" document, material or other articles which can be used for the purpose of obtaining access to any information, document, article, facility or installation protected against disclosure by the provisions of this Bill.
- (2) Provided that the circumstances in which the official information, document, material or other article is disclosed are such that it would be reasonable to expect that it might be used for the purpose of obtaining unauthorized access to protected information, document, article, facility or installation (*Hon. Aminu Sani Jaji — Kaura-Namoda/Birnin-Magaji Federal Constituency*).

Question that Clause 7 stand part of the Bill — Agreed to.

Committee Recommendation:

Clause 8: Attempt to commit offence and abetment.

A person is guilty of an offence and punishable with a term of imprisonment not exceeding five years if he:

- (a) attempts to commit any offence under this Bill;

- (b) does any act preparatory to or in furtherance to the commission of any offence under this Bill; or
- (c) abets, conceals or engages in criminal conspiracy to commit any offence under this Bill (*Hon. Aminu Sani Jaji — Kaura-Namoda/Birnin-Magaji Federal Constituency*).

Question that Clause 8 stand part of the Bill — Agreed to.

Committee Recommendation:

Clause 9: Protection of operational files.

The Head of any National Security Agency may in the interest of national security designate file, record or document as classified. Such classified documents shall remain exempted from publication, disclosure, search or review howsoever. The disclosure of such document or information shall be at the approval of Mr President upon the advice of the National Security Adviser (*Hon. Aminu Sani Jaji — Kaura-Namoda/Birnin-Magaji Federal Constituency*).

Question that Clause 9 stand part of the Bill — Agreed to.

Committee Recommendation:

Clause 10 Operational files to be exempted.

The operational files to be exempted include:

- (i) Files of the Agency which contain information on the conduct of foreign intelligence or counter-intelligence operations or intelligence liaison arrangements or information exchanges with foreign governments or their Intelligence or Security Services; information on past or ongoing intelligence operations or activities, sources, informants, methods, agents, installations, locations of persons or objects of intelligence interest to the Federal Government;
- (ii) Files of the Agency which contain information on the means by which intelligence and counter-intelligence are collected through scientific and technical methods; or contain information on the location of communications or technical equipment used in intelligence gathering; and
- (iii) Files of the Agency which contains information on the Services' Instruments, directives on operations or intelligence activities by the President or the Head of the Agency, decisions or minutes of meetings of the Joint Intelligence Board and the Intelligence Community Meeting, directives of the Head of the Agency, decisions of Senior Management of the Agency, internal circulars, information on policy, records of past and serving members of staff of the Agency, Administrative Rules, Regulations and Manuals (*Hon. Aminu Sani Jaji — Kaura-Namoda/Birnin-Magaji Federal Constituency*).

Question that Clause 10 stand part of the Bill — Agreed to.

Committee Recommendation:

Clause 11: Search and review of information.

- (1) Notwithstanding sections 9 and 10 above, declassified documents, information, any intelligence activity and record shall be published or made available as may be required by the National Assembly or the Court.

- (2) The Head of the Security Agency may, from time to time and having regard to the security and intelligence interest of Nigeria, issue directives in writing for the declassification of any information or document in the possession of the Agency (*Hon. Aminu Sani Jaji — Kaura-Namoda/Birnin-Magaji Federal Constituency*).

Question that Clause 11 stand part of the Bill — Agreed to.

PART TWO — LIAISON WITH THE NATIONAL ASSEMBLY

Committee Recommendation:

Clause 12: Procedure for reporting to National Assembly.

The National Security Adviser shall in collaboration with the National Assembly establish such procedures as may be necessary to carry out the provisions of this Bill (*Hon. Aminu Sani Jaji — Kaura-Namoda/Birnin-Magaji Federal Constituency*).

Question that Clause 12 stand part of the Bill — Agreed to.

Committee Recommendation:

Clause 13: Procedure to protect from disclosure.

The Senate and the House of Representatives shall each establish, by Rule or Resolution, procedures to protect from unauthorized disclosure, all classified information relating to intelligence that is furnished to the National Assembly Committees on Security and Intelligence. Such procedures shall be established in consultation with the President's designated officials (*Hon. Aminu Sani Jaji — Kaura-Namoda/Birnin-Magaji Federal Constituency*).

Question that Clause 13 stand part of the Bill — Agreed to.

Committee Recommendation:

Clause 14: Form and contents of reports.

Any report relating to an intelligence activity that is submitted to the National Assembly Committees on Security and Intelligence by the Agency for purposes of this Part shall be in writing and contain the following:

- (a) a concise statement of any facts pertinent to such report;
- (b) an explanation of the significance of the intelligence activity covered by such report;
- (c) use of gaps, asterisks, alphabets, pseudo words, dots or blacken words, to conceal sensitive names, figures, locations, issues, matters, sources and methods, which may, in compelling circumstances, be orally disclosed (*Hon. Aminu Sani Jaji — Kaura-Namoda/Birnin-Magaji Federal Constituency*).

Question that Clause 14 stand part of the Bill — Agreed to.

PART THREE — DEFENCES, POWERS AND IMMUNITIES

Committee Recommendation:

Clause 15: Defences.

- (1) It is a defence for a person charged with an offence under this Bill to prove that:
- (a) at the time of the alleged offence, he had no reasonable cause to believe that the act in question was one to which this Bill applies;

- (b) when he knew or could reasonably have been expected to believe that the matter was classified matter, he forthwith placed his knowledge of the case at the disposal of the Head of the Agency; and
 - (c) at the time of the alleged offence, he believed that he was acting in accordance with his official duty and had no reasonable cause to believe otherwise.
- (2) It is a defence for a person charged with an offence under Sections 4, 5, 6 and 8 of this Bill to prove that the disclosure of the information, article or document was in the public interest insofar as he had reasonable cause to believe that it indicated the existence of crime, fraud, abuse of authority, neglect in the performance of official duty or other misconduct. Provided that before making the said disclosure, he has taken reasonable steps to draw such misconduct to the attention of the Head of the Agency without effect (*Hon. Aminu Sani Jaji — Kaura-Namoda/Birnin-Magaji Federal Constituency*).

Question that Clause 15 stand part of the Bill — Agreed to.

Committee Recommendation:

Clause 16: Power and immunities of Officers.

Officers of the Agency shall have all the powers and immunities of a Police Officer under the Police Act and any other laws conferring power and immunity on law enforcement agents and shall exercise these powers both within and outside Nigeria, especially in Nigeria's Diplomatic Missions abroad in furtherance of Nigeria's national security (*Hon. Aminu Sani Jaji — Kaura-Namoda/Birnin-Magaji Federal Constituency*).

Question that Clause 16 stand part of the Bill — Agreed to.

Committee Recommendation:

Clause 17: Power to investigate.

- (1) A Senior Officer of the Agency not below GL 14 or above in any of the National Security Organisations shall have powers to investigate an offence under this Bill and may direct:
 - (a) any person to appear before him for the purpose of investigation in relation to any matter which may, in his opinion, assist in the investigation of the offence;
 - (b) any person to produce any book, documents, articles or materials which, in his opinion, may assist in the investigation of an offence; and
 - (c) by written notice, any person to furnish a statement in writing made under oath containing all such information required by the notice which in the officer's opinion would be of assistance in the investigation of an offence.
- (2) No investigation shall be initiated under this Bill without the written authorization of the Head of the Security Agency (*Hon. Aminu Sani Jaji — Kaura-Namoda/Birnin-Magaji Federal Constituency*).

Question that Clause 17 stand part of the Bill — Agreed to.

Committee Recommendation:**Clause 18: Search Warrant.**

Where an officer of the Agency not below the rank of Assistant Chief Intelligence Officer has reasonable cause to believe that an offence under this Bill has been committed and that a material relating to the offence is likely to be found on a particular premises, he may issue a warrant to any Senior Officer of the Agency authorizing him and such other officers as may accompany him, to enter and search those premises and to seize and remove any material found there on which the Senior Officer considers as evidence of an offence under this Bill (*Hon. Aminu Sani Jaji — Kaura-Namoda/Birnin-Magaji Federal Constituency*).

Question that Clause 18 stand part of the Bill — Agreed to.

Committee Recommendation:**Clause 19: Power to arrest without warrant.**

- (1) Without prejudice to any other power of arrest, an Agency officer may arrest without warrant any person whom he finds committing an offence under this Bill or whom he reasonably suspects of having committed such an offence.
- (2) An Officer of the Agency may use such force as may be reasonably necessary for the purpose of executing an arrest under this Bill.

Clause 20: No legal proceedings, civil or criminal, shall be instituted against an officer of the Agency or any person assisting such officer for an act which was done pursuant to the discharge of his duty under this Bill or any other law. - Deleted.

Committee Recommendation:

Leave out the provision of Clause 20 (Hon. Aminu Sani Jaji — Kaura-Namoda/Birnin-Magaji Federal Constituency) — Agreed to.

Committee Recommendation:**Clause 21: Power to bear firearms.**

Officers of the Agency shall be issued with such firearms and ammunition, and such other weapons of offence or defence for use within Nigeria and in Nigerian Diplomatic Missions abroad as may be authorized by the President, acting with the advice of the National Security Adviser (*Hon. Aminu Sani Jaji — Kaura-Namoda/Birnin-Magaji Federal Constituency*).

Question that Clause 21 stand part of the Bill — Agreed to.

PART FOUR — JURISDICTION AND LEGAL PROCEEDINGS.**Committee Recommendation:****Clause 22: Court to examine documents in camera.**

- (1) In the interest of national security, defence and foreign relations, where a classified information, material or matter is in issue, any document, article or material filed or produced by the Agency, shall be examined *ex-parte* and in camera by the court.
- (2) The court shall, to the fullest extent possible and practicable, determine issues of fact based on sworn written submissions of the parties.

- (3) The court may not order the Agency to review the content of any exempted operational file or files unless the complainant disputes the Agency's submission with a sworn written submission based on personal knowledge or otherwise admissible evidence (*Hon. Aminu Sani Jaji — Kaura-Namoda/Birnin-Magaji Federal Constituency*).

Question that Clause 22 stand part of the Bill — Agreed to.

Committee Recommendation:

Clause 23: Prosecution of Offences.

- (1) Without prejudice to the general powers of the Attorney-General of the Federation to institute and undertake criminal proceedings on behalf of the Federal Government of Nigeria, any of the Agency shall have powers to prosecute criminal cases against any person in respect of offences under this Bill.
- (2) A prosecution for an offence under this Bill shall be concluded and judgment delivered within ninety (90) working days of its commencement except that the jurisdiction of the court to continue to hear and determine the case shall not be affected where good grounds exist for a delay.
- (3) Where the need arises or there is a justifiable ground, the prosecutor may apply to the court that part of entire proceedings be done in camera (*Hon. Aminu Sani Jaji — Kaura-Namoda/Birnin-Magaji Federal Constituency*).

Question that Clause 23 stand part of the Bill — Agreed to.

Committee Recommendation:

Clause 24: Extra-territorial jurisdiction.

Where an offence under this Bill has been committed outside Nigeria by a citizen of Nigeria, proceedings in respect of the offence may be brought in a Federal High Court in Nigeria which would have had jurisdiction in the matter as if the offence had been committed in Nigeria (*Hon. Aminu Sani Jaji — Kaura-Namoda/Birnin-Magaji Federal Constituency*).

Question that Clause 24 stand part of the Bill — Agreed to.

PART FIVE — MISCELLANEOUS PROVISIONS

Committee Recommendation:

Clause 25: Misuse of Agency Name, Acronym or Seal.

A person who, without the written permission of the Head of the Agency, knowingly uses the Agency's identity card or the name of any Agency or the acronym Agency or its seal or any imitation of such words, acronym, or seal in connection with any merchandise, solicitation, commercial activity or communication, designed to impersonate or in any manner reasonably calculated to convey the impression that such use is approved, endorsed, or authorized by the Agency, is guilty of an offence and is liable on conviction for a term of imprisonment not exceeding three years (*Hon. Aminu Sani Jaji — Kaura-Namoda/Birnin-Magaji Federal Constituency*).

Question that Clause 25 stand part of the Bill — Agreed to.

Committee Recommendation:

Clause 26: Oath of Secrecy and Oath of Allegiance.

- (1) On the appointment or promotion of any person as an officer of the Agency, he shall forthwith take and subscribe to the Agency Oath of Secrecy and the Oath of Allegiance as contained in the Schedule to this Bill.

- (2) A serving or retired Agency officer who, having subscribed to the Agency Oath of Secrecy and the Oath of Allegiance, breaches or violates any provisions of the Oaths, is guilty of an offence and is liable on conviction to imprisonment for a term of five years (*Hon. Aminu Sani Jaji — Kaura-Namoda/Birnin-Magaji Federal Constituency*).

Question that Clause 26 stand part of the Bill — Agreed to.

PART SIX — INTERPRETATION SECTION

Committee Recommendation:

Clause 27: Interpretation.

In this Bill:

"Agency" means the National Intelligence Agency, State Security Service and Defence Intelligence Agency established under the National Securities Agencies Act, as the case may be (*Hon. Aminu Sani Jaji — Kaura-Namoda/Birnin-Magaji Federal Constituency*).

Question that the meaning of the word "Agency" be as defined in the interpretation to this Bill — Agreed to.

"Agency Facility or Establishment" means any area, building, structure, installation, equipment or office in Nigeria or elsewhere used by the Agency for or in connection with intelligence activities (*Hon. Aminu Sani Jaji — Kaura-Namoda/Birnin-Magaji Federal Constituency*).

Question that the meaning of the words "Agency Facility or Establishment" be as defined in the interpretation to this Bill — Agreed to.

"Agent" means any individual who furnishes to the Agency through any means or works for the Agency as an informant or source, in the course of an intelligence relationship and whose identity and relationship with the Agency is classified information (*Hon. Aminu Sani Jaji — Kaura-Namoda/Birnin-Magaji Federal Constituency*).

Question that the meaning of the word "Agent" be as defined in the interpretation to this Bill — Agreed to.

"Authorized", when used with respect to access to classified information, means having authority, right or permission pursuant to the provisions of a statute or directive of the Federal Government or the Head of the relevant Agency (*Hon. Aminu Sani Jaji — Kaura-Namoda/Birnin-Magaji Federal Constituency*).

Question that the meaning of the word "Authorized" be as defined in the interpretation to this Bill — Agreed to.

"Classified Information or Material" means any information, document, article or material which, under any system of security classification in use by any branch of the government, is not to be disclosed to the public in the interest of national security (*Hon. Aminu Sani Jaji — Kaura-Namoda/Birnin-Magaji Federal Constituency*).

Question that the meaning of the words "Classified Information or Material" be as defined in the interpretation to this Bill — Agreed to.

"Counter-intelligence" means information gathered and activities conducted, to protect against espionage, sabotage and other hostile intelligence activities (Hon. Aminu Sani Jaji — Kaura-Namoda/Birnin-Magaji Federal Constituency).

Question that the meaning of the words "Counter-intelligence" be as defined in the interpretation to this Bill — Agreed to.

"Covert Action" means a clandestine operation designed to influence foreign governments, events, organizations or persons to support and promote Nigeria's foreign policy and national security (Hon. Aminu Sani Jaji — Kaura-Namoda/Birnin-Magaji Federal Constituency).

Question that the meaning of the words "Covert Action" be as defined in the interpretation to this Bill — Agreed to.

"Head of the Agency" means the head of any of the national security agencies established by the National Security Agencies Act, 1986 (Hon. Aminu Sani Jaji — Kaura-Namoda/Birnin-Magaji Federal Constituency).

Question that the meaning of the words "Head of the Agency" be as defined in the interpretation to this Bill — Agreed to.

"Disclose" or "Disclosure" means to communicate, provide, impart, transmit, transfer, convey, publish, or otherwise make available (Hon. Aminu Sani Jaji — Kaura-Namoda/Birnin-Magaji Federal Constituency).

Question that the meaning of the word "Disclose" or "Disclosure" be as defined in the interpretation to this Bill — Agreed to.

"Foreign intelligence" means information relating to the capabilities, intentions or activities of foreign governments or elements thereof, foreign organizations, foreign persons or international terrorist activities (Hon. Aminu Sani Jaji — Kaura-Namoda/Birnin-Magaji Federal Constituency).

Question that the meaning of the words "Foreign intelligence" be as defined in the interpretation to this Bill — Agreed to.

"Government Contractor" or "Government Consultant" means any person who is not a Public Officer but who provides or is employed to provide any service to government and includes retired Agency officers who are engaged as consultants to the Agency (Hon. Aminu Sani Jaji — Kaura-Namoda/Birnin-Magaji Federal Constituency).

Question that the meaning of the words "Government Contractor" or "Government Consultant" be as defined in the interpretation to this Bill — Agreed to.

"Informant" means any individual who furnishes information to the Agency in the course of a confidential relationship (Hon. Aminu Sani Jaji — Kaura-Namoda/Birnin-Magaji Federal Constituency).

Question that the meaning of the word "Informant" be as defined in the interpretation to this Bill — Agreed to.

"International Organization" includes any organization with foreign affiliation or sponsorship whether or not it is one of which only states are members (Hon. Aminu Sani Jaji — Kaura-Namoda/Birnin-Magaji Federal Constituency).

Question that the meaning of the words "International Organization" be as defined in the interpretation to this Bill — Agreed to.

"Intelligence" is the product or knowledge resulting from collecting, processing, integrating, analyzing, evaluating and interpreting available information concerning the capabilities, intentions, policies or activities of foreign countries/governments or elements thereof, foreign organizations or persons, international criminal organizations or subjects, hostile or potentially hostile forces or elements and other persons of interest to the Federal Government of Nigeria, as well as areas of actual or potential operations (Hon. Aminu Sani Jaji — Kaura-Namoda/Birnin-Magaji Federal Constituency).

Question that the meaning of the word "Intelligence" be as defined in the interpretation to this Bill — Agreed to.

"Intelligence Activities" are any or all of the activities undertaken by intelligence organizations (Hon. Aminu Sani Jaji — Kaura-Namoda/Birnin-Magaji Federal Constituency).

Question that the meaning of the words "Intelligence Activities" be as defined in the interpretation to this Bill — Agreed to.

"Agency Officer" means:

- (a) a serving or retired officer, employee or member of the Agency assigned to duty either within or outside the country, whose identity as such an officer, employee or member is classified information; and
- (b) an individual whose past or present intelligence relationship to the Agency is classified information and includes a present or former agent, informant or source of operational assistance to the Agency (Hon. Aminu Sani Jaji — Kaura-Namoda/Birnin-Magaji Federal Constituency).

Question that the meaning of the word "Agency Officer" be as defined in the interpretation to this Bill — Agreed to.

"Nigeria", when used in a geographic sense, means all areas under the territorial sovereignty of Nigeria or entities or premises (covered by the Vienna Conventions on Diplomatic and Consular Relations) used by the Federal Government in a Foreign State irrespective of ownership (Hon. Aminu Sani Jaji — Kaura-Namoda/Birnin-Magaji Federal Constituency).

Question that the meaning of the word "Nigeria" be as defined in the interpretation to this Bill — Agreed to.

"Public Officer" means a person who exercised or formerly exercised, for the purposes of government, the functions of any office or employment under the state, including a Minister of the Federation, a Commissioner of a State Government and officers and staff of the Ministries, Departments and Agencies (MDAs) (Hon. Aminu Sani Jaji — Kaura-Namoda/Birnin-Magaji Federal Constituency).

Question that the meaning of the words "Public Officer" be as defined in the interpretation to this Bill — Agreed to.

"Service Instruments" means the operational guidelines signed and issued by the Head of State in 1999 pursuant to section 6 of the National Security Agencies Act, 1986 (Hon. Aminu Sani Jaji — Kaura-Namoda/Birnin-Magaji Federal Constituency).

Question that the meaning of the words "Service Instruments" be as defined in the interpretation to this Bill — Agreed to.

"Significant Intelligence Activities" means any activity other than covert actions or operations (Hon. Aminu Sani Jaji — Kaura-Namoda/Birnin-Magaji Federal Constituency).

Question that the meaning of the words "Significant Intelligence Activities" be as defined in the interpretation to this Bill — Agreed to.

"Senior Officer" means an Agency Officer from the rank of an Intelligence Officer (10) (Hon. Aminu Sani Jaji — Kaura-Namoda/Birnin-Magaji Federal Constituency).

Question that the meaning of the words "Senior Officer" be as defined in the interpretation to this Bill — Agreed to.

Question that Clause 27 stand part of the Bill — Agreed to.

Committee Recommendation:

Clause 28: Short Title.

This Bill may be cited as the National Security Agencies Protection of Officers' Identity Bill, 2017 (Hon. Aminu Sani Jaji — Kaura-Namoda/Birnin-Magaji Federal Constituency).

Question that Clause 28 stand part of the Bill — Agreed to.

SCHEDULE

Oath of Secrecy

I,, swear that I shall not directly or indirectly reveal any matter that shall come to my knowledge in the course of my official duties and committed to my secrecy by this Oath except as may be required for the discharge of my official duties or as may be specially permitted by the Director-General of the Agency; and I shall not engage or be involved in any activity in conflict with the interest of the Agency. I realize that failure to keep this Oath is an offence and shall render me liable to prosecution under the National Security Agencies Protection of Officers' Identity Bill 2017. I also realize that the Obligation of secrecy imposed upon me by this Oath will continue even after I have left Government service. So help me God.

Oath of Allegiance

I,, swear that I will be faithful and bear true allegiance to the Federal Republic of Nigeria and I will obey all lawful commands of the Federal Government, the Agency and any officer set over me while in the service of the Agency; I will also use my best endeavours for the preservation of peace and apprehension of offenders and will, in all respects and to the best of my skill and knowledge, discharge all duties of the said office diligently and efficiently. So help me God (Hon. Aminu Sani Jaji — Kaura-Namoda/Birnin-Magaji Federal Constituency).

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

Explanatory Memorandum:

The Bill seeks to protect the identity of officers of the National Security Agencies, its agents, informants, sources and other classified information from unauthorized disclosure, as well as to protect intelligence facilities, installations and equipment against unauthorized access; and prescribes penalties for violation of its provisions (Hon. Aminu Sani Jaji — Kaura-Namoda/Birnin-Magaji Federal Constituency).

Agreed to.

Long Title:

A Bill for an Act to Provide for the Protection of the Identity of Officers, Agents, Sources of Information, Informants and Method of Operation of National Security Agencies from Unlawful Disclosure; and to Protect Its Establishments, Facilities and Equipment against Unauthorized Access and to Provide for the Promotion and Enhancement of National Security and for Related Matters (*Hon. Aminu Sani Jaji — Kaura-Namoda/Birnin-Magaji Federal Constituency*).

Agreed to.

Chairman to report Bill.

(HOUSE IN PLENARY)

Mr Deputy Speaker in the Chair, reported that the House in Committee of the Whole considered the Report of the Committee on National Security and Intelligence on a Bill for an Act to Provide for the Protection of Identities of National Security Agencies Officers, Agents, Sources, Informants and Operational Methods from Unlawful Disclosure and to Protect their Establishments, Facilities and Equipment against Unauthorized Access, as well as Provide for the Promotion and Engagement of Nigeria's External Security; and for Related Matters (HB. 830) and approved Clauses 1 - 19, rejected Clause 20, approved Clauses 21 - 28, the Schedule and the Long Title of the Bill.

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

(ii) Committee on Public Petitions:

Report on the Petition by Cpl. Emmanuel Damaap:

Motion made and Question proposed, "That the House do consider the Report of the Committee on Public Petitions on the Petition by Cpl. Emmanuel Damaap against the Nigeria Police Force on his pre-mature retirement and approve the recommendation therein" (*Hon. Uzoma Nkem Abonta — Ukwa East/Ukwa West 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:

"Urge the Police Service Commission to obey the judgment of the National Industrial Court in suit No. NICN/JOS/23/2013 which was delivered on 14 December, 2015" (*Hon. Uzoma Nkem Abonta — Ukwa East/Ukwa West Federal Constituency*).

Agreed to.

Chairman to report proceedings.

(HOUSE IN PLENARY)

Mr Deputy Speaker in the Chair, reported that the House in Committee of the Whole considered the Report of the Committee on Public Petitions on the Petition by Cpl. Emmanuel Damaap against the Nigeria Police Force on his pre-mature retirement and approved the Recommendation of the Report.

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

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

Report on the Petition by Mrs Elizabeth Modupe Oyeduntan:

Motion made and Question proposed, "That the House do consider the Report of the Committee on Public Petitions on the Petition by Mrs Elizabeth Modupe Oyeduntan against the West African Examinations Council (WAEC) on alleged unjust withholding of gratuity and other entitlements and approve the recommendations therein" (Hon. Uzoma Nkem Abonta — Ukwa East/Ukwa West 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):

"Urge the West African Examinations Council (WAEC) to restore all the accruable rights of Mrs Elizabeth Modupe Oyeduntan" (Hon. Uzoma Nkem Abonta — Ukwa East/Ukwa West Federal Constituency).

Agreed to.

Recommendation (ii):

"Pay her gratuity and other entitlements" (Hon. Uzoma Nkem Abonta — Ukwa East/Ukwa West Federal Constituency).

Agreed to.

Chairman to report proceedings.

(HOUSE IN PLENARY)

Mr Deputy Speaker in the Chair, reported that the House in Committee of the Whole considered the Report of the Committee on Public Petitions on the Petition by Mrs Elizabeth Modupe Oyeduntan against the West African Examinations Council (WAEC) on alleged unjust withholding of gratuity and other entitlements and approved Recommendations (i) and (ii) of the Report.

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

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

Report on the Petition by Andoni Stakeholders' Forum and the National Youth Council of Nigeria:

Motion made and Question proposed, "That the House do consider the Report of the Committee on Public Petitions on the Petition by Andoni Stakeholders' Forum and the National Youth Council of Nigeria against the Chairman, Independent National Electoral Commission (INEC) on the erroneous spelling of Andoni-Opobo/Nkoro Federal Constituency in the Constitution of the Federal Republic of Nigeria, 1999 and approve the recommendations therein" (Hon. Uzoma Nkem Abonta — Ukwa East/Ukwa West 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 since the Independent National Electoral Commission has acknowledged the fact that the name is not an issue, the Committee recommends that the Federal Constituency be known as Andoni-Opobo/Nkoro Federal Constituency and not Opobo/Nkoro-Andoni Federal Constituency” (*Hon. Uzoma Nkem Abonta — Ukwa East/Ukwa West Federal Constituency*).

Recommendation (ii):

“That their prayer be granted except Prayer (ii) which is to direct the Clerk, House of Representatives to specifically rectify the name of the Constituency recorded against the name of Hon. Peterside Dakuku A. contained on page 16 of the House of Representatives list of Honourable Members 2011- 2015 under Rivers State as Andoni-Opobo/Nkoro, instead they should move a motion on the floor of the House for the name to be rectified” (*Hon. Uzoma Nkem Abonta — Ukwa East/Ukwa West Federal Constituency*).

Debate.**Amendment Proposed:**

Leave out Recommendations (i) and (ii) and insert a new Recommendation as follows:

“That “Andoni-Opobo/Nkoro” Federal Constituency as contained in the 1999 Constitution (as amended), be retained” (*Hon. Uzoma Nkem Abonta — Ukwa East/Ukwa West Federal Constituency*).

Agreed to.

Chairman to report proceedings.

(HOUSE IN PLENARY)

Mr Deputy Speaker in the Chair, reported that the House in Committee of the Whole considered the Report of the Committee on Public Petitions on the Petition by Andoni Stakeholders' Forum and the National Youth Council of Nigeria against the Chairman, Independent National Electoral Commission (INEC) on the erroneous spelling of Andoni-Opobo/Nkoro Federal Constituency in the Constitution of the Federal Republic of Nigeria, 1999 and rejected Recommendations (i) and (ii), and approved a new Recommendation.

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

(v) Committee on Public Petitions:**Report on the Petition by Mr Philemon Ibrahim Gora:**

Motion made and Question proposed, “That the House do consider the Report of the Committee on Public Petitions on the Petition by Mr Philemon Ibrahim Gora against Diamond Bank Plc on the Unlawful Closure of Accounts and Retention of Funds belonging to Cash Flowabi Network Limited by the Management of the Bank, by Central Bank of Nigeria (CBN), the Nigeria Police Force and the Attorney General of the Federation and approve the recommendations therein” (*Hon. Uzoma Nkem Abonta — Ukwa East/Ukwa West 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)**Consideration deferred.**Ordered: Committee on Public Petitions to liaise with the Committee on Banking and Currency to critically re-examine the Recommendations of the Report and advise the House accordingly.**Chairman to report progress.***(HOUSE IN PLENARY)**

Mr Deputy Speaker in the Chair, reported that the House in Committee of the Whole considered the Report of the Committee on Public Petitions on the Petition by Mr Philemon Ibrahim Gora against Diamond Bank Plc on the Unlawful Closure of Accounts and Retention of Funds belonging to Cash Flowabi Network Limited by the Management of the Bank, by Central Bank of Nigeria (CBN), the Nigeria Police Force and the Attorney General of the Federation and deferred consideration of the Report.

*Question that the House do adopt the Report of the Committee of the Whole — Agreed to.***13. Adjournment***That the House do adjourn till Thursday, 26 October, 2017 at 11.00 a.m. (Hon. Mohammed Tahir Mungonu — Munguno/Marte/Nganzai Federal Constituency).**The House adjourned accordingly at 1.17 p.m.*

Yakubu Dogara
Speaker