

**HOUSE OF REPRESENTATIVES
FEDERAL REPUBLIC OF NIGERIA**

Wednesday, 22nd June, 2016

The House met at 11. 21 a.m.

PRAYERS

(The Speaker in the Chair)

VOTES AND PROCEEDINGS

The Speaker: Hon. Colleagues, I have examined and approved the Votes and Proceedings of Tuesday, 21st June, 2016.

ANNOUNCEMENTS

Visitors in the Gallery

**Staff and Students of Redeemer Teap
International School, Garki II, Abuja**

The Speaker: We have at the Gallery to observe our proceedings this morning members of Staff and Students of Redeemer Teap International School, Garki II, Abuja. Could you please, rise for recognition?

(Students rose for recognition) (Applause)

You are welcome, please be seated.

**Students of Department of Public Administration,
Kaduna Polytechnic, Kaduna State**

The Speaker: We have at the Gallery to observe our proceedings this morning students of Department of Public Administration, Kaduna Polytechnic, and Kaduna State. Could you please, rise for recognition?

(Students rose for recognition)

You are welcome, please be seated.

**Students of Department of Political Science and
Administration, Adamawa State University, Mubi**

The Speaker: We have at the Gallery to observe our proceedings this morning students of Political Science and Administration, Adamawa State University, Mubi. Could you please, rise for recognition?

(Students rose for recognition)

You are welcome, please be seated.

**Students of Privilege and Peace International
School, Apiawoyi, Nasarawa State**

The Speaker: We have at the Gallery to observe our proceedings this morning, Privilege and Peace International School, Apiawoyi, Nasarawa State. Could you please, rise for recognition?

(Students rose for recognition)

You are welcome please, be seated.

The Speaker: Hon. Colleagues, we have a Birthday Notification from one of us. It reads thus:

June 22, 2016

*Rt. Hon. Dogara Yakubu,
Speaker of the House of Representatives,
National Assembly Complex,
Three Arms Zone,
Abuja.*

Your Excellency,

Birthday Notification

I write to notify honourable Members and the Rt. Hon. Speaker that today, the 22nd of June, 2016 is my birthday. I turn 41 years old today. I wish to solicit your prayers and good wishes. I will, mindful of the fasting, host few friends to Dinner at the Ivory Towers, Abuja.

Thank you.

*Announcer:
Hon. Herman Hembe*

The Speaker: There is another Birthday Notice from one us. It reads thus:

June 22, 2016

*Rt. Hon. Dogara Yakubu,
Speaker of the House of Representatives,
National Assembly Complex,
Three Arms Zone,
Abuja.*

Your Excellency,

Birthday Notice

The Committee of Friends of Hon. Nnanna Igbokwe write to humbly inform you that Hon. Raphael Nnanna Igbokwe celebrates his birthday today. While wishing him more fruitful years, Members are invited to Office 0.80 after Sitting.

*Announcer:
Goodluck Opiah
For: Committee of Friends*

PRESENTATION OF PUBLIC PETITIONS

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

Unlawful Dismissal from the Nigerian Police Force

Hon. Opiah Goodluck Nanah (Ohaji/Egbema/Oguta/Oru West): I have a Petition here by one of my constituents Asiegbu Desmond of Obahagwa in Eguta Local Government Area. The brief is that Desmond joined Nigerian Police Force in 1991 and served up to 1997. He took his annual leave, during the annual leave he fell sick and properly notified all authorities of his ill-health. By the time he returned to work, he was declared what they call *deserter-police-ecus* and was therefore dismissed.

Since then, all efforts to get the Police authorities to return him back to his job failed. He has suffered untold hardship and he is praying the House to intervene and save him from his predicament. I seek the leave of Mr. Speaker and the House to present the Petition before the House.

The Speaker: Please proceed and lay the Petition. Any more Petitions? *(No response)*

(Petition accordingly referred to the Committee on Public Petitions)

PRESENTATION OF REPORT

Ad-hoc Committee on Deregulation of the Petroleum Downstream Sector in Nigeria

The Speaker: Hon. Members, the first business of the day is the Presentation of Report of the *Ad Hoc* Committee on the Deregulation of the Petroleum Downstream Sector in Nigeria standing in the name of Hon. Alhassan Ado Garba.

Hon. Members will recall that the *Ad Hoc* Committee was constituted on Monday 16th May, 2016. The Report is ready for presentation and Hon. Alhassan Ado Garba is now invited to present the Report.

Hon. Alhassan Ado Doguwa Garba (Doguwa/Tudun Wada): You will recall that with the deregulation of the Petroleum Downstream Sector by the Federal Government on Wednesday 11th May, 2016, the pump price of PMS was increased. Consequently, there was an outstanding of the issue and Nigerian Labour Congress (NLC) quickly intended to protest in form of calling for a strike action.

On Monday the 16th May, 2016, the House of Representatives at a Special Session set up an *Ad Hoc* Committee to interface with relevant stakeholders in the downstream subsector with a view to bringing a solution to the problem.

This *Ad Hoc* Committee was set up with my humble self being the Chairman of the Committee and we were able to interface with them intensively and even though we had presented an interim Report to address the very circumstances of the matter as at that time, the Committee has handy, a comprehensive Report of that *Ad Hoc* Committee to present. I seek your indulgence to move that the House do receive this Report as summarised and presented by the Committee on the deregulation of the downstream subsector.

Hon. Iriase Pally Isumafe Obokhuiame (Owan East/West): I second the Motion ably moved by the Chief Whip of the House.

Question put and agreed to.

(Report laid on the Table).

MATTERS OF URGENT OF PUBLIC IMPORTANCE

The Speaker: Hon. Colleagues, Hon. Dozie has a Point of Order, I am sorry, I skipped it. Hon. Dozie Nwankwo, you can now move your Point of Order. After yours, we will have Hon. Madaki's Point of Order.

Concern over Ban on Exportation of Dried Beans to Europeans Countries from Nigeria by European Union

Hon. Ferdinand Dozie Nwankwo (Anaocha/Njikoka/Dunukofia): I rely on Order VIII, Rule 46 - Matter of Urgent of Public Importance. The matter is a Concern over Ban on Exportation of Dried Beans to Europeans Countries from Nigeria by European Union.

Also, I pray that the House do suspend relevant Rules for me to take the matter immediately.

Hon. Orji Rita (Ajeromi/Ifelodun): I second the Motion as moved by Hon. Dozie.

Question put and agreed to.

Resolved: That the House do consider Concern over Ban on Exportation of Dried Beans to Europeans Countries from Nigeria by European Union as Matter of Urgent Public Importance.

Hon. Abdullahi Hassan Suru (Bagudo/Suru): I second the Motion that the relevant Rules of the House be suspended to allow Hon. Dozie to move his Motion.

Question put and agreed to.

Resolved: That Order VIII, Rule 46 (3) be suspended for the matter to be taken immediately.

The Speaker: Hon. Dozie, please move your Motion.

Hon. Ferdinand Dozie Nwankwo: My Motion is on a Concern over Ban on Exportation of Dried Beans to Europeans Countries from Nigeria by European Union it goes thus:

The House:

Notes that in 2015 the European Union banned importation of dried beans into European countries from Nigeria on the ground that, the produce contained high level of pesticide considered hazardous to human health;

Also notes that the ban was to last till 30th June 2016 to allow Nigerian authorities time to provide and export control plan and assurance that the beans exported to the EU comply with the EU Minimum Risk Levels for Hazardous Substances;

Aware that the House after considering Motion By Hon. Jerry Alagboso, mandated the committee on Commerce and Agriculture to liaise with relevant stakeholders to work on resolving the issues and concerns raised by the EU Food Safety Authority to lift the ban;

Also aware that several relevant agencies of government including Standard Organisation of Nigeria, NAFDAC and Federal Ministry of Industry, Trade and Investment claimed to be collaborating with each other to resolve the issue before the closure of the deadline;

Concerned about recent several newspaper publications where the Coordinating Director of the Nigeria Agricultural Quarantine Service, Vincent Isegbe said that the EU has extended the ban on importation of dried beans from Nigeria into EU for 3 years;

Also concerned that the publication alleged that the reason for the extension of the ban is that Nigeria did not do enough to lift the ban during the period of suspension;

Worried about the effect of the extended ban of dried beans export on our economy, especially as the current administration is focused on diversifying of the economy through export of agricultural products;

Also worried about how safe the dried beans and other foodstuff consumed within the country are for human consumption.

Resolves to:

Mandate the Committee on Agriculture, Commerce and Industry to investigate the matter and report back to the House within two weeks.

Hon. Solomon Bulus Maren (Mangu/Bokkos): I second the Motion ably moved by Hon. Dozie Nwankwo.

Hon. Ferdinand Dozie Nwankwo: It is so sad that at this period that we are talking about diversification of economy to agricultural export products, that we are having this issue of not keeping to standard.

A window of one year was given to Nigeria from June, 2015 to June 30th 2016 for us to correct the obvious mistake we have made in our preservation and storage of dried beans. It is unfortunate that with the opportunity given to us, we did not take any measure to correct such dangerous mistake. It is very painful that we have agencies that are meant to watch

and safeguard the standard of this product, such as SON, NAFDAC and the Federal Ministry of Agriculture, but they did not do enough to correct this grievous mistake.

We know that our country is passing through a difficult economic challenge. We believe that by the grace of God everything we had to do, if we had followed due process and global standards, this ban would not have been extended. I am so worried that apart from the product they rejected from entering the European Countries, meaning that this product is not good enough for consumption by the EU citizens. If this rejected product by the EU is not good for their consumption, is it good enough for our citizens? Where is this product going to? Is it going to be consumed by our citizens? We are supposed to be concerned. That is the essence of this Motion.

I urge my Colleagues to support this Motion for us to actually investigate why this extension. If we need to educate our farmers on the storage and preservation method, we have to do it. When I was in private sector, I know how Standard Organisation of Nigeria (SON) worked so hard.

The reason is that before you bring any material or product from foreign countries into Nigeria, they have structures and networks all over the world to investigate and make sure that the product you are bringing into Nigeria has the global standard. That is what we are looking for. If they can do that whilst the goods are coming into Nigeria, is it what the farmers produce that we are supposed to export to those countries that cannot use the same structure to actualize?

We have to create special awareness for our farmers out there to educate them on how to preserve and store these products.

Hon. Iorwase Herman C. Hembe (Konshisha/Vandekiya): I support this Motion. It is timely and important. You would agree with me that Nigeria is a great agricultural nation particularly the State of Benue where I come from is deeply rich in the production of agricultural products including yam, rice, beans and the rest.

Unfortunately, the prices of these commodities are at rock bottom, for the mere fact that we were unable to sell to end-users that would buy for value. It means we are unable to export these products to other countries where they are properly needed which leads to a situation that people came from Ghana.

For instance, if you go to my Local Government Konshisha, you would see trucks from Cameroon line up buying our oranges, they buy in large quantities,

take them by trucks to Cameroon and end up shipping them to France and the rest of Europe but if you try to ship from Nigeria to Europe, they refuse claiming that Nigeria does not meet up the basic requirements. I do not know what the requirements are but somehow we are unable to meet up with those requirements.

Nigerian yams, if we set up to sell yams to Europe or America, you will find it difficult meeting up the standard of the United States of America but people come from Ghana, buy yam from Nigeria and ship to America, which leads us losing a lot. This is because they buy at rock bottom and end up making a lot of profit by exporting to the West. What we need to do is to find those issues that prevent us from doing business with international communities in the area of agriculture. Once we break those barriers, Nigeria would become very rich from selling her agricultural produce.

The pyramids still exists but the fact that agricultural produce is badly under-priced, dissuades people from going to farms. It is my humble prayer that government pays attention to the area of removing those clogs that prevents us from selling to markets around the world where people can make money. Once that is done, our people can begin to sell and get value for their products.

Question put and agreed to.

Resolved to:

Mandate the Committee on Agriculture, Commerce and Industry to investigate the matter and report back to the House within two weeks.

(Motion accordingly referred to the Committee on Agricultural Production)

PRIVILEGES

Hon. Aliyu Sani Madaki (Dala): I rely on Order VI, Rule 19 – Privileges: Rule 19 (1) *Privileges are the rights enjoyed by the House collectively and by the members of the House individually conferred by the Legislative Houses (Powers and Privileges) Act, 1980 and other statutes, practices, precedents, usages and customs.*

This is to bring the attention of the House to a matter which this House has resolved often. We are all aware that the protection of lives and property of the citizens of Nigeria is the primary function of government. That is what we are told in the Constitution, talking about Section 14. 2(b):

The Government and the People: It is hereby, accordingly, declared that the security and welfare of the people shall be the primary purpose of government;

Mr. Speaker, I brought a Motion about seven months ago, precisely on December, 14th, 2015, on the issue of how Nigerians are treated or how we treat ourselves during Hajj and Umrah. I brought that issue because that time, we were just coming back fresh from Mecca, and we all know the experience Nigerians went through.

The aim was that this House will take up that matter and do something about it before another Hajj exercise. As we speak, it is only three months to another Hajj exercise. That Resolution was sent to a Committee of the House and the Committee as we speak, has not done anything about that Resolution, and that is why with your permission to evoke Order XVII, Rule 109 (4) (g):

Any matter referred to any Committee shall be treated within 30 days otherwise the Committee shall stand discharged after 60 days and the matter committed to the Committee of the Whole for consideration.

I respectfully submit.

The Speaker: Well, we know how the Committee of the Whole functions, but because this is not a Bill. It is a Motion that involves investigation, and we cannot do it at the level of Committee of the Whole but I direct that in place of the Committee of the Whole, we will constitute an *Ad-hoc* Committee that will take up the matter and report to the House within the shortest possible time. This is because that Motion was necessitated by the fact that we lost so many people in the last Hajj exercise; therefore, as the representatives of the people, it was a call on us to ensure that such incidences do not happen again, that we will do everything possible to minimise them.

In view of the fact that another Hajj is on the horizon, we will constitute an *Ad-hoc* Committee that will take up that matter and report hopefully within three (3) weeks or four (4) weeks maximum, since we are going on vacation, just *Sallah* recess from tomorrow, may be within four (4) weeks. So, we will constitute that *Ad-hoc* Committee today before the close of today's business.

(Point of Order sustained).

ORDERS OF THE DAY

CONSIDERATION OF BILLS

Nigerian Independent Warehouse Regulatory Agency (Establishment) Bill, 2016

A Bill for an Act to Establish the Nigerian Independent Warehouse Regulatory Agency and for Other Related Matters (HB. 116) –

Order for Second Reading.

The Speaker: Hon. Colleagues, the first Order of the day is the consideration of debate on the general principles of a Bill for an Act to Establish the Nigerian Independent Warehouse Regulatory Agency and for Other Related Matters (HB. 116).

Hon. Members will recall that the Bill was read for the First Time on Thursday, 19th November, 2015. I now invite Hon. Ossai Nicholas Ossai to move that the Bill be read a Second Time.

Hon. Ossai Nicholas Ossai (Ndokwa East/ Ndokwa West/Ukwuani): I move that a Bill for an Act to Establish the Nigerian Independent Warehouse Regulatory Agency; and for Other Related Matters (HB. 116) 2016 be read a Second Time.

Hon. Williams Olusegun Samuel (Abeokuta South): I second the Motion that the Bill be read a Second Time.

Question proposed.

Hon. Ossai Nicholas Ossai: It is a known fact that Abuja Security and Commodity Exchange was established in 1998, which was later renamed the Nigerian Commodity Exchange that is responsible for the regulation of the Warehouse operation in Nigeria. It is a known fact that the engine room that we transact a Nigerian Exchange Commodity in this country, to be in the same line with the one in Ethiopia and South Africa that can increase the earnings of our farmers in storing their commodities and their goods. Also, using their goods to access funds from any bank in order to increase their yields and export will increase when we have a Warehouse Receipt Agency.

This Bill tends to facilitate the expansion of Nigerian Commodities Exchange Sectors, the stimulation of a vigorous trading mechanism in exercising its duty to the Agency. A functional Warehouse services must be in place and must be regulated with Warehouse receipt system. It is also a known fact that lack of efficient Warehouse services

is presently affecting the poor performance of Nigerian Commodity Exchange; hence the need to have an independent Warehouse Regulatory Agency that is independent from other establishments and Arms of Government to properly regulate and supervise the complex nature of Warehouse operation in Nigeria. This precipitated the presentation of this Bill.

This Bill is divided into twelve Parts and a Schedule. Part II borders on the establishment of the agency and its functions, which are enumerated with my compendium which I have circulated. Parts III and IV, they are about the appointment and responsibilities of staff of the agency, including the licensing procedure. Parts V, VI, and VII dwell seriously and specifically on Warehouse receipts. What is Warehouse receipt? When you have a Warehouse operators having a Warehouse, now the agency releases receipt to these Warehouse Operators; and these Operators in turn store goods for farmers for a period that the farmer indicated that he has to store that food.

When these commodities are stored, receipts are given to them which they can use to be able to access fund to generate further expansion of their farming. This will lead to actually high production in our country and export mechanism to increase in our country in exchange for other important things.

Part VIII is on the Establishment and Operations of the Central Registry where this mechanism takes its own process. Parts IX and X state the Procedure of Disputes Resolutions, in any issue there must be dispute and resolution. This Bill is well encapsulated to the extent that everything in the Bill is well documented and the penalty of committing an offence.

Parts XI and XII talk on the Source of Funds and other Financial Provisions of the Agencies including miscellaneous issues. What is really the importance of this Agency in terms of its regulations?

1. Provision of expertise in the complex system of warehouse regulations and supervision.
2. Need for rapid improvement of quality standard. A quality standard: when you are warehousing a commodity, you must make sure that it is ensured through an insurance mechanism and that insurance mechanism insures the produce that you are storing and it gives it a lot of credibility in terms of accessing funds from the bank.

3. Providing mechanism for regulating the operations of the license warehouse.

The Agency is also empowered to regulate and proper storage facility of good that is free from deteriorating via theft and other form of what risk. It will also regulate uniform and reasonable charges on warehouse business. Warehouse business is a lucrative business that Nigeria has not tapped into,

Personally, I intend to build a warehouse and become an operator (*Laughter*). It is open for honourable Colleagues to build warehouses, store food for farmers and increase their yields and capacity to use it to access funds in Nigeria. It will invigorate the commodity and exchange markets in Nigeria. On this ground, I urge honourable Members to support this Bill with the speed of light.

Hon. Yusuf Ayo Tajudeen (Ijumu/Kabba-Bunu):
I lend my voice to this very important Bill. No matter what we do in Agricultural Sector without putting into perspective the required legislation for Warehouse, Future Right and Commodity Exchange, Farmers would not get the required benefit and competitive price that will encourage them go into farming.

Today, Ethiopia is the biggest exporter of Rose Flower to Europe because they have the Warehouse Receipt, Commodity Exchange that is well established. Ghana, our close-door neighbour, are able to maximise the return of Cocoa and Cocoa is still a major foreign earning for Ghana because there is Commodity Exchange that is viable. You can grow Cocoa anywhere in Ghana but you cannot sell without this process. The reason being that there is this very damming and very non-encouraging policy on economy that you call Law of Comparative Advantage; a student of economy that did O' Level in Economics will understand this law.

Unfortunately, the law skewed negatively against third World Country that says Country A that has advantage in producing certain materials should concentrate on that. We have been unconsciously, without us knowing pigeonhole into producing raw materials, so we become price-takers, we produce Cocoa as raw materials, they give us price for Cocoa and they now come back with Chocolate and give us price for Chocolate.

The intention of this Bill is to create legal framework that makes Warehouse business a platform to encourage agriculture and make farmers get their due rewards for their labour. However it will not go alone, it will go with the Commodity Exchange bid vibrant and a Capital Market that is well developed so as to ease the pressure on Oil. I

appeal to us that this Bill should be allowed to go through the Second Reading, whatever limitation that is noticed should be corrected at the level of the Public Hearing.

Hon. Solomon Bulus Maren: I support this Bill in its entirety and to say that if this Bill comes into law, we would have a regulatory framework that will check even the dumping of expired products into our country. Many of the Warehouses will be on record when a particular product comes into the country or into that warehouse and when it has also left the warehouse or still in the warehouse and we would know when they expiry date of this products are; and that government can through this Regulatory Agency take away these products for destruction.

It will also warn many business men from going out of the country to import products that their expiry dates are very close and I think this will also sanitise our Health Sector, Foods and Beverages and many other products that are into this country that we know that have expired and are still being sold in our markets.

I support this Bill and urge all honourable Members to support it, so that we would sanitise our economy, markets and indeed the Health sector from expired products.

Hon. Nkem-Abonta Uzoma (Ukwa East/ West): You are aware that shortly we have passed the Commodity Exchange Bill which awaits Report act from the Capital Market Committee. For us to get out of oil based economy, we must practise effective Commodity Exchange and it to be in place, the Warehousing system must be well developed, therefore this Bill is seeking to develop, legalise and draw a framework for us to have Warehouses.

The author of this Bill went ahead to itemise the benefits of having a Warehouse. Just this morning we passed a Motion asking to find out why the content of our agricultural products are not properly done. For example, we are warehousing Beans, they will tell you the standard temperature nurture for you to have beans warehouse. Once it is certified, any beans coming from within should be from genuine source and the market value will be locally, national and internationally accepted.

I therefore ask that we allow this Bill according to words of the inventor of this Bill with the speed of light. That this Bill should pass through the Second Reading alongside Commodity Exchange and Agricultural related Bills that there maybe a way out of oil economy. There is no other way but the matter is with us and with us we can get there. Therefore let us do the needful and the needful will come to us.

Hon. Ahman-Pategi Aliyu Bahago (Edu/Moro/ Pategi): I lend my support to this Bill; a lot of words I would have said, but the last speaker said all. I am just to reiterate what the last speaker has said. First, the issue of Commodity Exchange comes into play here. We are all aware about the politics of the Obasanjo years when the Abuja Stock Exchange was told to move back to Lagos and the one in Abuja was to be converted to Commodity Exchange. This is primarily because the Northern part of the country has a lot of grains and there can be standardisation if you take grains to a warehouse.

The issue then was this; first the government lacks the Political Will to fund the establishment, building and construction of these warehouses all over the country because these warehouses were actually supposed to be market to add value to the goods that a farmer will ordinarily have taken to the market and brought back home if he is unable to sell. If he takes it to a government bonded warehouse, there will be standardisation because they will give you instructions as to how to package it, if you are to put in jutebags or whatever it is that they require you in terms of getting it to the market.

This will also have taken care of one lapse that the Military era brought upon our farmers by removing from our value chain the Commodity Board. The Warehouses Commission Agency when established will fill-in that gap. I pray that our Colleagues should support the Bill because of the issues relating to standardisation of agricultural products especially as government is now talking about diversifying our economy. This is one area where we can collect goods from all over the farmers in the country put them in bonded warehouses, standardise them and export them so that we can earn foreign exchange.

Hon. Iriase Pally Isumafe Obokhuiame: I thank the able and hardworking Hon. Ossai Ossai for bringng this Bill to the Floor this morning. You will recall that before now government has tried at various times to establish Commodity Warehouses to protect our harvest from the ravages of weather and other destructive agents but have not made a very huge success of it, at best you find these warehouses were built all over the place they were not properly utilised and managed.

This Bill seeks to open this very lucrative and highly productive aspect of preservation of our agricultural products to the private sector. As this agency will ensure that the private sector participation is made in such a way as to ensure the control and profitability of it, they will be drawn into establishing world standard warehouses.

It is also important that the Commodity Exchange Act that has since been passed has become moribund because this is a complimentary action that has not taken place and unless we have well managed warehouses with warehouse receipt people cannot trade on commodities as envisaged by the Act.

This Bill is also in consonant with the current policy of government to ensure that we give agriculture a boost and it cannot be given the kind of boost that is envisaged by the government unless people are sure that their harvest will not perish without getting value for their effort. For these reasons I urge the House to give maximum support to this Bill.

Hon. Alagboso Jerry (Orlu/Orsu/Oru East): This is an important Bill for some of us who are farmers. There are lot of independent warehouses littered all over the place especially in Lagos, Port-Harcourt and Kano but they are for imported goods. If we can have Independent Warehouses for importer and importing goods there is nothing wrong in getting Independent Warehouses for primary products especially now that we are talking of agriculture in Nigeria.

Independent warehouses for primary products will also encourage employment and investment from individuals especially those who are not farmers. One can buy primary products and warehouse scientifically with a lot of laboratory test. One can also encourage the farmers to go to warehouses and warehouse their goods for proper investment and proper saving. I do not want to waste my time talking about this because this is a straightforward Bill, I therefore urge my Colleagues to support it.

Hon. Magaji Dau Aliyu (Birnin-Kudu/Buji): I represent the farmers of my Constituency. I oppose this Bill. This Bill tends to take away our livelihood, trying to make the rich to be farmers without going to the farm. I find the content of this Bill disturbing. This is because what is currently happening now is much to be desired. People have money from only God knows where, they will go into the villages, say they will provide grains, provide fertilizers and seeds for people to farm. At the end of the year; they will take it back to their warehouses. They will give them the paper call receipt at a particular price. We have to look at this issue very clearly.

I believe we should not allow this Bill see the light of the day because it is only the rich who have so much money from nowhere, they do not have farmland and they want to go into farming just by taking over other peoples' livelihood. I hope we look at it critically before we try to put a rope on our necks. This is because initially when Late Sani

Abacha established the Commodity Exchange Commission with good intention, the headquarters was in Kano, after some politics, discussions, it was brought to Abuja and even the name has been changed to something else.

Now, someone is bringing a Bill to establish Nigerian Independent Warehouse, what does Nigerian Independence Warehouse mean? I believe that this Bill is not in the best interest of farmers in my Constituency.

Hon. Leonard Okuweh Ogor (Isoko North/Isoko South): I appreciate the initiative of the Mover and author of this Bill; I ask my brother who has spoken to please listen to me so that he will appreciate the essence of this Bill. Like I said yesterday, in every disadvantage there is a major advantage.

Today, what are we talking about? This is one nation that has become a nation that is confronted with lots of challenges but we have great vast lands all over the place. We produce on a continuous basis and what do we have? We now have only seasonal products. We have a situation where the first Motion we took today borders on the chemical composition of our beans, the modality and methodology of storing these beans has become so archaic and we are looking at the possibility of diversifying this economy.

There is so much money in the agricultural sector that we have not even appreciated as a nation with the vast land and here a Colleague in agreement with diversification policies of this government has decided that yes, there must be some perfect arrangement of warehousing where we would house standardised warehousing arrangement with great storage facilities. Do you think we will disagree with it?

I believe that it will be very wrong of us, if we will not take advantage to make sure that our products are all round the year, so that when we have this standardised storage facilities with the modern facilities available to us, it becomes an advantage so that at the end of every month you do not have to buy a specific product far beyond the price because it is a seasonal product.

I appeal that this arrangement is a perfect arrangement, all we need to do is to tap into the modern technology, put all these facilities in place and at the end of that particular season those products that are not even available will be properly stored well in warehouse where they would easily be traded in the commodity market. Everybody knows that a hungry man is an angry man.

We also know that the price of product at a particular time skyrockets beyond the reach of a common man. These products that we waste, that we condemn, that rot away will be available to the public for their consumption. I appeal that because of the interest of project Nigeria; let us give this particular Bill all the necessary support so that we can pass to the Second Reading.

The Speaker: Hon. Colleagues, we have spent over 30 minutes on this Motion. *Question put and agreed to.*

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

**National Institute for Cancer (Establishment)
Bill, 2016**

A Bill for an Act to Provide for the Prevention, Treatment and Control of Cancer; a Bill for an Act to Establish a National Cancer Institute to be the Nation's Principal Agency for Cancer Research, to Coordinate a National Research Programme on Cancer Causes, Prevention, Detection, Diagnosis and Treatment Through Various Research Projects and Clinical Trials; a Bill for an Act to Provide for the Establishment of the National Centre for Cancer Research and Treatment; and a Bill for an Act to Provide for the Establishment of the National Agency for the Prevention and Control of Cancer (HBs 462, 463, 464 and 497) –

Order for Second Reading.

The Speaker: Hon. Colleagues, the second Order of the day is commencement of debate on general principles of a Bill for an Act to Provide for the Prevention, Treatment and Control of Cancer; a Bill for an Act to Establish a National Cancer Institute to be the Nation's Principal Agency for Cancer Research, to Coordinate a National Research Programme on Cancer Causes, Prevention, Detection, Diagnosis and Treatment Through Various Research Projects and Clinical Trials; a Bill for an Act to Provide for the Establishment of the National Centre for Cancer Research and Treatment; and a Bill for an Act to Provide for the Establishment of the National Agency for the Prevention and Control of Cancer (HBs 462, 463, 464 and 497).

Hon. Members will recall that the Bills were consolidated on Tuesday, 24th May, 2016. I now invite Hon. Karimi S. Sunday to move that the Bill be now read the Second Time.

Hon. Karimi Steve Sunday (Yagba East/Yagba West/Mopamuro): I move that A Bill for an Act to

Provide for the Prevention, Treatment and Control of Cancer; a Bill for an Act to Establish a National Cancer Institute to be the Nation's Principal Agency for Cancer Research, to Coordinate a National Research Programme on Cancer Causes, Prevention, Detection, Diagnosis and Treatment Through Various Research Projects and Clinical Trials; a Bill for an Act to Provide for the Establishment of the National Centre for Cancer Research and Treatment; and a Bill for an Act to Provide for the Establishment of the National Agency for the Prevention and Control of Cancer (HBs 462, 463, 464 and 497) be read for the Second Time.

Hon. Muhammad Usman (Makarfi/Kudan): I second the Motion ably moved by Hon. Karimi S. Sunday that the Bill be read a Second Time.

Question proposed.

Hon. Karimi Steve Sunday: The World Health Organization report said that cancer kills more than HIV and malaria combined together. One of the problems we have with Cancer is that there is lack of awareness on the prevention and control of that killer-disease especially in our country. The purpose of this Bill is to at least minimize the rate at which people lose their lives because of Cancer. The objective of my own version of the Bill is stated in Section 3 of the Bill:

- (i) To formulate a national policy for Cancer Management and Control in Nigeria.
- (ii) To create awareness on the causes, consequence, prevention and control of Cancer disease in Nigeria.
- (iii) To guarantee the fundamental human rights of those that have Cancer in Nigeria to ensure that they are not stigmatized.
- (iv) To establish a national registry for Cancer prevention and control in Nigeria.
- (v) To ensure best practices in the management of that killer-disease.

This same Bill has been used in other parts of the world like Canada, Kenya, Brazil, etc., they have through legislation been able to at least reduce the mortality rate of Cancer in their own country. This Bill seeks to create a National Institute for Cancer in Nigeria, which will advise government through the Minister of Health on best practices concerning Cancer in Nigeria. It also seeks to create a registry, that is, a data base for Cancer disease and control in Nigeria.

Clause 4 of my own version of the Bill guarantees fundamental human right of Cancer's patients so that they are not in any way stigmatized at their places of work either in school or anywhere that they are carrying out their daily living.

Clause 5 of the Bill talks about the education, orientation and awareness that needs to be created so as to control the spread of Cancer in the nation.

Cancer disease has four different stages. If cancer can be detected in the early two stages, it can easily be controlled and managed and probably cured. But in most cases in Nigeria because of lack of awareness; and lack of education it is only at the latter stages that it is detected and by that time, it would have been too late. Records show that in Nigeria alone, Nigerians spend over \$200 million annually in seeking for management of Cancer disease outside the country. That is, \$200 million of our Forex is spent annually on managing Cancer disease alone. This would have been diverted to other areas like creating mobile Cancer Centres all over the country.

Every day, thirty Nigerian women lose their lives because of breast cancer. If breast cancer is detected early, it can easily be managed. Every day, one Nigerian woman loses her life because of cervical cancer. Every day, one Nigerian man loses his life because of prostate cancer. Every hour, one Nigerian loses his/her life because of cancer of the liver; and every two hours, a Nigerian loses his life because of colon cancer. If this Bill is passed into law, it will help to reduce the loss of lives because of cancer.

I therefore seek your support so that this Bill be passed for a Second Reading.

Hon. Mohammed Usman: My Colleague has advanced a lot of arguments in favour of this Bill. Mine is to use this opportunity to emphasize on two or three issues on the need to pass this Bill for a Second Reading. First, nobody will really dispute the fact that cancer is causing a lot of havoc among our population. A lot of people have died as a result of cancer and over two million Nigerians today are afflicted by this disease.

In fact, research has shown that at least between twenty-six to forty womenfolk die every day as a result of cervical cancer, and that shows the magnitude of this disease. Nigeria has no comprehensive cancer centre and lacks adequate equipment to confront the menace of this disease.

For instance, today in Nigeria, we have only seven Cancer Centres and of these seven Centres, it is only one machine in the centre that is really working.

In fact, the International Atomic Energy Agency has recommended that at least one machine is required for a population of about 250,000 or one machine to 250 to 450 Cancer patients.

When you look at some developed countries like South Africa; South Africa has as at today eighteen of such machines. Egypt has thirty-five, Japan has 611; and China has 453; with our population of about 170 million, we require about 840 of these machines. Today, the Federal Ministry of Health only has a unit that has a programme which is called National Cancer Control Programme. There is no agency that is charged with the responsibility of the prevention, the treatment, the enlightenment of this terrible disease. That is why the need to establish an agency that would handle all aspects of cancer in Nigeria today cannot be overstressed.

I also use this opportunity to emphasise five major objectives which this Bill seeks to achieve when established:

- (i) To regulate, oversee and coordinate cancer research, prevention and treatment in Nigeria.
- (ii) Facilitate through policy and supervision the establishment of cancer centres all over the federation and regulate their functionality;
- (iii) If the Agency is established, it will be saddled with the responsibility of integrating into existing healthcare plans options for long term cancer treatment and through policy create enabling environment for improved drug availability, infrastructure and man-power.
- (iv) The Agency will provide a coordinated platform for international, national, philanthropic and organised private sector intervention to reduce the burden of cancer.
- (v) The Agency through advocacy and mobilisation will lead and coordinate awareness campaign and provide up-to-date information to Nigerians on cancer prevention and care.

The passage of this Bill will no doubt help to reduce to the barest minimum the number of Nigerians dying as a result of cancer and increase the life expectancy of almost two million Nigerians that are today afflicted with this disease. I therefore solicit for your support in the passage of this Bill for Second Reading.

Hon. Archibong Henry Okon (Itu/Ibiono Ibom): I support this Bill and I thank the Mover because it is very germane. In supporting this Bill, each time that we rise up to speak about cancer, we are always presenting a *prima facie* as if cancer is not being treated in Nigeria; as if cancer is always treated outside this country. As a medical doctor, I can tell you that thousands of cancer cases are being treated in Nigeria. The problem we have is that most of Nigerians only probably know two types of cancer, and each time we talk about cancer, we are talking of prostrates cancer i.e. cancer of the prostates or cancer of the cervix.

We have cancers like burkitt's lymphoma which is very common in young age group and those ones are very amenable to drugs. A lot of these cancers are being treated and that is why we must encourage research, also encourage this Bill to scale through because once that is done a lot of capital flights that leave this country to India will not be there.

The reason we must support this Bill and support the establishment of this Cancer Research Centre is that Cancer is insidious in onset. By that I mean it starts slowly, quite unlike malaria that is acute illness that can kill, it starts slow; and that means it gives us time to prepare. For instance, you can hardly find prostate cancer below the age of fifty years because by the time you get to fifty years, your prostate starts to enlarge and there are certain things that cause your prostates to enlarge. You can never have cancer of prostate in females because prostate gland is not found in females. You can never have cancer of cervix in men because men do not have cancer of cervix.

In most cases of cancer, we know the causes of cancer. It is easier for us to prevent it. For instance there are cancers that are associated with lifestyle. For example when you talk of cancer of the lungs you attribute it to people that smoke; and people that stay around people that smoke; and hardly will you find such cancers where people that are not smoking would be there. When it starts, it does not just start and kill you immediately; it starts and gives you time and that is why it is insidious and it gives us time to prepare and we can research.

You find out that some cancers that are prevalent in other countries are not found in Nigeria. When we look at all these, and the fact that a lot of these cancers are being treated here in Nigeria, then we must encourage this research and this Bill to scale through so that we keep a lot of foreign exchange that leave this country back into this country.

Apart from that, cancer is also a chronic illness; is not an acute illness, even when somebody has had

cancer, the person does not just wake up and die like malaria or pneumonia or meningitis that kills more; the person has time. For example, when you have cancer of the breast, or cervix, it does not just kill you in one day except if it has reached the late stage. When we are talking of cancer, we talk of the primary prevention which allows you to prevent it before it develops; when you talk of the secondary prevention, when somebody has already had cancer, and he is being treated, you can prevent it from extending to a more complicated stage and it gives you time.

Now, when you want to talk of the third degree prevention is when you have had it; for example, you had cancer of the cervix and is being treated, the complication has arisen, you try to prevent further complications from happening.

This Bill for me is very germane and it needs to be supported and then we must also encourage, like I said, let us not be disillusioned, Cancer is being treated in Nigeria. In fact it is one illness that if a lot is being put into it, it can be treated. Now my Colleague has just said that it is only one machine that exists in this country and that is true. Take for example somebody that is going for treatment for cancer of the cervix or cancer of the breast where you need to have chemotherapy. This chemotherapy, it keeps, once you take a dose of Methotrexate for cancer treatment, because cancer cell; cancer is just a part of your body cell that develops faster than every other cell in the tissue.

For example, you have your breast; a part of the breast now decides to develop as many times as possible – many million times faster than your normal cell. When you take Methotrexate which is part of the treatment, it kills your normal body cells more than the cancer cell. That is why when somebody that is on cancer treatment, a beautiful lady or a very handsome man just becomes very aged and ill because a lot of tissues are being destroyed. When you go for radiotherapy we have only one machine. After a bout of radiotherapy, you are supposed to be given a time for you to rest. We call it a resting phase so that your body would recover.

Now because we have only one machine, by the time you are supposed to go back for another treatment, a lot of people are queuing up for just that one machine. You now find out that most of them would now die in the process because the time you would have gone for the treatment has passed. Once that is done, your body becomes resistant to the drug.

Apart from encouraging this Bill, we must also encourage that the Tertiary Institutions, like Teaching Hospitals have as many of these machines as

possible. Once this is done is done, the money that is being taken out of this country to India will be preserved in this country. It will also create a lot of jobs for our teeming Nigerians who are actually the ones that are actually treating these Cancer cases when they leave the shores of this country. I support this Bill in all amount of sincerity.

Hon. Sunday Adeyemi Adepoju (Ibarapa East/Ido): I thank the Sponsor of this Bill because this is a Bill that was supposed to have come looking at the prevalence of the disease called Cancer and look at the effect on the teeming population of Nigeria. This is a Bill that does not need much of talking because it is a thing that affects the poor and the rich. As we are here today we pray that it does not happen to any one of us.

Some of us that are privileged by virtue of our position, we can bring out one or two dollars to go and spend on our wives or our friends and family for treatment. What of those who are outside there? Many are dying daily, dying of ignorance, dying of treatment and dying of prevention.

Now what are we supposed to do that people have taken it upon themselves to bring the Bill? It is supposed to be given accelerated hearing. It does not need much debate. Set it in motion and ask the Federal Government to put it in place. I do not need to talk much.

Hon. Mohammed Sani Abdu (Alkaleri/Kirfi): Just like my brother, Hon. Sunday Adepoju has said, in fact we need to give this Consolidated Bill accelerated hearing and also expedited implementation of all the resolutions and findings therewith.

Sir, my wife that I married when I was 23 years old and she was 17 died of breast Cancer. She died of breast Cancer after marrying her for 15 years; and a Cancer relation but she died in another country. At that time, we did not have a single Cancer treatment hospital in Nigeria. The close one is at Igbinedion Hospital in Edo State and we went, unfortunately they did not have radiotherapy machine. We went to Lagos University Teaching Hospital (LUTH; at that time all the Nigerian Hospitals were under strike; I am talking about 1996.

I had to take her to United Kingdom where she went for Chemotherapy, Radiotherapy and ultimately we have to be following the consultant, oncologist who migrated to Indonesia and she died there. I have been living with this psychology for these 20 years.

Right now, I came over to tell you that I have a picture of my sister who is now in the National

Hospital for nine good weeks. In these nine weeks, I am spending ₦1.7 million and that is the letter I have written through the Chairman, Committee on Health for going to Chemotherapy. Her Septic alone that can attack the Cancer cells will cost ₦1.3 million plus other auxiliary drugs testosterone etc. for ₦120,000. By the time you go, I am not talking about bed-space, or handling and so on.

We need National Cancer Control, National Cancer Centre, National Cancer enlightenment programmes, and National Cancer health education all over. In fact, prevention is better than cure as far as Cancer is concerned. Since it is just a misbehaviour of cells, like my brother Doctor said, until it becomes harmful and has already eaten up before it is detected. If we have a National Cancer Control Centre, people will be trouping there for check and they will also be educated and it will be prevented. This is because once it is detected early, and with even a few drugs.

Again we have another sector, something that caused my sister to suffer; she was married; she had Cancer we did not know, she was with her husband, they keep on going from one Local Government to another, from one State to another for local treatment and she is not feeling well; before we know it, I came and brought her here and now she is almost going to waste. There is the need for us to consider everybody is vulnerable.

Women have Cervical Cancer and Breast Cancer while men have prostate Cancer; there is lung cancer, every part of the body. Some have brain tumour and so on. The Cancer cure is terribly expensive. The mental excruciating pain both of Cancer relation and Cancer patients you cannot quantify. You have to put them on Morphine the highest and analgesic on earth to keep them at per. Many of them if you go to the National Hospital you will see.

Unfortunately, our town hospital we call the National Hospital is not prepared at all to treat Cancer. Unfortunately we have only one Consultant Oncologist and he has to go from Maiduguri, Port-Harcourt and Sokoto. He is either consultant here or the, so patients are lining up, you cannot see him. The residence doctors are not enough and the nurses are so overworked that they are now very inhuman. So we have a problem.

We need to look at this carefully and quickly to assist ourselves. Everybody is vulnerable. The kind of oil we eat, the kind of food, our live style has so changed, genetically modified food that we take now are so dangerous, we have carbon toxification, the kind of cars when we go into our cars we put on air-conditioner, we cover ourselves, a lot of toxins, we

cook *moi moi* inside polythene bags. A lot of things that are our lifestyle, we need education and enlightenment, but we need a focal point that can really take us through this excruciating and devastating disease that is ravaging us all.

That is why I am looking for Chika Okafor to help me get some subsidy from National Housing Insurance Scheme (NHIS). I am paying ₦1.7 million every 3 weeks for chemotherapy alone. Imagine, ₦1.7 million! I am at least not poor, those that are poor, how can they go through?

I support this Consolidated Bill and we need to be responsible. We are helping ourselves; we are not helping any other. We especially the elites are more vulnerable than any other group. Those other groups at least live in the villages, they take organic foods much more than us, we live in urban areas with pollution both in our water, foods and lifestyles, and so on. I thank you for the opportunity. I passionately, emotionally and educationally support these Bill.

The Speaker: The Deputy Minority Whip will round up the debate.

Hon. Yakubu Umar Barde (Jemaa/Sanga): Thank you for allowing me to contribute to this very important Bill. I consider it very important because it has to do with the health of Nigerians. If we remember in this country we have lost very prominent and important people which with a sad heart I like to mention. We know of the former President's Wife, Mariam Babangida, the broadcaster, Yinka Craig, Gani Fawehinmi, to mention just a few, they all died because of Cancer related ailments.

I thank all the contributors and especially the doctor who is our Colleague who contributed as he highlights the awareness to us, the prevention and the treatment of cancer. I am very sure the motive behind the need to have a Cancer Centre has to do with ourselves and also for the downtrodden.

As I highlighted, the awareness today about cancer is very low in Nigeria. If you go to various villages, you will see people being sick because there is no access to diagnosis. They treat themselves with herbs and different medicines which necessarily do not cure or prevent cancer. I am very sure the motive behind bringing this issue here is to try to create awareness. If we have such Centre, people in the villages will have access to awareness, to any diagnosis so that this cancer in some cases is preventable and in some cases it is manageable. Most at times because of lack of awareness and early diagnosis, the cancer has eaten deep into the cells of

the person and at the end of the day treatment is expensive or it is not even affordable.

I am very sure if we are able to have this Centre that will create awareness, people will know where to run to. The issue here is that people will be sick and they will go to various hospitals and the centre is not even there. Therefore, they neither get the treatment, diagnosis nor the awareness; so a lot of people will just die.

From the analysis that was made by Mover of this Motion, you could see that even every minute a lot of men die of prostate cancer, women die of cervical cancer. With a sad note, I lost my father because of lack of early diagnosis of liver cancer. We went to various hospitals and anyone you go to, they will just make assumptions because the machines are not there.

As a Parliament of the people, we should support this Bill so that it will go for Second Reading in order that Nigerians who are not privileged, because some of us have the privilege of even going to hospital to find out what is wrong; some Nigerians cannot attempt to go to the hospital. They just lie down in their house and die and leave everything to fate because the money to go to the hospital is not there.

We should support this Bill so that it goes for Second Reading, so that Nigerians will know that their health is our concern. It is also good for ourselves because I am very sure today if we take a statistics of Members in this Parliament, one or most of us must have lost a relation due to cancer.

This is the Bill that should be supported and I believe we should have deliberate effort to follow up even after the Bill must have gone for Second Reading to make sure that the government does something deliberate to see that our people do not die on issues or diseases which if early detected could be prevented and could be managed.

Thank you for allowing me to contribute to this very important Bill; I feel I am doing a service to my nation and even to the people who are lying down in different places with this very disease.

Question put and agreed to.

(Bill read a Second Time and referred to the Committee on Health Institutions and Healthcare Services)

ANNOUNCEMENT

GMOs Motion slated for Tomorrow, Thursday, 23rd June, 2016

The Speaker: In the course of the contribution to the debate on the Bill that has just passed Second Reading, Hon. (Dr.) M.S. Abdul just raised the issue of Genetically Modified Organisms (GMO) foods. A Member has raised that issue and he intends to table it before this House as a Matter of Urgent National Importance, on the issue of GMO that has been approved by a Federal Government Agency for a company to start importing into Nigeria. That Motion will be taken tomorrow hopefully.

I am announcing this so that members can prepare themselves since it is a Matter of Urgent National Importance, so it means it is not listed anywhere, the notice is not there so I want to formally give this notice that tomorrow the matter will be debated. Members should acquaint themselves with that so that we can have an enlightened debate on the GMOs tomorrow.

Community Service for Offenders (Regulatory) Bill, 2016

Bill for an Act to Regulate Community Service for Offenders in certain cases, to Require a Person Convicted of a Minor Offence, with the consent of the offender, to perform Community Service in lieu of Imprisonment; and to Provide for Other Related Matters (HB. 488) 2016 –

Order for Second Reading.

The Speaker: The third Order of the day is commencement of debate on the general principles of a Bill for an Act to Regulate Community Service for Offenders in certain cases, to Require a Person Convicted of a Minor Offence, with the consent of the offender, to perform Community Service in lieu of Imprisonment and to Provide for Other Related Matters (HB. 488).

Hon. Members will recall that the Bill was read the First Time on Wednesday, 20th April, 2016. I now invite Hon. Henry Nwawuba to move that the Bill be now read the Second Time.

Hon. Nwawuba Henry Ndochukwu (Mbaitoli/Ikeduru): I move that a Bill for an Act to Regulate Community Service for Offenders in certain cases, to Require a Person Convicted of a Minor Offence, with the consent of the offender, to perform Community Service in lieu of Imprisonment; and to Provide for

Other Related Matters (HB. 488) 2016 be read a Second Time.

Hon. Idisi Lovette (Ethiopia East/Ethiopia West): I second the Motion ably moved by Hon. Nwawuba.

Question proposed.

Hon. Nwawuba Henry Ndochukwu: Mr. Speaker, you will recall a Report some time ago where a resident in Lagos was sentenced to two days imprisonment for refusing to pay a toll fine on the Lekki Expressway. I believe that there are certain crimes that do not require a jail term. A Community Service is a form of punishment wherein an offender usually in cases of minor offences or a first timer is given social responsibility in lieu of jail term. This is a form of social responsibility and it ranges from an array of options. It is best guided by the Local in question. This Bill proposes Community Service as an alternative punishment for minor offences.

Community Service is hinged on the principle of restorative justice and that simply means a justice approach that is focused on the needs of the victims of the offenders as well as they involve community. This contrasts to more punitive approaches where the main aim is to punish the offender or satisfy abstract legal principles. Community Service has been successfully used in other climes especially the United States, Canada and in Europe; even in Australia with very great rewards. It provides an option for criminal sentences with services as an alternative to incarceration.

This Bill seeks to promote the consciousness and concept of community service for minor offences which carry six months and below. Therefore a convict would perform services living in the community rather than from the confines of the prison yard. This Bill seeks to extract the resourcefulness of a convict, which would make the convict easily reintegrated into society.

The Bill is divided into 12 parts and as we all know my dear Colleagues, the emphasis now globally is on the word reform; reforming the minor offender for certain societal gains is more advantageous than the labelling theory. My dear Colleagues our prisons are gradually becoming overcrowded; they can no longer contain the swollen convicts that are being turned out from our Courts.

You will recall on the 3rd of November, 2014 there was a jail break in Kotonkarfe Prison where about 144 prisoners were freed. We have other various instances across the country; prisons in Minna; and even the Federal Prison in Ado Ekiti were invaded where about 250 prisoners were freed.

There is this example in United Kingdom where they have Rehabilitation of Offenders Act of 1974.

There are notable cases of people who have been successfully reintegrated into the society after community service. For example, one Khalid Missouri a former Robber turned successful and respected Solicitor. We have another example, Gary Bale, a former fraudster who became a successful Barrister. A good example of the benefits of Community Offenders Bill is that the professionals who commit some of these crimes can now be used to render services within their professions.

My dear Colleagues, in the United States for example minor cases of offences, after certain number of years are wiped away from the criminal records of the perpetrator, they are completely deleted. This Bill is pushing for the same that the punishment should fit the crime. There is also a gain in the reduction of the cost of incarceration. This is because crime hurts; I think that justice should heal. I count on your support to this Bill.

Hon. Aminu Shehu Shagari (Yabo/Shagari): I support this important Bill which seeks to introduce community service but my little quarrel is that it says in lieu of imprisonment. I feel it should just be a community service not to the discretion of the convict. It should be to the discretion of the Judge. If feel that some offences are so minor that given someone a fine or sending him to the prison, would not do the desired effect of reforming the convict. This is because sentences are not supposed to be punitive or to punish the person but it should be reformatory.

If for instance you are driving under the influence and you caused bodily harm to other people, the best way you can see the consequences of your action is to probably serve in an accident an emergency centre in a hospital, where you would see patients coming in day in day out with broken limbs and blood, then you see how people suffer, just because someone somewhere was careless and driving under the influence. It would open your eyes to the effect or consequences of such action. This would reform the person rather than being incarcerated in a prison where he will mingle with hardened criminals, which rather than reforming the person, it teaches him of other vices or crimes he is either to unaware of.

Also some very important personalities, rather than being confined, it will be more dehumanising or degrading or rather of more of reformatory if they are placed in a place where is kind of humiliating on their persons. For instance, a person could be made to hold; I saw a person holding a sign thing; I did this and that which is not right and he was holding the

sign from morning, maybe he was made to stand there in a corner of a Street for about three hours a day and he does this for like two weeks. This is enough Reformatory Sentence to him.

I feel that this is a very important Bill and it will do our justice system a great assistance if we pass it. I urge my Colleagues to please support it and let it go through Second Reading.

Hon. Benjamin Wayo (Kwande/Ushongo): Ordinarily, I would have thrown in my support on this Bill but my worry about it is the way it is captured. I do know that we have Penal Code in the North and Criminal Code in the South. Both Codes captured minor offences and there is punishment prescribed in both codes for minor offenders. It would have been better to bring in a Bill to amend the Penal and Criminal Codes.

The issue of prescribing a punishment to offender is completely at the discretion of the trial judge who sees that offence requires trial. He also has the discretion to apportion a punishment to an offender, whether the punishment is minor or not, he now prescribes punishment for each offence.

An example in a Penal Code; you have a punishment of canning. I recall about 22 years ago, when I was a Magistrate and a student was brought before me for an offence of disturbing public peace. I looked at the crime, took evidence and at the end of it, I decided that based on the available punishments, I decided to sentence him to 6 strokes of cane. That was all and he left.

I believe that this kind of Bill ought to have been by a way of amendment to the existing Penal Codes and Criminal Codes. That is my submission on this issue.

Hon. Idisi Lovette: Mr. Speaker, as a way of image laundering from the ambush that I survived a few minutes ago, I lend my voice to the all-important Bill that is before this House.

I support this Bill in its entirety taking a rider from my Colleague on the issue of the criminal and penal code in our criminal justice system. The issue of community service replaces the issue of canning, which in my view is barbaric and it is obsolete in common criminal practice globally. So, the introduction of the community service in our criminal justice system is highly commendable and we should support this Bill in totality.

Furthermore, this Bill is in line with global standards. Community service is a practice globally

accepted as a correctional measure, and the essence of embarking on this is to correct those that have been found guilty, rather than transforming them into animals or setting up standards that will not actually reform them to be re-injected back into the society. I support this Bill in its entirety that community service is less of a punitive measure and it is more of a correctional measure.

Hon. Badru Enitan Dolapo (Lagos Island I): My point on this is that we should try as much as possible to differentiate between bringing up a new Bill and setting up an amendment to the existing penal code on the law that already exists.

I support the idea which my Colleague is trying to bring the Bill on but do we need a new law to seek an amendment to an existing penal code or criminal justice system? I support the idea *in-toto* but it should come in form of an amendment to the existing Act instead of bringing a new Bill entirely.

Hon. Pwajok Edward Gyang (Jos South/Jos East): I lend my support on this Bill and I will do so very briefly. I would not have spoken but for the observations made by some previous speakers on whether this should be a stand-alone Bill or to come by way of an amendment to the Penal Code. If you go by the route of having to amend the penal code or the criminal code, so as to take care of this very important progressive step of introducing community service; then let us look at the nature or the legal framework of our laws in Nigeria.

There are different kinds of laws in Nigeria; different kinds of penal codes in Nigeria and not just the ones that are known to us. The Customs has their own laws; Drug Law Enforcement Agency has their own laws; there are different institutions that have their own laws, the DSS has its own laws; are we saying that we should begin to amend them one by one? Probably, over 100 different laws; before this law becomes effective. Once this law which is a stand-alone law becomes effective, it will bind all other laws automatically.

It means that once a Court convicts, the Magistrate or the Judge of which ever Court which sees the facts of the matter will say, looking at this law that the National Assembly has passed, since it is a minor offence, well, you are sentenced to go to this correctional facility. So, it takes care of the entire matter instead of saying; well, it is a penal code matter, amend it first or it is a criminal code matter, amend it first. There are different kinds of laws, they are over 100 and I do not want to begin to mention them one by one, but this law takes care of all the other laws that we are talking about.

I support this Bill because it is progressive and it is where the nation needs to move to because some minor offences really, the convicts do not necessarily need to go to our prisons, which do not even have the facilities to reform those who are in the prisons but if we have correctional facilities, we need to look at how those persons will be reformed. Therefore, I support this Bill.

Question put and agreed to.

(Bill read a Second Time and referred to the Committee on Interior)

Protection of Human Rights Online (Provision) Bill, 2016

A Bill for an Act to Provide for Protection of Human Rights Online, to Protect Internet Users in Nigeria from Infringement of their Fundamental Freedoms and to Guarantee Application of Human Rights for Users of Digital Platforms and for Other Related Matters (HB. 490) 2016 –

Order for Second Reading.

The Speaker: Hon. Colleagues, the fourth Order of the day is commencement of debate on the general principles of a Bill for an Act to Provide for Protection of Human Rights Online, to Protect Internet Users in Nigeria from Infringement of their Fundamental Freedoms and to Guarantee Application of Human Rights for Users of Digital Platforms and for Other Related Matters (HB. 490) 2016.

Hon. Members will recall that the Bill was read for the First Time on Wednesday 20th April, 2016. I now invite Hon. Chukwuemaka Ujam to move that the Bill be now read a Second Time. I hope this is not another version of the anti-social media Bill?

Hon. Ujam Chukwuemeka (Nkanu East/Nkanu West): I move that a Bill for an Act to Provide for Protection of Human Rights Online, to Protect Internet Users in Nigeria from Infringement of their Fundamental Freedoms and to Guarantee Application of Human Rights for Users of Digital Platforms and for Other Related Matters (HB. 490) be read a Second Time.

Hon. Saidu Sani Fago (Daura/Mai'adua/Sandamu): I second the Motion ably moved by Hon. Ujam.

The Speaker: Hon. Members, please, kindly listen to him, because I do not want a run on the House from the social media users.

Question proposed.

Hon. Ujam Chukwuemeka: The entire House is safe. It is a Bill for an Act to Provide for Protection of Human Rights Online, to Protect Internet Users in Nigeria from Infringement of their Fundamental Freedoms and to Guarantee Application of Human Rights for Users of Digital Platforms and for other for other Related Matters.

Background:

There are quite a number of international documents and charters that Nigeria as a nation subscribes to as a member of the international comity of nations that seeks to make the access to and freedom on the Internet a right of citizens. The United Nations Human Rights Council in 2012 adopted a new resolution on the promotion, protection and enjoyment of human rights on the internet.

The African Charter on Human and People's Rights recognizing the African Charter on Human and People's Rights of 1981, the Windhoek Declaration on Promoting an Independent and Pluralistic African Press of 1991, the African Charter on Broadcasting of 2001, the Declaration of Principles on Freedom of Expression in Africa of 2002, and the African Platform on Access to Information Declaration of 2011 and the African Union Convention on Cyber-Security and Protection of 2014 advocates for

1. Openness
2. Internet Access and Affordability
3. Freedom of Information

Bill Analysis:

The Digital Rights and Freedom Bill is a proposed law that is intended to guard and guide the today's Internet user in terms of his freedom, safeguarding his rights and his protection against any form of infringement. The Bill is a 41- page document divided into twenty-six Sections including an Interpretation Section to conveniently convey the intendments of the proposed legislation. The Bill is divided into seven parts; each part is for ease of reference to any part of the Bill.

The first part of the Bill details the preliminary goals of the Bill which include its objectives, application (those who the Bill intends to directly affect), Interpretation and the Short Title. The second part deals solely with Fundamental Rights and

Freedom. Here, the Bill focuses on the use of private data and amount of improvement in its use by also providing for expository explanations on what will constitute an offence by carefully defining them. The third part explains the offences and punishments.

The fourth part of the Bill explains its mode of administration and enforcement which will not only see the Bill when passed into law as effective but also ensure that it is optimally implemented. The fifth part also discusses jurisdiction and international co-operation on the Bill. Considering the nature of this Bill, in addressing digitalization which is the major tool of globalisation in today's world, this part ensures that an outward disposition is created for the Bill which when passed will help Nigeria to compete favourably with the international comity.

The sixth part of the Bill deals with Searches, Arrests and Prosecution. This is a follow-up on the forth part of the Bill which espouses administration and enforcement which ensures that the reel of justice is completed in proper implementation of the Bill. The seventh part deals with the miscellaneous part of the Bill as regards Regulations and Schedules.

The Digital Rights and Freedom Bill when passed to Law will show the seriousness of the Nigerian politics in its readiness to have due respect to human rights, attract trust and integrity for foreign investment and place Nigeria within the digital ecosystem it belongs to and push the global ICT for Development goals.

Justification for the Bill:

A number of reasons justify the drafting of the Digital Rights Bill and which I believe should encourage its speedy passage into the law. The following are some of the benefits that will accrue from this Bill:

- The Bill strengthens citizen's right to the internet and its free use without undue monitoring- section 5 of the Bill.
- The Bill brings to the fore true owners of personal data which are the owners themselves.
- The Bill encourages and stipulates due process that should be followed before access is granted to governmental agencies and others to personal data of citizens- section 12 of Bill.
- Nigerian citizens will now have a right to know how data collected about their participation in the online system will be

used by the organization- section 11 of the Bill.

- The Bill provides clear definition for new digital terms such as protection of personal data and engage the terms exhaustively- section 13 of the Bill.

- For the first time, there is a direct provision that tackles how consent must be gotten for collection, use and disclosure of personal data including that of legislators- section 13(7) of the Bill.

- The Bill also provides against Hate speech online in Nigeria- section 20(3) of the Bill. For the first time in the history of Nigeria, and by extension Africa, offences relating to the ownership of personal data, hate speech online is addressed through the instrumentality of this piece of legislation called the digital rights Bill. In recent times the online platform has become a haven for unscrupulous persons to encroaching into the personal space of law abiding citizens of this great country and publishing online contents that are capable of defaming and assassinating the character and reputation of persons who have become victims of massive media onslaught.

- For the first time in Africa, the Bill addresses that equal access be given to everyone to the internet. This will assist the Nigerian ICT sector to propel its innovative ideas that is most needed to drive the sector to maximize its potentials.

- This piece of legislation provides for e-governance which refers to the application of information technology for delivery of government services. This is a commendable catalyst, especially at this epoch where government is seeking to diversify its economy. This will assist in helping government deliver faster on its mandates to the Nigerian citizens. Also, this serves as a melting point for the Public-Private Partnership which will help transit Nigeria from a state- controlled economy- section to a market economy that drives a 21st century compliant economy – Section 19 of the Bill.

Beyond the foregoing, Nigeria has a huge demographic, economic and political influence in Africa. The Federal government of Nigeria intends to further extend this leadership position. As can be seen in Nigeria's development plans and ICT policy documents, the government is counting on a digital economy that will respond to its needs in wealth

creation, citizen engagement, job creation, and economic and cultural innovation.

The internet brings prospects for tackling unemployment issues. Access to enterprise software and resources online are facilitating small and medium scale enterprise. The social media has become a platform where everyone has a voice and an audience. It is leading to personal growth, the right of all citizens to develop their arguments, skills and individuality as well as strengthening governance processes. Codifying online rights in Nigeria will not only encourage participation but also promote innovation in Nigeria through access to cutting-edge research from around the world.

Also bringing information to a wider range of citizens at no marginal cost is priceless; hence the time is ripe to encourage and enhance this process/development through legislation that promotes citizens' confidence and participation in the online space. However this intention and prospects are challenged by the lack of a legal framework, especially that which proactively guarantees the rights and freedoms of the citizens. Central to the passage of this Bill, will be Nigeria taking its rightful position in the centre stage of African development by passing into Law the first African Digital Rights legislation. This will not only serve as a veritable template for other African countries to copy from, but also open a vista of opportunities embedded in the ICT Sector in Africa.

In the light above stated facts; I humbly solicit for the passage of this Bill. There is nothing controversial in this Bill but we just want to protect the rights of online users.

Hon. Aminu Shehu Shagari: This is to speak on the general principles of this Bill, that means I did not say I am supporting it nor did I say am objecting to it but I want us to be very clear on what this Bill seeks to achieve. For the simple reason that our brothers and sisters in the Senate came up with a similar Bill, Senator Bala Ibn Na'Allah came up with a Bill that is somehow similar to this one and the press of course had a field day with that and there was so much pressure that the Senate had to withdraw that Bill, it was called Anti-Social Media Bill and that was not the name of the Bill.

The Bill actually tried to criminalise frivolous allegations; if you make a frivolous allegation against somebody, it is already out there in the media and before you can disprove that allegation or otherwise the image of the person is already damaged, but it was turned to be Anti-Social Media Bill.

In the same vein, this Bill, seeks to guide today's internet users in terms of his freedom, safeguarding his rights and his protection against any form of infringement. If you look at the arguments of the Sponsor of this Bill and he says: *for the first time there is a direct provision that tackles how consent must be gotten for collection, use and disclosure of personal data including that of legislators.*

I do not want us to be misunderstood as creating a Bill to protect ourselves only and that we are not making Bills for the protection of Nigerians. I advise thus that our Constitution provides for the fundamental human right of every Nigerian and that should be enough for now.

I advise the Sponsor of this Bill to further have more consultation especially with our brothers and sisters in the Senate (Senator Bala Ibn Na'Allah) who have been very helpful in this to see how we can synergise and bring a better Bill that will not be misunderstood just like the previous one. This is my advice and as the Constitution stands it is adequate to safeguard our fundamental human right.

Hon. Mohammed Sani Zorro (Gumel/Maigatari/S/Tankar/Gagarawa): My input to this very important Bill is in the following fashion: Firstly, there is the need for safeguard to be built into this Bill. Specifically speaking, I recall in other climes we have witnessed so many cases of infringement especially where security and intelligence agencies hack into the e-mail account as well as other correspondence of notably politicians, public office holders and journalist, this being their softest target.

I therefore implore the Sponsor of this Bill while extending his consultation beyond probably this very House to take into account the need that while security and intelligence agencies will also have the opportunity to tap into accounts or to monitor exchanges in any account etc., they are supposed to undertake such assignment within a legal framework.

I am happy to hear that a legal framework is embedded in it but for the purpose of stress there is the need to have a provision whereby for instance if they are suspecting a national figure or conduct that are detrimental to the State they probably need to go to a Federal High Court to obtain an injunction that will allow them to investigate you, using data as well as your electronic account.

If you are a public officer probably at the State level, there is the need for those who are to monitor you and interested in your activities based on suspicions also to go to a High Court of competent jurisdiction to obtain an injunction that will allow

them to hack into your account; also if it is at the local government level, at least a Magistrate must be able to give them that order before they can pursue or investigate you using data.

Generally speaking, it is not true that the social media cannot be regulated or there cannot be any attempt to regulate them. In Turkey, China, and United States of America and elsewhere there have been vigorous efforts to draft a Code of Conduct and a Code of Practice as well as a regulatory mechanism to which the social media must also subscribe. Here in Nigeria, yes there is an outcry by those who feel or perceive not necessarily correctly that they are going to be guard. We need to assure that massive stakeholder base out there that the Nigerian Parliament is not interested in gagging anybody; actually it is interested in expanding the frontiers of freedom of expression like it is captured appropriately in this Bill.

Responsibility has to be embedded in this Bill as well. While you have a role to play, you must be responsible. There are ample evidences to show that pace is also full of lies wherein people can just go into their rooms, craft and imagine things and upload them into the social space. This cannot be acceptable because we are also a society governed by rules; it is a law and order society. I am also in total agreement with the spate of the Bill and also happy that it has captured this concerns of safeguards.

Question put and agreed to.

(Bill read a Second Time and referred to the Committees on Human Right and Telecommunications)

ANNOUNCEMENTS

The Speaker: We have some announcements, please:

Notice of Meeting of the Ad-hoc Committee on Development and Standardisation of Manuals and Template

There will be a meeting of the Ad-hoc Committee on Development and Standardisation of Manuals and Template today in Suite 144.

Time: 2.00 p.m.

(Announcer)

*Hon. Aminu Shagari
Chairman*

**Change of Referral on National Independent
Warehouse Regulatory Agency
(Establishment) Bill, 2016**

The Speaker: Also, the Reference on the first Order of the day, which was on a Bill for an Act to establish the National Independent Warehouse Regulatory Agency and for other related matter. I want to change the reference.

We understand that the Minister just handed over the Warehouses to the Nigerian Stock Exchange and the Capital Market. The proper referencing will be that the Bill is referred to the Committee on Capital Market and Institutions.

MOTIONS

**Urgent Need to Save the Souls of People of Ife
Central Local Government Area of Osun
State from the Devastating Effects
of Gully Erosion**

The Speaker: The fifth Order of the day is a Motion on the Urgent Need to Save the Souls of People of Ife Central Local Government Area of Osun State from the Devastating Effects of Gully Erosion, standing in the name of Hon. Albert Abiodun Adeogun. He is now invited to move the Motion.

Hon. Albert Abiodun Adeogun (Ife Central/East/North/South): I take the leave of the House to move a Motion on the Urgent Need to Save the Souls of People of Ife Central Local Government Area of Osun State from the Devastating Effects of Gully Erosion.

The House:

Notes that Ife Central Local Government consists of many communities, amongst which is Oni-Ilare Line 1 Community which is inhabited by about 60,000 people;

Aware that Sabo/Fajuyi/Ilesa Road is a Federal Road that was constructed without proper drainage facilities, thus leading to serious occurrence of gully erosion which constitutes serious danger to the lives and properties of the people;

Concerned that the gully erosion has separated one Community from the other leading to disintegration and inability to effectively carry out commercial transactions, including impediment to vehicular movements as well as the collapse of schools, houses, shops and fences;

Also concerned that no positive step has been taken to stop the devastation caused by the gully erosion, which started more than ten years ago;

Believes that immediate action needs to be taken to avoid further loss of lives and destruction of properties;

Resolves to:

Urge the Federal Ministry of Environment and the Federal Road Maintenance Agency (FERMA) to construct proper drainage system along Sabo/Fajuyi/Ilesa Road and also to create channel for water flow from Ilare, Sabo, College, Fajuyi, Hezekiah Oluwasanmi Road in Ile-Ife to the canal behind Obafemi Awolowo University Teaching Hospital, Ile-Ife, Osun State.

Hon. Ayeola Abayomi Abdul-Kabir (Ibeji-Lekki): I second the Motion ably moved Hon. Albert Abiodun Adeogun.

Question put and agreed to.

Resolved to:

Urge the Federal Ministry of Environment and the Federal Road Maintenance Agency (FERMA) to construct proper drainage system along Sabo/Fajuyi/Ilesa Road and also to create channel for water flow from Ilare, Sabo, College, Fajuyi, Hezekiah Oluwasanmi Road in Ile-Ife to the canal behind Obafemi Awolowo University Teaching Hospital, Ile-Ife, Osun State.

(Pursuant to VIII, Rule 51 (5) of the House Standing Orders, Motion referred to the Committee on Environment and Habitat)

**Urgent Need to Investigate the Process of Digital
(Broadcast) Switch Over now Slated
for June 2017**

The Speaker: Hon. Colleagues, the sixth Order of the day is a Motion on the Urgent Need to Investigate the Process of Digital (Broadcast) Switch Over now Slated for June 2017: standing in the name of Hon. Chris Azubogu. He is now invited to move the Motion.

Hon. Chris Emeka Ifeanyi Azubogu (Nnewi North-South/Ekwusigo): I move a Motion on the Urgent Need to Investigate the Process of Digital (Broadcast) Switch Over now Slated for June 2017.

The House:

Notes that for the second time, Nigeria has failed to meet the deadline for Digital Switch Over (DSO) from analogue transmission to digital terrestrial transmission;

Aware that the National Broadcasting Commission (NBC) the regulator of broadcasting in Nigeria is saddled with the responsibility to comply with this policy of the International Telecommunications Union (ITU), which Nigeria is a member;

Worried that despite the NBC being advised by the digital team to issue one (1) Signal Distribution Licence to a strong and reliable technical company, it went ahead and issued three (3) independent licences, thereby causing confusion in the market;

Also worried that the failure to consider telecommunication companies that have the needed critical infrastructure like fibreoptic network as key stakeholders in the process of issuance of DSO made the proposed solution to look inefficient and wasteful, considering the number of satellite dishes scattered in Jos, Plateau State where the pilot scheme was launched by the Ministry of Information and Culture;

Cognizant that the driver of DSO process would have allowed content providers to include the Graphic User Interface (GUI) solution but this was separated and given to a relatively unknown foreign outfit with little or no technical knowhow to solely handle, and it was given the responsibility of providing GUI for over 25 million homes and offices, leaving the entire data that could also be used for other purposes like security and commercials, in the hands of a foreign company;

Observes with dismay the fact that the Government has paid billions of Naira to private companies to import Set-Top Boxes and Graphic User Interface (GUI) for over 20 million viewers in Nigeria;

Also observes that the harvested bandwidth frequency spectrum freed up in the process of digitalization was sold to MTN without recourse to due process, thereby increasing the chances of creating a monopoly in the broadcasting Industry;

Concerned that with the June 2017 date for the switch over being just 12 months from now, Nigeria will be required to procure over 20 million units of Set-Top Boxes from China, hence the urgent need for the Standard Organization of Nigeria (SON) to be alive to its mandate of ascertaining the quality of the boxes that will be sold to Nigerians to ensure that

they meet the minimum standard required and are also cost effective;

Resolves to:

Constitute an *Ad-hoc* Committee to carry out the following actions and report back to the House within 8 weeks:

- (i) Invite all Stakeholders involved in the DSO programme with a view to ensuring that the process will meet the deadline; ensure quality and cost effective services to Nigerians;
- (ii) Investigate the sale of the harvested Bandwidth to MTN, and the concession of the GUI value added services to In View Tech Ltd of United Kingdom; and
- (iii) Ascertain whether the Aggregators that were paid billions of Naira to supply over 20 million Set-Top Boxes are capable of meeting the deadline.

Hon. Simon Yakubu Arabo (Kauru): I second the Motion as moved by Hon. Chris Azubogu.

Hon. Akande-Fijabi Saheed (Ibadan South West/Ibadan North West): Mr. Speaker, I have a Point of Order.

The Speaker: Hon. Saheed, what is your Point of Order?

Hon. Akande-Fijabi Saheed: It is just a Point of Information.

The Speaker: There is no Point of Information in our Rules.

Hon. Akande-Fijabi Saheed: The information is that we are already doing some work on this Motion and there is no reason to duplicate our work in the House. This is because the other time I brought a Motion on Aviation, the Chairman Committee on Aviation said that they were working on it and he asked that the Motion be stepped down and I did so. I am just giving the information to the House; we do not have to duplicate our job.

The Speaker: But this is not Committee on Telecommunications at all. This is Information Committee.

Question put and agreed to.

Resolved to:

Constitute an *Ad-hoc* Committee to carry out the following actions and report back to the House within 8 weeks:

- (i) Invite all Stakeholders involved in the DSO programme with a view to ensuring that the process will meet the deadline; ensure quality and cost effective services to Nigerians;
- (ii) Investigate the sale of the harvested Bandwidth to MTN, and the concession of the GUI value added services to In View Tech Ltd of United Kingdom;
- (iii) Ascertain whether the Aggregators that were paid billions of Naira to supply over 20 million Set-Top Boxes are capable of meeting the deadline;

(Pursuant to VIII, Rule 51 (5) of the House Standing Orders, Motion referred to the Committee on Information).

Call on the National Identity Management Commission (NIMC) to Maintain and Continuously Update a Comprehensive Database of Nigerians

The Speaker: The seventh Order of the day is a Motion on a Call on the National Identity Management Commission (NIMC) to Maintain and Continuously Update a Comprehensive Database of Nigerians, standing in the name of Hon. Omoregie Ihama. He is now invited to move the Motion.

Hon. Ogbeide-Ihama Omoregie (Oredo): My Motion is on the call on the National Identity Management Commission (NIMC) to Maintain and Continuously Update a Comprehensive Database of Nigerians.

The House:

Notes that since Nigeria's independence in 1960, the country has not been able to conduct a reliable and acceptable census exercise and as a result, it has not been able to have an accurate and centralized database to guide national planning;

Also notes that knowledge of the exact population and demographics of a country is cardinal to national planning as it will facilitate equitable redistribution of national wealth and also the spread of development;

Aware of the data captured by various agencies like the Federal Road Safety Corps, the Independent National Electoral Commission, the Nigerian Communications Commission through the telecommunications companies and very recently, Commercial Banks through the Bank Verification Number (BVN) initiative, yet these data are not centralized and none of these agencies can rely on the other to get accurate information on Nigerians;

Also aware that the data captured by these agencies are limited to their areas of operation to the exclusion of the larger population; and even the current regimes of National Identity Cards, National Drivers Licence and Permanent Voters Cards only cover persons who are 18 years and above or persons with interest in the agency's area of operation;

Observes that countries with centralized national database like the United States of America, United Kingdom, Germany, China, Kenya and South Africa have recorded growth and development, minimal levels of corruption, high security surveillance, effective immigrant control, social security and welfare and effective tax systems;

Convinced of the need for a centralized database to capture Nigerians of all ages, gender, ethnicity, etc, which will specifically identify all citizens and foreigners living in the country as this will aid the government in statistical planning and realistic budgeting, security surveillance, social security and welfare, immigrants' control, fight against corruption and provision of infrastructure.

Resolves to:

- (i) Urge the National Identity Management Commission (NIMC) to regularly update its centralized national database to capture Nigerians of all ages, gender and ethnicity;
- (ii) Also urge the Federal Ministry of Interior to interface with relevant agencies like the Federal Road Safety Corps (FRSC) and the Nigerian Immigration Service with specialized data to integrate and share their data into the Central Database platform;
- (iii) Further urge the Independent National Electoral Commission (INEC), the Nigerian Communications Commission (NCC) as well as the Central Bank of Nigeria (CBN) to ensure that relevant agencies/companies under them comply by synergizing their data into the Central Database platform.
- (iv) Mandate the Committees on Interior, Population, Federal Road Safety

Commission, Telecommunications, Banking and Currency, and Electoral and Political Party Matters to ensure compliance.

Hon. Agbonyinma Johnson Ehiozwa (Egor/Ikpoba/Okha): I second the Motion as moved by Hon. Ihama.

Question put and agreed to.

Resolved to:

- (i) Urge the National Identity Management Commission (NIMC) to regularly update its centralized national database to capture Nigerians of all ages, gender and ethnicity;
- (ii) Also urge the Federal Ministry of Interior to interface with relevant agencies like the Federal Road Safety Corps (FRSC) and the Nigerian Immigration Service with specialized data to integrate and share their data into the Central Database platform;
- (iii) Further urge the Independent National Electoral Commission (INEC), the Nigerian Communications Commission (NCC) as well as the Central Bank of Nigeria (CBN) to ensure that relevant agencies/companies under them comply by synergizing their data into the Central Database platform;
- (iv) Mandate the Committees on Interior, Population, Federal Road Safety Commission, Telecommunications, Banking and Currency, and Electoral and Political Party Matters to ensure compliance.

(Motion referred to the Committees on Population, Interior, Federal Road Safety Commission, Telecommunications, Banking and Currency and Electoral and Political Party Matters).

Need to Ascertain the Proceeds of the Treasury Single Account to Enhance Transparency, Accountability and Good Governance

The Speaker: The eighth Order of the day is a Motion on the Need to Ascertain the Proceeds of the Treasury Single Account to Enhance Transparency, Accountability and Good Governance, standing in the name of Hon. Adamu D. U. Kamale. He is now invited to move the Motion.

Hon. Kamale Adamu Dali Usman (Madagali/Michika): I move a Motion on the Need to Ascertain the Proceeds of the Treasury Single Account to

Enhance Transparency, Accountability and Good Governance.

The House:

Notes that the Treasury Single Account (TSA) is a financial policy being implemented by the Federal Government to consolidate all inflows from Ministries, Departments and Agencies (MDAs) into one single account maintained by the Central Bank of Nigeria with the aim of ensuring accountability of government revenues, enhance transparency and avoid misappropriation and misapplication of public funds;

Also notes that though section 80 (1) of the 1999 Constitution provides that "all revenues or other moneys raised or received by the Federation (not being revenues or other moneys payable under this 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", successive governments continued to operate multiple accounts for the lodgement of government revenues in flagrant disregard to the provision of the Constitution;

Aware that in 2012, the Federal Government ran a pilot scheme for a single account using 217 Ministries, Departments and Agencies as a case study, and the success of the scheme motivated the present Government to fully implement the TSA effective 15 September, 2015, leading to directives to banks to implement the technology platform that will help accommodate all MDAs in the TSA scheme;

Also aware of the disclosure by the Hon. Minister of Finance, Mrs. Kemi Adeosun as contained in The Guardian Newspaper of 4 March, 2016 that from the execution of the TSA, a balance of ₦2.9 trillion has been accumulated from the MDAs;

Cognizant that the introduction of the TSA has helped to improve the process of collection of revenues and will engender prompt settlement of matured government commitments which may eventually facilitate project completion and service delivery on schedule;

Worried that despite the laudable commitment of the current administration to combat corrupt practices, eliminate waste in public finance and ensure adequate fund flow that will be channelled to critical sectors of the economy to facilitate development, some establishments are still left out of the TSA platform;

Concerned that while section 80 (1) of the Constitution regarding maintenance of Federation Account provides a broad legal framework, it does not address the operational details, and concerns have been raised by the Revenue Mobilization, Allocation and Fiscal Commission (RMAFC) about the possible sharing of TSA funds among the tiers of government;

Observes that while there is no clear operational details as regards the management of the funds accumulated in the TSA, the need for its urgent utilization to discharge governmental commitments for development and good governance may be delayed to assess the anticipated impact of the policy;

Regrets that the objectives of TSA to institutionalize transparency, accountability and fiscal discipline in public expenditure may be negated if the plan for its utilization is not made public for purposes of accountability and transparency.

Resolves to:

- (i) Commend the Federal Government for implementing the TSA (Treasury Single Account) as a strategic device to curb corruption and enhance accountability in the management of public expenditure;
- (ii) Set up an *Ad-hoc* Committee to liaise with the Central Bank of Nigeria and any other agency of government that has official role in the implementation of the TSA, to ascertain the actual amount realized so far, the government's plans on its spending and the various government agencies from which such funds were obtained, including a comprehensive list of abandoned projects from which such funds accrued; and
- (iii) Urge the Federal Government to submit a comprehensive spending plan for the proceeds of the TSA to enhance the House Committees' preparations for oversight over its management.

Hon. Sopoluchukwu E. Ezeonwuka (Orumba North/South): I second the Motion as moved by Hon. Adamu D. U. Kamale.

Hon. Kamale Adamu Dali Usman: This Motion is timely and is very important for this Parliament and for all Nigerians. First and foremost, since the inception of TSA, a lot has been said about it but the rationale behind the establishment of TSA is very clear; we have agreed that it is to enhance accountability in our system.

The biggest question that is surrounding TSA is what actually is this money referred to? Is it a revenue or savings and when is it going to be applied and where is it going to be applied? It is very important.

I urge this honourable House to support this Motion so that we can know the exact situation how the ₦2.9 trillion has accrued into the TSA and those projects that have suffered due to time factor, the resources budgeted to them had been left in TSA.

There is a need for us also to know where we are going to apply this money. The Executive needs to give us a clear road map on how are we going to disburse this money because if you look at Section 80 of the Constitution, it talks about revenue but the money in TSA is it really revenue? It is a big question to answer and we really need to determine what exactly it is – that is by going through our extant laws to look at the situation we find ourselves and then come out with a proper recommendation as to how to implement or how to execute or how to expend the money that we have in the TSA. Is it very important?

The present economic situation does not allow us to look over this issue because we need money and resources to be pumped into the economy; the economy is really weak, so to say. We need money that we can revolve round, and create jobs. We need money that would go round to complete projects and this is why this Motion is on this Floor and I solicit for support from all my Colleagues to support this Motion.

Hon. Ibrahim Abdullahi Dutse (Dutse/Kiyawa): I am in support of the Mover of the Motion.

Hon. Pwajok Edward Gyang: I support this very important Motion sponsored by my good friend and Colleagues Hon. Kamale. The issue of Treasury Single Account is on the front burner of national discourse and that this government itself has raised it to the front burner of the national discourse. Thank God our honourable Colleague has already cited Section 80 (1) which gives cover to the Treasury Single Account.

I want to add that this Parliament under Section 88 of the Constitution has the power to set up the investigation that is asking for by way of this Motion. Every month the Federation Account Allocation Committee meets and publishes how much it shares to all the tiers of government. The Mover is not asking for any extra; he is only asking government, since government is transparent to even publish how much it shared between all tiers of government. Government should also publish periodically how

much is in the pool of the Federal government by way a Treasury Single Account. Doing so would avoid all kinds of rumours because people are now saying that government at times is delaying in the payment of salaries; broke or no money.

Meanwhile, people are saying that there are trillions of naira in the Central Bank by way of the Treasury Single Account. We do not know the true position. The only way to know the true position is by investigating and knowing how much is in that Treasury Single Account. Then this National Assembly pursuant to its powers will now do the needful like he has asked in the Motion. There is a need for a roadmap as to how we would implement this Treasury Single Account. Is it a revenue account? Is it a saving account? Or is it account where various MDAs warehouse their money and when they apply to the government then this money would be released for expenditure? Nobody knows.

I cannot give an answer, Speaker cannot give an answer – nobody can give an answer. The only answer that can be given is after the investigation, then we would now have a clear picture, the size of the funds, the nature of the funds, the purpose for which the funds are made for, all those things would be made clear after the investigation.

I second this very important Motion. It is in the interest of accountability and transparency. In fact, it would avoid all kinds of rumours that are going on in the country.

Hon. Ahwinahwi Solomon (Ughelli North/ Ughelli South/ Udu): First of all, I thank my Colleague who has come up with this Motion because it is quite timely and very important considering what we are having today in the country. I am here to support this Motion based on the reason of the Treasury Single Account.

It has really helped this country so much that lots of trillions of naira have been recovered. What we are talking is that when these monies are being recovered and then we have enough money then it all means it would help to develop the country. As a result where the monies are being placed in one place, there would be as according to my Colleague, there would be transparency, accountability and which shows that the government would be able to use the funds.

I urge my dear Colleagues to please support this Motion because it is quite important for our nation because President Buhari means so well by coming up with the Treasury Single Account.

Hon. Leonard Okuweh Ogor: I commend the present administration in line with the Single Treasury Account specifically as it borders on its implementation.

My Colleagues, as you can clearly see in the body of the Motion TSA is a Constitutional issue and it is spelt clearly in our Constitution under the provision of Section 80 of the Constitution. It read thus:

All revenues or other moneys raised or received by the Federation (not being revenues or other moneys payable under this Constitution or any Act of the National Assembly into any other public funds of the Federation established for a specific purpose) shall be paid into and form one Consolidated Revenue Funds of the Federation.

The concept of the implementation needed to be commended and I commend the government for abiding by the provisions of the Constitution. I state with emphasis again that my discomfort is the modality and the methodology of the collection. I am very concerned that government must have its platform under which it operates and not in any way to commercialising the collections of our resources.

It gives me a lot of discomfort and when the Committee is going to carry out the responsibility, I also want them to draw reference of the same Section 8(4) of the Constitution that stipulates very clearly that *no funds shall be withdrawn from the Consolidated Account of the Federation or any Public Account except by the manner prescribed by the National Assembly.*

The TSA fund or any funds that are going to the Consolidated funds, nobody and I repeat, nobody has the authority or powers to take a dime amount of that particular money, except the National Assembly vis-à-vis the provisions of the Constitution gives an approval for such withdrawals or any forms of deductions. The Committee should look deeply into all these.

These funds are clearly meant for budgeting purpose and whatever expenditure needs to be carried out is a constitutional responsibility so, if the government is going to come out with a budget, the budget will be guided by whatever funds that are available there. The Prayer 3 of the Motion is totally unnecessary because you are saying *urge the Federal Government to submit a comprehensive spending plan for the proceeds of the TSA to enhance the House Committee preparation for oversight its management.* No! These funds are purely meant for

budgeting because it is going to be spent in line with the constitutional approval.

It has no authority neither can anybody touched those funds without the approval of the government. It is purely on budgetary purpose. Let nobody be deceived because these are funds that are meant to be in the Consolidate Account of the Federation and without a budgetary process no government can spend any kobo. The concept is the charges that somebody probably might be collecting in line with that which I totally disagree because I am not aware that the National Assembly has made such approval.

When the Committee starts its function, it should be able to look and tell us where those approvals originated from. I am in support of the Motion and we should all give it all the necessary support.

The Speaker: We have an amendment from Hon. Arabo.

Amendment proposed.

Hon. Simeon Yakubu Arabo: My amendment is that, since the second Prayer talks about an investigation, there is no need for the third Prayer, more so, that this House has passed the 2016 Appropriation Act.

I therefore move that we delete Prayer (iii) of the Motion.

Hon. Chris Emeka Ifeanyi Azubogu: I second the Amendment proposed by Hon. Arabo.

Amendment put and agreed to.

Main Question, as amended, put and agreed to.

Resolved to:

- (i) Commend the Federal Government for implementing the TSA (Treasury Single Account) as a strategic device to curb corruption and enhance accountability in the management of public expenditure; and
- (ii) Set up an Ad-hoc Committee to liaise with the Central Bank of Nigeria and any other agency of government that has official role in the implementation of the TSA, to ascertain the actual amount realized so far, the government's plans on its spending and

the various government agencies from which such funds were obtained, including a comprehensive list of abandoned projects from which such funds accrued.

ANNOUNCEMENT

The Speaker: On the Matter of Privilege and Point of Order raised by Hon. Aliyu Madaki, I said that I would constitute an *Ad-hoc* Committee to take over that investigation and I want to name the membership of the *Ad-hoc* Committee. The Members are:

Hon. Abdullahi Ibrahim Kwamba (Deputy Chairman, Foreign Relations Committee) - Chairman

Hon. (Prof.) Mojeed Alabi - Member

Hon. Chika A. Adamu - Member

Hon. Mukhari Aliyu Betara - Member

Hon. Iduma Igariwe - Member

Hon. Aliyu Madaki - Member

Hon. Ossai Nicholas Ossai - Member

Hon. Shadimu Mutiu - Member

Hon. Balarabe Salami - Member

I want this to be noted and reflected accordingly in the Votes and Proceedings of tomorrow.

ADJOURNMENT

Hon. Jubril Umar Buba (Kogi/Lokoja): I move that the House do adjourn till tomorrow, Thursday, 23rd June, 2016 at 11.00 a.m.

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

Question put and agreed to.

Resolved: That the House do stand adjourned till Thursday, 23rd June, 2016 at 11.00 a.m.

The House adjourned accordingly at 2.23 p.m.