

**HOUSE OF REPRESENTATIVES
FEDERAL REPUBLIC OF NIGERIA**

Wednesday, 16th March, 2016

The House met at 11.27 a.m.

PRAYERS

(The Speaker in the Chair)

VOTES AND PROCEEDINGS

The Speaker: I have examined and approved the Votes and Proceedings of Tuesday 15th March, 2016.

ANNOUNCEMENTS

VISITORS IN THE GALLERY

**Students of Akon Seminary School, Kagoro,
Kaduna State**

The Speaker: We have in the Gallery Students of Akon Seminary School, Kagoro-Kaduna State. Could you please rise for recognition? You are welcome.

The Students rose for recognition.

**Students of Wesley Nursery and Primary School,
Emmanuel Methodist Church, Bwari**

Also in the Gallery are Students of Wesley Nursery and Primary School, Emmanuel Methodist Church, Bwari. Could you please rise to be recognised? You are welcome.

The students rose accordingly for recognition.

Students of Intelligence Quotient Academy

Also in the Gallery are Students of Intelligence Quotient Academy, Birnin Kebbi Crescent, Area 3 - Abuja. You are welcome.

The students rose for recognition.

Students of First UBE Primary School

Also in the Gallery are Students of First UBE Primary School Pasali, Kuje – Abuja FCT. You are welcome.

The students rose accordingly for recognition.

Death of Alhaji Moshood Tokunbo Amele

The Speaker: Hon. Colleagues on a sad note, we take this announcement:

With a very great sense of loss and total submission to the will of Almighty Allah, I announce the death of Alhaji Moshood Tokunbo Amele, a former Member of the House of Representatives Ibeju-Lekki Federal Constituency of Lagos State, who served in the 5th Assembly from 2003 – 2007. Hon. Alhaji Moshood Tokunbo Amele died on 11th March, 2016 and was buried the same day according to the Muslim rites.

He is survived by a wife, children and grandchildren. May the Soul of the departed continue to rest in peace.

Signed

Hon. Ayeola Abayomi Abdul-Kabir

Hon. Colleagues, please let us rise for a minute silence. May the soul of the departed rest in perfect peace.

A minute silence observed in honour of the deceased.

**Meeting of the House Committee on Delegated
Legislations**

This is to remind Hon. Members of the Committee on Delegated Legislation of the Committee meeting today by 3.00 p.m. at the Committee Room 349. Please endeavour to attend. Kind regards.

Signed

*Hon. Yakubu Simon Arabo
Committee Chairman*

**(Dr.) Patrick Asadu Mum's Burial:
Special Arrangement**

This is to inform hon. Members that special arrangements have been made for Members wishing to attend Hon. (Dr.) Patrick Asadu mum's funeral tomorrow evening, Thursday, 17th March, 2016. Arik Air has agreed to airlift interested Members by 5.00 p.m. tomorrow. All interested Members should contact Hon. Emmanuel Ekon, Chairman Local Content Committee in Suite 1.70 or Arik Air Office by Fidelity Bank at the basement.

Signed

Hon. Emmanuel Ekon

PRESENTATION OF PUBLIC PETITIONS

The Speaker: Any Member who has a petition may please, rise to do so. *(No Response).*

PRESENTATION OF BILLS

The Speaker: The first Business of the day is presentation of thirty Bills. The Clerk is invited to read their Short Titles.

Economic Stimulus Bill, 2016

Economic Stimulus Bill, 2016 (HB. 433) - presented by Hon. Femi Gbajabiamila (Surulere I) — *read the First Time.*

Labour Act (Amendment) Bill, 2016

Labour Act (Amendment) Bill, 2016 (HB. 434) – presented by Hon. Femi Gbajabiamila (Surulere I) — *read the First Time.*

Students Loan (Access to Higher Education) Bill, 2016

Students Loan (Access to Higher Education) Bill, 2016 (HB. 435) - presented by Hon. Femi Gbajabiamila (Surulere I) — *read the First Time.*

Electoral Act (Amendment) Bill, 2016

Electoral Act (Amendment) Bill, 2016 (HB. 429) – presented by Hon. Femi Gbajabiamila (Surulere I) — *read the First Time.*

Labour Institutions (Establishment, etc.) Bill, 2016

Labour Institutions (Establishment, etc.) Bill, 2016 (HB. 436) - presented by Hon. Uzoma Nkem-Abonta (Ukwa East/West) – *read the First Time.*

Labour Standards Bill, 2016 (HB. 437) - presented by Hon. Uzoma Nkem-Abonta (Ukwa East/ West) – *read the First Time.*

Armed Forces Act (Amendment) Bill, 2016

Armed Forces Act (Amendment) Bill, 2016 (HB. 411) – presented by Hon. Muhammad Sani Abdu (Alkaleri/Kirfi) – *read the First Time.*

Constitution of the Federal Republic of Nigeria, 1999 (Alteration) Bill, 2016

Constitution of the Federal Republic of Nigeria, 1999 (Alteration) Bill, and 2016 (HB. 413) – presented by Hon. Muhammad Sani Abdu (Alkaleri/Kirfi) - *read the First Time.*

Legislative Houses (Powers and Privileges) Act (Amendment) Bill, 2016

Legislative Houses (Powers and Privileges) Act (Amendment) Bill, 2016 (HB. 413) - presented by Hon. Karimi Steve Sunday (Yagba East/Yagba West/Mopamuro) — *read the First Time.*

Environmental Impact Assessment Act (Amendment) Bill, 2016

Environmental Impact Assessment Act (Amendment) Bill, 2016 (HB. 414) - presented by Hon. Bede Eke Uchenna (Aboh Mbaise/Ngor Okpala) – *read the First Time.*

National Poverty Alleviation and Eradication Commission of Nigeria (Establishment, etc.) Bill, 2016

National Poverty Alleviation and Eradication Commission of Nigeria (Establishment, etc.) Bill, 2016 (HB. 415) - presented by Hon. Shuaibu Abdulrahman Abubakar (Miaha/Mubi North/Mubi South) – *read the First Time.*

Nigerian Security and Civil Defence Corps Act (Amendment) Bill, 2016

Nigerian Security and Civil Defence Corps Act (Amendment) Bill, 2016 (HB. 416) Sponsored by Hon. Dasuki Abdussamad (Kebbe/Tambunwal) – *read the First Time.*

Chartered Institute of Commodity Brokers of Nigeria Bill, 2016

Chartered Institute of Commodity Brokers of Nigeria Bill, 2016 (HB. 417) - presented by Hon. Abdullahi Umar Faruk (Bunza/Birnin Kebbi/Kalgo) – *read the First Time.*

Constitution of the Federal Republic of Nigeria, 1999 (Alteration) Bill, 2016

Constitution of the Federal Republic of Nigeria, 1999 (Alteration) Bill, 2016 (HB. 418) - presented by Hon. Ali Wudil Muhammed (Wudil/Garko) – *read the First Time.*

Compulsory, Free Universal Basic Education Act (Amendment) Bill, 2016

Compulsory, Free Universal Basic Education Act (Amendment) Bill, 2016 (HB. 419) - presented by Hon. Mohammed Usman (Makarfi/Kudan) – *read the First Time.*

**Compulsory, Free Universal Basic Education
Act (Amendment) Bill, 2016**

Compulsory, Free Universal Basic Education Act (Amendment) Bill, 2016 (HB. 420) - presented by Hon. Goni Bukar Lawan (Bursari/Geidam/ Yunusari) – *read the First Time.*

**Constitution of the Federal Republic of
Nigeria, 1999 (Alteration) Bill, 2016**

Constitution of the Federal Republic of Nigeria, 1999 (Alteration) Bill, 2016 (HB. 421) - presented by Hon. Karimi Steve Sunday (Yagba East/Yagba West/Mopamuro) — *read the First Time.*

**Nigerian Communications Act (Amendment)
Bill, 2016**

Nigerian Communications Act (Amendment) Bill, 2016 (HB. 422) - presented by Hon. Ossai Nicholas Ossai (Ndokwa East/Ndokwa West/ Ukwuani) – *read the First Time.*

**Nigerian Communications Act (Amendment)
Bill, 2016**

Nigerian Communications Act (Amendment) Bill, 2016 (HB. 423) - presented by Hon. Akpatason Peter Ohiozogh (Akoko-Edo) – *read the First Time.*

**Constitution of the Federal Republic of
Nigeria, 1999 (Alteration) Bill, 2016**

Constitution of the Federal Republic of Nigeria, 1999 (Alteration) Bill, 2016 (HB. 424) - presented by Hon. Edward Gyang Pwajok (Jos South/Jos East) – *read the First Time.*

**National Institute of Credit Administration
(Establishment) Bill, 2016**

National Institute of Credit Administration (Establishment) Bill, 2016 (HB. 425) – presented by Hon. Egwu Emmanuel M. (Idah/Igalamela/Ibaji/Ofu) – *read the First Time.*

Official Secrets Act (Amendment) Bill, 2016

Official Secrets Act (Amendment) Bill, 2016 (HB. 426) - presented by Hon. Edward Gyang Pwajok (Jos South/Jos East) – *read the First Time.*

**Nigerian Constitution Studies (Inclusion in
Schools Curriculum) Bill, 2016**

Nigerian Constitution Studies (Inclusion in Schools Curriculum) Bill, 2016 (HB. 427) - presented by Hon. Ekpoatai Owoidighe Ime (Eket/Onna/Esit Eket/Ibeno) – *read the First Time*

**National Planning Process Act (Amendment)
Bill, 2016**

National Planning Process Act (Amendment) Bill, 2016 (HB. 428) - presented by Hon. Nnam-Obi Uchechukwu (Ogba/Ebgbema/Ndoni/Ahoada West) – *read the First Time.*

**Constitution of the Federal Republic of
Nigeria, 1999 (Alteration) Bill, 2016**

Constitution of the Federal Republic of Nigeria, 1999 (Alteration) Bill, 2016 (HB. 430) - presented by Hon. Edward Gyang Pwajok (Jos South/Jos East) – *read the First Time.*

**Constitution of the Federal Republic of
Nigeria, 1999 (Alteration) Bill, 2016**

Constitution of the Federal Republic of Nigeria, 1999 (Alteration) Bill, 2016 (HB. 431) - presented by Hon. Edward Gyang Pwajok (Jos South/Jos East) – *read the First Time.*

**Constitution of the Federal Republic of
Nigeria, 1999 (Alteration) Bill, 2016**

Constitution of the Federal Republic of Nigeria, 1999 (Alteration) Bill, 2016 (HB. 432) - presented by Hon. Edward Gyang Pwajok (Jos South/Jos East) – *read the First Time.*

**Taxes and Levies (Approved List for
Collection) (Amendment) Bill, 2016**

Taxes and Levies (Approved List for Collection) (Amendment) Bill, 2016 (HB. 438) – presented by Hon. Zakariyau M. Galadima (Bade/Jakusko) – *read the First Time.*

**National University Commission Act
(Amendment) Bill, 2016**

National University Commission Act (Amendment) Bill, 2016 (HB. 439) - presented by Hon. Ossy Prestige Chinedu Ehiriodu (Aba North/South) – *read the First Time.*

Renewable Energy Bill, 2016

Renewable Energy Bill, 2016 (HB. 440) - presented by Hon. Nnam-Obi Uchechukwu (Ogba/Ebgbema/Ndoni/Ahoada West) – *read the First Time.*

**MATTER OF URGENT PUBLIC
IMPORTANCE**

**Urgent Need to Check the Menace of the Activities
of Kidnappers in Parts of Bayelsa State**

Hon. Sodaguno A. Festus Omoni (Ogbia): I rely on Order VIII, Rules 46 to present a Matter of Urgent Public Importance on the Urgent Need to Check the Menace of the Activities of Kidnappers in Parts of Bayelsa State.

Hon. Shuaibu Abdulrahman Abubakar (Miaha/Mubi North/Mubi South): I second that the matter be taken as Matter of Urgent Public Importance.

Question put and agreed to.

Resolved: That the House do consider the Urgent Need to Check the Menace of the Activities of Kidnappers in Parts of Bayelsa State as Matter of Urgent Public Importance.

Hon. Babajimi Adegoke Benson (Ikorodu): I second the Motion that the relevant Rules of the House be suspended to enable her take the Motion now.

Question put and agreed to.

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

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

Hon. Sodaguno A. Festus Omoni: I move a Motion on the Urgent Need to Check the Menace of the Activities of Kidnappers in Parts of Bayelsa State:

The House:

Notes that kidnap of both the young and old persons in parts of Bayelsa State and particularly Ogbia Federal Constituency has become a challenging issue and a breeding ground for hoodlums as kidnap becomes an order of the day;

Further notes that the issue of insecurity in Bayelsa State has become a pandemic as unsuspecting victims are being kidnapped every other day, even in broad day light. These victims are taken as prisoners to unknown dens of kidnappers for weeks or months. We wonder what would be going on in the minds of these victims as well as in the minds of their relatives. We are so concerned that many bad things have in the past happened to those victims, while in captivity ranging from psychological torment, assault, battery, rape to even death;

Concerned that the people of Bayelsa State are currently living in fear of their lives as the issue of

kidnapping has become something to worry about where people no longer sleep peacefully because of these bandits as they display all forms of *Rambo* style, while trying to kidnap their innocent and unsuspecting victims;

Further concerned that this issue of kidnapping cannot be overstressed because it has become a very regular occurrence in Nigeria as people have been forced to abandon their houses for other places for fear of the unknown caused by these ugly situations;

Aware that the former President, His Excellency Dr. Goodluck Ebele Jonathan's relatives were kidnapped, one of them named Mr. Samuel Oki who was a University of Port-Harcourt Graduate. These kidnappers caused his death by drowning him and the other ex-President's foster father Chief Nitabai Inegite who had been kidnapped previously is still in captivity till date. Other persons that had been kidnapped before this time included the Commissioner of Local Government Administration, wife of a former Bayelsa State Governor, a Local Government Chairman, the sister of Bayelsa State Governor, businessmen and women and many others too numerous to mention;

Aware further that as a result of consistent kidnapping, the harshly affected indigenes can no longer await the police to perform their duties, thus they have resolved to take up arms in a way of protecting and safeguarding themselves against these criminals by setting up various vigilante groups to that effect;

Conscious that if the issue of insecurity in Bayelsa State is not properly checked and improved, these various groups now obviously in possession of arms, may likely re-create youth restiveness in the area as a resulting end;

Notes that we owe a duty to protect the citizens of this country from any form of criminal activity and in this vein, I refer the attention of this honourable House to Section 14 (2)(b) of the 1999 Constitution as amended which reads:

It is hereby, accordingly, declared that - the security and welfare of the people shall be the primary purpose of government.

One of the cardinal points of this Administration is security and we must ensure that the citizens of Nigeria get this as of right ensured by the Constitution being a primary duty of the government;

Conscious to ask the question, what are the real causes of this obnoxious act by these kidnappers? If it is caused by joblessness, there is need to dig deep

and look towards creating jobs for the youths so as to divert their evil intent, thus we can all live in peace and harmony just as part of our National Anthem presupposes:

*To serve with heart and might, one
nation bound in freedom, Peace and
Unity;*

Resolves to:

- (i) Urge the Inspector General of Police to intensify its surveillance on both land and the water ways to stop the menace in and around Ogbia Federal Constituency and other parts of Bayelsa State and Nigeria at large.
- (ii) Urge the Nigerian Police Force to immediately apprehend those kidnappers and bring them to justice.
- (iii) Urge the executive government to create more jobs for the youths.

Hon. Isiaka Ayokunle Ibrahim (Ifọ/Ewekoro): I second the Motion ably moved by Sodaguno A. Festus Omoni.

Question put and agreed to.

Resolved to:

- (i) Urge the Inspector General of Police to intensify its surveillance on both land and the water ways to stop the menace in and around Ogbia Federal Constituency and other parts of Bayelsa State and Nigeria at large.
- (ii) Urge the Nigeria Police to immediately apprehend those kidnappers and bring them to justice.
- (iii) Urge the executive government to create more jobs for the youths.

Motion referred to the Committee on National Intelligence and Public Safety.

ORDERS OF THE DAY

MOTIONS

**Urgent Need for the Construction of Cross
Kauwa-Mallam Fatori, Abadam-Gashigar, and
Damasak-Gaidam Road in Borno State**

The Speaker: Hon. Colleagues the first Order of the day is a Motion on the Urgent Need for the

Construction of Cross Kauwa-Mallam Fatori, Abadam-Gashigar, and Damasak-Gaidam Road in Borno State, standing in the name of Hon. Bukar Gana. He is now invited to move the Motion.

Hon. Mallam Bukar Gana (Kukawa/Mobbar/Abadam/Guzamala): I move a Motion on the Urgent Need for the Construction of Cross Kauwa-Mallam Fatori, Abadam-Gashigar, and Damasak-Gaidam Road in Borno State.

The House:

Notes with concern that the Cross Kauwa-Mallam Fatori, Abadam-Gashigar, and Damasak-Gaidam road linking Borno and Yobe States, is in such a deplorable state that is characterized by dangerous potholes which dot the entire stretch of the road, making it difficult for movement of persons and goods;

Further notes that the deplorable state of the road is adversely affecting the socio-economic activities of the people of the States and their environs as it serves as the major link road between the affected communities and their neighboring States;

Concerned that if the road is not constructed, the lives of commuters will continue to be endangered and the economic activities of the areas will continue to dwindle.

Resolves to:

Mandate the Committees on Works and Appropriations to appropriate funds in the 2016 budget for the construction of the road.

Hon. Hamman-Julde Garba Chede (Bali/Gassol): I second the Motion as moved by Hon. Bukar Gana.

Question put and agreed to.

Resolved to:

Mandate the Committees on Works and Appropriations to appropriate funds in the 2016 budget for the construction of the road.

Pursuant to Order VIII, Rule 51 (5) Motion referred to the Committees on Works and Appropriation.

**Urgent Need to Fence the Federal College of
Education (Technical) Omoku, Rivers State**

The Speaker: Hon. Colleagues the second Order of the day is a Motion on the *Urgent Need to Fence the Federal College of Education (Technical)*

Omoku, Rivers State, standing in the name of Hon. Uchechukwu G. Nnam-Obi. He is now invited to move the Motion.

Hon. Nnam-Obi Uchechukwu G. (Ogba/Egbema/Ndoni/Ahoada West): I move a Motion on the Urgent Need to Fence the Federal College of Education (Technical) Omoku, Rivers State.

The House:

Aware that the Federal College of Education (Technical), Omoku was established to address the deficit in technical education by training teachers in technical, vocational, science and business courses amongst others, while also stimulating interest of students in the oil bearing Communities to embrace technical education for self-reliance;

Further aware that the school, which offers courses leading to the award of Nigerian Certificate in Education (NCE) in technical, science, vocational and allied subjects, commenced academic activities in April 1989;

Further aware of the avalanche of challenges the school is facing, ranging from insecurity to flooding, hence the urgent need for the erection of a fence around the school and construction of drainages to channel the flood;

Cognizant that the absence of a fence around the school has been a constant source of insecurity and trespass into the school, leading to cancellation of the proposed resumption of the 2014/2015 Session and has occasioned a sharp drop in the admission rate, and if urgent steps are not taken to address the problems, the noble idea behind the establishment of the school will be defeated;

Resolves to:

Mandate the Committee on Tertiary Education and Services to liaise with the Federal Ministry of Education to find a lasting solution to the plight of the Federal College of Education (Technical), Omoku, Rivers State; particularly in the areas of fencing of the 237,347 hectares of school land and reconstruction of the laboratories, hostels, classrooms and staff quarters that were destroyed by flood.

Hon. Ayuba Mohammed Bello (Jere): I second the Motion ably moved by Hon. Bukar Gana.

Question put and agreed to.

Resolved to:

Mandate the Committee on Tertiary Education and Services to liaise with the Federal Ministry of

Education to find a lasting solution to the plight of the Federal College of Education (Technical), Omoku, Rivers State; particularly in the areas of fencing of the 237,347 hectares of school land and reconstruction of the laboratories, hostels, classrooms and staff quarters that were destroyed by flood.

Pursuant to Order VIII, Rule 51 (5) of the Standing Orders of the House, Motion referred to the Committee on Tertiary Education Services.

Need to Investigate the Non-Compliance with the Terms of Agreements by Concessionaires

The Speaker: The third Order of the day is a Motion on Need to Investigate the Non- Compliance with the terms of Agreements by Concessionaires and Privatized/Partially Privatized Government Companies, standing in the name of Hon. Gabriel Babatunde Kolawole. He is now invited to move the Motion.

Hon. Babatunde Gabriel Kolawole (Akoko South West/East): I move a Motion on the Need to Investigate the Non Compliance with the terms of Agreements by Concessionaires and Privatized/ Partially Privatized Government Companies.

The House:

Notes the uproar by individuals, staff and Unions of Privatized/Partially Privatized and conceded Government owned Enterprises owing to concerns on the non-conformity to the terms of sales and/or Agreements by the Concessionaires of the enterprises;

Aware that the non-conformity to the terms of the Agreements have caused the country enormous losses in income, owing to the non-remittance of appropriate taxes and other financial commitments;

Conscious of the expressed determination of the Federal Government to block all leakages in the revenue chain and the zero tolerance stance to corrupt practices;

Resolves to:

Mandate the Committee on Privatization and Commercialization to investigate all failed Concessions, and the terms of outright sales and/or Agreements of Privatized Enterprises, with a view to determining why some of the Agreements failed and proffer solutions on how to avoid further failures and enhance the productivity and profitability of the affected Enterprises, and report back to the House within eight (8) weeks, for further legislative action.

Hon. Jimoh Abdulraheem Olajide (Lagos Mainland): I second the Motion ably moved by Hon. Gabriel Kolawole.

Hon. Babatunde Gabriel Kolawole: The Motion before this House has to do with our privatised, partially privatised and concessioned government entities. As we speak, there have been outcry by our concessionaires on the inability of some parties that are involved in this agreement to pay their fees. This is as a result of the fact that we are faced with some economic realities, considering the economic downturn which is as a result of the drop in the value of our Naira and that of our crude oil.

There have been different petitions and outcry just like I have said earlier on, that some individuals because of the political and economic power, they have decided not to meet up with this agreement that was signed. This is to draw our attention for instance to one of the concessioned companies in Port Harcourt, which is the Eleme Petrochemical Company. In the course of my findings, it was discovered that some parties involved in this agreement up till now are yet to meet with the agreement; they are yet to make the necessary contribution and the effect of this is that there will be no job for Nigerians, the revenue that we are supposed to earn as a country will not be earned and as a result, it will be difficult for us to stimulate the economy.

Also in my findings; I discovered that the agreement supposed to be reviewed every two years but this idea was conceived in 2006, over six years ago, no review has been done. If this review has been done, probably it would have taken care of some of these challenges that is being faced by some of these privatised/partially privatised and concessioned companies.

There is also the complaint of discrepancies in the fees being charged, for instance, in our ports, the cargo companies to be precise. In one of my findings - I am being specific now to those that are involved in the cargo business - I discovered that Terminal A with 5.76 hectares was charged at the point of signing this agreement the sum of US\$3.037 million, while Terminal B with 24.623 hectares was charged US\$12.5 million dollars. Terminal C, ports and Cargoes, with 17.425 hectares was charged US\$19.5 million; while Terminal D with 18.980 hectares was charged US\$11.376 million.

The only indigenous company we have here is Terminal C and it is being made to pay the highest. I am aware that this agreement was done under a free and fair competition. There is need for us to investigate the circumstances surrounding the signing of this very agreement. This money is being paid in

dollars and as we speak, considering the present economic realities, it will be difficult for Terminal C to meet up with their obligations. Other terminals that are foreign owned companies, it is easier for them to get dollars abroad and make this payment and whatever profit they are able to make here in this country is being taken out of the country to develop their own countries.

As defenders of commoners, there is need for us at this point to look at this issue properly and ensure that we wade in and put most of these abnormalities in order. Also, there is need for us to review all of these processes in order to ensure that those that are trying to make the economy a monopolistic do not succeed. There is need for us to have a fair competition in the economy and we will not allow some individuals because of their own selfish reasons and for the fact that they want to control this economy, to sabotage those that are trying to come up or those that will be lucky to win some of these bids during the process of selling most of our companies out.

I urge my Colleagues to support this Motion and ensure that justice is done so that this company does not go down because if it goes down, it will affect job creation, our revenue and the economy at large.

Hon. Ossai Nicholas Ossai (Ndokwa East/Ndokwa West/Ukwuani): I wholeheartedly support all the submissions being made by my honourable Colleague who raised this Motion as if they were mine. The argument in this issue is very simple. There are Terms of Agreement. Are the agreements being kept? There are issues of revenue that is accruable to the nation but can be denied to the nation, especially this time around that Nigeria needs all the kobo to implement the 2016 budget for the change mantra to go down to our teeming supporters and electorate.

This Motion is just seeking an investigation. An investigation is going to unravel a lot of issues, it will look at the Terms of Agreement; were there any failures or have they kept to the agreement; and the money accruable to the nation, is it in line with the agreement as done? The investigation will give us the detailed aspect of these things and unravel people who have failed to remit the accruable revenue that ought to go to the Federation Account.

That is why all members should support this Motion because it has a lot of issues to be addressed, it will unveil issues and will be saving the nation revenue that are supposed to accrue to it in line with Sections 80, 82 and 83 of the Constitution of the Federal Government of Nigeria. I urge all hon. Members to support this Motion with the speed of light it requires.

Hon. Egwu Emmanuel M. (Idah/Igalamela/Ibaji/Ofu): I lend my voice to this patriotic and noble Motion raised in line with our fight against corruption in recent times. A lot of funds had crept through privatisation and even on the long run the agreements that have been reached are not fulfilled. Ninety-Five per cent of the privatised companies in Nigeria have not been able to meet the agreement.

He has mentioned the issue of revenue that is supposed to be realised by the government; what of the employees that have been sacked. I do not think any government will go into privatisation to cause unemployment. The essence of privatisation is to optimize the resources, money and material. But unfortunately, most of the privatised companies have downsized. I do not think it is part of the agreement to downsize.

In most of the privatised companies, if investigation is thoroughly carried out, it will unravel a lot of leakages. I know of one or two companies that were privatised and the modalities in the payments were fraudulent. The employees went to court and up till now nothing has been done about it. The company that took over the organisation went to the extent of sending the employees away, and today, they have not been remunerated to the level they were supposed to be discharged.

This Motion is very noble; it calls for this House to investigate thoroughly the agreements that have been reached in most of the privatisation exercise in Nigeria.

Hon. Jimoh Abdulraheem Olajide: I salute the courage of the Sponsor of this Motion. Having listened to him carefully and attentively, his submission is perfect. There are three key words that I want us to look at in this Motion, particularly:

Notes the uproar by individual;

Aware the non-conformity to the Terms of the Agreements; Conscious of the expressed determination of the Federal Government to block all leakages.

All these are in an attempt to address the issue of productivity and profitability. If we do not take time and we are being short-changed with this kind of institution we put in place because they have not performed to the expectation, it could lead to any other thing we cannot think of. Particularly, if we have shortage in productivity and profitability, it could lead to unemployment and the labour market will now be completely fill with unemployed people and it can lead to menace.

This is an issue that is very important for this House to address and put adequate mechanism in place for proper investigation. Also, we know that legislature is the barometer for any democracy. Therefore this Motion is necessary, important and very noble.

Hon. Buba Yusuf Yakubu (Gombi/Hong): Privatisation is good but it has to be done with human face, transparency and interest of the whole country at heart. Many government companies and agencies have been privatised but the truth is that the process has not been transparent. Some of the privatisation processes are incomplete and due to that many of Nigerians working with these agencies or companies are suffering today. They are neither here nor there. Their salaries are not paid and they are neither fully disengaged nor engaged.

The purpose of privatisation is to make sure that these agencies that are ailing are being bought over by competent hands so that they will develop it more to give the country income and also to create more employment for the citizens of the country but in this case most of these companies have been abandoned. The most pathetic is that some of them have been stripped, vandalised and are being sold in pieces by the companies that have bought over these government companies.

I support the Mover of this Motion and as a matter of urgency it should be investigated so that those found wanting be brought to book and the workers with these companies be taken care.

Question put and agreed to.

Resolved to:

Mandate the Committee on Privatization and Commercialization to investigate all failed Concessions, and the terms of outright sales and/or Agreements of Privatized Enterprises, with a view to determining why some of the Agreements failed and proffer solutions on how to avoid further failures and enhance the productivity and profitability of the affected Enterprises, and report back to the House within eight (8) weeks, for further legislative action.

Motion referred to the Committee on Privatisation and Commercialisation.

**Need to Urge States Defaulting on the Universal
Basic Education Commission (UBEC)
Funds to Pay Up**

The Speaker: The fourth Order of the day is a Motion on the Need to urge States Defaulting on the Universal Basic Education Commission (UBEC) Funds to Pay Up standing in the name of Hon.

Aishatu Jibril Dukku. She is now invited to move the Motion.

Hon. Aishatu Jibril Dukku (Dukku/Nafada): I move a Motion on the Need to Urge States Defaulting on the Universal Basic Education Commission (UBEC) Funds to Pay Up

The House:

Notes that the Universal Basic Education (UBE) programme is a nine (9) year basic educational programme introduced in 1999 to eradicate illiteracy, poverty, stimulate national development, political consciousness and national integration;

Further notes that the Universal Basic Education (UBE) Act provides for not less than 2% of the Consolidated Revenue of the Federal Government to be contributed to the UBEC Fund and for any State to qualify for the intervention Fund, it must contribute 50% of the cost of whatever project it intends to embark upon, as a commitment for its execution;

Aware that the idea of UBEC has been hailed as one of the best policies to have been introduced in the Nigerian education sector as it helps to provide free and universal basic education for every Nigerian child of school-going age, thereby laying a solid foundation for life-long learning;

Concerned that some States have failed to claim their grants since 2005, while over ₦58 billion of the Commission's fund is idling away in the Central Bank of Nigeria unclaimed, yet States moan that they do not have money to develop the education sector;

Further concerned that the lukewarm attitude of the defaulting States has been a source of worry to well-meaning Nigerians, as both conditional matching grants and non-conditional special education funds from UBEC had been neglected by the States;

Disturbed that States like Abia, Benue, Cross Rivers, Ekiti, Enugu, Nasarawa, Niger, Ogun, Osun and Oyo, with an average of over ₦3 billion each idling away in the CBN have failed to access their allocations since 2011, despite the dilapidated state of infrastructure in the primary and junior secondary schools in those States;

Also disturbed that while the Federal Government contributed about ₦70 billion in 2014 and about ₦8 billion so far in 2015, twenty-seven (27) States and the Federal Capital Territory (FCT) have not contributed their grants, and have, as a result, been deprived of the right to access the fund.

Resolves to:

- (i) Call on the Federal Government to remit the statutory allocations for the months of January to April, 2015 to the UBEC Fund without further delay.
- (ii) Urge the defaulting State Governments and the FCT to, in the national interest, contribute their counterpart funds to enable them access the UBEC fund to bring education in the States to the reach of every Nigerian child.

Hon. Odebunmi Olusegun Dokun (Ogo-Oluwa/Surulere): I second the Motion ably moved by Hon. Aishatu Dukku.

Hon. Aishatu Jibril Dukku: All over the world primary education has been regarded as the most important first layer foundation education for everybody. It may be due to the fact that it is the foundation of all other educational pursuit and it is expected to provide literacy, numeracy and enlightenment to citizens. The importance of primary education therefore to everybody can be seen to all beneficiaries of other levels of education that everybody has to pass through.

There is a phrase in the Act which says, *they are free to access*. It is not compulsory for them to access so they have left these funds lying idle in the CBN. All of us here as honourable Members are aware of the state of the nine-year basic education, dilapidated infrastructure, unqualified manpower and lack of educational materials bedevil this sector.

The UNESCO benchmark of providing twenty-six *per cent* of annual budget has not been met by most African countries, and so the Federal Government giving two *per cent* of our Consolidated Revenue Fund should be commended. The States too should look into this as free gifts to encourage them meet up to these standards. Some States have over eight billion in the CBN and for them just to contribute the counterpart fund, take the money and put it in the nine-year basic education programme is what is required; yet some states have not accessed these funds since 2005. If a country like United States of America gives education as number one-three priority; I see no reason all our State governments cannot give education number one priority by going to access these funds so that they can give what they have promised during the campaign days to the electorates.

The lukewarm attitude of the defaulting States including the FCT has been a source of concern to well-meaning Nigerians as both the matching grants; the conditional and non-conditional grants are lying there unutilised. Since the inception of the Commission, the Federal Government has provided

over ₦280 billion as matching grants to the thirty-six States and FCT but it is unfortunate that the States are yet to access over ₦48 billion till date. So far over ₦222 billion has been disbursed since 2005 to States that were able to access the funds.

The UBE programme in Nigeria has its own unique features. First and foremost, the Scheme makes it compulsory for every government in Nigeria to provide free compulsory and universal basic education for every child of primary and junior secondary school age. Secondly, it enforces all parents to ensure that their children or wards attend and complete their primary education and junior secondary school as stated in Section 2 of the Act. Which provide even some fine for any breach of the Act?

Finally, I urge you to support this Motion in the interest of national development; by so doing, we will contribute immensely in bringing education in the state to the reach of every Nigerian child.

Hon. Saleh Hassan Anthony (Ado/Ogbadibo/Okpokwu): I lend my support to this important Motion ably moved by Hon. Aishatu Dukku. We do not need to be told that education is key in the development of any country in the world. Education is very important in the development of a child and human beings in general. A lot of things have happened in this country that can be attributed to lack of exposure by the citizens. I believe the result of the States not complying with the provisions of this Act has to do with the concurrent nature of education in this country.

I see no reason in this; when a provision has been made and funds are available and just for the States to access the funds, they are not taking advantage of it. I know that we cannot force the States to do the needful but we can only urge them. The question we should be asking ourselves is: how do we go about getting the States to access this fund so that our citizens, those that we represent, can get the education that they deserve, so that they become better human beings as they grow.

I believe that this House represents the people and if we decide to put this on the front burner to push, I am sure that from the contributions from all of us we would come up with a resolution. If we decide to go with this resolution or amend it, we should take it to the level whereby these States should do what they need to do, so that our children can be educated and their lives can be better for it. I urge this honourable House to support this Motion so that we see good things in the people we bring up as our children.

Hon. Agunsoye Oluwarotimi Ojo (Kosofe): I support the Motion but the question is that this has to

do with basic primary education as rightly said by my last speaker. If a State does not have the means of paying this money; for example, a State that got in the last allocation about ₦50 million naira, and you are asking such a State to come and pay this, the means to pay is not there. Also, primary education is under the jurisdiction of local governments and the State. So, this cannot be imposed on the State but I support the Motion for those States that have collected to pay up on time.

Hon. Adekola Segun Alexander (Ekiti South West/Ikere/Ise/Orun): I support this Motion and thank the Mover because it is very timely. As we all know that education is bedrock of development in any nation. I am aware that everybody loves money; we have to investigate why the States are not accessing these funds. There must be hindrances; we have call on the Committee on Education to investigate the reasons defaulting States are not accessing these funds.

In the Motion, the Mover mentioned Ekiti State as one of the States that defaulted in assessing the funds. What actually happened was that the former Governor of that State misappropriated the one that was accessed. After paying the counterpart fund; the counterpart fund and the money accessed were taken away from the account and used for other purposes. For this reason, the Universal Basic Education (UBEC) now sanctioned them.

Now the incumbent Governor can no longer access fund from UBEC and many schools in Ekiti State are suffering; no buildings, no furniture; whereas this fund is lying idle but they have been sanctioned by UBEC. Likewise, this might be the reason or reasons why other States could not access this fund. I am supporting this Motion, it is timely Motion. Like I said earlier on, everybody loves money and there must be reason for them not accessing it.

A friend of mine said the counterpart fund that was supposed to be paid into that account, any State can afford that, they can even borrow to access it. Like in the case of Ekiti State, the man borrowed to access it, the money borrowed and the accessed money were taken and used for other purpose.

Hon. Sodaguno A. Festus Omoni: I thank the Mover of this Motion because as we know, education is the foundation of any society. Any society that plays with education is playing with trouble. In fact, it is a crime to humanity if any society neglects this aspect of our development. Primary education is the foundation; the children from the ages of five are supposed to be educated to the level of primary six. If we are saying that the States have neglected this aspect, we have to properly investigate. People are

saying there is no money now; we have to make an effort to make sure that we do it.

If we are not carrying out this aspect of good governance, we are looking for trouble. We are talking of insecurity, what causes insecurity is lack of education. We have to make sure that States are forced to carry out this aspect not leaving the States to take their own decisions, or leave it in their hands that because they do not have money. For one reason or the other these funds are not accessed. We will seriously take up this aspect of our legislative activities and make sure that States access these funds.

Hon. Samuel Ifeanyi Onuigbo (Ikunano/Umuahia North/South): I commend the mover of this Motion and this commendation is coming on the basis of the fact that we appreciate the importance of education in our lives. For all we know, some of the States have not lived up to expectation in paying the counterpart funding to ensure smooth operation of the basic education in the country. However, we know that some of these States also face problems that prevented them from honouring their own part of the agreement.

We are looking for solutions here, we know mistakes have been made and the purpose of this House is to work for the welfare and good education; everything that is for the welfare of the Nigerian people. Consequently, while I support this Motion wholeheartedly, I would like the House to move in a particular direction which is to ask the Committee on Basic Education to intervene so that we can come up with a solution on how to get these States to actually face their responsibility of giving basic education to our children.

In line with that, those States that are owing, I am sure that by now having been so identified will be prepared to work with UBEC to ensure that all our children have access to education. In supporting this Motion, I urge the Committee on Basic Education to do that little investigation and come up with a solution on how to ensure that everyone is on board and how to ensure that our children receive education.

Hon. Isiaka Ayokunle Ibrahim: I appreciate the Mover of this very important Motion. I am trying to fine-tune the same Motion ably moved by somebody close to the education sector. For the purpose of enlightenment, we have UBEC at the national level which is the Universal Basic Education, and each State of the Federation is expected to have a Commission called State Universal Basic Education. It is always through the State Universal Basic Education that these funds are disbursed into a joint account through the Central Bank of Nigeria.

Unfortunately, many States of the Federation are lagging behind in making provision for their counterpart funding. Curiously, one should be surprised that in each States we have on the budget for education and inside that same budget for education, we have funds allocated for infrastructure and training. The same thing being replicated at the UBEC level and one is surprised why each State cannot allocate certain fraction of the money to access the UBEC fund. If you are to be given ₦800 million in a year even if it is ₦10,000 a State contribute to UBEC account, UBEC will match the same amount within one week. So we are surprised why many of our States are not doing this.

Again, access to this fund is seamless. Immediately a State prepares an action plan based on their needs. States' plans are being brought in, because UBEC wants states to be stakeholders in the execution of all these projects. They know their priorities, UBEC will tell you go and bring in your action plan; when you take the action to them; they review it one or two times and tell you to go and pay the money you are going to allocate for this fund, then UBEC will pay an equal amount into this account. We are still worried why many of our States are not doing this.

I remember that in 2012 when the Governor of Ogun State started accessing UBEC account of 2007 and 2008 action plan. Again, today when you go to many of our public Primary Schools, you will still see many of our wards learning under trees, sitting where there are no chairs, no tables, and where there are buildings, they are completely dilapidated. Why can States not access these funds to carry out all these laudable projects for our children? We still do not know up till today.

Again, we want to beg the States to sit tight and come together, some states have not even constituted up till today their respective States Universal Basic Education Commission. There is no way such a State can have access to UBEC funding. I appeal to the House that this Motion should be given a full support.

Furthermore, knowing fully that the provision for the UBEC account is not only infrastructure; training, instructional materials, tables, chairs for our children are equally accommodated in the UBEC funding. I appeal to the House that we should give this Motion a full weight of support, especially at ensuring on how our respective governors across the States of the Federation will come together and try and access this fund. It is idle there and we do not know whether it is yielding interest or not but they are just keeping the money in the account. If we have more than ₦50 billion idle and our children are still roaming the Street or sitting under trees to learn; it is very

unfortunate. I lend my voice in support that the House Committee on Education do intervene as quickly as possible.

Question put and agreed to.

Resolved to:

- (i) Call on the Federal Government to remit the statutory allocations for the months of January to April, 2015 to the UBEC Fund without further delay.
- (ii) Urge the defaulting State Governments and the FCT to, in the national interest, contribute their counterpart funds to enable them access the UBEC fund to bring education in the States to the reach of every Nigerian child.

Motion referred to the Committee on Education Services.

Urgent Need to Investigate the Status of the Nigerian Education Bank

The Speaker: The fifth Order of the day is Urgent Need to Investigate the Status of the Nigerian Education Bank, standing in the name of Hon. Ahmed Yerima. He is now invited to move the Motion.

Hon. Ahmed Yerima (Misau/Dambam): I move my Motion on the Urgent Need to Investigate the Status of the Nigerian Education Bank thus:

The House:

Notes that the crucible of civilization, progress and social development revolves around Education, but concerned that Nigeria, over the years, has not been providing enough funds to stimulate the Education sector;

Aware that the Nigerian Students Loans Board, established in 1972, had by 1991, provided loans totalling ₦46 million (US\$ 3.8 million) to enable students finance undergraduate or post graduate studies within Nigeria and abroad, but by 1992, the Board was faced with the problem of recovering outstanding loans of over ₦40 million (US\$ 3.34 million), thus leading to its suspension;

Further aware that the Board was, in 1993, replaced by the Nigerian Education Bank with the main functions of lending money to students, lending for publishing, equipment leasing, project financing, funds mobilization and provision of advisory services for educational purposes;

Observes that the loans to undergraduates were designed to place some debt burden on students ranging from ₦24,000-~~₦32,000~~ (US\$ 201-268) for four years by 1998, and within this range, student loans are assumed to vary, according to the type of course being undertaken, duration, level, professional or non-professional, degree or non-degree, and the loans were also structured to meet the higher costs of students in professional fields such as medicine, law, accountancy, architecture, quantity surveying, etc.;

Also observes that other functions of the Bank include mobilizing educational savings from parents and teachers by advising parents to take out educational insurance policies and initiate savings schemes for their children, providing advisory services and undertaking scientific research on economics and financing of education, analysing recurrent and capital costs of education, undertaking cost-benefit analysis of educational investments and advising on manpower development issues;

Concerned by the Global Monitoring Report that governments of various countries across the world spend on average, 5.1 per cent of their Gross National Income (GNI) on education, and in the United States of America and Western Europe, the figure is 6.2 per cent, while some country's investments in education is even in excess of 8 per cent of their GNI; whereas some developing countries barely achieved 3 per cent in 2011;

Recalls that the United Nations Educational, Scientific and Cultural Organisation (UNESCO) benchmark for developing countries is 26% of their budgets for education, whereas Nigeria budgeted 8.43% in 2012, 8.7% in 2013 and 10.7% in 2014;

Resolves to:

- (i) Mandate the Committees on Tertiary Education and Services, and Banking and Currency to investigate the current status of the Nigerian Education Bank with a view to bringing about its revival.
- (ii) Call on the Federal Government to endeavour to meet up with the UNESCO benchmark of 26% of State budget for funding of education.

Hon. Gbefwi Gaza Jonathan (Karu/Keffi/Kokona): I second the Motion as moved by Hon. Ahmed Yerima.

Hon. Ahmed Yerima: This Education Bank is not a commercial bank like regular banks that we see their signs and post everywhere in our towns, villages and cities. It is a kind of bank that does not involve in daily transactions like other commercial banks. It

replaces the old Students' Loan Board of Nigeria that was established around 1972 or thereabout. The essence of this replacement was to mop up money from the parents, institutions and people that are interested in investing in the bank, so that they would be able to finance education of their children as well as secure loans to finance the education of their children from secondary schools to the universities.

Unfortunately the bank failed before it was fully operational. There was no normal structure expected of it unlike the Students' Loans Board. The bank was aimed to replace the Students Loans Board on paper. Since inception of the bank, it has not functioned and money was earmarked for that purpose but was not used. Therefore it is very important for the relevant Committee of the House to find out:

- (i) What were the procedures of registering the said Education Bank and its mode of operation;
- (ii) The money it inherited from the Students Loans Board that was expected to be used as a bank to finance the education of students; and
- (iii) Also the House and the relevant committee of the House should resolve and help in understanding the current situation of the bank and at the same time call on the Federal Government to invest more money on education because we are just half of what is expected of a country to invest on education, an average of 10 per cent instead of 23 and 28 per cent averagely in some of the African countries like Kenya and South Africa.

Therefore I look forward for your support to find a solution, in other to understand where the money is at the moment, the structures of the bank and what is possible to be done to help the Federal Government access the money so that it can be used to revive the bank.

Muhammad Sani Abdu (Alkalari/Kirfi): I lend my voice strongly in support of this Motion, more so that it just needs to investigate the status of the Education Bank which was floated and never took off. The importance of this is that whatever underlying reasons for its failure we should be able to unearth and also make recommendations as to what we would make of our educational sector.

At the moment a lot of resources are being wasted, siphoned, misused and misplaced because of lack of regularisation of the financial subsector of the educational sector. If this bank is allowed to be investigated and put properly on the race, it would

assist our educational sector. For example Education Bank just like Agricultural Bank, Industrial Bank and others, is a development bank, which means it would encompass not only banking services as mundane or material as we know them, but it would have development at its core. The development in this case is educational development of Nigeria where we know we have been victims to batter.

This Development Bank should be put back on the rail, reenergise, refinance and restructure in such a way that we can now regularise all other intuitions that today we put money and do not see result. For example the PTDF, TEDFUND and many other finances can now be channelled through this Bank where parents and even individual mature student can approach and get service to advance their human capital development.

With this, I support this Motion, being a very straight forwards Motion and important one touching on the financial subsector of our Education and urge our Colleagues to support it wholeheartedly so that it can be investigated. I believe that good recommendations will be made. I also want to add advise to the two Committees that while the Banking and Currency are looking at the Financial aspect, the Tertiary Education and maybe even Basic Education in this case should be able to look at how we can have the synergy between the two and try to see how our UBEC, **TEDFUND** and PTDF and all other institutions where we keep on pushing money could be harmonised such that it will be a bit commercialised with social inputs.

Hon. Goni Bukar Lawan (Bursari/ Geidam/ Yunusari): I commend the Mover of this important Motion for bringing itfor our deliberation. Education is the bedrock of any development; no development, no nation. This Motion is very straightforward and simple. I urge my honourable Colleagues to support it to pass through.

Hon. Ogun Sergius Oseasochie (Esan South East/North East) I commend the Mover of this Motion, it is timely, despite the breakdown in the Educational Bank, and it is part of the breakdown in institutions in this country. I urge the government to try and do some more funding of Education in this country.

Today we are talking about diversifying the economy and what comes to mind readily is Solid Minerals and Agriculture. We can diversify this economy through Education, because today parents are scrambling for dollars to pay school fees of their children outside this country. If we can fund Education in this country besides the large population, we will also have people from the

neighbouring country come to school here and by so doing, we will generate income.

I know we cannot do that in one fell swoop but I urge the government seriously to increase whatever we budget for Education; it may be from subsequent budgets. I urge my Colleagues to support this Motion.

Hon. Magaji Dau Aliyu (Birnin-Kudu/Buji): I follow suit by commending the Mover of this Motion, it is desirable and my opinion is that we should support it.

The 360 hon Members that are in this Hallowed Chamber, on a daily basis we receive requests from students in our constituencies seeking for help, whereas there is a Bank established by law to do such but is moribund. Nobody knows what happened to the substantial amount that has been invested in the Bank.

I believe it is about time that we should do ourselves justice by supporting this Motion so that at least the teeming students who could not pay their school fees, and examination fees will be able to access this money as it happens all over the world. Like the other Colleague said, this is a development Bank, and Education is paramount to this 8th Assembly; the Assembly for the Nigerian people. With these few words, I urge my Colleagues to support it and thank Hon. Ahmed Yerima for bringing to fore.

Hon. Namdas Abdulrazak Sa'ad (Mayo Belwa/Ganye/Jada/Toungo): I support this Motion. Truly speaking, the present government of change is fighting corruption as we are all aware and therefore for us to have some funds that is meant to be at Education Bank inherited from Students Loans Board and yet we do not have anything on ground, we cannot just allow it to lie down like that. There is need for the relevant Committees to truly come forward to investigate and find out where this money is.

Like what my Colleague just said, as Members of House of Representatives, on a daily basis we receive calls from our various constituencies from people seeking for assistance to pay school fees. If there is a Bank that could at least assist, just like the Students Loans Board did before 1992 when it got scrapped, there is need for us to revive it, so that some of our students, particularly Science students, who are being asked to pay certain fees that some of them cannot afford will benefit. If there is a Bank in place that could assist these students to get loans and pay for their studies, in fact even studying outside this country, there is need for us to look at that.

I urge my Colleagues to also support this very Motion to ensure that the relevant Committees of the House work out to see that this Bank is put in place.

Hon. Agbonayinman Johnson Ehiozwa (Egor Ikpoba Okha): I thank Hon. Yerima for moving this Motion today. Dear Colleagues, it is very simple.

As far back as 1972, you could imagine Nigerian government could even think about the students on how to empower them because Education is the foundation of any nation. So, as far back as 1972, you could discuss Students Loans Board but today - this is 2016 - we have totally forgotten about the educational system of this country. This is why you see Nigerians going outside the country for better education. We have failed in our responsibility to give back to the society.

That they could even give loan in 1972; today we do not even hear anything of such anymore, talk less of giving a soft loan to student. Even the NYSC graduates, when they finish, at the end of the day you see a lot of them being killed without we thinking about them. These are the future of tomorrow. We have neglected these young men and women, failing in our responsibility to cater for the wellbeing of the people.

Now, when you look at other countries, they put so much in the educational system but here in our country Nigeria, we do not even think about the educational system. It is here you will see a graduate completes university programme for almost eight years due to strike all the time. That is failure on the part of government.

Finally, I appreciate the Mover of this Motion because it speaks for itself. As a matter of fact, everyone here should support it. The Motion is highly about our educational system that we have failed in our responsibility to do the needful for our great youths out there.

Hon. Kayode Oladele (Egbado North/Imeko Afon): Just like previous Speakers, I commend the Mover of this Motion. It is very timely, fundamental and highly patriotic. Section 18 of the Constitution says:

Government shall direct its policy towards ensuring that there are equal and adequate educational opportunities at all levels for Nigerians.

That is under the Directive Principles of the State Policy. The Section further goes to say that education *shall be free at all levels*. Unfortunately, the area that deals with the Fundamental Objectives of the State

Policy also goes to say that it is non-justiciable, meaning that it is a political question; we cannot enforce it in the court of law. So it is just the desire of the Constitution that these things should be done.

However, in the absence of that, we have in place what the government calls Education Bank, that if government cannot provide free education, at least it should be able to give out loans to students to pursue their education. That is the whole essence of the Education Bank.

As it was said in the Motion, it is meant to replace what we all knew then to be Students Loans Board which the government graciously gave to students at that time to pursue education either within or outside the country. Today we do not have that. Parents are going through a lot of economic hardship because they cannot provide school fees for their children and the Constitution says it is not justiciable. We like to provide free education but as it is today, we do not have the resources/money to do that.

We have an Education Bank that is not moving forward, that is not doing the least of its expected objectives, at least the function of providing loans to the students. It is incumbent upon us to act, going by the Section 14 of the Constitution, that says:

The welfare and security of the people shall be the main policy of the government; it shall be the responsibility of the government

We as the representatives of the people owe it a duty to call on ourselves to ask government that we should do something to ensure that we free people from the shackles of economic crisis and to ensure that education is put in place.

Without education, how do we ensure development? Without education, how do we ensure that those of us that are here today will have people coming behind us? We are here by the virtue of the fact that we had opportunities in the past to be able to take advantage of what we were given. Are we giving that advantage to those that are coming behind us? Is the government doing anything at all to ensure that this country moves forward educationally?

It is against this background that this Motion is calling for an action plan. We want to know the status of the Education Bank so that at least we know how to move the nation forward. If we need to amend the law, if we need to do something else at least to ensure that we provide education for people, I believe that this is a Motion that should be supported by all and that should be given the necessary attention.

Amendment proposed

The Speaker: There is an amendment from Hon. Gaza, which reads thus:

Due to the sensitive nature of the impact of this sector and the development of this nation, that an Ad-Hoc Committee to investigate the state of the bank, the impact of the board till date and the state of the loans that have been issued till date to report on how to reposition the bank in the light of the state of the dollar and report back in the next four weeks for further legislative action.

Hon. Adekola Segun Alexander: I second the Amendment proposed by Hon. Gaza.

Amendment put and agreed to.

Main Question as amended put and agreed to.

Resolved to:

- (i) Mandate the Committees on Tertiary Education and Services, and Banking and Currency to investigate the current status of the Nigerian Education Bank with a view to bringing about its revival.
- (ii) Call on the Federal Government to endeavour to meet up with the UNESCO benchmark of 26% of State budget for funding of education.
- (iii) Due to the sensitive nature of the impact of this sector and the development of this nation, that an Ad-Hoc Committee to investigate the state of the bank, the impact of the board till date and the state of the loans that have been issued till date to report on how to reposition the bank in the light of the state of the dollar and that they report back in the next four weeks for further legislative action.

Motion referred to Committees on Tertiary Education and Services, and Banking and Currency.

Need to Investigate the Various Intervention Funds by the Central Bank of Nigeria

The Speaker: Hon. Colleagues, the sixth Order of the day is a Motion on the Need to Investigate the Various Intervention Funds by the Central Bank of Nigeria, standing in the name of Hon. Ayodele Oladimeji. He is now invited to move the Motion.

Hon. Oladimeji Ayodele (Ado Ekiti/Irepodun/Ifelodun): I move the Motion on the Need to Investigate the Various Intervention Funds by the Central Bank of Nigeria.

The House:

Aware that the Central Bank of Nigeria (CBN) has, over time, made conscious efforts to supplement shortfalls in allocations to the real sector by lending directly to consumers, contrary to its original mandate of going through commercial banks on issues involving consumer lending, the basic intention being to assist in stimulation of the economy;

Further aware that the CBN has executed and continues to execute various intervention projects in different sectors of the economy running into over ₦1.233 trillion, including:

- (i) Commercial agricultural credit schemes amounting to ₦200billion,
- (ii) Power and aviation sectors intervention fund amounting to ₦300billion,
- (iii) Micro, small and medium enterprises development fund, amounting to ₦220billion,
- (iv) Real sector support facility, amounting to ₦300 billion,
- (v) Nigeria electricity market stabilization facility, amounting to ₦213billion;

Further aware that the above sums are part of the sum of ₦2.02 trillion set aside by the CBN as Intervention fund for operators in the various sectors of the economy to access;

Observes that given that the CBN's intervention in any particular sector is synonymous with a declaration of a state of emergency in that sector, it is therefore expected that there would be an expeditious handling of such projects with noticeable impacts, however, the power sector for instance, has not really shown appreciable improvement as electricity supply is still very epileptic in most parts of the country;

Notes that these intervention funds have not yielded the expected economic development as people who are supposed to benefit from the micro, small and medium enterprises development fund, which was supposed to be the catalyst to grow businesses, create jobs and empower people across various incomes, have at various times, complained of their inability to access these funds; hence the need for the CBN to adopt a process that will ensure that the targeted beneficiaries can access these funds without impediments;

Resolves to:

Mandate the Committee on Banking and Currency to investigate the disbursements of these funds, assess their impacts on the relevant sectors of the economy and also the performance of the various schemes undertaken by the CBN, and report back to the House within six (6) weeks for further legislative action.

Hon. Shadimu Mutiu A. (Oshodi-Isolo I): I second the Motion ably moved by Hon. Oladimeji.

Hon. Oladimeji Ayodele: The major function of financial institutions is financial intermediation. That is to mop up money from the surplus sector and provide for the deficit sector to therefrom bring about economic development. The Central Bank of Nigeria is supposed to be a regulator of the financial sector, but in the past years, Central Bank of Nigeria has taken over the role of commercial banking by going into direct lending to different sectors of the economy.

It has set aside a whopping sum of ₦2.02trillion to intervene in the various sectors of the economy. Out of which ₦1.233trillion has so far been disbursed. By implication a sum of ₦787 billion is idle, meaning that this is more or less sterilised. The intervention of the Central Bank of Nigeria in these various sectors of the economy mentioned is supposed to achieve some specific purposes, for instance, export promotion. It is supposed to promote small and medium enterprises, agricultural business and expand the foreign exchange exclusion list by promoting local production.

With the intervention of the Central Bank of Nigeria complaints abound that many of the intended beneficiaries cannot access these funds. Again, the impact of this intervention funds is not being felt as expected in the sectors. For instance, a sum of ₦213 billion was set aside for the power sector. As at today, we are all experiencing epileptic power supply and I am sure that from our various constituencies people are asking us to come and buy transformers for them; assist them to repair their transformers. Sometimes, we even help them to buy cables to fix their transformers.

I have an example of intended beneficiary who complained and it was published in the papers on February 15th, 2016. I seek the indulgence of Mr. Speaker to read and extract:

The Hydrolyte Commodities Cooperative Entrepreneurship Multipurpose Union has accused the Central Bank of Nigeria of stalling the disbursement of ₦50 billion loan to farmers and entrepreneurs under the Federal Government's ₦250billion

Micro, Small and Medium Enterprises Development Fund. The cooperative accused the Central Bank of Nigeria of blocking the access to the facility despite meeting all the requirements of accessing the loan.

This is an example of how the intended beneficiaries have variously complained of their inability to access intervention funds. For this reason, there is a need for us to review this intervention funds given out by Central Bank of Nigeria and this will involve reviewing the objectives of each of the funds so applied and the processes and procedures through which these monies are being disbursed.

Also, the beneficiaries of the funds so far are the performance of the loan. We know that loan is very critical for each financial institution. In commercial banks for instance, this can kill a bank. This sum of money being set aside and applied by Central Bank of Nigeria is a whopping sum. We are talking of an amount running over trillion Naira; it is something we should shine our eyes and look at.

Again, we need to look at the capability of Central Bank of Nigeria to handle this aspect of commercial banking, with its own key role of regulating the economy. The Central Bank of Nigeria is far becoming a referee that is equally a player on the field. He cannot effectively do that job of a referee. As we talk, the Central Bank of Nigeria is the banker to the Federal Government of Nigeria, it is the one dispensing foreign exchange and of course it administers the Treasury Single Account (TSA) and finally it regulates the banking and other financial institutions.

With all these functions being taken over by Central Bank of Nigeria, CBN is more or less entangling itself in issues that will make it become less effective. These are the reasons why I am calling for this investigation.

Hon. Mohammed Tahir Monguno (Monguno/Marte/Nganzai): First and foremost I commend the vision and foresight of the Mover of this Motion because it came at a time that it is relevant, apt and germane, having regard to the gospel of diversification of the Nigerian Economy that is being preached by the present government to diversify from being a mono-economy to an economy that has other sources of revenue.

I seize this opportunity to adopt all the submissions made by the Sponsor of this Motion as mine. Also to further add as rightly identified by the Sponsor that the problem we have is the CBN. The fact is that the CBN does not have the capacity to

disburse these loans to the would-be beneficiaries because CBN is statutorily charged with the responsibility of being a regulator of the banking industry. As such it does not have the requisite capacity to disburse these loans to all the would-be beneficiaries.

Secondly, the other problem that is identified with the disbursement of this loan is that of bureaucratic bottleneck and red tape that is usually associated with accessing these loans, while it is being domiciled in CBN. The best thing, for example in the Agricultural Sector, there is a bank statutorily established with the mandate of disbursing these funds to farmers which is the Bank of Agriculture, instead of the CBN domiciling these funds for the Bank of Agriculture which has the capacity and the requisite relationship with farmers for the disbursement of these funds, the CBN for whatever reasons best known to them decides to domiciled these funds in their coffers with all its attendant problems of bureaucratic red tape and bottle necks associated with accessing these funds.

This Motion came at a very relevant time and it is apt and germane. I urge my Colleagues to support the speedy passage of this Motion so that all the inadequacies and lapses that are identified in accessing these funds by would-be beneficiaries will be rectified.

Hon. Amuda-Kannnike Abubakar Garba (Ilorin East/South): I strongly identify with the spirit and intentions of the Mover of the Motion on the subject matter. We are currently at crossroad in Nigeria and when you find yourself situated at crossroad you need to take a stance of review. Just like we are reviewing other sectors of governance and governmental policies, it is critical at this point that we must acknowledge these interventions. As he rightly said in his Motion what emanated from the spirit of emergencies in the real sector necessitated the CBN to take intervention of directly lending money to drive the real sectors that are concerned and listed by the Mover of the Motion.

The truth about it is that we are all living witnesses that we have not seen any turnaround as sequel to this intervention. Most of the problems that were there before the monies were set aside are still there and we hear a lot of stories from people who are supposed to be beneficiaries in the real sector talking about limitations and impediments that militated against access to these funds.

I have many people in the Agricultural sub-sector who are entitled and qualified to benefit from the funds that were allocated to Agric lending and they never benefited. I am also wondering who the beneficiaries of the money that is allocated to the power sub-sector are because we know that before

now until the recent privatisation power was being driven by the PHCN which is an agency of the Federal government. So who are the people that benefitted from the money that was set aside?

It is very important that we must take a very close look at what has transpired with these interventions of CBN. The money involved is very huge, we are of over two trillion naira, that amount today, it is like a third of our annual budget. If we inject that kind of money into our economy judiciously, it is going to turn around the economy; jobs will be created and per capital of the average Nigerian will definitely improve. Sincerely, there are concerns that these monies were not appropriately disbursed and beneficiaries of the money were people not even grounded in the industries for which the monies were targeted at. I implore Members that we should support this Motion.

Also, I agree with my Chairman on Agriculture that we need an amendment to such an extent that an ad-hoc Committee could be necessary because the responsibility is beyond one particular Committee. The reason is that the lending cuts across different sectors. We need an investigative ad-hoc Committee to really ascertain the effectiveness and the Impact Assessment of these monies that were disbursed.

It is a critical time that we must take this decision. You can imagine last year in the budget of the Federal Republic, the Bank of Agriculture was zero, they did not have any money to lend to farmers; yet we have huge monies with the CBN that farmers could not effectively access. We need to set our priorities right and there is no way we can know whether we are taking the right decisions or whether policies worked to guide us in the future better than reviewing the policies that have been implemented and take decisions about the desired intended, effectiveness and impact of the loans.

I urge members to support this Motion and let us drive it to a logical conclusion.

Hon. Leonard Okuweh Ogor (Isoko North/Isoko South): First and foremost, I commend the Mover of this Motion knowing fully well that it is the right of the citizens of this country to find out specifically how tax payers money are utilized. I believe that the essence of this Motion is to create some level of impact assessment, to know precisely how some of these facilities given to the Agricultural, Power, Aviation, Rail, and Electricity sectors were utilised. However, As much as I am in support of finding out the truth, it is extremely important also to try and make some very clear positions in respect of the alleged allegations which I think are very wrong.

In support of the Motion, it is true that the findings of the Committees will reveal many things. As a banker, I am aware that CBN does not lend directly to anybody. The lending facilities are granted through the commercial banks. These funds are actually utilised through the various commercial agencies. The CBN does not operate as a lending House on a one-to-one basis, and it is important we correct some of these allegations. The fact is that how these funds were utilised, the impact on the economy is important for us to know. It will be very wrong for us to probably create some interventions funds that are not properly utilised. On the basis of that, I am hundred per cent in support of the Motion so that we can actually find out precisely how tax payers funds are utilised.

I also adopt the position that because this whole investigation is made up of various sectors, specifically agricultural, electricity, real estate sectors and host of others, sending it to the Banking Committee might not be the best approach. If an Ad-hoc Committee is set up, it should look at the whole issue and make the facts necessary available to us.

Hon. Munir Babba Dan'Agundi (Kambotso): In line with what the Minority Leader has said, this Motion is very important and we have to ask ourselves what is intervention. especially as regards the various sectors the Central Bank of Nigeria has injected money and what are the results that came after the intervention. Like he has said, this money goes through the commercial banks that put a very cumbersome way of accessing this money and at the end of the day, very few individuals, especially at the highest level, got this money and use them for various purposes.

At the Bank of Agriculture, when we went for the oversight in the last Assembly, we found that about 90% of small holder farmers that accessed money between one million and five million naira returned the money to the Bank of Agriculture and they have tried their best to get money from CBN as intervention, which they can give small holder farmers but all these years they have not been able to give them money. We need to look at this and make sure that the CBN is investigated so that we can see how the fund goes to various sectors, especially through the commercial banks.

Hon. Abubakar Damburam Nuhu (Municipal): I appreciate the Mover of this Motion and for bringing it to fore; it is timely and has come at the time we begin to hold people accountable. If you look at the quantum of money we are talking about - two trillion naira which is about one third of the entire budget of the Federal government being proposed this year, 2016. If you translate it in the official rate into dollar, that will be about ten billion

dollar which is not small money in terms of quantum of money; especially when you compare it with the recent pronouncement by Indian Government of injecting ten billion into African countries.

Mr. Speaker, for this kind of amount of money to be injected into our economy by now, we could have seen the growth of economy in terms of growth in Gross Domestic Product (GDP), unemployment should have been reduced, the economic activities should have been stimulated; but again, you begin to put a question mark to whether we are really getting result for this interventions that had been made.

I support this Motion that we need to investigate this interventions, especially when you look at the array of interventions - they were more than ten interventions set aside by CBN. We need to see the level of the achievements of these interventions to the economy of Nigeria. I urge my hon. Colleagues to please support this Motion so that we can move it.

Hon. Olatunbosun Olajide Boladale (Atisbo/Saki East/Saki West): I commend Hon. Oladimeji for bringing up this Motion at this very important time. In fact, without gainsaying, it is one of the best Motions that have moved on the Floor of this House. This is because Nigeria is at a crossroad, our economy is on the downside, it is moving towards the south and we are talking of diversification. How can we do that if we do not have funds? Money set aside under this intervention fund is in excess of two trillion naira, and two hundred billion. Like Hon. Damburam said, it is over ten billion dollars; that is a lot of money but we have not seen the impact on the economy.

A few weeks ago I was in a commercial bank to talk on certain things and they said that the SME loan beneficiaries should go and get landed property. I was like asking to myself for an SME, where are they going to get the Certificate of Occupancy (C of O) to qualify for the loan?

In terms of accessibility, there is a problem with it and the way the CBN is managing these funds, it is like a black box, we need to open it and see what is inside. I suggest that we have a Public Hearing whereby all stakeholders would be invited to tell us the challenges for accessing these funds. Let the CBN tell us how much has been disbursed and to who and what are the criteria. We are looking for money in the midst of plenty.

This year our fiscal deficit is about ₦2.2 trillion, we are going to borrow money to finance that while we have about two trillion naira seated somewhere in CBN vault waiting to be disbursed. I am appealing to us to support this Motion and to support the fact that

we need to conduct Public Hearing where stakeholders could come here to chart a way forward.

Amendment proposed

Hon. Agbonayinman Johnson Ehiozwa: I propose that:

This House do set up an Ad Hoc Committee to investigate and report back to this House within six weeks.

Hon. Hassan Adamu Shakarau (Birnin/Gwari/Giwa): I second the amendment proposed by Hon. Johnson Ehiozwa.

Amendment put and agreed to.

Main Question as amended put and agreed to.

Resolved to:

That this House do set up an Ad Hoc Committee to investigate and report back to this House within six weeks for further legislative action.

Call on Ministries, Departments, and Agencies to forward all Existing Treaties yet to be domesticated to House

The Speaker: Hon. Colleagues, the seventh Order of the day is a Motion on a *Call on all Ministries, Departments and Agencies (MDAs) to forward all existing treaties yet to be domesticated to the House*, standing in the name of Hon. Yakub Abiodun Balogun. He is now invited to move the Motion.

Hon. Yakub Abiodun Balogun (Lagos Island II): The Motion is on the need to call on all Ministries, departments and Agencies to forward all existing treaties yet to be domesticated to this House.

The House:

Notes that Nigeria has entered into many Treaties and other International Multilateral and Bilateral Agreements aimed at enhancing the socio-economic development of the Nation;

Aware that such Treaties cannot have the force of law unless they are laid before the National Assembly for domestication, and the fact that this has not happened has resulted in the country not being able to harness the benefits of the Treaties;

Cognizant that unless the Treaties are domesticated without further delay, the country is running the risk of damage to its diplomatic image.

Resolves to:

- (i) Request all Ministries, Departments and Agencies to forward all the Treaties and other International Agreements they have entered into to the House for domestication.
- (ii) Mandate the Committee on Treaties, Protocols and agreements to assess the Treaties when forwarded with a view to recommending their domestication.

Hon. Mohammed Garba Gololo (Gamawa): I second the Motion ably moved by Hon. Yakub.

Hon. Yakub Abiodun Balogun: This is a very straightforward Motion through which we are calling on all Ministries, Departments and Government Agencies that have treaties that the government has gone into either recently or in the past to forward same for the necessary domestication in compliance with Section 12 (1) of our Constitution.

As we are all aware, the country has entered into over 400 Treaties, Agreement and Protocols part of which were signed in Qatar about three weeks ago. As very important and people oriented as these treaties are, a large percentage of them that should have been domesticated have not been domesticated. Whereas Section 12(1) of the Constitution of the Federal Republic of Nigeria 1999 as amended unambiguously states as follows:

No Treaties between the Federation and any other country shall have the force of law except to the extent to which such Treaties have been enacted into law by National Assembly.

The procedure to adopt in domesticating Treaties is cited in Cap. T20 LFN, 2004, where the three categories of Treaties were mentioned; the category one was the set of Treaties that should be domesticated. In fact, the process of domestication is further highlighted in our Standing Orders, page 67, Order XIV, Rules 99 and 100. The unfortunate incident is that most of these Treaties are just sitting with the Executive. They were never sent to us for domestication. In fact, one of the numerous examples that we have is the Treaty signed with the Republic of South Korea in the year 2006 over avoidance of double taxation and prevention of fiscal evasion. In fact, two nasty diplomatic image events have been experienced as result of that particular Treaty. The South Korea government was able to domesticate the Treaty, no sooner than it was signed in 2006; yet our country ten years later has never finished domesticating it, it was never completed.

There is the second very image damaging event or lesson that was learnt, and it was a very grave for this country. When a particular President in this country saw that the treaty was not ratified or domesticated, and he was advised as to the extent to which it had been done, he had to write to the Government of South Korea that they could go ahead with the implementation of that treaty that has been ratified, only for Ministry of Foreign Affairs to counter it. Just imagine what could have happened if our Rt. Hon. Speaker here goes to the Speaker of the House of Commons that a particular process has been completed in this Green Chamber and a Committee of the House in charge of that particular event had to write to them again to say no, do not follow what the Hon. Speaker said.

The particular President of this country wrote to the Government of South Korea saying that the process had been completed only for the Ministry of Foreign Affairs to write about six months later to say no, it has not been domesticated because it has not been effectively laid before this House. This is for you to know the importance of laying of treaties before they could have the force of law.

It is in this regard that I crave the indulgence of thanking our Rt. Hon. Speaker for the prompt action taken. The reason is that immediately the government of South Korea informed the Hon. Speaker about this delay, he mandated the Committee on Treaties, Protocols and Agreement, which swung into action and by the grace of God the treaty, had been approved for gazetting and proper laying.

I thank all the Members of the Committee on Treaties, Protocols and Agreement for taking up the challenge and thank the President of this country for also taking up some very good actions in this regard as per the letter he sent to the House yesterday, requesting that the treaties already signed with Spain, Sweden and South Korea should be domesticated. It is high time that we should dialogue with all the agencies of government, in order to prevent the type of image damaging scenario that we have just experienced. I prevail on you to please support this request that all existing treaties that have not been domesticated and laid before this House should be brought up by all agencies of government so that further legislative activities should be done.

Hon. Onyenwife Gabriel (Ayamelum/Oyi): I support this Motion in its entirety. It is a cardinal principle of law enunciate in the principle of *quo warrantor less cogit* that no matter how good, fantastic, or excellent an agreement or a treaty is, once it does not meet the constitutional provision of Section 12(1) such a treaty or agreement is of no existence *ab initio*. This implies that no legal right or obligation would be enjoyed or suffered in such a

treaty when it has not met constitutional provision as enunciated clearly in Section 12(1). It is therefore a constitutional wakeup call that it is intended by this Motion, that our treaties should have that legal backing. In light of this, I urge all Hon. Members as I just simply say that we have to support this Motion.

Hon. Kayode Oladele: This Motion is purely a constitutional matter. What it is asking us to do is incumbent upon the Executive to ensure that all treaties are brought before this House for domestication. The effect is very simple; just like the last speaker has said, if it is not domesticated, how do you enforce it? Most of the treaties that we have today are not enforced. The problem is that many of the people that are custodians of these treaties are very ignorant of this constitutional provision. They think once Nigeria and a foreign country enter into a treaty, that is all. Of course they also misplace and misinterpret the difference between ratification and domestication.

I remember when we were having our induction, this came up - a domestication as well as ratification. Many of them feel that once there is ratification, (they do not even bring it to ratification), then it is in order. That is a violation of the Constitution. By this Motion, we are calling the custodians of the treaties, particularly the Executive, to comply with Section 12 (1), it is mandatory. It is not something that we can just say we *urge*, we are not urging them. It is mandatory that they must bring them; otherwise they will be doing this country a very serious harm. As opposed to what they always think, there can never be enforcement unless there is domestication. To that extent I urge my Colleagues to support this Motion to ensure there is a compliance with Section 12(1) of the Constitution.

Hon. Elendu-Ukeje Nnenna Ijeoma (Bende): I thank the Mover of this Motion for bringing this Motion before the House. The House would recall that in the 7th Assembly, when the Committee on Treaties and Protocols was actually created, that it was as a direct consequence of the fact that Nigeria had entered into at a time over 200 treaties, protocols, conventions, and memoranda of understanding that had not been domesticated. Of course under the Treaties Act it is very clear that the Ministry of Justice shall be the repository of all the treaties and agreement that have been entered into by the country. So, it is assumed that the Ministry of Justice has all these over 200 treaties.

I heard that those treaties have actually grown from the last House to about 375 in this House. Everybody understands the constitutional provision of Section 12(1) that says that no treaty shall have the force of law unless to the extent that it has been domesticated by the National Assembly. Even where

there was ambiguity, it has also been the subject of clarification by the nation's Supreme Court in the case between Gani Fawehinmi and Abacha when it was stated, of course again, that these laws are must and can only have the force of law to the extent that they have a local domestication.

My Colleague speaks very glowingly about the DTAA (Double Taxation Avoidance Act) treaty that was entered into between Nigeria and South Korea. Nigeria has entered into so many DTAA's with so many countries; with India, China and the rest. As we live in the world that is constantly without borders and we speak about doing business; movement of goods, funds between these countries, most countries will ask for direct investment.

Most countries, before they come into Nigeria, will ask one question: *What are the taxation laws?* The reason that we enter into this DTAA's is because they give us the opportunity to merge these laws and look at the areas where we differ from other countries and to codify these laws. If we do not do it, there is so much business that is a loss to Nigeria. While we speak of free trade, Nigeria has been unable to balance out her trade because we have not domesticated these laws.

Let me speak about another treaty that is very dear to your heart. It is the treaty on IDPs. Nigeria entered into this treaty, the African Union Treaty on IDPs since 2009 and it has not been domesticated. Yet, today we are looking up at how to codify a way to deal with internally displaced people. There are so many of these treaties with the Ministry of Justice that have not been gazetted and forwarded to the National Assembly. We have over 400 treaties. Every time Mr. President goes out, he ratifies a treaty on behalf of Nigeria.

The truth of the matter is that every time we engage with Ambassadors, the first thing that they say to us as Parliament is that understanding Section 12(1) of our Constitution, that we have not domesticated these treaties and it makes Parliament to look bad. But we would do the work, if only these treaties are forwarded to the Parliament to do the work.

Like my Colleague said and I lend my voice to what he said, that we are not imploring the Ministry of Justice, which according to the law of treaties, is the repository of these treaties. We are asking them to do their work and without further delay forward to us the gazetted copies of all the treaties, agreements and MOUs that Nigeria has entered into so that this House can do the work that we must do in order for the people of Nigeria to benefit from these treaties that Nigeria has entered into.

Hon. Leonard Okuweh Ogor: I identify with this Motion hook line and sinker but in view of the fact that most of these Treaties are very important; my concerns here are the Prayers. I state with all emphasis that Treaties are not sent by the Ministries or Departments or Agencies, it is the core responsibility of the Federal Government, and in this scenario it is the President that transmits Treaties to us, it is very clear there even in our House Rules vis-à-vis the Provisions of Section 12(1) that my Colleagues have stated.

In support of this; it will be very wrong of us to just send the prayers the way they are, it therefore becomes important that we amend Prayer (i):

Request all Ministries, Departments and Agencies (MDAs) to forward all the Treaties that are with them to the National Assembly.

The heading of the Motion also calls on all Ministries, Departments and Agencies to forward existing Treaties. It is not really their core responsibility. I believe that Treaties are very important to us but if they are not domesticated; they do not have the force of law.

This document will emerge from this House as our document, it is important that we bring it into conformity with the constitutional provisions vis-à-vis our House Rules. I therefore, if you will permit Mr. Speaker, knowing fully well also that there might be the need to suspend the House Rules, call for an amendment because this is a Motion on Notice. I suggest we request or call on the President of the Federal Government to forward all the necessary Treaties to the House for domestication. I believe that should be the right position of the Prayer rather than asking the various Ministries, Departments and Agencies to forward Treaties to us because it is not their responsibilities.

The Speaker: The Minority Leader is on point, I do not think that the MDAs can communicate to the National Assembly and we had two Treaties yesterday sent to the House by Mr. President. Mr. President, as the Head of the Executive, is the only one who can communicate to the National Assembly. In view of the importance of the Motion I recognize the Acting Chairman Rules to move that we suspend our Rules so that we can correct the records to reflect the President that should send the Treaties to the National Assembly and not the MDAs.

Hon. Ajayi Adeyinka (Odo-itin/Ifelodun/Boriye): I move that we suspend our relevant Rules to enable us make amendments to the Motion as moved by the Minority Leader.

Hon. Zakari Mohammed (Baruten/Kaima): I second the Motion as moved by the Acting Chairman, Rules and Business.

Question put and agreed to.

The Speaker: The appropriate amendment should be that the Attorney General should cause these Treaties to be transmitted to the President for purpose of ultimate transmission to the National Assembly. That is actually the job of the Attorney General. He will have to gazette them first and then send them to the President. That is the process before these Treaties are ultimately sent to the National Assembly. Minority Leader, could you move the amendment please?

Hon. Leonard Okuweh Ogor: I move that we request the Attorney-General of the Federation to gazette the various Treaties and send them to Mr President for him to forward all the Treaties and other International Agreements they have entered into be sent to the National Assembly for domestication.

Hon. Muhammed Umar Jega (Aliero/Gwandu/Jega): I second the amendment proposed by the Minority Leader.

Amendment put and agreed to.

Main Question as amended put and agreed to.

Resolved to:

- (i) That Attorney-General of the Federation should gazette the various Treaties, send them to Mr. President for him to forward all the Treaties and other International Agreements they have entered to the National Assembly for domestication.
- (ii) Mandate the Committee on Treaties, Protocols and agreements to assess the Treaties when forwarded with a view to recommending their domestication.

Motion referred to the Committee on Treaties, Protocols and Agreements.

Call on the National Orientation Agency (NOA) to establish a National Orientation Brigade

The Speaker: The eight Order of the day is a Motion on Call on the National Orientation Agency (NOA) to establish a National Orientation Brigade to be known as War Against Indiscipline Brigade (WAI BRIGADE), standing in the name of Hon. Ali Muhammad Wudil. He is now invited to move the Motion (*No response*).

I can see that Hon. Wudil is not here and this is the second time this Motion is coming on the Floor. It is like he has abandoned the Motion. Chairman Rules and Business ensure that this Motion is not listed again; maybe he has lost confidence in the Motion.

Hon. Kayode Oladele: In absence of the Mover of the Motion, I move that we step down the Motion.

Motion by leave of the House stood down.

ADJOURNMENT

Hon. Femi Hakeem Gbajabiamila (Surulere I):

I move that this House do adjourn till tomorrow Thursday, 17th March, 2016 at 11:00 a.m.

Hon. Jibril Umar Buba (Lokoja/Kogi (KK)): I second the Motion ably moved by the Leader of the House.

Question put and agreed to.

Resolved: That the House do stand adjourned till tomorrow, Thursday, 17th March, 2016 at 11:00 a.m.

The House adjourned accordingly at 2:10 p.m.