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**HOUSE OF REPRESENTATIVES
FEDERAL REPUBLIC OF NIGERIA**

Thursday, 25th February, 2016

The House met at 11.05 a.m.

PRAYERS

(The Speaker in the Chair)

VOTES AND PROCEEDINGS

The Speaker: I have examined and approved the Votes and Proceedings of Wednesday 24th February, 2016.

Admittance of Guests into the Chamber

The Speaker: I invite the Leader to move a Motion for admittance of strangers into the Chambers.

Hon. Femi Hakeem Gbajabiamila (Surulere I): I first move that we suspend our Rules to admit the Governor of Adamawa State and others into the Chambers this morning.

Hon. Orker-Jev Emmanuel (Buruku): I second the Motion as ably moved by the Leader of the House.

Question put and agreed to.

The Speaker: The Acting Whip would be Hon. Shuaibu and Hon. Philip Shaibu would be Acting Deputy Whip. Unfortunately the Whip led the House Delegation to Kano State and the Deputy Whip led the House Delegation to Kogi State. They are on official assignments so Hon. Shuaibu please usher in the visitors.

(Pursuant to Order XIX, Rule 217(1) (x) visitors accordingly admitted into the Chambers)

ANNOUNCEMENTS

Acknowledgement of Visitors in the Gallery:

Students Representatives Council of the Students Union from the University of Ibadan

The Speaker: We have in the Gallery members of the Students Representatives Council of the Students Union from the University of Ibadan.

Could you please, rise to be recognised?

(Students rose for recognition.)

Students of JIL Royal Academy Angwan Jikwoyi, New-Karu, Nasarawa State

The Speaker: In the Gallery are Students of Jil Royal Academy, all the way from Angwan Jikwoyi, Nasarawa State.

Could you please, rise for recognition?

(Students rose for recognition.)

Staff and Students of Catholic Archdiocese of Kaduna Sacred Heart Schools, Narayi, Kaduna State

The Speaker: Also in the Gallery are Members of Catholic Archdiocese of Kaduna Sacred Heart Schools, Narayi Kaduna.

Could you please, rise for recognition?

(The students rose for recognition.)

You are welcome. Kindly take your seat, please.

Submission of 2016 Budget Report by Standing Committees

The Speaker: All Standing Committees of the House are reminded to submit their 2016 Budget Report and appear before the Appropriations Committee to defend same not later than tomorrow Friday, 26th February, 2016, when all defence sessions are expected to be concluded.

This reminder has become very necessary in view of the fact that the next phase of the Budget process begins after Friday, 26th February, 2016.

(Announcer)

*Hon. Abdulmumini Jibrin
Chairman, Committee on Appropriations*

The Speaker: Before we proceed, let me warmly welcome the Executive Governor of Adamawa State, our own brother, a member of the family, His

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Excellence, Senator Jibrilla Bindow; the man who is actually delivering change to the people of Adamawa State in the area of infrastructure (*applause*).

You are welcome. But I hope that you will observe the proceedings to the end.

OATHS

Oath of Allegiance

And

Oath of Membership

The Speaker: Any Member-Elect who has not been sworn in may please come forward for the administration of Oaths.

Thereupon, the following Members-Elect took and subscribed the Oath or made and subscribed the Affirmation required by law:

Talatu Yohanna (Demsu/ Numan Federal Constituency); and

Ismaila Mu'azu Hassan (Akko Federal Constituency)

PRESENTATION OF PUBLIC PETITIONS

The Speaker: Any Member, who has a Petition to present to the House, may please, rise to do so.

Non-payment of Salary and Sundry Allowances and Denial of Promotion

Hon. Nkole Uko Ndukwe (Arochukwu/Ohafia): Mr. Speaker, I have a Petition with me from Dr. Philip Nto, a lecturer at the Federal University of Agriculture, Umudike.

Dr. Nto just has three issues; that the Vice Chancellor of the University has been behaving like the lion of the tribe of Judah by solely arrogating to himself the powers to give whatever he likes to anybody. That this man has stopped his salary and that up till this moment, his promotion that he is duly entitled to has been denied, negating all known laws guiding the University.

He is pleading that this 8th Assembly that he is very sure of that can deliver justice to Nigeria, should look into his case so that justice would be done to him.

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With your kind permission I would like to lay this petition on the Table.

The Speaker: Please proceed and lay the Petition.

(Petition laid)

Wrongful Accusation of Stealing

Hon. Benjamin Ikani Okolo (Bassa/Dekina): Mr. Speaker, I have a Petition with me which was duly signed by one of my constituents, Mr. Peter Akubo Alabi, a staff of the Nigerian Communications Commission. He was employed on the 31st May, 2011 and received his confirmation on March 27th, 2013.

According to his account, on December 9th, 2014, he was wrongfully accused of stealing 18 Laptop Computers, an incident he denied no knowledge of.

His resident was subsequently subjected to search by the security unit of the Commission and nothing incriminating was found. He was denied access to his duty post since that time up to now.

The petitioner got agitated very recently when a disclaimer was done on his person. This disclaimer came even when he had not received and answered any query. He is not at large and he has been asking to have access to his duty post but was denied.

He is praying the House to urge the withdrawal of the disclaimer, be reinstated to his duty post and asking that an intervention is done on his behalf for his salaries and allowances to be paid for this period of wrongful denial.

I seek the leave of the House and your kind permission to lay this petition.

The Speaker: Proceed to lay the Petition.

(Petition laid)

Unlawful Detention by the Nigerian Police

Hon. Ali Isa JC (Balanga/Biliri): Mr. Speaker, I have a Petition from Mr. Suleiman Dauda from my constituency, against one General Galadima Halilu and the Nigerian Police.

Mr. Suleiman has been under unlawful detention since January 9th 2016 at the behest of General

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Halilu, who lost a court case pertaining to a land against Mr. Suleiman.

With your permission, I would to lay the Petition on the Table.

The Speaker: Proceed to lay the Petition.

(Petition laid)

Continuous Neglect of Umudike Community by the Nigeria/Agip Oil Company Limited

Hon. Goodluck Nanah Opiah (Ohaji/Egbema/Oguta/Oru West): Mr. Speaker, I have a Petition by Umudike Community, Loguomadike Autonomous Community in Imo State, signed by three illustrious sons of the community namely: Barr. F. C. Esiegwu, Mr. Victor Oyanna and Mr. James O. Wanro, titled Continuous neglect of Umudike Community by Nigeria/Agip Oil Company Limited.

In the Petition, the petitioners aver that they are the rightful owners of a parcel of land on which the Nigeria/Agip Oil Company has been operating oil business since 1964. They have showed enough evidence of the ownership of the land, but that there has not been any form of recognition by the company since operation through corporate social responsibility and that to worsen the matter, the company has even gone ahead to credit the oil wells in that community to a neighbouring oil community in another State, called Mbede. In effect, the oil well is called Mbede Oil Well 16 instead of Umudike Oil Well.

The petitioners are seeking the intervention of the House to let the Oil Company change its negative attitude towards the community and also let them feel the full impact of the ownership through the change of name.

I therefore seek the leave of Mr. Speaker and the House to lay this Petition on the Table.

The Speaker: Please proceed and lay the Petition.

(Petition laid)

Wrongful Dismissal from Service

Hon. Rita Orji (Ajeromi/Ifelodun): Mr. Speaker I have a Petition from one of my constituent by name DSP Sunday Adewale Oni asking this House to intervene on his behalf because of his wrongful

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dismissal. The reason for his wrongful dismissal was that, he was sent on an errand in another area that is not in Lagos and while away the superior passed to him another assignment while still away to another one and by the time he comes back to the station, the DPO got annoyed and said there was a delay on his side and was given a query on misconduct. He turned-in his representation on the day of questioning; the superior said he would make sure that he leaves the Police force which he thought was an empty threat until he was from that misconception, retired compulsorily without pension and anything accruable to him on that level at the age of 41.

He is calling on the House of the common man, the House that has the heart to listen to the downtrodden to come to his rescue to see that this injustice would be reverted.

I crave the indulgence of the Speaker to allow me lay the Petition.

The Speaker: Please proceed and lay the Petition.

(Petition laid)

Environmental Abuses and Pollution activities in Okporoma

Hon. Chukwuka Onyema Wilfred (Ogbaru): Mr. Speaker, this Petition is from our former Colleague Hon. Donald Ekperiko. It is a Petition against ALCON Engineering Company, Shell Petroleum Development Company and the Niger Delta Development Commission for environmental abuses and pollution activities in Okporoma the host of River-Nun Creek.

With your kind permission may I lay the petition?

The Speaker: Please, proceed and lay the Petition.

(Petition laid)

(Petitions accordingly referred to the House Committee on Public Petitions).

The Speaker: I will take some Point of Orders before we move to the first Business of the day and the first will be from retired Comrade, Hon. Philip Shaibu.

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**MATTER OF URGENT PUBLIC
IMPORTANCE**

**Introduction of Speed Limiter Out-dated
Technology by FRSC**

Hon. Shaibu Philip (Etsako East/West Central): Mr Speaker, I have a Motion on the introduction of Speed Limiter Out-dated Technology by FRSC and to take this as a matter of Urgent Public Importance, I want to apply that we suspend Order VIII, Rule 46 of the House Standing Orders and other relevant Rules of the House to enable me move this Motion for the House to adopt.

Hon. Iorwase Herman C. Hembe (Konshisha/Vandekiya): Mr. Speaker, he moved the two Motions together. So I want to second the first Motion as ably moved.

Question put and agreed to.

Resolved: That the House do consider the Motion on Introduction of Speed Limiter Out-dated Technology by FRSC be taken as Matter of Urgent Public Importance.

Hon. Nkeiruka Onyejeocha (Isuikwuato/Umu-Nneochi): I second the second leg of the Motion that the House suspend its relevant Rules to enable us take the Matter now.

Question put and agreed to.

Resolved: That Order VIII, Rule 46 (3) be suspended to enable the House consider the matter immediately.

The Speaker: Hon. Shaibu, please proceed with your Motion.

Hon. Shaibu Philip: My Motion is on the Introduction of Speed Limiter Out-dated Technology by FRSC.

The House:

Notes that the FRSC is resolved on the introduction and enforcement of the use of speed limiters by motorist nationwide;

Also notes that speed limiters are devices that interact with a vehicles engine to permit the attainment of a pre-programmed maximum speed. They are Electronic Controlled Modules (ECM) that

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are capable of limiting electronic controlled engine speeds to a specified-limit;

Aware that the speed limiter only functions on vehicles with computerised auto ignition electronic brain box injector engine system and does not apply nor function in vehicles with carburettor engines;

Also aware that the speed limiter instructs the vehicle computer system to cut off fuel flow to the electronic injector system of the vehicle engine once the pre-set speed is exceeded;

Concerned that the speed limiters device has been experimented and abandoned in some African countries due to the innate disadvantages. Indeed it is an out-dated technology.

Also concerned that its introduction will expose motorist to hazards of criminal minded persons such as armed robbers, car snatchers and assassins who ply the same roads. This is more apt given the security challenges that Nigeria is presently grappling with;

Further aware that an alternative applicable technology is readily available, known as Spider Technology which uses high tech mobile cameras installed in patrol vehicles of FRSC to detect, monitor and track speed limits on highways from a distance/radius of 500 metres;

Convinced that the Spider Technology will generate revenue into Government Coffers as defaulters will pay levies unlike the Speed limit technology that profits only the suppliers.

Resolves to:

- (i) Request that the Federal Road Safety Commission adopts and apply the Spider Technology which conforms with existing global practice as against the introduction of the out-dated Speed Limiter Technology; and
- (ii) Mandate the House Committee on Federal Road Safety Commission to investigate the matter and report back to the House within four weeks.

Hon. Iboru Asuquo Ekanem (Ini/Ikono): I second the Motion as ably moved by Hon. Shaibu.

Hon. Shaibu Philip: Mr. Speaker, we are all aware of the security challenges we have in this

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country and the economy situation we find ourselves presently. It is good to protect lives and property and also control motorist but at the same time we should not bring technology that are out-dated and technology that also will cough out too much money from our pockets at the end of the day, this technology will just last for six months and it is dumped just like it was done in other African countries.

The Speed Limiter that is to be introduced by the Federal Road Safety Commission which from report will start from April 1st this year is a technology that is not only out-dated, but it will create security challenges for our people. First and foremost, it is an arrangement to enrich certain characters in the name of technology, when this thing is installed in our vehicles, it can only work with modern cars that have injectors, other vehicles that do not operate with injectors will not use this device and the danger in it is that, God forbid if anybody is been trailed or pursued unlike the non-injector vehicles, the injector one definitely will catch up with you and before you know, robbers either snatch or assassins will catch up with the person. The other technology which is the Spider Technology which is the one that are being used nationwide in other countries are technologies that are fixed on roads and also fixed on the vehicles of the monitors.

The Federal Road Safety Commission has the mandate to fix those cameras in their vehicles and those speed limiters in their vehicles and also designate our roads in line with the speed limit for certain roads, because it is not every road that have the same speed. There are some roads that is 60 km per hour, and some 45 km per hour, those cameras and detectors can be installed in those particular roads and areas where we have street lights we can also install this facility as against the one they want to introduce which will take about 36,000 each from every vehicle that has injector in this country. When you look at the mathematical calculation of it, we are talking about ₦1.2 to ₦1.3 trillion that will have to be taken from our pockets to fund a technology that will not be useful to our country.

If this technology is stopped and we adopt the one that is globally accepted and has been tested and it is useful in every strata, it will not only limit our speed, it will also help to generate fund but what is important is that the speed limiters that we install on patrol vehicles and on the roads and junctions where there are traffic lights, will enable to control and reduce road accidents.

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I urge the House to adopt this Motion because it will benefit not only our constituents it will also reduce road accidents on our roads and I pray that the speaking Speaker will use the right hand to hit hammer for the Motion to pass.

The Speaker: It is not for the Speaker to hit the Gavel; it is for our Colleagues to accept that the Motion should pass.

Hon. Iorwase Herman C. Hembe: Mr Speaker, sometimes it beats my imagination as to why people in places of authority choose most of the time to abandon those things that will benefit Nigerians and instead choose to go for those items that benefit a few persons. How is it logically that instead of patrolling the roads to check that people do not drive cars too fast and beyond the speed limit that an agency will seek to make Nigerians pay huge sums so that one or two companies that I suspect are probably friendly with somebody will take benefit? Will it not be better for instance if you are plying the road from here to Berger, instead of putting those devices in 50 cars that ply that road, that you have one or two on the road side and have one or two patrol vehicles on the same road side checking and guaging that people do not drive too fast?

If you go to most developed countries, the United States of America for instance, and you drive pass a road, you will find a meter that tells you exactly how fast you are traveling, it is your duty to slow down or face the law thereafter. It is cheaper because you can install one or two and they control a whole lot of persons, but in Nigerian where the reverse is the case, you will bring an idea to install in every vehicle so that you can make plenty of money for a few persons.

I think the idea that the Road Safety has brought up is despicable and should be discouraged, if you say the proponent of the Motion also asked that the matter be investigated and reported back in four weeks, I am of the view that the four weeks that procedure may have started. We should be seeking that the relevant Committee invite the leadership of Road Safety and immediately ask them to halt that process and explain to us the sense behind such an outrageous decision and be asked thereafter to go and do the needful which is to install speed trackers on the road, have patrol cars on the road that can detect speed and make life cheaper for Nigerians.

Things are difficult enough for Nigerians and we do not need a situation where government agencies will begin to impose impossible fines on Nigerians and make them pay and I know that knowing the nature of Road Safety, once they start that process,

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they will begin to arrest people and fine them even before the devices are installed in the vehicle. This is unacceptable and we should discourage it, call the Road Safety here and my proposal is not to do it in four weeks but to invite them immediately and ask them to hold on that process as we go into looking at whether it is viable for this country or not, that is my submission.

Hon. Abdulrazak Sa'ad Namdas (Mayo Belwa/Ganye/Jada/Toungo): Mr Speaker, it will be sad to hear that a technology that was recently used for just six months and abandoned in Kenya and an agency is asking us to do it in Nigeria in this very 21st Century, I think this is highly not fair to Nigerians.

That speed limiter is ~~₦~~35,000 and the cost of installation is ~~₦~~1,000 making it ~~₦~~36,000 and we are told that we have an average of about 25 million cars in Nigeria. If you multiply that it is almost ~~₦~~1 trillion and this money will not go into the coffers of government, it is to the coffers of the suppliers, so they make the money.

It is very important that we use technology that is very advanced, particularly the one he mentioned Spider Technology which is even in use currently in South Africa, Ghana and in most developed world they are using that kind of technology. That will be adequate and money generated from the Spider Technology will go to government coffers and not to suppliers.

I think for some people and agencies one day to raise funds for contractors and probably later for them to make something out of it, I think it will not be good. I will suggest to my Colleagues that we should put hands together and ensure that we do not use the Speed Limiter which is an out-dated technology.

Hon. Femi Hakeem Gbajabiamila: Mr. Speaker, let me adopt the submission of all the Members and say that when Hon. Shuaibu was discussing this Motion with me yesterday, he mentioned that this was applicable to all cars on all roads. So in adopting all submissions, I just want to add one point and that is if it really applicable to all cars on all Nigerian roads then it becomes illegal and unconstitutional because under the Constitution the jurisdiction the Federal Road Safety Commission has covers only Federal trunk roads and does not cover other roads in Nigeria neither the State roads nor the Local Government roads. In looking at all other submissions we must also look at the legality and the constitutionality of what they are trying to do.

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Having said that I want to fully adopt all the submissions and also add that he mentioned to me that it is only applicable to fuel injector cars and we all know that not every car, may be even most but not every car in Nigeria comes with fuel injector. There are carburettor cars and in that case if you are not applying this to all cars, then definitely there is some kind of discrimination going on and that form of discrimination again is against the Constitution of the Federal Republic of Nigeria. So, on all ramifications, all fours and from all angles I believe that this proposal is immoral, illegal and it is unconstitutional.

Hon. Goni Bukar Lawan (Bursari/Geidam/Yunusari) Mr. Speaker, I support the Motion ably moved by a retired comrade. Constitutionally it is allowed to go for training anywhere in the world. I think the members of the Federal Road Safety Commission are supposed to go to training to learn from other developed countries before introducing something that will promote our progress in the country.

The reason why I say this is that in so many developed countries we travel to, you cannot see any device in any of the vehicles but you find it along the roads. They fix it every in every 50 kilometers or 100 kilometers, so whenever you hit 100 kilometers you see the alarm or before you reach that point, the camera is there. I think we better go for that instead of introducing something that will worry our people now that we are looking for a change.

I support the Motion and urge my Colleagues to please say no to the proposal of the Federal Road Safety Commission.

The Speaker: Hon. Shehu Shagari; let us try to restrict our contribution to maximum of two minutes.

Hon. Aminu Shehu Shagari (Yabo/Shagari): Mr. Speaker, I want to lend my voice strongly in support of this Motion. To think that there has to be a device that will be installed in every vehicle in Nigeria to limit its speed and indeed cut off when that speed limit is exceeded, I think it is most preposterous to say the least in my view.

I do not know why they always come up with some ideas of making things difficult for Nigerians; I am talking of Road Safety Commission. The other time they came up with an idea that they have cancelled the old number plate that everybody should go and buy new number plate, and it was only the intervention of this honourable House that saved Nigerians from this insensible idea.

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The next thing they talked of a sticker, a reflector that everybody should go and buy a reflector and put on their vehicle and that if you do not do so, you will be fined. It was only also the intervention of this House that stopped that.

We are once again called to rise to the occasion and save Nigerians from this insensible idea. It is true that we have to limit the speed of vehicles in Nigeria to reduce the loss of lives and properties on our roads but there are sane and modern ways of doing this. If you travel out of this country, you will find that they have radars and cameras that detect when the speed limit is being exceeded.

This is the most reasonable thing that can be done in these circumstances. You can put a speed limit and then the camera will detect and then when you pass it can snap your number plate and the appropriate fine or sanction can be introduced following that picture. So I really support this Motion and urge my Colleagues to please do same.

Hon. Tajudeen Ayo Yusuf (Ijumu/Kabba-Bunu): Mr. Speaker, I adopt previous submissions as if they were mine. I want to appeal that the idea of helping manufacturers of out-dated technology to find market in Nigeria must be stopped. Just like the last speaker alluded, there was a time if you do not buy that sticker you will be arrested. You have a break light, you have the reflector on your car, you will now be asked to go and buy something to stick behind your car to make people see your car in the night. I do not know where that idea came from and a lot of people were made to cough out money for this.

Without much rhetoric on this matter, I urge every one of us to support this and adopt the position of Hon. Hembé that rather than four weeks we should emphasize that the Committee should call the head of that agency this week, engage them because this is House of Nigeria people. Our responsibility is to reduce the burden for our people. ₦36,000 is a huge amount. I am vehemently opposed to this idea, I support this Motion Sir.

Hon. Ehiozwa Johnson Agbonayinman (Egor Ikpoba Okha): Mr. Speaker, I want to appreciate and congratulate my dear Colleague, Hon. Philips Shaiibu for this wonderful bold step. In fact for us as great Nigerians, it is unfortunate that Nigeria have become a place of dumping ground for substandard equipment. Abandoned equipment from other parts of the world find a safe haven in Nigeria because they feel that we do not care for our people, I think this House do care about Nigerians. Like others have said this is the last hope for the ordinary Nigerians.

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At this time when we are having economic crunch when people cannot even have two or three square meals a day and you now want to impose on those who have been able to even borrow money to buy their own vehicles, some are: *push me I push you*, some are good cars, some are just managing. Some who work day and night who are civil servants go about trying to do '*kabukabu*' to make ends meet for their families because of the economic situation.

Again somebody is coming through the back door to put pain, agony on Nigerians. I think this will be unacceptable at this particular time. They say: *prevention is better than cure*. There are so many ways to make things work for this nation. The fear of the unknown is not here when you see a stop sign even if there is no law enforcement around you, within you, you know the right thing to do; you look right and left to make sure there is no other vehicle coming so that you can proceed. That is obeying the law of the land.

We have all the laws there but for this particular time Mr. Speaker, it will not be fair to Nigerians, it will not be fair to this honourable House like others have said that those who are in charge should be invited. That is also a very wonderful step. What is very much important here is for us to know that this substandard equipment where there other wonderful equipment that can be used, we cannot access it rather Nigeria is a dumping ground for a sub-standard equipment in all ramifications. Hon. Speaker, I hereby support this move by my Hon. Colleague Philip Shuaibu.

Thank you Mr. Speaker and Hon. Colleagues, may God bless you all, may God bless the Federal Republic of Nigeria.

Hon. Leonard Okuweh Ogor (Isoko North/Isoko South): Let me thank you Mr. Speaker and appreciate the fact that a fundamental issue that borders on our collective safety has been raised by a Colleague and I think what he is telling this House is that a technology that sounds or looks rather very out-dated is being introduced by the Federal Road Safety Commission. His prayer is a very simple prayer; *Mandate the House Committee on Federal Road Safety to investigate the matter and report back to the House within four weeks*.

I appeal that because of the nature of the principles of fair hearing, *vis-a-vis* the investigation that will be carried out by this Committee, it is extremely important that we look at the Report of the Committee, the information that the Committee will give to us will give us a clear position and we will be

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able to take an extensive debate in respect of this technology so that it does not sound as if we are being judgemental at this particular time. When the Committee Report gets to us we will take a single position that will defend the interest of our country and I think it is important that we allow this debate to rest so that we can definitely allow the Committee to carry out its functions.

Hon. Abubakar Chika Adamu (Shiroro/Rafi/Munya): Mr. Speaker, the time for impunity is over, the time when institutions will make caricatures of Nigerians is over. Nigerians are no longer going to be cash cows for institutions to make money. We are far away from that and we will not agree for such to happen in our life in this 8th Assembly.

The new car plate number that is in circulation which was said to have replaced the old plate number still leaves Nigerians in a rude shock over the replacement of old car plate number with the new one. Up till today we have no value addition for having a paradigm shift from the old car plate number to the new ones. All we witness today is when people feel they want to create contract where there is none, then the next bus stop is to tramp, squeeze and ensure that innocent Nigerians are been extorted by these institutions. We will not accept that.

I want to tell you Mr. Speaker, this morning before I came to this Chamber, my constituents called me and intimidated me about this issue and they said, honestly they send us here to protect them not to harbour any institution that will do anything that will extort the little income they have during this depression period. I want to tell you that in the entire advance world what we witness is what they call in United States of America the Spider Technology or the Gun Rider Technology. Then if the Federal Road Safety Commission wants to honestly track over speeding, I think this is where to go not to take away something from innocent Nigerians. We need to stand and fight this for innocent Nigerians. We will not accept it and this should not see the light of the day by any institution.

Hon. Adekunle Abdulkabir Akinlade (Egbado South/Ipokia): I support this Motion very strongly because we all know that every high performance modern car comes with what we call speed limiters and I feel that it is absolutely unnecessary for us to be talking at this level with the level of technology in the kind of automobiles that are being produced today about the vices to be stored in every car. It is absolutely unnecessary. This comes to show the level of misplacement of our priorities of our

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government institutions that at this stage a body like the Federal Road Safety Commission will be talking about installing the vices in every car, it is absurd.

I believe that what my Colleagues have said all morning, that what we should be talking about, if we want to add technology to protect members of the public on the road it will be technology that can touch the lives of everybody without necessarily making life unbearable for our people. I expect that the Federal Road Safety Commission should know by this time which I know they would have been aware, that every modern even Hilux when you run over a hundred kilometres per hour you will get a beep talk less of other more bigger performance cars.

So I am of the opinion that this idea should not only be killed, it should not only be discouraged, but that those who actually came up with this idea should be invited to come and tell us why. That at this point in time with where our nation is today economically, with all the challenges we are facing today, that some individuals can sit down somewhere and come up with something like this and think that this honourable House, this 8th Assembly will sit back and allow that to fly is honestly unacceptable.

This is where my position is and I believe that this is the position of the majority of this House that this Motion should be fully supported and that this idea should not only be killed but make sure that ideas like this are not allowed to fly in our country.

Hon. Onyemaechi Joan Mrakpor (Aniocha North/Aniocha South/ Oshimili North/Oshimili South): I think that Road Safety has taken its marketing activities too far. At this time of our economy wanting the ordinary Nigerian to go and cough out with ₦36,000 for installation of a gadget that is going to be imported, sold, marketed and installed by the Federal Road Safety Commission is abnormal. I think that Federal Road Safety Commission should be bothered about the state of Nigerian roads. Our roads have become gullies and most of the accidents we see on our roads are often times head on collision of vehicles trying to avoid potholes. I think that Federal Road Safety Commissions should be bothered about the state of vehicles on our roads, abandoned and broken down vehicles that are left on our roads for one week or two weeks. The Federal Road Safety Commission should have a means of finding out the owners of the vehicles and removing them from roads to save lives not seasonal marketing as we have with Federal Road Safety Commission.

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Today it is change plate number, you are forced to buy, tomorrow is put one plastic on your vehicle, you are forced to buy and now it is ₦36,000 for even vehicles that are connected with ordinary rope. When you with some of our taxi drivers, they use wire and you will find out that the state of some of the vehicles is so bad that they start their vehicles by trying to cut one wire from one end to another. One wonders where this kind of gadget is going to be installed. I think that Federal Road Safety Commission should be checked and reminded of their primary duty which is to save Nigerians lives and not a marketing outfit.

Hon. Buba Yusuf Yakubu (Gombi/Hong): I think the duty of every government is to protect the interest and welfare of its citizens. But it has turned out that some of our government agencies in Nigeria are taking advantage of our population to exploit the citizens of this country.

I want to call your attention to a similar policy; this Third Party Insurance that we pay every year when renewing our car documents and when you hit a vehicle, no insurance agency comes to repair that vehicle. When you calculate this amount of money, it is almost in trillions of Naira. This new policy that the Federal Road Safety Commission wants to introduce, by the time you calculate the number of vehicles on our roads, it will almost amount to a trillion Naira and this money is going to pockets of some companies that are out-dated because this same system has been tried and abandoned in Kenya because it is an out-dated system. It is not used anywhere in the world. In modern countries today, they fix these gadgets on the roads or on the vehicles of the agencies that monitor our road traffic.

I do not think that at this time when our people are crying for food, water and medical facilities, we should introduce this type of polices coughing out ₦36,000 from ordinary Nigerians is not acceptable by this House that is the house of the common man.

Amendment proposed.

The Speaker: I think the summary of this debate as I have heard is that almost all Nigerian families are bleeding financially and it will be callous to ask the already anaemic families to donate blood for apparently no good reason.

There are two amendments here and we will take them before I put the question. First amendment is from Hon. Herman Hembe, he is proposing that:

The House do call on the Federal Road Safety Commission to halt the process of imposing the

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device on Nigerians until they appear before the House Committee on Federal Road Safety Commission to show cause why the process should not be discontinued.

Hon. Oboro Evelyn Omavowan (Okpe/Sapele/Uvwie): I second the amendment as ably proposed by hon. Hembe, I so second.

Amendment put and agreed to.

The Speaker: The second amendment is from Hon. Abdurrahman Shuaibu, he is proposing that we amend the resolution to read thus:

Request the Road Safety Commission to suspend the introduction of the out-dated Speed Limiter Technology pending investigation by the relevant House Committee.

I guess that amendment is covered by Hon. Hembe's amendment.

Main Motion as amended put and agreed to.

Resolved:

- (i) Call on the Federal Road Safety Commission (FRSC) to halt the process of imposing the device on Nigerians until they appear before the House Committee on Federal Road Safety Commission (FRSC) to show cause why the process should not be discontinued; and
- (ii) Mandate the House Committee on Federal Road Safety Commission (FRSC) to investigate the matter and report back to the House in four weeks.

(Motion accordingly referred to the House Committee on Federal Road Safety Commission).

The Speaker: The next Point of Order is from Hon. Adamu Entonu.

Terror Attack Leading to Loss of Over 145 Lives and Destruction of Properties in Agatu Local Government Area of Benue State

Hon. Adamu Ochepo Entonu (Apa/Agatu): I have a Motion on Terror Attack leading to the loss of over 145 lives and destruction of properties in Agatu Local Government. This matter is so urgent and I am

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applying that the relevant Rules of the House be suspended to enable me move this Motion.

Hon. Beni Lar (Langtang North/Langtang South): I second that the House do consider this Motion as very urgent and important.

Question put and agreed to.

Resolved: That the House do consider the Motion on Terror Attack Leading to Loss of Over 145 Lives and Destruction of Properties in Agatu Local Government Area of Benue State as Matter of Urgent Public Importance.

Hon. Isiaka Ayokunle Ibrahim (Ifu/Ewekoro): I second that the House do suspend all relevant Rules so that the Motion could be taken immediately.

Question put and agreed to.

Resolved: That the House do suspend Order VIII, Rule 46 (3) so that the Motion could be taken immediately.

Hon. Adamu Ochebo Entonu: Mr. Speaker, my Motion is on Terror Attack Leading to Loss of Over 145 Lives and Destruction of Properties in Agatu Local Government Area of Benue State.

The House:

Notes that over 145 persons were killed and several others sustained injuries of varying degrees following attacks by gunmen on the following villages: Okokolo, Avila, Akwu, Ochelonya, Agbobe, Adagbo, Adana, Egba, Ole-ejehj, Onmeyer, Obisu, Utu-golugu, Ugbogu, Olada-gbeche, Ologba, Ornuke, Edeje, Oweto, Okpokpwo, Ejima-geche, Ejima-gokpa, Ekwko, Okpanchinv, London and Egwuma of Agatu Local Government Area. The attacks which started on the 22nd of February, 2015 is still on-going. Among the victims were women and children;

Concerned that such attacks have been re-occurring in Agatu Local Government Area for the past five (5) years without any positive response from the government even when I raised a similar Motion in the 7th Assembly;

Worried that communities in Agatu Local Government have suffered series of attacks resulting in the displacement of over 20,000 persons who are now destitute following the total destruction, burning and sacking of over 25 villages;

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Aware that the primary responsibility of the government is to ensure the security and welfare of the people as provided in Section 15(2) of the constitution of the Federal Republic of Nigeria. Therefore these incessant attacks on the people of Agatu should receive prompt and concerned attention of the Federal Government;

Disturbed that the people of Agatu may be wiped out completely as a result of these incessant attacks if nothing is done urgently to curtail the excesses of these gunmen.

Resolves to:

- (i) Condemn the attacks;
- (ii) Urge the Federal Government to urgently send a detachment of soldiers to the affected communities in Agatu to arrest any further attacks and the soldiers should remain there until peace and tranquillity returns to the affected communities;
- (iii) Also urge NEMA to provide relief materials to the affected communities and survivors;
- (iv) Further urge the Federal Government to include the over 25 villages destroyed by this violent attack in its planned rehabilitation and reconstruction of victims of this terror;
- (v) Mandate the House Committee on IDPs to visit and assess the IDPs situation in Agatu Local Government Area of Benue State and report back to the House within four (4) weeks;
- (vi) Also mandate the House Committee on Public Safety and Intelligence to investigate the ugly development with a view to providing lasting solutions and report back to the House in four (4) weeks;
- (vii) Observe a minute silence in remembrance of the victims.

Hon. Yakubu Umar Barde (Kajuru/Chikun): Mr. Speaker, I hereby second the Motion as ably moved by Hon. Adamu Entonu.

The Speaker: This Motion is patently clear and the prayer is very clear as well, so maybe no need to overburden the Motion; so I will put the question.

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Question put and agreed to.

Resolved to:

- (i) Condemn the attacks;
- (ii) Urge the Federal Government to urgently send a detachment of soldiers to the affected communities in Agatu to arrest any further attacks and the soldiers should remain there until peace and tranquillity returns to the affected communities;
- (iii) Also urge NEMA to provide relief materials to the affected communities and survivors;
- (iv) Further urge the Federal Government to include the over 25 villages destroyed by this violent attack in its planned rehabilitation and reconstruction of victims of this terror;
- (v) Mandate the House Committee on IDPs to visit and assess the IDPs situation in Agatu Local Government Area of Benue State and report back to the House within four (4) weeks;
- (vi) Also mandate the House Committee on Public Safety and National Intelligence to investigate the ugly development with a view to providing lasting solutions and report back to the House in four (4) weeks;
- (vii) Observe a minute silence in remembrance of the victims.

(Motion accordingly referred to the House Committees on National Intelligence and Public Safety, Emergency and Disaster Preparedness, Army, IDPs, Refugees and Government Initiatives on North-East)

The Speaker: There was a prayer for observance of one minute silence in honour of those who have lost their lives in the unfortunate crisis. May we please, rise?

(One minute's silence accordingly observed in honour of the deceased)

The Speaker: We are doing more than usual today. We are taking two more Matters of Urgent Public Importance; that is because they are very urgent. The next will come from Hon. Shekarau.

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Urgent Need for the House to Intervene to Halt the Impending ASUU Strike

Hon. Hassan Adamu Shekarau (Birnin/Gwari/Giwa): Mr. Speaker, I come under Order XIII, Rule 46, Matter of Urgent Public Importance for an urgent need that requires the intervention of this House. I am applying that we suspend the relevant rules and also allow me to take the matter as urgent as it is.

The Speaker: You did not mention the urgent need.

Hon. Hassan Adamu Shekarau: The matter is urgent need for the House to intervene to halt the impending ASUU strike which is related to the suspension of Universities' Chancellors. That is the matter sir.

Hon. Chike John Okafor (Ehime Mbano/IhitteUboma/Obowo): Mr. Speaker, I second the Motion ably moved that the matter is so urgent and we should take it immediately.

Question put and agreed to.

Resolved: That the House do consider the Urgent Need for the House to Intervene to

Halt the Impending ASUU Strike as Matter of Urgent Public Importance.

The Speaker: Hon. Muhammed Jega will second the second limb of the Motion that we suspend relevant rules.

Hon. Muhammed Umar Jega (Aliero/Gwandu/Jega): Mr. Speaker, I second the second leg of the Motion that we suspend our relevant rules and take the matter as urgent now.

Question put and agreed to.

Resolves: That the House do suspend Order VIII, Rule 46(3) so that the matter could be taken immediately.

The Speaker: Hon. Shekarau, you can proceed with your Motion.

Hon. Hassan Adamu Shekarau: Mr. Speaker, the Motion is Urgent Need for the House to Intervene to halt the impending ASUU strike which is related to the suspension of some Universities Chancellors in the country.

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The House:

Notes with concern the recent removal of the Vice Chancellor of the Open University of Nigeria and four other Vice Chancellors namely; those of Federal University, Oye-Ekiti, Gusau, Birnin Kebbi and Gashua;

Also notes that the Vice Chancellor of Open University has his tenure extended by additional three years on the recommendation of the University Governing Council consequent upon remarkable performance by the Vice Chancellor Professor Vincent Tenebe. While the Vice Chancellors of the Federal University, Oye-Ekiti, Gusau, Birnin-Kebbi and Gashua has two years each to complete their five year single tenure;

Worried that their disengagement as summarily announced by the Minister of Education negates the relevant laws governing appointments, discipline and removal of Vice Chancellors;

Also worried that the unilateral decision by the Minister of Education, Mallam Adamu Adamu has attracted wide negative reaction from Civil Societies and other Nigerians culminating into notice of strike actions by Unions in the Universities, in protest against what is widely viewed as impunity in a progressing regime of change;

Concerned that if allowed to stand, this action might portray the regime which has so far exhibited high class of decorum in the discharge of its responsibility in bad light.

Resolves to:

- (i) Call on government to put on hold the decision in respect of the matter under reference pending engagement by the appropriate Committee of the House;
- (ii) Mandate the House Committee on Tertiary Education to investigate the matter and report to the House within two weeks.

Hon. Ossai Nicholas Ossai (Ndokwa East/Ndokwa West/Ukwuani): I second the Motion as moved by Hon. Shekarau.

The Speaker: I will now put the Question because the prayers are very clear and the Motion too is clear. This issue of ASUU strike is something that I want to see as a person because it distorts our

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academic calendar. Therefore all hands must be on deck to ensure it does not happen.

So if there is any intervention this House would make in the matter to ensure that it does not happen, we should all support that.

In light of that I will now put the Question.

Question put and agreed to.

Resolved to:

- (i) Call on government to put on hold the decision in respect of the matter under reference pending engagement by the appropriate Committee of the House;
- (ii) Mandate the House Committee on Tertiary Education to investigate the matter and report to the House within two weeks.

(Motion accordingly referred to the House Committee on Tertiary Education).

The Speaker: The last Point of Order is from Hon. Julius Pondi.

Massive Oil Spill at the Forcados Export Pipeline and the Threat to Communities and Ecosystem in the Coastline of Delta and Bayelsa States

Hon. Julius G. Pondi (Burutu): Mr. Speaker, I come under Order VIII, Rule 46. I have a very urgent Matter of Urgent Public Importance that requires the attention of this honourable House. It is about a massive spill that occurred in my constituency on the 14th of February, 2016 (Valentine Day) that has now disrupted the activities of fishing and farming. This matter is very urgent as it concern the lives of my people.

I would like to crave the indulgence of this House that the relevant Rules of the House be suspended to allow me take this very important matter immediately.

Hon. Babajimi Adegoke Benson (Ikorodu): I second the Motion as moved by Hon. Pondi.

Question put and agreed to.

Resolved: That the House do consider the Massive Oil Spill at the Forcados Export Pipeline and

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the Threat to Communities and Ecosystem in the Coastline of Delta and Bayelsa States as Matter of Urgent Public Importance.

The Speaker: The seconder to the second limb of the Motion would be Hon. Archibong.

Hon. Henry Okon Archibong (Itu/Ibiono Ibom): I hereby second the Motion as moved by Hon. Pondi.

Question put and agreed to.

Resolved: That the House do suspend Order VIII, Rule 46 (3) so that the matter could be taken immediately.

The Speaker: Hon. Pondi, you may please, move your Motion.

Hon. Julius Pondi: My Motion is on the Massive Oil Spill at the Forcados Export Pipeline and the Threat to Communities and Ecosystem in the Coastline of Delta and Bayelsa States.

The House:

Notes the massive oil spill that took place on February 14th, 2016 at the crude loading platform of Shell Petroleum Development Company (SPDC) in Forcados which seriously disrupted the operations of the company in the last couple of weeks;

Concerned that the volume of the oil spill which is put at 35,000 barrels flowed and spread into the environment from the ruptured pipeline covering a vast area of the community in two neighbouring states of Delta and Bayelsa;

Also notes that the recent visit by oil industry stakeholders to the site of the spill revealed a massive devastation, dead faunas, sea and river creatures, a development that have plunged the economic activities of the people into jeopardy;

Mindful that the creeks and rivers in communities such as Ogulagha, Youbebe, Isiayegbene (South Point), Okuntu, Sokebolou, Yokin, Obotabo I and II in Delta State and on to Agge and other communities like Ekeremor in Bayelsa are gravely affected by the spill;

Observes that the devastation by the spill has already drawn the immediate visit of the Minister of the Environment to the areas for an on the spot assessment during which she rightly described the

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incident as tragic reminder of the urgency to right the wrongs in the Niger Delta;

Also observes that almost two weeks after the spill, the National Oil Spill Detention and Remediation Agency (NOSDRA) and SPDC are yet to disclose in specific terms what ruptured the oil export pipeline in Forcados, thus aggravating the frustration and helplessness of all the affected communities in the two states;

Recalls that the intermittent ruptures of oil pipeline may also be due to their old age, having been left unchanged for several decades, thus making them less resistant to the high surge of pressure during the pumping of oil through them for export;

Worried that since the last five years, there have been incidents of burst or ruptured pipelines on at least four instances that is on the 5th of October, 2010; 3rd January, 2012; 3rd September, 2013 and now this one of 14th February, 2016.

Resolves to:

- (i) Declare a state of environmental emergency in Delta and Bayelsa States to underscore the gravity of the latest spill and to enable the immediate coordinated rescue and remedial measures to be taken to stop the spill and clean up the environment;
- (ii) Mandate relevant Committees of the House to undertake urgent visit to the location of the spill in the two States with a view to having an independent assessment of the gravity and urgency of the situation and make recommendations that would be effective to mitigate any future occurrence;
- (iii) Investigate the role played by the National Oil Spill Detention and Remediation Agency (NOSDRA) and SPDC in their individual and joint effort in response to the emergency occasioned by the spill and also to ascertain the veracity or otherwise of claims that the pipeline was sabotaged as misinformation subterfuge to shield the SPDC from accepting its responsibility and negligence;
- (iv) Call on the National Emergency Management Agency (NEMA) to step into the issue through the provision of relief materials to the displaced natives and

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provide other relieves as may be considered expedient.

Hon. Nwulu Tony Chinedu (Oshodi-Isolo II): I second the Motion as moved by Hon. Pondi.

The Speaker: This one is straightforward as well, so I will put the Question.

Question put and agreed to.

Resolved to:

- (i) Declare a state of environmental emergency in Delta and Bayelsa States to underscore the gravity of the latest spill and to enable the immediate coordinated rescue and remedial measures to be taken to stop the spill and clean up the environment;
- (ii) Mandate relevant Committees of the House to undertake urgent visit to the location of the spill in the two States with a view to having an independent assessment of the gravity and urgency of the situation and make recommendations that would be effective to mitigate any future occurrence;
- (iii) Investigate the role played by the National Oil Spill Detention and Remediation Agency (NOSDRA) and SPDC in their individual and joint effort in response to the emergency occasioned by the spill and also to ascertain the veracity or otherwise of claims that the pipeline was sabotaged as misinformation subterfuge to shield the SPDC from accepting its responsibility and negligence;
- (iv) Call on the National Emergency Management Agency (NEMA) to step into the issue through the provision of relief materials to the displaced natives and provide other relieves as may be considered expedient.

(Motion accordingly referred to the House Committees on Environment and Habitat, Emergency and Disaster Preparedness, Petroleum Resources (Upstream) and Petroleum (Downstream))

[Consideration of Bills]

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ORDERS OF THE DAY

CONSIDERATION OF BILLS

Consolidation of Bills:

National Council on Ageing (Establishment) Bill, 2016;

National Council for Public Assistance to Widows, Dependent Children and Orphans (Establishment) Bill, 2016; and

Welfare Trust Fund and Management Commission (Establishment) Bill, 2016

The Speaker: Hon colleagues, the First Order of the day are the consolidation of Bills;

- a. A Bill for an Act to Establish the National Council on Ageing so as to Provide Social Welfare Services for the Elderly and for the Purpose of Designing Developmental Programmes and activities for the Advancement of Elderly Persons in Nigeria; and for Other Matters Related Thereto, 2016 (HB. 84) standing in the name of Hon. Joan Onyemaechi Mrakpor;
- b. A Bill for an Act to Establish the National Council for Public Assistance to Widows, Dependent Children and Orphans; and for Other Matters Connected Therewith, 2016 (HB. 124) standing in the name of Hon. Ayuba Mohammed Bello;
- c. A Bill for an Act to Establish a Welfare Trust Fund and Management Commission for Effective Management of the Welfare of the Unemployed, People with Disability (Temporal/Permanent), Orphans, Widows, the Elderly and the Youths, Compensation for Citizens who are deprived of means of Livelihood as a result of Population, Demolition, Forced Relocation, Retirement and Health, Provision of Medical care and Subsidies for poor Families and to protect the less Privileged in the Society and for Other Matters Related Thereto, 2016 (HB. 126) standing in the name of Hon. Rita O. Orji.

Hon. Members may wish to know that the Bills are on the same subject matter. I now invite the

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Chairman, House Committee on Rules and Business to move that the Bills be now consolidated.

Hon. Orker-Jev Emmanuel Yisa: Mr Speaker I want to point out that by the virtue of Order X11, Rule 92 that if there is a Bill on the same subject matter and one of them goes to the second hearing, the other one will not be allowed to proceed thereafter. On yesterday's Votes and Proceedings, we took a Bill from the previous and submitted it to the Committee of the Whole. The first Bill that we propose to consolidate today is on the same subject matter and therefore we will be dropping it.

I therefore move that a Bill for an Act to Establish the National Council for Public Assistance to Widows, Dependent Children and Orphans and for Other Matters Connected Therewith, 2016 (HB. 124) standing in the name of Hon. Ayuba Mohammed Bello and

A Bill for an Act to Establish a Welfare Trust Fund and Management Commission for Effective Management of the Welfare of the Unemployed, People with Disability (Temporal/Permanent), Orphans, Widows, the Elderly and the Youths, Compensation for Citizens who are deprived of means of Livelihood as a result of Population, Demolition, Forced Relocation, Retirement and Health, Provision of Medical care and Subsidies for poor Families and to protect the less Privileged in the Society and for Other Matters Related Thereto, 2016 (HB. 126) standing in the name of Hon. Rita O. Orji be consolidated as one Bill.

Hon. Agbo Dennis Nnamdi (Igbo-Eze North/Udenu): I second the Motion ably moved by Hon. Orker-Jev.

Question put and agreed to.

Resolved: That the House do consolidate the two Bills.

The Speaker: Committee and Rules for Business, please scheduled a date for the commencement of debate on the general principles of the Bill.

**Constitution of the Federal Republic of Nigeria,
1999 (Alteration) Bill, 2015**

A Bill for an Act to Alter Sections 80 (1), (2) and (3) and 81 (1) and (2) of the Constitution of the Federal Republic of Nigeria, 1999 (as amended) to provide for appropriate use of the terms: *Federation*

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and *Federal Government*; and for Other Matters Connected Therewith, 2015 (HB. 106) –

Order for Second Reading.

The Speaker: The second Order of the day is commencement on debates on the general principles of a Bill for an Act to Alter Sections 80 (1), (2) and (3) and 81 (1) and (2) of the Constitution of the Federal Republic of Nigeria, 1999 (as amended) to provide for appropriate use of the terms 'Federation' and 'Federal Government'; and for Other Matters Connected Therewith (HB. 106).

Hon. Members will recall that the Bill was read the First Time on Tuesday, 18th November 2015.

I now invite Hon. Leo Okuweh Ogor to move that the Bill be now read the Second Time.

Hon. Leonard Okuweh Ogor: I move that a Bill for an Act to Alter Sections 80 (1), (2) and (3) and 81 (1) and (2) of the Constitution of the Federal Republic of Nigeria, 1999 (as amended) to provide for appropriate use of the terms: *Federation* and *Federal Government*, and for Other Matters Connected Therewith, 2015 (HB. 106) be read a Second Time.

Hon. Shuaibu Abdulrahman Abubakar (Maiha/Mubi North/South): I second the Motion that the Bill as moved by the Minority Leader be read a Second Time.

Question proposed.

Hon. Leonard Okuweh Ogor: This alteration of the Constitution borders on a major subject matter as it relates to the consolidated account of the Federal government. It is extremely important that I will be drawing reference from the provision of Section 3 (1) (8) which is the Interpretation Clause and also take a look at the provision of Section 162 of the Constitution and also the provision of Section 120 and conclude on the provision of Section 80 and at the end of the day I believe that the Committee on Constitutional amendment will have to look at the concept of the ideology of the use the word: *Federation* as it borders on our Constitution.

Clearly as stated when you look at the provision of Section 318 of the Constitution: *Federation*. *Federation* clearly means here the Federal Republic of Nigeria but clearly when you look again at the provision of Section 162 of the Constitution, this section creates what we call the Federation Account.

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It is a distributable account that belongs to the three tiers of government which is the Federal, State and Local government. This account clearly belongs to these three tiers of government and as a Parliament the only powers we have in relation to this account is to come out with distribution formula as it borders on this account. For emphasis and proper clarity, it is important we look at what is stated in Section 162 (3) of the Constitution and it states clearly that:

Any amount standing to the credit of the Federation Account shall be among the Federal and State Governments and the Local Government Councils in each State on such terms and in such manner as may be prescribed by the National Assembly.

When funds in this account are distributed definitely what happens here is that the funds that belong to the Federal Government go into the Consolidated Account of the Federal Government while in line with Section 120 of the Constitution.

Hon Femi Hakeem Gbajabiamila: Point of Order!

The Speaker: What is your Point of Order?

Hon Femi Hakeem Gbajabiamila: This is a very important issue that Hon. Leo Ogor is canvassing on the issue of Consolidated Account and I want Mr. Speaker to pay adequate and full attention to this because it is very important.

The Speaker: Minority Leader, please take your seat. He is discussing matters of national interest. I remember there was a Judge in this country that says every other consideration must be subjected to the national interest that you need to have Nigeria first before you can have a Nigerian Constitution and you must have Nigeria first before you have House of Representatives and our Rules.

Minority Leader Please continue with your debate.

Hon. Leonard Okuweh Ogor: The issue here is the Consolidated Account and this account is clearly of the Federal Government but when you look at the provision of Section 80 which says that:

All revenues or other moneys raised or received by the Federation (not being revenues or other moneys

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payable under the Constitution or any Act of the National Assembly into any other public fund of the Federation established for a specific purpose) shall be paid into and form one Consolidated Revenue Fund of the Federation.

Clearly the Consolidated Account is not is not the Consolidated Account of the Federation it is the Consolidated Account of the Federal Government, because when you call it the Consolidated Account of the Federation vis-à-vis the provision of Section 162, it therefore means that even the States and the Local Governments can as well also lay claim to that specific account.

I believe also that the usage of the word Mr Speaker, is very wrong it means clearly that we need to look at the subject matter clearly and also in line with the same provision of Section 81 of the Constitution. I state this because under the Interpretation Clause, the Federation has clearly been defined and I think this will be a major food for thought for the various Members of the Committee on Constitutional Amendment.

Because clearly like I said, Section 120 defines the Consolidated Account of the State and if there is a Consolidated Account of the State, there is no way we can have another Consolidated Account of the Federation, it must be the Consolidated Account of the Federal Government.

I believe that when this issue gets to the Committee, one challenge I may probably be passing to the Committee again, is to look at the usage of the word: *Federation vis-à-vis* the interpretation, we have what we call the Auditor-General of the Federation, Accountant-General of the Federation, Auditor-General of the State and the Accountant-General of the State.

When you look at the Interpretation Clause vis-à-vis the Provision, I believe that it should be which is not the subject matter to this today, but this is going to be the responsibility of the Committee, it should be the Auditor-General of the Federal Government and also there Accountant-General of the Federal Government. I believe this is what the Committee should look at, but I specifically want to look at the money issue so that the State Governments and Local Governments should not lay claim to whatever belongs to the Federal Government. I therefore submit that we should take a holistic analysis of this amendment and send it to the Committee on Constitutional Amendment if the House accept.

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The Speaker: Since this matter is going to the Special *Ad-Hoc* Committee on Constitutional Review, I guess we can allow it to go that the Committee and they will now examine it so that we do not belabour the matter. Yes, you are the Chairman of that *Ad-Hoc* Committee do you want to betray your opinion?

Question and agreed to.

(Bill read a Second Time and referred to the Special Ad-Hoc Committee on Constitution Review)

**Constitution of the Federal Republic of Nigeria,
1999 (Alteration) Bill, 2015**

A Bill for an Act to Alter the Constitution of the Federal Republic of Nigeria, 1999 to empower the National Judicial Council (NJC) to appoint its Secretary rather than doing so on the recommendation of the Federal Judicial Service Commission; and for Other Matters Connected Therewith, 2015 (HB. 05) –

Order for Second Reading.

The Speaker: Hon. Colleagues, the third Order of the day is the commencement of debate on the general principles a Bill for an Act to Alter the Constitution of the Federal Republic of Nigeria, 1999 to empower the National Judicial Council (NJC) to appoint its Secretary rather than doing so on the recommendation of the Federal Judicial Service Commission; and for Other Matters Connected Therewith, 2015 (HB. 05).

Hon. Members will recall that the Bill was read for the First Time Thursday, 28th July, 2015. I now invite Hon. Ossai Nicholas Ossai to move that the Bill be now read a Second Time.

Hon. Ossai Nicholas Ossai: Mr Speaker, I move that a Bill for an Act to Alter the Constitution of the Federal Republic of Nigeria, 1999 to empower the National Judicial Council (NJC) to appoint its Secretary rather than doing so on the recommendation of the Federal Judicial Service Commission; and for Other Matters Connected Therewith, 2015 (HB. 05) be now read a Second Time.

Hon. Williams Olusegun Samuel (Abeokuta South): Mr Speaker, I second the Motion as moved by Hon. Ossai.

Question proposed.

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Hon. Ossai Nicholas Ossai: Mr Speaker, you will agree with me that in the 7th Assembly in the winding up of our Legislative Business in the 7th Assembly, the Chief Justice of the Federation and all Supreme Court Judges came on a visit to the Honourable Speaker of the 7th Assembly and one of the very important recommendation made by the Justices of the Supreme Court and the Chief Justice of the Federation is that because the NJC is a senior body and while the Judicial Service Commission is a lower body in a situation where recommendation comes from the lower body to a body that look out to, to represent the image of the Judiciary, should be allowed to appoint its own Secretary in line with the world-wide convention as it is applicable.

The essence of it is to allow the NJC that has a lot of power in recommending the Judicial Officers for appointment in this country to have its independence because of the enormous work they do. It is seen as an affront on NJC for a junior body to make a recommendation of its Secretary, a Secretary that is strategic, and a Secretary that is the engine room of the NJC to make such a recommendation from a junior body. Because it is erroneously put in the Constitution it has to be ratified, it is in that light that this Bill is seeking to alter that aspect and make correction and ratify it to be in line with the world wide practice.

I urge Hon. Members to support the Second Reading of this Bill to go to the Committee.

Hon. Julius G. Pondi: Mr Speaker, I want to align myself with Hon. Ossai that it is actually not right for a junior body to recommend a Secretary for the NJC. I am aligning myself with him for the repeal of that part of the Constitution so that the NJC can make recommendation for appointment of their Secretary.

Hon. Aminu Shehu Shagari: Mr Speaker, my take on this is that, I feel that in democracy there is always what is called: *Devolution of Powers*, so that you balance up. That is why you have other bodies being asked to make recommendations or subject to recommendations of another person so that you do not have absolute power concentrated in one place. Absolute power they say corrupts absolutely. That is why I think the framers of the Constitution made the appointment of the Secretary of the NJC subject to the recommendation by another body that is; Federal Judicial Service Commission so that they do not do their own in house thing. But I think since this is an amendment of the Constitution and there is a Committee, I think we should allow it go to that Committee and be subjected to legislative fireworks

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and let us see what happens, so that we do not kill what would have been a good alteration.

The Speaker: In the light of your appeal, I will put the question.

Question put and agreed to.

(Bill read a Second Time and referred to the Special Ad-Hoc Committee on Constitution Review)

**River Basin Development Authorities Act, 2004
(Amendment Bill), 2016**

A Bill for an Act to Amend the River Basin Development Authorities Act, Cap. R9, Laws of the Federation of Nigeria, 2004, to make provisions for proper Utilization of Nigerian Dams under the Control of a given River Basin Development Authority; and for Other Matters Related Thereto, 2016 (HB. 58); a Bill for an Act to Amend the First Schedule to the River Basin Development Authorities Act, Cap. R9, Laws of the Federation of Nigeria, 2004; and for Other Matters Related Thereto, 2016 (HB. 235) and a Bill for an Act to Amend the River Basin Development Authorities (Establishment, etc.) Act, Cap. R9, Laws of the Federation of Nigeria, 2004, to provide for the Establishment of the Lower Anambra and Upper Niger River Basin Development Authorities and list them in the First Schedule to the Act; and for Other Matters Related Thereto, 2016 (HB. 350)–

Order for Second Reading.

The Speaker: Hon. Members, the fourth Order of the day is commencement of debate on the general principles of a Bill for an Act to Amend the River Basin Development Authorities Act, Cap. R9, Laws of the Federation of Nigeria, 2004, to make provisions for proper Utilization of Nigerian Dams under the Control of a given River Basin Development Authority; and for Other Matters Related Thereto, 2016 (HB. 58); a Bill for an Act to Amend the First Schedule to the River Basin Development Authorities Act, Cap. R9, Laws of the Federation of Nigeria, 2004; and for Other Matters Related Thereto, 2016 (HB. 235) and a Bill for an Act to Amend the River Basin Development Authorities (Establishment, etc.) Act, Cap. R9, Laws of the Federation of Nigeria, 2004, to provide for the Establishment of the Lower Anambra and Upper Niger River Basin Development Authorities and list them in the First Schedule to the Act; and for Other Matters Related Thereto, 2016 (HB. 350).

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Honourable Members will recall that the Bills were consolidated on Tuesday 16th February, 2016. I now invite Hon. Musa Sarkin Adar and Hon. Ossai Nicholas Ossai to move that the Bill will be now read a Second Time.

Hon. Musa Sarkin Adar (Goronyo/Gada): Mr. Speaker, I move that a Bill for an Act to Amend the River Basin Development Authorities Act, Cap. R9, Laws of the Federation of Nigeria, 2004, to make provisions for proper Utilization of Nigerian Dams under the Control of a given River Basin Development Authority; and for Other Matters Related Thereto, 2016 (HB. 58); a Bill for an Act to Amend the First Schedule to the River Basin Development Authorities Act, Cap. R9, Laws of the Federation of Nigeria, 2004; and for Other Matters Related Thereto, 2016 (HB. 235) and a Bill for an Act to Amend the River Basin Development Authorities (Establishment, etc.) Act, Cap. R9, Laws of the Federation of Nigeria, 2004, to provide for the Establishment of the Lower Anambra and Upper Niger River Basin Development Authorities and list them in the First Schedule to the Act; and for Other Matters Related Thereto, 2016 (HB. 350).

Hon. Ossai Nicholas Ossai: Mr. Speaker, I second the Motion for amendment of this very important Bill.

The Speaker: Hon. Sarkin Adar, please lead the debate then Hon. Ossai Nicholas Ossai will take over after you are done.

Question proposed.

Hon. Musa Sarkin Adar: Mr. Speaker, it is my pleasure to come up with this Bill seeking for the amendment of River Basin Authority for certain reasons and purposes and I listed the objectives of the Bill in my brief of argument as distributed earlier this morning.

It is in the knowledge of most of us here that about 11 River Basin Development Authorities were established in 1974 as a result of severe drought that affected the northern part of Nigeria between 1972 and 1974. In order to cushion the effect and avert the reoccurrence of such bad incidence, the then Federal Military Government decided to establish River Basin Development Authorities for the purposes of constructing dams to impound waters that come during the rainy season so that it can be used for irrigation purposes.

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What I am seeking here is that most of these dams are essentially for irrigation purposes only two are for hydro generation; Shiroro and Kainji. All of them do not include water supplies in their main objectives and it could be a menace and something that could not be accepted, where water has been dammed in a particular area you will find people of those areas going far away to source for water to drink and they mostly get contaminated water and have water borne diseases most of the time.

It is something that cannot be argued against because like I said, I am from an area which has a dam in Goronyo Local Government, we have a dam there and the communities surrounding that area are not provided with any adequate potable water either by way of borehole or from the source of the dam itself. I am sure in many other parts where the dams are created, similar incidence do occur.

If we look at the establishment of this Act, the River Basin Development Authorities have been impeded; they have not been empowered to provide potable water to the communities there, but some state governments now utilize such dams to provide water to the larger cities for example in Kano; Chalawa Dam source their water from there.

As for Chalawa Dam, I am not sure whether it belongs to the Federal Government or to Kano State Government only but I know Hadejia-Jama'are River Basin Development Authority belongs to the Federal Government and it does not provide water to the environs of Hadejia, Jama'are and other major towns that are from there. Not only there, in Sokoto State, we have Shagari Dam which was constructed about 10 years ago, I am not sure it has been completed up till now. They are supposed to provide water supply there but up till now nothing has been done.

Even the town of Shagari, which is just about two kilometres from there does not enjoy water supply from that dam. So similar examples can be drawn from all other River Basin Development Authorities across the country; from Owena to Ogun River to Dadin-Kowa all of them that cannot be mentioned here about 11 of them.

I am seeking that we should amend this Act so that we empower the River Basin Development Authorities to have that mandate to provide potable water to at least a minimum of radius of ten kilometres. All communities living around the area should be provided with potable water, either as a result of construction of boreholes because River Basin Development Authorities are in charge of construction of boreholes in this country. Where

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necessary also there can be water treatment plant which can provide potable water to other major cities across the vicinity where the dam is located.

The other objective is also to construct reservoirs across these dams so that during rainy season the water that overflows can be reserved there to avoid flooding of their host communities. That water can be taken back by the dam during dry season so that it can be utilized to its fullest capacity all the time.

As it is today most of these dams provide irrigation water only for one season and many of them can accommodate three other seasons because during the rainy season they are overflowed and the water escapes to the channel and goes to the sea, then that time, when the rain stops you cannot find enough water to provide for irrigation services.

So I am calling on this House to please consider this and accept my proposal that this Bill be amended to empower and approve that the River Basin Development Authorities provide potable water and supply to the host communities and also to construct reservoirs. Also to include in the amendment turn-around maintenance for all the dams within a period of four years at least.

As it is now, there are certain dams that have been constructed over 20 years ago and there has never been major turn-around maintenance and that is why they are filled up with sands and wreckages and for that reason, you will find little water come in. During the rainy season it is overflowed and affects majority of the host community and even beyond. We are aware of all the flooding cases that have been reported in this House in previous time and until now and many people lost their lives and many lost their valuables.

My honourable Colleagues I urge you to support this Bill and pass it for Second Reading.

Hon. Ossai Nicholas Ossai: Mr. Speaker, I adopt the submission of my Hon. Colleague as if they were mine and in furtherance to that, you will agree with me that the purpose of setting up this River Basin Development Authorities in 1979 Decree number 87 which was also repealed in 1986, 30 years ago and its basic functions are undertaking comprehensive development of both surface and underground water resources for multi-purpose use.

Secondly, construction, operation and maintenance of dams, boreholes, irrigation and drainage system among others, that is the purpose of

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setting up the aspects of the institution of governance. You will agree with me, in 1979 and in 1986 most of the States that were created before 1999 are not integrated, are not part of the First Schedule of the Act. It is in that light I brought up a very simple amendment that will include most of these States that were created even before that time. States like Abia, Ebonyi, Enugu, Delta, Edo, Ekiti, Yobe, Akwa Ibom, Jigawa, Gombe, Nasarawa, Bayelsa, Osun, Kebbi and Zamfara are not stated in the First Schedule of the Bill.

It now requires administrative convenience has been used but majorly attending to the major States. It then means that the purpose of democracy or participatory democracy is not affected by those States that are not included in the First Schedule. It is in that light that this Bill is coming to add force and add value to the strengthening of this Bill and to include these States so that they can partake in the governance of their country. They can partake in accessing funds from such River Basins. I urge the hon. Members to support it in this light.

Thirdly, Hon. Patrick Asadu is part of this Consolidation. Highlighting his Bill as consolidated, it touches on just simple areas of years, removing three years to four years for the Board. Another issue is a consequential amendment which is only to change the title from: *General Manager* to: *Managing Director* as a member of the Board and Management. It is a very harmless Bill and in that light I urge Hon. Members to support this Bill with the speed of light that it requires.

The Speaker: Yes, Hon. Lasun I know you are a former Deputy Chairman of Water Resources.

Hon. Yussuff Sulaimon Lasun (Irepodun/Olorunda/Osogbo/Orolu): Thank you very much for the introduction and I support all the Consolidated Bills but I want to make some few observations.

There are about 12 River Basin Development Authorities all over Nigeria with facilities spread across the country. If you travel up North, you will see a lot of dams that are not been made use of either in terms of providing water for the people or providing water for irrigated farming or for power generation because each dam that we have in Nigeria is purposely built to provide these three functions.

I want to caution that water treatment plants on their own belong to the State Governments and it is difficult for River Basin Development Authorities to provide water at that level. Let me be specific; if you go to Owena Dam today in Ondo, Ondo State

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Government has been asked in the last 10 years to just provide the transportation line that will take water to the town and they have refused and this is going to cost some few million Naira whereas the dam itself cost the Federal Government ~~₦~~14 billion to build and it has been lying fallow in the bush for the past 12 years.

All these Dams are there we have to make sure that we call State Governments into whatever we want to do in terms of water supply from the River Basin Development Authorities because the cost of producing potable water for the people is so high and enormous and it cannot be undertaken by the Federal Government because we are talking about dams, some of which cost almost ~~₦~~50 to ~~₦~~60 billion to build. In fact to build water treatment plant that will take potable water to the people is even not a child's joke. So we have to be very careful in terms of incorporating water supply into the system of Federal Government.

What I can advise as former Deputy Chairman of Water Resources Committee, there is no dam that is built in Nigeria that does not have the component of generating power. We can advise all the DISCOS and the GENCOs if they are truly serious about improving on our power generation to go to that aspect of water dams. So many of them can produce as much as 100 Megawatts or 50 Mega Megawatts of power and that can augment what we have now. That I agree we can incorporate, we can meet with the River Basin Development Authorities to consider that aspect, but when it comes to potable water supply, we have to be very careful.

What is done by River Basin Development Authority as at today is to provide bulk raw water for State Water Boards so that they can treat and give potable water to their people. And that is not been paid for whereas in the Act of the River Basin Development Authorities, when you give raw bulk water to State Water Boards, they must pay but they have not been paying. So in the course of reviewing this by the Water Resources Committee, almost all the dams that we have in Nigeria today are not yet been used. Almost 90 *per cent* of them are not used. We have Owena Dam in Ondo, it has not been used. We have one in Iseyin, it is not been used at all. These are big dams with a cost ranging between ~~₦~~12 to ~~₦~~20 billion.

When you consider when they were constructed and they are just there not been used at all so I would not want us to overburden the River Basin Development Authorities because yes, there is water everywhere. Almost 70 *per cent* of the earth surface

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is made up of water but potable water is expensive to produce. It is like telecommunication, it is like power. We take water for granted because there is rainfall, there is stream, there is river and we think that to get potable water to people is an easy thing and I know that the River Basin Development Authorities will not be able to take charge of that aspect.

My advice is that when this one is going to go to the Committee on Water Resources, let us involve the relevant departments of the States to come and testify or how they can make and enjoy use of dams that are in their respective States. And let them know that wherever they are doing supply with bulk water particularly raw water, they must pay and make use of it so that we do not just invest and make sure those things are not use.

This is a good Bill with that caution that States must be involved when you are considering the potable water aspect of it.

Question put and agreed to.

(Bill read a Second Time and referred to the House Committee on Water Resources).

**Chartered Institute of Stockbrokers Act, 2004
(Amendment) Bill, 2015**

A Bill for an Act to Amend the Chartered Institute of Stockbrokers Act, Cap. C9, Laws of the Federation of Nigeria, 2004 to increase the Prescribed Penalties; and for Other Matters Connected Therewith, 2015 (HB. 242) –

Order for Second Reading.

The Speaker: The fifth Order of the day is commencement of debate on the general principles of a Bill for an Act to Amend the Chartered Institute of Stockbrokers Act, Cap. C9, Laws of the Federation of Nigeria, 2004 to increase the Prescribed Penalties; and for Other Matters Connected Therewith, 2015 (HB. 242)

Hon. Members will recall that the Bill was read the First Time on Thursday, 10th December, 2015. I now invite Hon. Tajudeen Yusuf to move that the Bill be now read a Second Time.

Hon. Yusuf Ayo Tajudeen (Ijumu/Kabba-Bunu): I move that a Bill for an Act to Amend the Chartered Institute of Stockbrokers Act, Cap. C9, Laws of the Federation of Nigeria, 2004 to increase the

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Prescribed Penalties; and for Other Matters Connected Therewith, 2015 (HB. 242) be read a Second Time.

Hon. Olatoye Temitope Sugar (Akinyele/Lagelu): I second the Motion that the Bill be read a Second Time.

The Speaker: Hon. TJ Yusuf, please lead the debate.

Question proposed.

Hon. Yusuf Ayo Tajudeen: The intention of this amendment to this Bill is to bring up to speed obsolete penalties and laws that cannot be called penalties in the present day. We are all aware of the situation we find ourselves economic wise. The price of oil is coming down for an economy that desire to meet or be at par with other growing economies of the world, Capital Market cannot be left unattended to. One of the basic ingredients that make Capital Market tick is trust, integrity. Nobody wants to put their money where they are not sure returns are guaranteed and their investments will not be frittered away by people.

The present Act stipulates ₦1,000 and ₦5,000 as penalties for those who deliberately falsified information, or pretend or claim to be Chartered Stockbrokers and use that platform to either fraudulently or maliciously take peoples' investments away.

The intention of the amendment is to simply increase one; penalty for deliberately falsifying information from ₦1,000 to just ₦500,000. The present provision in the law gives an option of ₦1,000 or imprisonment as the court pleases or the Judge is given the liberty to decide that. While the second aspect of the law Section 16 (5) (b), stipulates that whoever impersonates or presents himself as a Chartered Stockbroker should pay a fine of ₦5,000 or two years imprisonment.

We are all aware that if you can falsify information and make a billion Naira, what will ₦1,000 fine do? The intention of this amendment is to make it both fine and imprisonment of ₦100,000 for impersonation and ₦500,000 for those who deliberately falsify information. We want to make sure that our Stock Market has the required laws to make investors have confidence in it. Where to go now is the Stock Market. Somebody said a few days here on the Floor that at times he prays the oil wells dried up.

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There are economies in the world all over that depend solely on such institutions as the Capital Market to drive their economy. These are just basic requirements to drive the economy through the Stock Market. Without boring you with rhetoric and stories the simple amendment is to increase ₦1,000 fine to ₦500,000 and ₦5,000 to ₦100,000. I appeal that the Members who are sent here by our people to protect the integrity of our investment, rise up to the occasion to give this Bill the required support.

Hon. Tony Chinedu Nwulu (Oshodi-Isolo II): Everyone here has heard the Chairman of the Capital Market and Institutions speak and I appeal to our Members that have heard him speak to support his position. I am making this appeal because I am aware that while he was speaking some people were talking, so they did not pay attention to what he was saying. All what he said here is very sacrosanct to the growth of this nation and Capital Market.

We noticed what happened two weeks back where a lot happened in the market which was not too good. All that Hon. TJ said is we should support as hon. Members the swift passage of this Bill for our own good and the good of this country.

Hon. Kayode Oladele (Egbado North/Imeko Afon): Our law as we know is an instrument of social change. If you recall last year, this House introduced about 130 Bills to amend certain laws, it was very unprecedented. The reason is very clear it is because some of those laws are already obsolete and they are no longer in tandem with what we are going through. It is in that regard that this current amendment is also being sought. The kind of penalties that we have in the current law is very insufficient and as a matter of fact, it can never serve as deterrent at all. If you look at the current exchange rate of ₦1,000, it means nothing and if that is the case then it behoves on this House to ensure that we bring our law at par with current condition. To that extent, I want to support this very simple amendment and I urge all to support it.

Hon. Shaibu Philip A.: I support this Bill because the Stockbrokers Institute is a very sensitive institution that must be supported. The major highlight in this Bill is to increase the penalties. Why the increase? It is to make sure integrity is brought to the Chartered Institute of Stockbrokers. The sensitivity of this institution is such that all our investments and trust is in their hands and when you have the confidence you are dealing with a broker that is giving you the right information, obviously you will go to bed, but with the penalty we have presently is so low to the extent that what is in the

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Stock Market presently as speculators that are just there for their daily bread, are not actually giving the right information.

If this Bill is passed, it will increase confidence in the Stockbroker and also eliminate the boys from the men as far as the institution is concerned; because truly like my last speaker said, we need integrity in this sector and if Nigerians with what has happened in the past, know fully well that there is trust and integrity in this institution, the interest in the stock will increase because that is where the direction is. The era of oil is gone so the Stock Market in any developing country is key to its economic growth.

So I am supporting this Bill and I believe that when it is passed into law it will increase the penalty and also eliminate those that are there just to defraud Nigerians

The Speaker: I will put the question; I think we have done justice to the debate and the question is that the Bill be now read the Second Time.

Question put and agreed to.

(Bill read a Second Time and referred to the House Committee on Capital Market and Institutions).

Constitution of the Federal Republic of Nigeria, 1999 (Alteration) Bill, 2015

A Bill for an Act to Alter Section 243 of the Constitution of the Federal Republic of Nigeria, 1999 (as amended) (Third Alteration) Act No. 3 of 2010 to Provide for appeals to the Court of Appeal from final decisions of the National Industrial Court; and for Other Matters Connected Thereto, 2015 (HB. 173) –

Order for Second Reading.

The Speaker: Hon. Colleagues, the sixth Order of the day is commencement of debate on the general principles of a Bill for an Act to Alter Section 243 of the Constitution of the Federal Republic of Nigeria, 1999 (as amended) (Third Alteration) Act No. 3 of 2010 to Provide for appeals to the Court of Appeal from final decisions of the National Industrial Court; and for Other Matters Connected Thereto, 2015 (HB. 173).

Hon. Members will recall the Bill was read the First Time on Tuesday, 1st December, 2015. I now invite Hon. Joan Onyemaechi Mrakpor to move that the Bill be now read the Second Time.

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Hon. Onyemaechi Joan Mrakpor: Mr. Speaker, I move that a Bill for an Act to Alter Section 243 of the Constitution of the Federal Republic of Nigeria, 1999 (as amended) (Third Alteration) Act No. 3 of 2010 to Provide for appeals to the Court of Appeal from final decisions of the National Industrial Court; and for Other Matters Connected Thereto, 2015 (HB. 173) be read a Second Time.

The Speaker: Hon. Kayode please second the Motion.

Hon. Kayode Oladele: Mr. Speaker, I second the Motion that the Bill be read a Second Time.

The Speaker: Hon. Mrakpor, please lead the debate.

Question proposed.

Hon. Onyemaechi Joan Mrakpor: Mr. Speaker, this Bill seeks to alter the Third Alteration Act of 2010 by further altering Section 243 of the 1999 Constitution which provides for exercise of rights of appeal from the Federal High Court or a High Court in civil and criminal matters by introducing new Subsection 24 which moves for appeals as of rights from the National Industrial Court to the Court of Appeal on Matters of civil jurisdiction of National Industrial Court.

What this Bill simply intends to do is to stop the termination of judgment of the Industrial Court at itself. What this Bill seeks to correct is that the proceedings of the Industrial Court does not terminate with itself and moves up to the Court of Appeal.

The Bill seeks to delete the entire Subsection 24 of the Third Alteration Act and substitute thereof a new provision which makes appeals to the Court of Appeal final from the decisions of the National Industrial Court.

This Bill seeks to correct what can be an abuse of office if we allow the decisions of the Industrial Court to terminate itself that can be arbitrary. The Bill is seeking that the decisions of the Industrial Court should no longer be final on certain issues as relates to labour and industrial matters. But like the decisions of the High Court, should terminate at the Court of Appeal.

Hon. Kayode Oladele: Mr. Speaker, while supporting this Bill I would like to add a few points. The section that is being referred to here only

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provides for the rights and there is a Latin maxim *Ubi Jus Ubi Remedium*, that is where there is a right there must be a remedy.

We are saying that definitely the decision of the National Industrial Court should not terminate itself there. It should like any other proceed and progress to the Court of Appeal and of course to the Supreme, but if you have a right a court must be vested with jurisdiction.

If you look at that Bill, it is only talking about the rights; it is not talking about jurisdiction. Section 240 of the Constitution should also be included because it is that Section 240 that grants the Court of Appeal jurisdiction to hear any cases or matters coming from the lower courts.

Therefore, if you just put it and amend Section 243 alone by conferring the rights of appeal as of right, at the end of the day there will be a challenge to the Court of Appeal's jurisdiction and of course unless if we do it *pari passu* we bring in Section 243 together with Section 240 and amend the two of them, it is not going to make any sense.

To that extent, I support this Bill but say that we should also look at Section 240 that confers jurisdiction on the Court of Appeal and amend it so that it can be given that jurisdiction to hear cases coming from National Industrial Court.

There was a time when National Industrial Court Act was amended and it was made a Court of Record but even though it is a Court of Record, having the same jurisdiction like the Federal High Court and State High Courts, any decision from that National Industrial Court is not appealable and that is exactly what this Bill is seeking to change and to correct. In any event, as I said earlier on, a right must also come with jurisdiction so that a remedy can be given.

I want to support this Bill and I am urging Members to please do same.

Hon. Femi Hakeem Gbajabiamila: I am in total support of this Bill, but I had wanted to give two additions; one has been touched on by Hon. Kayode that is the real section that actually needs to be amended is Section 240 of the Constitution, which says:

(240) - Subject to the provisions of this Constitution, the Court of Appeal shall have jurisdiction to the exclusion of any other court of law in Nigeria, to

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hear and determine appeals from the Federal High Court, the High Court of the Federal Capital Territory, Abuja, High Court of a State, Sharia Court of Appeal of the Federal Capital Territory, Abuja, Sharia Court of Appeal of a State, Customary Court of Appeal of a State and from decisions of a court martial or other tribunals as may be prescribed by an Act of the National Assembly.

All that needs to be done is to just include the National Industrial Court in that particular section and I think that covers the jurisdiction.

I also would like to point that we might run into constitutional challenges if the other leg of the provision where she says that it will terminate at the Court of Appeal. I believe once you have granted a right of appeal to the Court of Appeal, it has to go all the way to the Supreme Court. Apart from Tribunals, if you look at Section 233 of the Constitution where it talks about the appellate jurisdiction of the Supreme Court. It says:

The Supreme Court shall have jurisdiction, to the exclusion of any other court of law in Nigeria, to hear and determine appeals from the Court of Appeal.

It does not limit that jurisdiction. It goes on in Sub-section 2 to say:

An appeal shall lie from decisions of the Court of Appeal to the Supreme Court as of right in the following cases –

- (i) *where the ground of appeal involves questions of law alone, decisions in any civil or criminal proceedings before the Court of Appeal;*
- (ii) *decisions in any civil or criminal proceedings on questions as to the interpretation or application of this Constitution,*
- (iii) *decisions in any civil or criminal proceedings on questions as to whether any of the provisions of Chapter IV of this Constitution has been, is being or is likely to be, contravened in relation to any person;*

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(iv) *decisions in any criminal proceedings in which any person has been sentenced to death by the Court of Appeal or in which the Court of Appeal has affirmed a sentence of death imposed by any other court;*

(v) *decisions on any question –*

- a. *whether any person has been validly elected to the office of President or Vice-President under this Constitution,*
- b. *whether the term of office of office of President or Vice-President has ceased,*
- c. *whether the office of President or Vice-President has become vacant; and*
- d. *such other cases as may be an Act of the National Assembly.*

These are appeals by right. We cannot limit what has already been granted in Section 233. So once we have accepted that an appeal should lie to the Court of Appeal, then that appeal must go all the way to the Supreme Court, otherwise we have even breached the right to fair hearing of any litigant. Beyond that, I am totally in support of the Bill and I commend Hon. Mrakpor for actually spotting this problem in the issue of jurisdiction of the National Industrial Court.

Hon. Kayode Oladele: Point of Order!

The Speaker: Please go ahead.

Hon. Kayode Oladele: Under Third Alteration, this Bill has been taken care of and it is no longer necessary.

Third Alteration states: Section 243 of the Principal Act is altered by inserting immediately after the words: *Federal High Court* at the marginal note, the words: *National Industrial Court*. So it is already been altered and it is in Third Alteration.

If that is the case, it will only be talking about Section 240 which grants jurisdiction because the right is already granted.

Therefore, you will agree with me that this is very critical.

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Hon. Orker-Jev Emmanuel Yisa: I am entirely in agreement with Hon. Kayode because when I was reading the digital version of it, I had to go and look for more than one copy of the Constitution to see whether the digital version of the Constitution that I have was deceiving me. This is because if you look at Section 240 and 243, they both have taken care of what this Bill seeks to do. If I may read:

(240) - Subject to the provisions of this Constitution, the Court of Appeal shall have jurisdiction to the exclusion of any other court of law in Nigeria, to hear and determine appeals from the Federal High Court, the National Industrial Court, the High Court of the Federal Capital Territory, Abuja, High Court of a State, Sharia Court of Appeal of the Federal Capital Territory, Abuja, Sharia Court of Appeal of a State, Customary Court of Appeal of a State and from decisions of a court martial or other tribunals as may be prescribed by an Act of the National Assembly.

The Speaker: Hon. Mrakpor, you have a right to reply. Do you want to say anything?

Hon. Onyemaechi Joan Mrakpor: Mr. Speaker, it is on some issues as to the issue of human rights. The decision will lie on appeal on some issues not on all, but the Bill is seeking to say that all decisions from the National Industrial Court should lie on appeal.

Hon. Femi Hakeem Gbajabiamila: Mr. Speaker, there is an issue here because I have seen the digital version. We need to be very careful. Maybe from the Chair, only one copy of the Constitution so that we know exactly what we are talking about. It is very important to have the authenticated copy of the Constitution.

My advice is for us to come back next week and look at this matter; just step it down and look at it critically because we do not know if it is as of right or leave of court. Beyond Section 240 which will read the whole alteration whether it is as leave of court and because what she is amending is that it should be as of right. We need Hon. Mrakpor to carry her own cross.

Hon. Aminu Shehu Shagari: Actually when the this matter was going on, I was having a feeling of *déjà vu* as if to say have we done this before or did I dream of it or something? But when Hon. Orker-Jev

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alluded to this, I now recollected that yes, this alteration has been taken care of.

If you look at A (25) at the back of the Constitution that we have been given in this Parliament, when you look at Act No. 3 Section 4 says: Section 240 of the Principal Act is altered by inserting immediately after the words: *Federal High Court* in line 3, the words: *National Industrial Court*. That is those courts that the appeals can lie to the Court of Appeal. So the alteration that the Bill is seeking to establish has already been done and is captured in the Constitution.

The Speaker: I am convinced that the amendment sought is being affected by the Third Alteration, so we will move that we step down or withdraw the Bill. Chairman Rules and Business please move that the Bill be withdrawn.

Hon. Joan Onyemaechi Mrakpor: Point of Order!

The Speaker: What is your point of Order?

Hon. Joan Onyemaechi Mrakpor: I think we should step it down not withdrawal please.

The Speaker: Whether it is stepping down or withdrawing, I guess there is no much difference because I do not believe that this Bill will come again.

Hon. Orker-Jev Emmanuel Yisa: Mr. Speaker in the light of all that have just happened, I hereby apply to withdraw the Bill.

(By leave of the House Bill accordingly withdrawn)

Veterinary Surgeons Act, LFN 2004 (Amendment) Bill, 2016

A Bill for an Act to Amend the Veterinary Surgeons Act, Cap. V3, Laws of the Federation of Nigeria, 2004 to reduce the Membership of the Veterinary Council and for Other Matters Related Thereto, 2016 (HB. 294) –

Order for Second Reading.

The Speaker: Hon Colleagues, the seventh Order of the day is commencement of debates on the general principles of a Bill for an Act to Amend the Veterinary Surgeons Act, Cap. V3, Laws of the

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Federation of Nigeria, 2004 to reduce the Membership of the Veterinary Council and for Other Matters Related Thereto, 2015 (HB. 294).

Hon Members will recall that the Bill was read the First Time on Thursday, 10th December 2015. I now invited Hon. Chike John Okafor to move that the Bill be now read a Second Time.

Hon. Chike John Okafor: I move that a Bill for an Act to Amend the Veterinary Surgeons Act, Cap. V3, Laws of the Federation of Nigeria, 2004 to reduce the Membership of the Veterinary Council and for Other Matters Related Thereto, 2015 (HB. 294) be read a Second Time.

Hon. Ahmad Usman Babba Kaita (Kankia/Ingawa/Kusada): I second the Motion ably moved by Hon. Okafor.

The Speaker: Hon Okafor you may please, lead the debate.

Question proposed.

Hon. Chike John Okafor: Mr. Speaker, this is an act to amend the Veterinary Surgeons Act Cap. V3 Laws of the Federation of Nigeria, 2004 to reduce the Membership of the Veterinary Council of Nigerian and Other Matters Related Thereto.

The Principal Act of this Bill was enacted in 1987 and presently most of the laws have become obsolete and cannot represent events of today. As such there is need for a review of the principal Act to give it a new touch it deserves to suit the current realities.

This Bill is seeking to amend Section 2 and 15 of the Principal Act. The amendments sought on this Bill are:

The Section 2 of the Principal Act is amended is Subsection 1 by:

(a) Substituting paragraph (d) with new a paragraph as follows and the paragraph to be substituted with is that two Deans of Faculties of Veterinary Medicine of University in each geo-political zones approved by the Council or most senior registered Veterinary Surgeons in the faculty where the Deans are not registered Veterinary Surgeons on a rotational basis.

(b) Deleting paragraph (e) and (c) re-numbering the existing paragraph (f) as paragraph (e) accordingly.

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Section 15 of the Principal Act is amended in Subsection 2 by substituting the word: *believes* for the word: *known* and (b) Subsection 4 by substituting for the amount: ~~₦~~1,000 with the amount: ~~₦~~100,000.

The amendments sought on this Bill are very important that we give it the touch it deserves looking at the current realities and for a better service delivery by this very important professional body. I humbly solicit for your valued support for the passage of this Bill which I believe will add great value to the laws as contained in the Bill.

The Speaker: Any contributor to the Debate (*No response*). I will now put the question

Question put and agreed to.

(Bill read a Second Time and accordingly referred to the House Committee on Agricultural Production and Services)

Protection of Rights of Internally Displaced Persons (Establishment) Bill, 2015

A Bill for an Act to Provide a Legal Framework for the Protection of Rights of Internally Displaced Persons during and after Displacement, Resettlement, Relocation and Reintegration; and for Other Related Matters, 2015 (HB. 331) –

Order for Second Reading.

The Speaker: The eighth Order of the day is commencement of debate on the general principles of a Bill for an Act to Provide a Legal Framework for the Protection of Rights of Internally Displaced Persons during and after Displacement, Resettlement, Relocation and Reintegration; and for Other Related Matters, 2015 (HB. 331).

Hon. Members will recall that the Bill was read the First Time on Wednesday, 16th December 2015. I now invite Hon. Asabe Bashir Vilita to move that the Bill be now read a Second Time.

Hon. Asabe Bashir Vilita (Damboa/Gwoza/Chibok): I want to seek the leave of Mr. Speaker and the Honourable House to step down the Bill for further engagements and I will find time to present it on a later date.

The Speaker: Hon. Asabe are you stepping it down? I thought you are ready because I have your brief of argument here.

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[Consideration of Bills]

Hon. Asabe Bashir Vilita: Yes, I needed to add some things to the Bill.

The Speaker: All-right. Bill accordingly stepped down by leave of the House

(By leave of the House Bill accordingly withdrawn)

**National Biotechnology Development Agency
(Establishment) Bill, 2015**

A Bill for an Act to Establish the National Biotechnology Development Agency; and for Other Matters Related Thereto, 2015 (HB. 33) –

Order for Second Reading.

The Speaker: The ninth Order of the day is resumption of debate on the general principles a Bill for an Act to Establish the National Biotechnology Development Agency; and for Other Matters Related Thereto, 2015 (HB. 33).

Hon Member will recall that on Wednesday, 28th October 2015 debate on the Bill was adjourned to enable the Chairman, Committee on Rules and Business, Agriculture, Justice, Science and Technology to examine the Bill with a view to determining whether or not if provisions are in conflict with the provisions of the National Bio-safety Act and report back to the House.

I now invite Hon Orker Jev to brief the House on the matter.

Hon. Orker-Jev Emmanuel Yisa: My dear Colleagues, I have a brief of what the House Committees on Business, Justices, Science and Technology did.

I wish to point out that we already have in existence the National Biotechnology Development Agency as well as the National Bio-safety Management Agency; the two are already in existence.

It was discovered that the National Bio-safety Management Act was enacted in 2015 as a follow up to the Cartagena Protocol on Bio-safety which Nigeria signed in 2000, the function of Bio-safety Agency amongst others briefly are:

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- (i) To ensure safety of the environment on human health from potential risks associated with genetically modified organism;
- (ii) To implement the provisions of conventions and the protocols on matters related to genetically modified organisms; and
- (iii) To also develop measures and requirement for risk assessment.

These are provided for in Section 3 of the Act, while Clause 7 of the Bill listed the functions of the agency so to be established among others:

- (i) To carry out a well-focused research and development of bio-technology in priority areas of food and agricultural, health industry environment; and
- (ii) To promote coordinate and deploy cutting-edge bio-technology research and development in Nigeria.

Looking at these two documents, it is clear that the two institutions have different mandates and none of the functions is replicated in the other.

I wish to also re-emphasis that they are already in existence, while the other is backed by law, the one that is coming up today for a Second Reading is not yet backed by law and it is seeking legal framework to carry on its function. We are therefore of the opinion that they are not conflicting and the Speaker may wish to overrule the objection.

The Speaker: Objection overruled and debate continues. Hon. Istifanus Dung, move that debate on the Bill to resume.

Hon. Istifanus Dung Gyang (Barinkin-Ladi/Riyom): Mr. Speaker, I move that a Bill for an Act to Establish the National Biotechnology Development Agency; and for Other Matters Related Thereto, 2015 (HB. 33) be read a Second Time.

Hon. Adamu Abubakar Chika (Shiroro/Rafi/Munya): Mr. Speaker, I second the Motion on this Bill as ably moved by Hon. Gyang Istifanus Dung.

The Speaker: Hon. Dung, you may wish to led the debate.

Question proposed.

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Hon. Istifanus Dung Gyang: Hon. Colleagues, as it has been clarified by the Chairman of the House Rules and clearly having distinguished the two agencies, the one that this Bill seeks to establish is the National Biotechnology Development Agency. This is arising as a result of the National Biotechnology Policy which was formulated by the Federal Government in 2001, and has been in existence since 2001 except that it has no legal backing and this Bill is to ensure that the agency's mandate and activities are backed by law.

Therefore, seeking the support of this honourable House on the basis that given the enormous benefits and the intrinsic value of biotechnology, the Nigerian State and government saw the need to key into this new technology and modern biotechnology, that was what led to the establishment of the National Biotechnology Development Agency so that the nation can take advantage of the enormous benefits and intrinsic values of biotechnology. Benefits of this biotechnology are enormous like I have said, and indeed include capacity for enhance full security, environmental protection and conservation through production of stress, tolerance, planting materials for vegetation, reforestation, soil binding for erosion control as well as genetically enhanced organisms for bio-mediation and oil polluted sites. Among the many enormous benefits of bio-technology is the improvement in plant and animal use, production of new breeds and varieties of animals and plants, reduction in the use of pesticides, promotion of bio-organic fertilizer and indeed development of biopharmaceutics among others.

A synopsis of the Bill reveals that it consists of seven Parts, three Schedules and an Explanatory Memorandum and in view of the enormous benefits that the nation stands to derive from biotechnology, I am calling on all Members to support this Bill to enable Nigerian join the league of nations that have developed this field of technology so that the agency will be fully backed by law and the practice of biotechnology in Nigeria will have a legal framework to blossom.

It is on this note that I am urging Hon. Colleagues to support the passage of this Bill so that this agency and indeed the practice of bio-technology in Nigeria will take its proper stage that we join the league of other nations that have already advanced in the field of biotechnology.

The Speaker: Hon. Buba will be the only contributor to this debate.

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Hon. Buba Yusuf Yakubu: Mr Speaker, biotechnology is what is reigning today in the world, because biotechnology is like coming back closer to nature.

Last week I went to the hospital and my doctor recommended that I should start eating only foods that are produced through biotechnology; I should start eating free raised chicken instead of the poultry chicken and so on.

Biotechnology can be used for power, gas and so on, we really need to support this Bill to strengthen and empower this agency so that Nigeria can develop its biotechnology so that we will join other nations that have developed in that.

If you go to shops in the developed world, things produced through biotechnology are more expensive than other goods, it is good for our health, environment and it is also good generally for our economy if we develop it.

Question put and agreed to.

(Bill read a Second Time and referred to House Committee on Science and Technology)

MOTIONS

Urgent Need to Investigate the Sale of Eleme Petrochemical Company to Indorama Corporation by the Bureau of Public Enterprises

The Speaker: Hon. Colleagues, we are skipping consideration of Reports and move to Item 12 on the Order Paper.

The twelfth Order of the day is a Motion on the Urgent Need to Investigate the Sale of Eleme Petrochemical Company to Indorama Corporation by the Bureau of Public Enterprises standing in the name of Hon. Oluwale Oke.

Hon. Oke is now invited to move the Motion.

Hon. Oke Busayo Oluwale (Obokun/Oriade): Mr. Speaker, the Motion is on the Urgent Need to Investigate the Sale of Eleme Petrochemical Company to Indorama Corporation by the Bureau of Public Enterprises.

The House:

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Notes that the Eleme Petrochemical Company, situated on a 400 acre land in Eleme, Rivers State, was conceived and built by the Federal Government with a vision to industrialize the country and position it as a Petrochemical hub in Africa;

Aware that the Company was built at the cost of \$2.4 billion with state of the art olefins plant, polyethylene/butane and polypropylene plant, captive power plant, caustic soda plant and other numerous facilities;

Also aware that due to lack of proper assets valuation, the Company was sold to Indorama Corporation for the sum of \$215 million by the Bureau of Public Enterprises;

Concerned that the sale of the Company seemed to have lacked transparency and did not follow due processes in line with the Public Procurement Act;

Convinced that had the Company that was operating at 100 *per cent* installed capacity and also employed 1,000 Nigerians at inception not been sold, it would have by now been providing employment for about 10,000 Nigerians;

Resolves to:

Investigate the sale of Eleme Petrochemical Company to Indorama Corporation by the Bureau of Public Enterprises and make appropriate recommendations within Four (4) weeks for further legislative action.

Hon. Jisalo Bitrus Zephaniah (Abuja Municipal/Bwari): Mr. Speaker, I second the Motion moved by Hon. Oke.

The Speaker: This Motion is investigative in nature except that the Chairman House Committee on Privatization indicated his intention to speak against the Motion, even though it is investigative, so I will recognize him to speak on the Motion, thereafter, I will put the question.

Hon. Ahmed Yerima (Misau/Dambam): Mr. Speaker, I want to speak on this Motion because it is very important. The essence I believe of this Motion is to fix any shortfall and reposition the sector for national growth for the growth of this economy.

When this issue was raised for the sales in Eleme Petrochemical Industry, there were stages and processes in place. First of all, they ran the regular advertisement in national and international dailies.

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The Nigerian that bid for the company was \$150 million and best bid I suppose was \$214 or \$215 which Indorama agreed to pay.

The National Council on Privatization and the Bureau for Public Enterprise (BPE) were solely responsible in processing the sales and not entirely sales because the Federal Government of Nigeria has to maintain 5 *per cent* of the company. Rivers State Government still maintains 10 *per cent*, the host communities of that area which I can try to pronounce well; Apaju, Aletu, Okeriwa, Ojoro, Apaktapa, Agbochia and Wakuwa-Elenu in Rivers State maintained 7.5 *per cent* of the total investment of Eleme Petrochemical Company.

Actually it was not operating on 100 *per cent* capacity when it was sold or partially privatized because according to the report of the National Council on Privatization only one-third of the industry was operational at that time and that gave the basis of processing the sales. Again the sale was approved by the National Council on Privatization on the recommendation of the BPE, not the Office of Public Procurement. So it is entirely a different sector, different processes and different terms and condition of sales.

One of the areas of production of Eleme Petrochemical Company is Uria. Due to the problems of insurgency in the country, importation of one of the components called AT&T or T&T was banned and of recent the Office of the Vice President and the BPE propose to seek and open an agreement on the importation of the principal component of the production of Uria which is called T&T that will give the company ability to produce 85 *per cent* of the Uria in the country and the total investment that followed after the sales or the partial privatization was \$5 billion and the sector of Uria production at the cost \$1.8 billion which the principal shareholders have a great chunk of it.

So it is very essential for the House to try and look at the strategy of dealing with this kind of issue. We all know according to the report given by the Council before it was dissolved in the last dispensation that the Petrochemical Company at Eleme, Rivers State is one of the success stories of privatization drive in the country, then come to the port terminals now we are dealing with the issue of GENCOS and DISCOS, power sector and many others going to happen in the couple of months I believe.

Today Nigeria imports only about 50 *per cent* of those components required for plastic production,

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most of them are now produced at that company at Eleme.

In my view, it is good to review terms and conditions of the sales and terms and conditions of the agreement but it is not a 100 *per cent* owned by the Indorama Corporation. A good chunk of it is owned by Federal Government of Nigeria. If you look at total investment which runs to about \$7 billion today; Federal Government has 5 *per cent*, the host community never had a single penny share in the sector before the privatization, therefore those from that area of Rivers State should note, it is very important for their communities that today they are shareholders and employees before never had any share today they have 7 *per cent* share of the company on which now there is dispute, there is even a petition in my office sent of recent by those that retired from Eleme Petrochemical Company and the new employees trying to really agree on the shareholding between them and those that have retired of recent.

I believe the Hon. Member that put this Motion has a very excellent intention of repositioning the sales and things in the country and show adherence to the basics of rule of law but at the same time I think the Act has been passed and the sale took place almost 10 years ago. I do not know the experience we have to apply in investigating this matter and at the same time, it is good to investigate and find a solution to it but the fundamental issue is, it is not 100 *per cent* owned by Indorama, there is a share of the Federal Government and they are still remitting the money as of last year they remitted about ₦3 billion to the Bureau of Public Enterprises, which the Bureau of Public Enterprises remitted to the Federal account under the new the accounting arrangement.

Hon. Members, I think the ball is in our court to really understand this issue very well and do the right thing.

The Speaker: It is all right, the Chairman of the relevant Committee has just given us very useful information but it is not information with the House. So he is not against investigation as he has rightly pointed out, in the course of his contribution, it is just that he is providing facts but the truth is that we have to have this information officially in the course of investigation and the final and binding decision is taken, it means that this matter once and for all is laid to rest and it will never rear its head again.

So I will put the question, it is investigative and we have no reason to pre-judge the issues before the facts are unearthed.

[Motions]

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Question put and agreed to.

Resolved to:

Investigate the sale of Eleme Petrochemical Company to Indorama Corporation by the Bureau of Public Enterprises and make appropriate recommendations within Four (4) weeks for further legislative action.

(Motion referred to the House Committee on Privatisation)

Need to Ascertain the Number of Oil Mining Leases Granted by the Federal Government, their Expiry Dates and Determine Whether Due Process was Complied with During Renewals

The Speaker: Hon. Colleagues, the thirteenth Order of the day is a Motion on need to ascertain the number of Oil Mining Leases granted by the Federal Government, their expiry dates and determine whether due process was complied with during renewals standing in the name of Hon. Shadimu Mutiu Alao.

Hon. Shadimu is now invited to move the Motion.

Hon. Shadimu Mutiu Alao (Oshodi-Isolo I): My Motion is on the Need to Ascertain the Number of Oil Mining Leases Granted by the Federal Government, their Expiry dates and Determine Whether Due Process was Complied with during Renewals.

The House:

Aware that the Federal Government has, over the years, been granting Oil Mining Leases to Companies and individuals as beneficial owners;

Also aware that item 10 Section 2(3) in the First Schedule of the Petroleum Act provides that the term of an Oil Mining Lease shall not exceed twenty (20) years, but may be renewed in accordance with the Act;

Further aware of item 12, Section 2(3) of the same schedule provides that ten (10) years after the grant of the lease, one half of the area of the lease shall be relinquished to the basket;

Concerned that at the expiration of Oil Mining Leases, renewals of the licences do not often comply

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with laid down processes and guidelines for the acquisition of oil and gas assets;

Conscious of the need to ascertain the number of Oil Mining Leases that have been granted, their expiration dates and whether due process was followed during renewals;

Resolves to:

Set up an *Ad-hoc* Committee to carry out investigation of all Oil Mining Leases granted by the Federal Government in order to ascertain their total number, expiry dates and whether due process and guidelines for the acquisition of oil and gas assets were complied with, and make appropriate recommendations to the House within five weeks.

Hon. John Dyegh (Gboko/Tarka): I second the Motion ably moved by my Colleague, Hon. Shadimu.

Hon. Shadimu Mutiu Alao: Mr. Speaker, the Motion itself has actually explained what it actually intends to achieve. Principally we have two objectives to achieve with this Motion.

Firstly, is to determine whether the law has been followed in awarding these contracts.

Secondly, it is to ensure that what is due to Nigerians is given to them, that the assets of Nigeria are properly utilized. Those are the objectives of this Motion. In other words there is need for us to investigate most of the activities of these oil sector operators.

If you hear from most of our people, if you go to some of these companies they might tell you they do not even know the numbers, the names of the companies that have been given oil well. At times they do not even know about the exploration, they do not even know much about them. It means that most of these laws have not been followed and therefore there is need that the House of Nigerian people should ensure that rules and guidelines that set up

[Adjournment]

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these agencies are followed and to ensure that Nigerian assets substantially given to them by this oil sector operators. This is the import of this Motion and I urge this House to support this Motion.

The Speaker: I guess that the Minority Leader said that the Motion is infrastructure related. Can we import that so that I can put the question? It is investigative so we do not have the fact before us.

Question put and agreed to.

Resolves to:

Set up an *Ad-hoc* Committee to carry out investigation of all Oil Mining Leases granted by the Federal Government in order to ascertain their total number, expiry dates and whether due process and guidelines for the acquisition of oil and gas assets were complied with, and make appropriate recommendations to the House within five weeks.

(Motion referred to Ad-Hoc Committee to Investigate Oil Mining Leases granted by the Federal Government)

ADJOURNMENT

The Speaker: I now invite the Leader of the House to move that the House do adjourn.

Hon. Femi Hakeem Gbajabiamila: I move that the House do stand adjourned till Tuesday, 1st March, 2016 at 11.00 a.m.

Hon. Shuaibu Abdulrahman Abubakar: I second the Motion as ably moved by the Leader of the House.

Question put and agreed to.

Resolved: That the House do stand adjourned till Tuesday, 1st March, 2016 at 11.00 a.m.

(The House adjourned accordingly at 2.34 p.m.)