

**HOUSE OF REPRESENTATIVES
FEDERAL REPUBLIC OF NIGERIA**

Thursday, 5th May, 2016

The House met at 11.11 a.m.

PRAYER

(The Speaker in the Chair)

VOTES AND PROCEEDINGS

The Speaker: Honourable Colleagues, as we wait for the Votes and Proceedings, we will proceed with today's scheduled activities. We will start with announcements.

ANNOUNCEMENTS

Visitors in the Gallery

**Members of the National Association of Ebonyi
State Students (NAESS) University
of Abuja Chapter**

The Speaker: We have at the Gallery to observe our proceedings this morning members of the National Association of Ebonyi State Students, University of Abuja Chapter.

Could you please, rise?

(Student rose for recognition)

You are welcome; please, be seated.

**Students of Word of Faith Group of Schools, Area
1, Garki, Abuja**

The Speaker: We have also at the Gallery, Students of Word of Faith Group of Schools, Area 1, Garki, Abuja.

Could you please, rise?

(Students rose for recognition)

You are welcome; please, be seated.

PRESENTATION OF PUBLIC PETITIONS

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

**Petition by Mr. Timothy Olubode Ogunsola on the
Demand for the Payment of his Retirement Benefit
Deposited with the Savannah Bank Plc**

Hon. Mukaila Olayiwola Kazzim (Abeokuta North/Obafemi-Owode/Odeda): Mr. Speaker, this is a Petition from my constituent, Mr. Timothy Olabode Ogunsola, from Obafemi Owode Federal Constituency, which I represent.

Mr. Timothy retired from the Federal Civil Service in the year 2001 and haven been paid his gratuity he decided to invest the sum of ₦1.6 million with the Savannah Bank Plc for 90 days at twenty *per cent* interest rate per annum. On the due date, Mr. Ogunsola went to the bank to regain his investment, only to meet the doors of the bank securely locked.

He enquired and was told that Savannah Bank Plc has been declared distressed and liquidated by the Central Bank of Nigeria. I am aware from the main Petition and evidential sources that a legal action was instituted by Savannah Bank Plc against the Central Bank of Nigeria over the liquidation, to as far as the Court of Appeal for which the Court of Appeal gave judgment in favour of Savannah Bank Plc on the 20th October, 2006.

Since then, Mr. Ogunsola has called severally at the headquarters of the bank to find out the plan which the bank has for its customers, himself inclusive; only to be told each time that the bank will contact them through the media.

Since then, there has been no positive action of feedback from Savannah Bank Plc. This has no doubt occasioned *(Interruption)*

The Speaker: Hon. Kazzim, please tell us his prayers and then proceed to lay the Petition.

Hon. Mukaila Olayiwola Kazzim: Mr. Speaker, with your permission, let me lay the Petition.

The Speaker: Please, proceed to lay the Petition.

(Petition laid).

**Petition over Revocation of Plots of
Land at Kurudu, Abuja**

Hon. Saleh Shehu (Magama/Rijau): Mr. Speaker, I have a Petition here to present by Rijau Resources Nigeria Limited. The Petition was signed by the Managing Director, Alhaji Abdullahi Goyi. The title is *Petition over revocation of plots of land at Kurudu, Abuja*.

Rijau Resources was a registered company with Corporate Affairs Commission and has a Head Office at No. 206 Tunga Low Cost, Minna, Niger State. The said company acquired some plots of land at Kurudu and the lands were revoked by the former Minister, Hon. Bala Mohammed. They have followed all the due legal processes, searches were conducted at AGIS and they acquired the Right of Occupancy. But to their greatest surprise and dismay they said that the lands were revoked without compensation or replacement.

Therefore, I want to crave your indulgence to submit this Petition to this honourable House.

The Speaker: Please, proceed to lay the Petition.

(Petition laid)

**Wrongful Dismissal and Non-Payment of
Entitlements**

Hon. Diya Oyewole Babafemi (Somolu): Mr. Speaker, I have a Petition written by Mr. Omoniyi Alaba Okotuga against the Nigerian Railway Corporation for wrongful dismissal without payment of salaries and requisite entitlements.

With your permission, let me lay the Petition.

The Speaker: Please, proceed to lay the Petition.

(Petition laid)

**Unlawful Disengagement from the
Nigerian Army**

Hon. Samaila Suleiman (Kaduna North): Mr. Speaker, I have a Petition by my constituent Sani Ladan against the Nigerian Army. He is claiming that he has been unlawfully disengaged from the Nigerian Army. He therefore seeks the intervention of this honourable House with a view to getting him reinstated with all benefits and promotions attached.

With your permission, let me lay the Petition.

The Speaker: Please proceed to lay the Petition.

(Petition laid)

**Unlawful Detention by Economic and Financial
Crimes Commission (EFCC)**

Hon. Chinda Kingsley Ogundu (Obio/ Akpor): Mr. Speaker, I have a Petition from one Dr. Faith Robert. It is on behalf of Mr. Azibola Robert. The gamut of the Petition is that on the 23rd day of March, 2016, the said Azibola Robert who is the Director of Dagata Engineering and his sister company - One Plus Holding was arrested and detained by men of the Economic and Financial Crimes Commission (EFCC).

Ever since almost two months he has been in detention and he is being forced to attempt to implicate the former President of the Federal Government of Nigeria as a condition for his bail.

The Complainant further stated that they have also gone to Court to get a Court Order for his release on bail, but the Economic and Financial Crimes Commission (EFCC) has consistently and persistently refused to obey the Court Order.

They have come to this House to seek for succour. They are praying that we wave in to ensure that the constitutional rights of this Nigerian that has been in detention for almost two months is being protected.

With your leave, I seek to lay this Petition on the Table.

The Speaker: Proceed and lay the Petition.

(Petition laid)

**Refusal of INEC to Conclude the Pending Re-Run
Elections in Rivers State**

Hon. Isah Hassan Jama'are (Jama'are/ Itas/Gadua): I have a Petition from Rivers D22 against INEC. The Petitioners complained that they were denied of their constitutional rights for representation at the national and state level by INEC for their deliberate delay in inconclusive election. With your kind permission, I would like to lay the Petition.

The Speaker: Hon. Isah, please, proceed and lay the Petition.

(Petition laid).

**Non-Payment of Pension and Gratuity by the
Nigeria Police Force**

Hon. Shehu Aliyu Musa (Bauchi): I stand to forward the Petition of one of my constituents by name Inuwa Ahmed, a retired Superintendent of Police. This Petition is against the Police Service Commission. He voluntarily retired on the 12th October, 2005 and up to today his entitlement has not been paid to him. Neither pension nor gratuity is being paid to him.

He has made several complaints to the Police Service Commission where he was invited twice for an interview to seek for redress but unfortunately, nothing has been done. He decided to write a Petition to this House through Mr. Speaker so that his redress can be achieved.

With your kind permission, I want to lay the Petition before you.

The Speaker: Proceed and lay the Petition. I guess that would be the last Petition we would take for today.

(Petition laid).

All Petitions, accordingly referred to the Committee on Public Petitions.

PRESENTATION OF REPORTS

**Report of the Ad-hoc Committee on the
Investigation of the Declaration by the Hon.
Attorney-General of the Federation and Minister of
Justice concerning the Resolution of the National
Assembly on the Crisis in the Kogi State House of
Assembly**

The Speaker: The first business of the day is presentation of the Report of the *Ad-hoc* Committee on the Investigation of the Declaration by the Hon. Attorney-General of the Federation and Minister of Justice concerning the Resolution of the National Assembly on the Crisis in the Kogi State House of Assembly, standing in the name of Hon. Femi Gbajabiamila.

Honourable Members would recall that the *Ad-hoc* Committee was constituted on Tuesday, 12th April, 2016. The Report is now ready for presentation and the Leader of the House is now invited to present it.

Hon. Femi Hakeem Gbajabiamila (Surulere I): I move that the House do receive the Report of the *Ad-hoc* Committee on the Investigation of the Declaration by the Hon. Attorney-General of the Federation and Minister of Justice concerning the Resolution of the National Assembly on the Crisis in the Kogi State House of Assembly.

Hon. Ado Alhassan Doguwa (Doguwa/Tudunwada): I second the Motion as moved by the Leader of the House.

Question put and agreed to.

Hon. Femi Hakeem Gbajabiamila: Before the presentation, may I also move with your kind permission that this Report be considered today at the Committee of the Whole because of the urgency of the matter?

The Speaker: The Report has to be presented first, because there is no Report before the House.

Hon. Femi Hakeem Gbajabiamila: I was just trying to move a Motion for presentation and consideration at the same time. But I would present the Report as directed and later move for consideration. Thank you.

Report laid on the Table.

The Speaker: We would take the Report later, it is not good for us to break into the Committee of the Whole and then come back to do the main Business of the Day, which is the continuation of the Sectoral Debate with the Hon. Minister of Industry, Trade and Investment. As soon as we are done with that, we can then take the Report.

**Reports of the Committee on Inter-Parliamentary
Relations**

The Speaker: The second business of the day is presentation of two Reports of the Committee on Inter-Parliamentary Relations, standing in the name of Hon. Samuel Ikon. Hon. Ikon is now invited to present the Reports.

Hon. Ikon Samuel Okon (Etinan/Nsit-Ubium/Nsit-Ibom): I present the Reports of the Committee on Inter-Parliamentary Relations on the 67th Session of the Executive Committee during the 38th Conference of the African Parliament Union (APU) held in Bissau, Guinea Bissau from 2nd - 6th December, 2015 and the African Youth Parliamentarians Union Conference held in Rabat, Morocco from 9th -14th December, 2015. I so move.

Hon. Egwu Emmanuel M. (Idah/ Igalamela/Ibaji/ Ofu): I second the Motion as moved by Hon. Samuel Ikon.

Question put and agreed to.

Reports laid on the Table.

ORDERS OF THE DAY

Admittance into the Chamber

The Speaker: The first Order of the day is a Motion on Admittance into the Chamber. I invite the Leader of the House to move the Motion.

Hon. Femi Hakeem Gbajabiamila: Mr Speaker, I move pursuant to Order XIX, Rule 217 of the Standing Orders of the House, for the admittance into the Chamber of the Hon. Minister of Industry, Trade and Investment to continue our Sectoral Debate and briefing on the Diversification of the Nigerian Economy. I so move.

Hon. Alhassan Ado Garba (Doguwa/ Tudun Wada): I second the Motion as moved by the Leader of the House.

Question put and agreed to.

Resolved: That the Honourable Minister of Industry Trade and Investment and his entourage be admitted into the Chambers, for the purpose of Sectoral Debate on the Diversification of the Nigerian Economy.

The Speaker: Whip, may you please usher in the Honourable Minister of Trade and Commerce.

ANNOUNCEMENT

Christian Legislators Prayer Breakfast

The Speaker: This notice is from the Christian Legislators Prayer Breakfast Fellowship, National Assembly Complex, Senate Wing, Room 316:

The Christian Legislator Fellowship Forum wishes to invite all Honourable Members to the Christian Legislators Fellowship 8th Anniversary Programme with the theme *Occupy Till I Come*.

Brother Gbile Akanni will be the Guest Speaker of the day while Frank Edwards will be the Guest Artist. Details of the anniversary are as follows:

Wednesday, 11th May, 2016 - Conference Room 231, Senate Building National Assembly Complex Abuja.

Time: 7:00 a.m. prompt.

Accept the assurances of our highest regards, please.

(Signed)

Hon. Yusuf Ayo Tajudeen

(The Honourable Minister of Industry, Trade and Investment was ushered in accordingly)

SECTORAL DEBATE

The Speaker: The second Order of the day is resumption of Sectoral Debate on the Diversification of the Nigerian Economy: Real Sector Development, Pursuant to Order XVI of the Standing Orders of the House of Representatives. I now invite the Leader of the House to move that the Sectoral Debate do resume.

Hon. Femi Hakeem Gbajabiamila: I move that today's briefing on the Diversification of the Nigerian Economy as far as it relates to Industry, Trade and Investment, begins.

Hon. Apiafi Betty Okagua Jocelyn (Ahoada East/Abua/Odual): I second the Motion ably moved by the Leader of the House.

The Speaker: There is no need putting that one to vote and let me say that it is my pleasure to now invite the Hon. Minister of Industry, Trade and Investment to make his presentation to the House.

THE MINISTER'S BRIEFING

The Minister of Industry, Trade and Investment (Dr. Okechukwu E. Enelamah): Your Excellency, Rt. Hon. Yakubu Dogara, Speaker, House of Representatives; Honourable Members of the House of Representatives, I want to thank you very much for the opportunity to be with you today. I particularly want to appreciate the leadership of the House of Representatives and the entire House for hosting this event.

It is indeed my pleasure to have this opportunity to stand in this hallowed Chambers to speak about our work as a Ministry and my work as a Minister of the Federal Republic of Nigeria and to discuss the plans of the Federal Government to fast track and deepen the diversification of the Nigerian economy. The natural starting point for this presentation would be to provide some contexts on the state of the Nigerian economy. As we know, Nigeria is the largest economy in Africa with a GDP greater than USD 500 billion.

Our growth averaged over seven *per cent* per annum between the period of 2005 and 2014 but has slowed down considerably since 2015 on account of a number of factors.

Notably first is the precipitous drop in the price of oil, on which we depend for 75 *per cent* of government revenues and 90 *per cent* of our foreign exchange earnings. Between mid-2014 and early this year, oil prices fell by as much as 75 *per cent*.

The second factor that has caused the crisis we now face is the changing condition in the world's two largest economies, and indeed a lot of major economies. In the US we have the end of the era of Quantitative Easing and availability of our returns to investors as a result. In the case of China, we also had a slowdown in the economy. These challenging economic circumstances are not unique to Nigeria. In most places across the world, from Brazil to Russia to South Africa, countries like us, dependent on export of natural resources have been facing challenging times that have had a negative impact on their growth rates, foreign reserves and currencies.

Having laid the foundation, let us now consider the structure of the Nigerian economy. A lot has been said about Nigeria being an oil-dependent economy and this is indeed true, as it is obvious from the state of our public finances and the impact of low oil prices on the economy in general. It is however important to note that the impressive economic growth of recent years before the slowdown was driven primarily by non-oil

sectors, such as financial services, telecommunications, entertainment and so on.

Foreign Direct Investment (FDI) inflow was also strong, averaging USD2 billion per quarter since 2013, with over 70 *per cent* of this again from non-oil sectors, which leads us to a very important point. First, we should not lose sight of the fact that Nigeria's economy is actually more diversifying than it seems. The much talked-about oil sector, which has historically accounted for three-quarters of government revenues, and as much as 90 *per cent* of the foreign exchange earnings, actually contributes only 14 *per cent* to Gross Domestic Product (GDP). Agriculture on the other hand, which contributes about a fifth of our GDP, accounts for only a small fraction of our export earnings.

The challenge before us therefore is this: How do we monetise and include some of these other sectors in our revenue base as a country? How do we boost non-oil exports, so that we are no longer primarily dependent on the ebbs and flows of the oil market for our government revenues and foreign exchange? How do we take full advantage of the potentials of Agriculture and agro processing, solid minerals, Information Communication Technology (ICT), entertainment and other areas to mention just a few, which elsewhere in the world have underpinned economies much bigger than ours?

There is arguably no better time than now to seek to diversify and restructure our economy. As the saying goes; *a crisis is too great an opportunity to waste*. Therefore, the flip side of the oil price crisis is the opportunity it presents to us to create something new; to develop a diversified export base and a solid base of domestic manufacturing. Let me now talk about some of the current diversification efforts that we are making.

Current Diversification Efforts: Our plan to continue to encourage and foster diversification and industrialisation of the economy is predicated on four pillars, which I would like to talk about briefly.

First, create an enabling environment for industry, trade and investment in Nigeria. We are working to position our Ministry - the Ministry of Industry, Trade and Investment as an Enabler and Facilitator of business and investment in the country. We would like Nigerians and the world at large to regard Ministry of Industry, Trade and Investment (MITI) as the *Ministry of Enabling Environment*. When we say *Enabling Environment*, we mean one in which it is progressively

easier to do business, policies and predictable and consistent, the government acts as a partner to business and investment, not a competitor or an adverse regulator, and there is increasing micro-economic stability.

We have started coordinating with the State Governments on measures to improve the investment climate and operating environment for businesses. In the weeks and months ahead we will be unveiling a number of important initiatives that will help address Nigerians historically poor performance on various Global Competitiveness and Ease of Doing Business Indices. These concrete initiatives will focus on removing the many obstacles that stand in the way of business and business innovations in Nigeria.

In our estimation, the singular most important enabler of business in any country and for Nigeria as well is the whole area of infrastructure and I use the word *infrastructure* very broadly. By infrastructure, we mean not only *hard* infrastructure like transport networks and reliable power supply, but also *soft* infrastructure like transparent regulation, policy consistency, the rule of law, and a culture of efficient collaboration and synergy amongst various government agencies and offices.

The second pillar of our diversification strategy is to implement the Nigeria Industrial Revolution Plan (NIRP). This plan will help us make the transition from being primarily an exporter of commodities and raw materials, to being an industrial economy. Manufacturing currently contributes only a tenth to our GDP, much lower than it does in other emerging market economies. Our industrialisation ambition is hinged on the Nigerian Industrial Revolution Plan (NIRP), which was launched by the previous government in 2014. It is now time to move from Plan to Action. It is now our duty to implement that Plan in light of current realities, taking into considerations the lessons learnt in the two years since it was unveiled. We are focused on identifying and supporting a select number of sectors in which Nigeria has a comparative advantage. We have seen success in the industrialisation policies in the cement industry; and sugar is currently trying to replicate that term success. In the Automotive, Cotton, Textile and Garment industries, we are continuing to engage the players and stakeholders to see how we can better implement an industrial policy that creates jobs, provides inclusive growth and shares prosperity.

The third plan or pillar of our diversification strategy is to champion the course of Nigeria's Micro

Small and Medium Enterprises (MSMEs) as a means of creating jobs and achieving inclusive growth. MSMEs as are called, are the unsung heroes of our economy, currently contributing well over half of the GDP, and possessing the potential to be even more productive, given the right incentives. Working through agencies like the Small and Medium Enterprises Development Agencies of Nigeria (SMEDAN), the Bank of Industry (BOI), the Industrial Training Fund (ITF) and the Nigeria Export Promotion Council (NEPC), and in collaboration with other Ministries, Departments and Agencies (MDAs) of government, we will be rolling out programmes and initiatives focused on supporting MSMEs with financing, infrastructure, technical support and training. Already, as part of ₦500 billion Social Investment Programme in the 2016 Federal Government's Budget, over two million traders, farmers and artisans will receive micro-credit, through a fund to be managed by the Bank of Industry.

The fourth Pillar of our diversification strategy is to pro-actively attract long-term local and foreign investment. One of the fundamental questions facing us as a government is: how do we increase the levels of domestic and foreign investment and savings in Nigeria, especially for the purpose of closing our massive infrastructure gap? These challenging times we found ourselves in call for the deployment of innovative finances solutions, targeted at unlocking capital wherever we can find it. We have begun to see positive momentum in this front; for instance, during President Muhammadu Buhari State visit to China, investment agreements reached just between business to business, between the private sector was over six billion dollars in which MOU was signed between Nigeria and Chinese companies, and these range from construction of roads to factories, housing and to a number of other sectors. The size and type of financing Nigeria requires suggests that our preferred partners will be those who show evidence of a commitment to long-term partnership and making long term investment in our country.

Practical Proposals on Legislative Intervention to Support Diversification: I will now like to speak briefly to some of the practical proposals where legislative intervention will support our diversification agenda, giving that I am in this hallowed House speaking to you today. To achieve these goals, we would need your help and support. We need legislative backing and intervention to reform some of the laws and practices that have been holding back our economy. I will just like to cite a few examples, with your kind permission.

For Ease of Doing Business: The Company and Allied Matter Act (CAMA) requires overhaul, to align it with the realities of the 21st Century, as well as global best practices. And this is something we would like to engage the House on.

For Micro, Small and Medium Enterprises (MSMEs): To unlock their potential, which accounts for almost half of the GDP like I said earlier, we need the National Assembly to fast-track work on the Independent Warehouse Regulatory Agency Bill, and Secured Transactions in Movable Assets Bill. When passed, these pieces of legislation will significantly improve access to finance for small businesses.

Investments: To unlock investments in infrastructure, legislative reform is required in a number of areas, like the Railway Corporation and Postal Services Acts. It is only by reviewing these laws that we will be able to guarantee much-needed private investments in these sectors.

Conclusion:

Let me conclude by stating that diversification is a priority for President Buhari and this administration. No nation grows without developing and expanding its productive base. The current administration will strive to create a conducive environment for domestic and foreign trade and investment, especially focused on the non-oil economy. We are committed to improving the ease of doing business in our country, by painstakingly dismantling and removing the many obstacles that entrepreneurs and businesses and investors have longed faced.

We will pursue our industrial policy learning from our own experiences and that of others. We will continue to partner with local and foreign investors, foreign governments and international organisations to achieve win-win economic growth and shared prosperity for people. Thank you. *(Applause)*

QUESTIONS AND ANSWERS SESSION

The Speaker: Members will raise some questions; just note them and then respond to them at the appropriate time.

Hon. Karimi Sunday Steve (Yagba East/Yagba West/Mopamuro): Hon. Minister, we thank you for your presentation. In your presentation, you talked about the increase in foreign direct investment into the country. In fact, from records, the foreign direct

investment into the country increased from last quarter to this quarter by about 46 *per cent*. How has this increase affect employment generation in Nigeria?

Secondly, you will see that capital importation into the country in the last quarter of 2015 was around a billion dollar. But in the first quarter of this year, it has reduced to around \$700 million; that is a decrease of about 56 *per cent*. This is negativity. What is the government doing to increase capital importation into the country?

And in a report, it was said that rating the ease of doing business with 189 countries, Nigeria was rated 169. That is out of the 189 countries that was said to be the hardest to do business with Nigeria is rated 169. This is not a good index. What are we doing to improve the ease of doing business in Nigeria? This is because if we are talking about bringing investment into the country, we must improve on this rating. Nigeria must be seen as a country that is very easy to do business with.

If we are going to talk about trading, you know that we need to do a lot in improving the balance of trade deficit that we have in Nigeria today. And most of our industries like the steel industries of old, the Ajaokuta, the Iron Ore, the Rolling Mills are down; the textile industries are down. To bring back these industries, there is a need to collaborate with local investors like the likes of Dangotes and others. I believe there are so many investors that we can encourage to collaborate with foreign investors to bring back some of those industries because we cannot improve our balance of trade deficit without bringing back our industries. We need to create jobs for our people by bringing back these industries. What is the government doing about this?

Finally, you will know that the hallmark of innovation is creativity. You find out that in our film industry today, one problem that the industry has is piracy. What is the government doing about this, so that the hard work of our people is not just stolen away because of piracy?

Hon. Hamman-Julde Garba Chede (Bali/Gassol): I have to commend the Minister for his presentation and I have a very simple question for him, which is on investment. When we say investment, particularly foreign investors, they are bringing wealth to the nation and we know the importance of security and peace.

Hon. Minister, what are you doing on your own pertaining to security and peace to attract those foreign investors to come to this nation?

Hon. Babajimi Adegoke Benson (Ikorodu): My question goes thus: Nigeria's import has been a critical issue and a subject of national discuss. But if you look at it in a global frame, our GDP to import is just 12 *per cent*. It is lower than the importation in other neighbouring countries in the West Coast of Africa; lower than Ghana and lower than Cote d'Ivoire.

Our problem in Nigeria is that we do not generate foreign exchange from other sources. Our main source of foreign exchange, 80 *per cent* of it comes from oil. This is why this meeting today is very imperative. So we need to be encouraging countries to come into Nigeria to produce so that we can export and earn foreign exchange.

What are you doing to encourage the establishment of Free Trade Zones because that will serve as a veritable source of gaining FGIs into Nigeria and providing infrastructure for them to be able to produce and export?

Hon. Adekunle Abdulkadir Akinlade (Egbado South/Ipokia): Hon. Minister, we all know that the challenge we have is that of investors for local businesses and we all know that our problem again is not that of policies listening to your presentations today. I believe that Trade and Investment Ministry still has laudable and brilliant policies and ideas initiative. But regardless of how wonderful all these ideas are if these ideas and initiatives are not something that the local businesses or the local investors can actually appreciate these initiatives or use them, then, I think at the end of the day we will still go back to square one.

What processes are you putting in place to domesticate these policies and initiatives that your Ministry have, so that the average investor or businessman in Aba, the average businessman in Abeokuta or any part of Kaduna, or Kano can actually understand how all these things could benefit his business and be able to fully harness all these initiatives presented to us.

Hon. Jimoh Abdulraheem Olajide (Lagos Mainland): I want to congratulate this House for the first time in the history of legislature in this country for us to have listened to this kind of submission and for the Speaker to have deemed it fit to invite all of our

Honourable Ministers to come and give submission on diversification.

Before now they have spoken a lot in this country about privatisation and capitalization. Today, we are now trying to embark on diversification of our economy, from agriculture to industry, etc. All these sectors are all intertwined and I believe that as the Ministry in charge of industry, trade and investment, there are certain key things we must look into. There is no investment, there is no trade, there is no industry that can grow without adequate power supply. It is a necessity in this area if we want our industry to grow internally and also to export outside this country.

This Ministry is about operationalization, my question is; how do you think this will work to the extent that this administration and Nigeria as whole will enjoy the dividend of democracy from that industry?

Hon. Egwu Emmanuel M.: Our guest Minister, I must commend your diversification strategies that you tagged the '*four pillars*'. But I want to add Honourable Minister that there some stimulants that are necessary for these pillars to be effective and efficient. These include the building of investors' confidence, the local funding, correction of the economic instability and the building of economic thrust. So my question will rest cardinally on these ingredients or the stimulants that I have mentioned.

What are the deliberate efforts of government to ensure that the investors' confidence is built, most especially the foreign investors, that when they bring in their money they are sure of not only breaking even, but to earn profit, because nobody goes into business to make a loss?

Secondly, the policy thus far, most especially the monetary policy that has been initiated by the Central Bank of Nigeria tends to discourage local investors because they cannot access funding to earn capital for their business. Honourable Minister, what attempt is being made by government to ensure that our local investors have access to funds, to enable them establish their small scale, and of course, if possible the large scale industries?

Thirdly, in the area of instability, we have high rate of inflation now in the country and for an investor to be effective and to have trust in the market economy, the growth in prices must be minimal. Where there is a high gap in prices of commodities investors may be discouraged. So, what is the deliberate effort that the

government is making to ensure that the high rise in prices is controlled?

Fourthly and lastly, is the trust building: What is the deliberate effort by government to ensure that an investor in-trade has confidence in the other investor? This is because there is always collaboration between investors and if there is no trust among investors, there is tendency to discourage manufacturing and production of goods and services.

There must be government policy deliberate enough to ensure that all the factors that are involved in the market have confidence among themselves, and that definitely will promote productivity.

Hon. Kwewum Rimamnde Shawulu (Donga/Ussa/Takum): Hon. Minister, I have very straightforward question to ask you, Sir. The first question is; why is it so difficult for Nigerian products, including farm products to have market across? We are aware that presently some agricultural products are being returned to Nigeria. Why is it so difficult, and what do we need to do to solve that problem?

Secondly, what are we doing to ensure that in the quest to get investment we do not compound our unemployment crises? For instance, we do know that some years ago, the Federal Government brought in a foreign company to rehabilitate our rail system – our railways, and they brought in labourers from that country to come and work – labourers which we could have got within the country.

There is also this issue related to it. In the quest to get foreign investment, we seem to be too lenient sometimes to the foreign investors to the extent that we do not even ensure that they follow our rules or obey our regulations. For instance, we have this issue of exportation of lux from Nigeria. Our laws require that this lux should be processed in Nigeria, which would stimulate that sector as well as generate employment but we are just allowing our rules not to be obeyed. What are we doing to ensure that in bringing investors in, they obey our rules, the way our investors are made to obey rules in other countries? Thank you, Sir.

Hon. Olatubosun Olajide Boladale (Atisbo/Shaki East/Shaki West): Hon. Minister, thank you so much for your speech. My comment will be on the area of diversification. You mentioned four pillars and one is to champion the course of our SMEs. Now looking at Nigeria today, we have the challenge of unemployment, increasing growth and poverty. Look at our SMEs, there is a report that Nigeria has about

17,000,000. I believe that if we get our Act right, to create employment should not be a challenge because if each SME is enabled to create additional one job in a year, that means we can do additional 17,000,000 jobs in one year. If that is extrapolated over five years, we can create 85,000,000 jobs. So, what are we doing in short and medium term to ensure that SMEs are empowered to create jobs? I know for them that you do not need too much grammar. We know that with shortage of power, we cannot do that in the short run. With a 10 KVA generator, a small business can do their production, sell and employ people. So, let us have solutions that are scalable – short, medium and long term.

Also Hon. Minister, looking at the issue of diversification, we have four pillars. I would like to break it down because next three years is a very short time; there is no way you are going to achieve all of these in the next thirty-six months. So, let us have a plan that between now and the next twelve months, this is what we want to do, etc.

And lastly, please what are you doing about SMEDAN? SMEDAN is a call centre; it is bureaucracy in terms of effectiveness. I have not seen much in terms of their contribution to helping SMEs. Before coming to the House, I have worked with various SMEs and I was also a consultant. I have a lot of information about SMEs, challenges and what they expect from the Government. Please, if you want SMEDAN to drive the growth of SMEs we need to look at that Agency again. Right now, they are not doing much; they are just a call centre that Nigerian taxpayers' money is being spent on them. Let us look at them again. What are they going to do in terms of concrete action plans? Thank you very much.

The Speaker: Hon. Minister, I am sure that you must have taken enough now. You may wish to respond to these ones before we ask more questions.

THE HON. MINISTER'S RESPONSE TO THE QUESTIONS

The Hon. Minister: Your Excellency, Rt. Hon. Yakubu Dogara, the Speaker; I must say that I am just sitting there and taking notes. There are many contributions that I would just take as frankly and wisdom, experience, inputs in what is a developing story. In other words, there is much to do and I am very encouraged from what I have heard. It shows that we have our Members who are engaged and understand what their constituencies and businesses are going through. And so what I will be making as contributions

which I will say are in addition to the contributions made by the honourable Members, and I have taken copious note. In my former life, I used to be doctor and what I used to do well is note-taking; I can take note as fast as most people can speak. So, I took a lot of note and I would take them away and I will continue to digest them.

Let me just take the questions one by one. Like I said, there were a lot of comments. The first one was about FDI – Foreign Direct Investment. There had been somehow increase in FDI but why is there no corresponding increase in employment generation? It is a very apt question. I would say that one of the observations we have made coming in this new government is the importance of not just chasing growth in Foreign Direct Investment for its own sake, but to ask; why do we need the FDI? I also agree with the honourable Member that it must generate employments; and it is for the good of our people. It is not an end itself and therefore we are very keen to channel or encourage Foreign Direct Investment in the productive sector of the economy, hence the discussion we are having today about diversifying our economy. Be it agriculture and agro-processing base, there is so much we can do there.

For instance, I have learnt that there are a lot of industries which many of the Members have commented on. The reason why I am interested in bringing them back is that they are employers of labour. If you look at CTG (cotton, textile and garment) for instance, they employ hundreds of thousands, if not millions of people, whereas if you contrast it without taking anything away from say, Portfolio Investment where people are making portfolio passing investment, you may not create any additional job. The money would come and leave. So, we have some benefits in embracing the kind of foreign investment that is long term in nature and creating incentives for the investments we make, which is the focus of the industrialisation strategy. So, I agree with your observation and I would see the kind of investment we are actually going for that will create employment.

More so that there was observation I once captured on importation and the fact that it has gone down and what can be done to increase capital importation. I think for capital to come into the economy, we have to create conducive environment, and that is why the number one objective of our policies as Ministry of Trade and Investment is enabling environment. Capital is to take risk. Capital is shy and generally goes to where it is most welcomed and I think this is something

we as a country must work on. And I do agree that as a country, we have to do everything to improve our investment climate and ease of doing business in the country and that will take me to the next question.

The question was actually asked by the same Member that the ease of doing business ranking is 169 out of 189. I also saw the same statistic and clearly felt that we have to do more. And now we have accepted to undertake a major initiative where we would set up a task force that would work on an inter-ministerial basis across ministries to deal with all the obstacles that challenge doing business, and this is something that will have the support of the President, the Presidency as well as the Cabinet. So, I believe that as we are going forward, we are going to see very tangible concrete actions being taken to improve our ranking in the ease of doing business that was talked about the honourable Member, which by the way is a World Bank ease of doing business ranking.

We have also engaged the World Bank itself to understand how they do their ranking's data, as well as to marshal out a game plan or a plan of action going forward. So, I am confident that we will see result during the life of this administration. Our objective would be that by the time we are done with this, we would be on the top 100. So, we need to reverse the trend and enter the top 100.

Then there was a question about why most of our industries are down. How do we bring them back and how do we ensure that there is collaboration between local and international investors. I will make two observations on that. First is that I agree that this is something that requires attention. I spent the last 21 years of my career before coming into government, working on investments, basically acting, putting local and international investors together, and I believe that this can be done. There is a room for local investors in terms of knowing the market, having access to the customers, people, understanding the local legislation and for foreign investors in terms of bringing capital, loans and access to foreign market.

I am using the treaty recently with China as an example. We organised an investment forum and a business forum between our local investors and our local entrepreneurs and Chinese investors and it was very successful. There is no question apart from our role as enabler, as a catalyst, as a facilitator in that march-making and of course, you know that we have an agency that is focused on that - Nigerian Investment Promotion Council (NIPCO). So, we are quite confident that we are going forward, we are going to do

more in this area, and the focus now is on the implementation, so that we are acting on the things that we say we will do.

I think the question of addressing piracy in the film industry is an important one. Basically, we have a department that is focused on Just Intellectual Property and Commercial Law, trade-marks, intellectual property, patents and so on. I think what we need in Nigeria is very enforcement, but I think it is a carrot and stick thing. If you will enforce better you will also create opportunity for the people. A lot of people who are on the street trying to hawk or sell one thing or the other be it original or fake need outlet of individual opportunity. I think it has to be a carrot and stick approach to create employment opportunities for our people and at the same time we enforce our rules.

Then there was a question on the relationship between investment and security and the hon. Member asked; what will I do in particular? But I believe it is wise to start with what my President is doing. The President's three point agenda, which is a very wise agenda and he has been very consistent with is on security as number one. That unless the country is secured, we cannot talk about investments, but Investment like you know is risk at best, they will run away.

Secondly, it is on dealing with governance issues and corruption because if there is a lot of leakage, people will be concerned about how much return they are getting on their capital when you subtract all the leakages. So again, it is something that is receiving a lot of attention. And it is against that backdrop frankly that the economy then comes in, which is the third point in the President's agenda and the country's agenda for that matter.

Therefore, I agree that there is need for a secured environment for investment. But I will also say that we have made important progress since this government came in, whether it is in terms of fighting the insurgency of *Boko Haram* or some of the other things that we are dealing with.

One of the observations that I have made here and I am sure the honourable Members will agree with me is that human nature is to forget the way things used to be. If things get better people do get used to it very quickly and just act as if it is quite normal. They will say; what have you done for me lately; that was yesterday. So, we should acknowledge the progress you have made and frankly then build on it to start attracting investments, which is also why I believe that

in my Ministry, our work is something that we have to rise to the challenge because all the other people are doing their parts.

There was a question around the Gross Domestic Products (GDP) to import and the fact that when you really focus on is generating more foreign exchange to encourage ourselves to produce more and export more and one way to doing this is by establishing free trade zones. Like I said earlier, these are all very useful and sound comments, I can agree more. I do agree that the fundamental problem is not so much that the percentage of our import compared to our overall GDP is high, but that we are in mono-economy in terms of our exports. Therefore, some of those imports for them to continue; in short, everything needs a two way flow. If you are importing and you are not exporting, you are going to choke like we have found ourselves doing.

Therefore, the focus on creating more in exports is good. The point around free trade zone is a very important one and it is one that we have recognized. The most important thing that we can do now is to actually start implementing the Free Trade Zones that we have and I think the honourable Member also made a point that what the Free Trade Zones need is good infrastructure. That is why people will want to go in there, because if we cannot provide infrastructure everywhere, at least let us provide it in the special economic zones and the free trade zones and I quite agree more. That is something we are focusing on.

In fact, only this morning before I came to this hallowed Chamber, I met with a group of foreign investors and foreign advisors who want to work with us on Free Trade Zones in particular, based on the way it is done in China and other markets. This is something that we are paying a lot of attention to.

The next question you have asked was, how can we make sure that all these ideas and plans we have worked to the benefit of our people? The honourable Member talked about the average person or the average company in Nigeria and what are the processes (to use his word) to domesticate these policies to our people? I will say that the way you domesticate it is by implementing it. If you are talking and you are not doing it, then, the impact will not be felt. We believe for instance, that by the time we implement this policies, we should see practical results on businesses that are operating here. These are things they need; if you remove the obstacles businesses have, you have domesticated the plan, but if you do not remove it, we

could talk for a long time, then I agree with him that the impact will not be felt.

Again, the commitment of this government is implementation. We are going to do more to implement than talk and I hope we will be collaborating with the House fully in that implementation exercise.

The last question was on the importance of power supply. No industry or indeed no country can develop without adequate power supply. This was an observation I made during my opening remarks that every place you see industrialisation take place, you have to improve infrastructure first. Therefore, power supply is absolutely crucial. Also, the question was as the Ministry of Industry, Trade and Investment, what are we doing to make sure people get the benefits of this power supply and therefore the benefits of industrialisation?

We are working very closely with the other Ministers and the other Ministries. There is no question that to achieve result, there has to be an inter-ministerial efforts. I work very closely with the Ministry of Power, because power itself requires investments. I know that investment will be needed in the Free Trade Zones like we have observed earlier. Then, it is through collaboration and cooperation that we will get these dividends of democracy that the honourable Member asked about. Then the other question was on stimulants and how to encourage these stimulants.

The stimulants that would help our plans come through ranging from confidence building, local funding, trust and creating stability in the economy. Again, what I was saying is that a lot of these are questions that are also comments. I agree that you need to rebuild the confidence and the way you rebuild confidence is by demonstrating results; by taking things that are easier to do, doing them, and people will see that you are working the talk. As we do that you will see that the confidence will come back where it has been lost.

In terms of monetary policy and providing adequate foreign exchange for businesses which is something we are engaged in. We have an Economic Team of the Cabinet that is working with the Central Bank to make sure that we address the needs of our manufacturers who need foreign exchange and inputs at times for their production.

Let me also say that this is an area the President has shown particular interest to say; what can we do to make sure our manufacturers have everything they need to operate. A lot of work is going on there and you will be hearing the result of that work as we go on. As you know, I that the budget has just been passed, and you know about it - the budget of the Federal Government and the Federation. Anyway, let me just say that it is important that we have a budget to operate with and I know that this is something that is well known. What I mean is that we can operationalize it now.

That work is on-going but as soon as it happens, everybody needs it, the National Assembly needs the budget, the Executive needs the budget, Judiciary needs the budget, and the people need the budget. It is all right, I have been asked to speed it up. Why is it difficult for Nigerian products to be accepted and what is being done about that? Again, I want to assure that there is inter-ministerial effort dealing with all the reasons why our products in the past have been rejected abroad and that work is progressing very well. It is led by the Nigerian Export Promotion Council as well as Standards Organisation of Nigeria (SON), NAFDAC and some of the other agencies. I am confident that our products will be accepted going forward.

How do we avoid worsening our employment challenges while bringing in foreign direct investment? I think it is linked to an earlier question which is basically to make sure that we are encouraging local investors and local investment. So, it is not just inviting foreigners; but we should also pay attention to our own people. Our people are also investors and they are saving and I believe that the number one priority of everybody investing in Nigeria, be it foreign or local has to be generating jobs and so we will certainly pay attention to that.

Championing the course of Small and Medium Scale Enterprises (SMEs) and the Honourable Member said that there are over 17 million SMEs. If each of them employs one person, we will create 17 million jobs. That is an observation that is well noted. What I will say is that we will do everything to champion the course of SMEs, by making sure that like he observed that we prioritize the things that can be done over the next 12 months. Let me give you an example: I am sure that the honourable Members are aware that we have a Strategic Implementation Plan that has just been published, that talks about the things this government will achieve over the next 12 months, and if you go and check, you will see ease of doing business things there. You will also see the things that we are doing for

SMEs. There are very practical concrete actions that we are going to be taking to achieve results.

On the question of SMEDAN, what I will say is that SMEDAN has a new leadership and I have been very impressed with that leadership; just stay tuned. The old SMEDAN has been revamped and it is going to be getting results working very closely with SMEs; just watch this space!

Those are all the questions I got and I believe I have addressed all of them.

The Speaker: Please Hon. Members note that you have maximum of two minutes and I will enforce that, because so many Members want to ask questions.

QUESTIONS FROM HON. MEMBERS

Hon. Oladimeji Ayodele (Ado Ekiti/ Irepodun/Ifelodun): Honourable Minister, I have two very short questions. The first one borders on the revival of the textile industries and some other industries in Nigeria. Some of these industries over the years have folded up. If you go to Lagos, many of the former warehouses and manufacturing companies are now being taken over by churches.

Some years back, I had the opportunity of working in Kano. Charada used to be an industrial estate; many of the companies there have folded up. When I talk of many years back, some of the problems today were not the reasons these companies went down then. In 1996, 1999 and 1998, *Boko Haram* was not there, power was still better than now, yet these companies went down. I expect to hear some specific policy thrusts that will address issues that made these companies go down in those days.

Secondly, is on this issue of direct foreign investment. We need very concrete foreign policies that will encourage foreign investors to come into the country, because when they come, they come with their money. But when they have to go, they should have confidence in our economy that there will be no restrictions when their investments are due for repatriation. So, I want to hear that there are specific policy thrusts too that will encourage foreign investors.

Hon. Ahmed Garba Bichi (Bichi): Hon. Minister, I am happy to hear from your presentation that the present administration is willing to start implementing the Nigerian Industrial Revolution Plan, which if fully implemented, will address almost all the questions that

my colleagues here have raised. That has shown the importance of continuity. Not continuity of a particular administration, but continuity of government policies; since it was the previous administration that came up with this NIRP.

Through that policy, which is a complete policy framework, where government will identify certain industrial areas in Nigeria, form industrial clusters as you rightly mentioned in your submission, where we have both comparative and competitive advantage. By identifying and forming those industrial clusters, Federal Government in collaboration with the State Governments will try to address certain infrastructural deficiencies that are in existence in those industrial areas.

We are almost a year now into the present administration, if we are still mentioning the NIRP as part of the policy that we are to start embarking upon; and as I said earlier, it is something that will take even 12 years for it to be fully implemented.

The Speaker: Thank you, Hon. Bichi. Hon. Tope Olarinoye

Hon. Olayonu Olarinoye Tope (Ifelodun/ Offa/Oyun): Hon. Minister, it is just a follow-up to some of the questions some of my colleagues have actually raised here.

We are talking about diversification of the economy. The area that I am going is very simple; it is just on the diversification of the economy, there are lots of bail-outs in which the Federal Government can actually implement in order to bail some of these industries out, not the issue of the bailing out of some of the States based on the issue of labour. If there is a kind of network that one can actually look into or what the issue of the economy is going or looking into relating to the issue of bail-outs of some of these industries that can generate labour and improve the status of Nigeria.

How are you actually looking into that in order to foster the improvement of some of the industries that are actually down at present?

Hon. Pwajok Edward Gyang (Jos South/ Jos East): Honourable Minister, you mentioned that you signed so many Trade Agreements on the last visit of Mr. President to China. Now, we are concerned about whether you have taken note of the need to protect Nigerian industries and what you are doing because we

have so many Chinese businesses. Even in Jos where I come from, you have bakeries being run by Chinese. So, what assessment do you do before you sign MOUs and what impact will they have on Nigerians and the guidelines that the Ministry has on that?

Finally, with the proliferation of Asian products in Nigeria, what can be done about it or are there no domestic substitutes? We are also experiencing monopoly; for instance, Multi-choice or DSTV controlling an entire industry in Nigeria. What is the Ministry doing to promote Nigerians to also dabble into such businesses so as to encourage not only employment but empowering Nigerian businesses?

Hon. Olabode O. Ayorinde (Owo/Ose): Honourable Minister, the area that I want to address is the template for investors. I do not know what yardstick you use to determine when somebody is an investor in Nigeria. I want to know whether it is by the number of employees he has in his employment or by the tax he pays to government. I would suggest that you should have a template so that you can capture the investors in Nigeria in various fields.

Secondly, the issue of interest rates, even before the agenda that you have and the plan of action for a long term loan and short term loan that you have. If you look at the Treasury Bills which is government fund attracting as high as 12 *per cent*, it does not exist anywhere in the world. And this is what dictates what the investors now pay in other commercial banks.

Hon. Abdurrahman Shuaibu (Mubi North/Mubi South/Maiha): A major problem faced by our businesses today, which has been a problem for a very long term, is the issue of multiple-taxation. Even with the advent of Joint Tax Board, we still have this multiple taxation problem in Nigeria. Moving goods from one state to another, you have to pay so many taxes on your way. This increases the cost of those goods. What is the Ministry doing to alleviate this problem?

Hon. Abdussamad Dasuki (Kebbe/ Tambuwal): I have two questions. First, you laid emphasis on the government signing MOU worth six billion dollars. In a couple of years, I remember we were very excited when Nigeria had an Agreement with the Chinese to have green field refineries; that I quoted: *... in couple of months we are going to have these green field refineries*. The last time that I checked, these green field refineries areas are still green, nothing has been done. Are you checking with regards to the MOU signed in China? In the next nine months we would

call you here to tell us what you have achieved in China and how many employments have you created based on the MOUs. I hope then you would be able to answer that question.

You have also mentioned the successes that we have achieved in terms of sugar and cement. I know that was as a result of the backward integration by the former President. What are you doing to sustain these successes? We know that in Nigeria, it is not easy to get there, and most times if you get there, you would find it very difficult to hang there. What efforts are you making to make sure that this backward integration that has turned into successes today is sustained especially in sugar and cement?

Hon. Yaqub Abiodun Balogun (Lagos Island II): My question would be very straight. Many of the industrialists that tried to take loan from the Bank of Industry, the conditionalities are that they should pay twenty five *per cent* equity of the cost of the machinery, while the Bank of Industry puts the remaining seventy five *per cent*. When someone struggled and get the twenty five *per cent*, they would still be called upon to bring collateral. Could the cost of the machinery itself not be used as collateral instead of asking them to go and look for collateral again that is discouraging many people?

Hon. Daniel Ofongo Henry (Southern/ Ijaw): Hon. Minister, last year the Central Bank of Nigeria came out with a list of items that were restricted and most of these items, like the Lagos State Chamber of Commerce and manufacturers were complaining that some of the restricted items serve as raw materials to their industries. They equally complained that access to foreign exchange in order to get some of their chemicals and other things was posing a big problem and it is going to affect their industries and loss of jobs.

Today, we could see that so many manufacturers are closing down. For instance, pharmaceutical companies complained about bottles for their pharmacies. The people who deal in furniture were complaining about fabrics, because when they say textiles, they are of different grades. But there are fabrics that those people producing furniture use and those things are now being restricted. What is the government going to do about that? You can see that so many people are closing down their businesses and it is leading to job loses.

Hon. Munir Babba Dan'agundi (Kumbotso): I am a farmer and processor. I take my sesame to China, they charge me ten *per cent* and they do not charge

somebody from Sudan and Soviet anything. This is a clear discrimination and why is it so. Have you addressed that with the Chinese?

Secondly, you have not talked of the issue of African integration. The Minister told us that we would be self-sufficient in rice production in the next two and half years, and West African demand for rice is twenty eight thousands million metric tonnes, while our domestic consumption and need is not more than 6 million metric tonnes. Are you aligning with the Ministry of Agriculture to see that we can produce the excess and export the rest to the West African sub-region in terms of regional integration? You have not talked about regional integration because even if I want to take my rice to Cotonou, a lot of barriers are created for me not to do so. What are you doing in terms of this policy breakthrough?

The Speaker: Hon. Minister, please continue taking the notes. I recognise few members who would ask questions before we close the Session. We have three Members from the next roll. These include the Chairman, Rules and Business Committee and Leader will close from the roll. Let us use maximum of two minutes please. Let us avoid commentaries because there will be another opportunity for debates.

Hon. Sarkin Adar Musa (Goronyo/Gada): My concern is that in your whole submission, you and your colleagues that have been here, your concern is more on foreign investment and I am sure that our economy would be stimulated by our success here locally. In your Ministry, you have three major agencies that can stimulate the economy - SMEDAN, BOI and National Automotive Council. My concern is that the BOI is overfunded while SMEDAN is underfunded. Much of the money you have there, over hundred billions is in the BOI and it is very difficult for a common man to access and establish business.

My view is that if you can divest that money and give it to the SMEDAN. SMEDAN is what gives encouragement for businesses to strive in medium and small scale industries. This is what would generate economic development and employment in this country. Similarly the National Automotive Council has a lot of money, which has been wasting for over ten years and nothing has been done. In the last ten years when Obasanjo was the President, he took that money and used it to finance military and infantry institutions. You may not be aware but you should check. That money is still there and I am sure President Buhari would not do the same but if that money is not properly utilized, if another person comes, he may use the

money to another area that does not necessarily encourage development and employment.

Hon. Orker-Jev Emmanuel Yisa (Buruku): Hon. Minister, mine is a one minute advice. You have advocated for cooperation from Parliament and the best cooperation the Parliament can give you is legal framework. We have been doing that.

Last year we passed the Independent Warehouse Regulatory Agency Bill into Law, but for some strange reasons the last President refused to append his signature to it but we are prepared to do more. My advice is that you should put down in black and white your thoughts on how Parliament can come in and we will do our job. Thank you.

Hon. Femi Hakeem Gbajabiamila: Hon. Minister, as you can tell most of the issues I would have wanted to cover have already been covered by Members and we seem to be on the same page. Let me just highlight one or two things.

In the area of employment which Hon. Karimi and one of our Members referred to, and the issues of contract or agreement of six billion dollar investment with private investors, what I want to know, which Members also want to know is that it is not about it not generating employment, employment is generated because it is talking about construction and the rest of it, but unfortunately that employment goes to the foreigners. Therefore, whilst we are attracting capital we are also attracting human capital from them, and these jobs of construction and all of that are what Nigerians are adequately covered to do. My question to you is that, what exactly are you doing in terms of Immigration, in terms of securing this job local content in the construction industry and other industries for Nigerians? This House declared employment crisis not too long ago and we want to make sure that by attracting these foreign investments we do not create another problem for ourselves.

On the issue of Power and Industrialization which is one of your plans, industrialization obviously has a lot to do with power; without power, forget industrialization. My question to you is this: Is there any policy from coal to power for instance, or alternative source of energy that we are pursuing as a country?

Secondly, I want to seize this opportunity to actually find out what your opinion is because I am going to give you mine. In the area of privatization of power, I personally believe that it is a biggest scam that

is going on in Nigeria today. I believe that the DISCOS that we have today are operating the biggest scam in Nigeria today - A situation whereby you charge people for what they did not consume.

Why has not the Federal Government or what do you think about cancelling the whole process, reviewing it and actually giving a critical sector of our economic or infrastructure to institutional investors that have the financial capacity and the technical wherewithal to supply energy to Nigeria. I believe it is not rocket scientist, but I believe when you give your power sector to briefcase individuals or private individuals who have done well in their areas of business, but who are not institutional investors, I believe we have a problem. I want to know your take on that.

Finally, one of the big most debated issues in the last couple of weeks on the front burner has been the China trip and the package. Honourable Minister, you were on that trip. Can you please tell this House in two minutes, two, three or perhaps four takeaways from that trip that we can communicate to our constituents? You have told us about the six billion dollar investment between private organizations. Tell us what the trip was all about and what Nigeria is benefitting from it? This is because you are hearing argument from the right and left. Thank you.

Hon. Magaji Dau Aliyu (Birnin-Kudu/ Buji): Honourable Minister, I have two quick questions. First, are you aware of the Microfinance Bank Funds? What are you trying to do with it in relation with the petty traders, so that they can get at least the required finance that they lack in ensuring that we have trade?

Secondly, back in 1975, there were good policies by government that made government organizations and institutions to buy made-in-Nigeria vehicles. For example, there was a time that all government officials are using Peugeot; time has gone down. Peugeot, Volkswagen, and Fiat have all gone down the drain. It will be an interesting thing if during your tenure Honourable Minister this kind of policy would be brought back.

Thirdly, you talked about giving loans to petty traders, what is the Policy and what are the plans?

Hon. Adekola Segun Alexander (Ekiti South West/Ikere/Ise/Orun): Honourable Minister, in increasing non-oil export, how can your Ministry and government guarantee that it does not become like

crude whereby Nigeria exports but buy refined products from the same countries it exports to?

Again, according to the Nigerian Bureau of Statics, Telecommunication Industry contributed 8.88% to GDP in the last quarter of 2015, far above the quarter before it in 2014, what Policies are you going to put in place to ensure that the huge resources can be harnessed from this sector?

Hon. Mahmud Abdullahi Gaya (Albasu/ Gaya/Ajingi): Honourable Minister, I have just one question in respect of the export proceeds that go to commercial banks. Normally, the problems are that sometimes when the proceeds come to the commercial bank, they do not allow the exporters to utilize the funds. Sometimes they give them value at the official rate. What are you going to do to make sure that this thing is stopped, so as to encourage the exporters?

Hon. Apiafi Betty Okagua Jocelyn: Honourable Minister, I want to ask a few questions about the Nigerian Retail Market. The Nigerian Retail Market like you know because of our huge population is very large and recently we have been developing a very impressive incomer's platform and unfortunately the channel for doing retail market is so informal, and so standardization has been a problem. We have a lot of Retail Chains coming into Nigerian but we hardly have Nigerian made goods being sold in those Retail Chains. We also have Export outlets like the AGOA (African Growth and Opportunity Act) product, which allows African Countries to export goods outside, especially to America. We are not taking advantage of all these because of our inability to standardize our products. I want to know what your Ministry has in stock for us.

Hon. Saleh Hassan Anthony (Ado/ Ogbadibo/Okpokwu): Hon. Minister, my question has to do with the issue of dumping. Some domestic manufactures have expressed concern over the extent to which cheap import, especially from Asian countries are skipping the domestic production and growth of the factory activities in Nigeria. Given the cheap capital and labour advantage enjoyed by these countries, commodities such as textile, foot wear, household utensils, furniture etc. are very cheap compared to that of Nigeria because of the production cost in Nigeria. What is the Ministry or the Minister doing about this in order to eradicate this dumping? This is because if they continue to dump their goods on us, it will also continue to be difficult for our local manufacturers to cope given the fact of the high cost of doing business as regards to finance and issues like electricity and all

what not. What will the Minister do about this to reduce or totally eradicate dumping in Nigeria?

Hon. Oluwale Oke (Obokun/Oriade): Mr. Speaker, I am happy to have our guest in the House. My question has to do with the status of Nigeria in the committee of nations at the world, continental and regional level and how we have used our policies either intentional or unintentionally to retard Nigeria's progress in the area of trade, industrialisation and investments. I am saying this because at the ECOWAS level what have you done with fiscal policies for Nigeria to maximise her position as the world global asset waiting to be tapped. What have we done with our policies in the year of fiscal monetary policies, bi-lateral relations to maximise our position at the African Union level and the world level? I would have expatiated further in the areas of maritime industry but because of time constraints. What have we done using our Ports in Lagos, Calabar and Warri to harness businesses? Customs earnings, collections have dropped because of our fiscal policies that we have not gotten right. I will want you to please research into this and find out how we can check mate this and operate pragmatically.

Otherwise, businesses that ought to have come to Nigeria will continue to go to countries like Togo, Benin Republic, and Angola. On this, we need to get our policies right.

Hon. Buba Yusuf Yakubu (Gombi/ Hong): Thank you, Mr Speaker. Hon. Minister, you talked about enabling environment and I know so many people have talked about Power, but I have an advice in the area of power because no country has become industrialised without power. We should decentralise our power system. When we go to some parts of the Northern states the sun is so high that we can generate power from solar. We should decentralise and put clusters in our villages and other smaller communities, so that we allow power generated through other means of power, which is the gas and also the hydro to be used for the industries in the cities. Let us decentralise it make sure that solar, wind energy and other sources of power are harnessed.

Secondly, Hon. Minister, you know that the secret of industrialisation starts with these small and medium industries. We need to encourage them, but instead of encouraging them, we are destroying and discouraging them. Let me give you an example: The local refineries that we are destroying in the South-south and also their locally made hand guns, and pistols, etc. we need to encourage this by just regulating their activities from

your Ministries, instead of going out to destroy them. The cap that the Chairman Rules and Business is wearing is weaved by local weavers from Benue State. This can also be developed instead of discouraging.

Hon. Chinda Kingsley Ogundu: Let me start by thanking the leadership of the Eight Assembly for this very innovative and useful sectorial briefing. Hon. Minister, firstly I will start with the issue of Tax. You know that it is difficult for anybody to invest in a clime where there is so much uncertainty. If you are a business man and you are going to invest your money somewhere and you are not sure of what you are going to meet in form of taxation, and that is what is prevalent in our system today. If I want to invest in Nigeria today, can we in anywhere get a harmonised Tax regime to enable me plan ahead and know the taxes that I will pay? If we do not have, what are you doing to take care of that aspect?

The second issue is that of loan. Our financial regime appears to be high compared to other countries. If we go for facilities and most often, outside the eighteen to twenty-one *per cent* you pay, you are also given short term to pay back and very sincerely if we want meaningful investment and development, we can get it within, but we need long term repayment plan to enable investors recoup. What are you doing in that aspect to ensure that we encourage investors?

The Leader talked about the China trip and I will also talk about it briefly. Yes, we got six billion dollar loan; can you tell us whether that loan is coming in terms of cash or equipment and material? If it is both; what is the percentage? This is because we have also seen where you get a loan and at the end of the day, the borrower provides everything in terms of materials, whereby China will bring all the equipment that perhaps are not useful in China and write them off as the loan that we have received from them. Let us know how much of cash are we getting and how much of equipment we are also getting out of the six billion.

The Speaker: Thank you, Hon. Chinda. Hon. Shehu Shagari will round it up.

Hon. Aminu Shehu Shagari (Yabo/ Shagari): Thank you very much, Mr Speaker. Hon. Minister, you will agree with me that manufacturing is the back bone of Industrialisation and industrialisation is the back bone to development. Without industrialisation you can never develop meaningfully. The steel sector is also the back bone of industrialisation and without it we do not have industries and you do not develop. Ajaokuta steel Company and the Iron Ore Mining Company,

Itakpe have been more than 90 *per cent* completed for 33 years now. I repeat, 33 years.

When I was the Chairman, House Committee on Steel, we went there on a visit and after literally shedding tears for the waste we saw, we told the workers that we are going to do something. And the Interim Management Committee there asked us; give us ₦360 million and we will generate ₦10 billion by end of the year. Much as I tried, I could not get them that ₦360 million. But at the end of the year, the workers were paid more than ₦1 billion in salaries and allowances for doing absolutely nothing.

So the workers asked me a question. They said; what are you going to do? I am going to ask you the same question, hon. Minister. What are you going to do to ensure that you are not a tourist like other people come here to be tourist? Government officials have turned this place into a tourist attraction. So, I am asking you the same question; Hon. Minister, what are you going to do to revive the Steel sector and our manufacturing industry?

Lastly, you said that the Company and Allied Matters Act, needs an overhaul. I would like to know those areas you would want this honourable House to intervene in this and I assure you we will do our best in that regard.

The Speaker: Hon. Minister, that marks the end of questions from the Floor. Members who did not have the opportunity to contribute may just put their contributions together and make it in the course of the sectoral debate proper. This one is just a briefing session.

So Minister, you may wish to respond to the issues raised.

THE HON. MINISTER'S RESPONSE TO THE QUESTIONS

The Hon. Minister: Like I observed earlier, a lot of them are actually observations and comments, which I have taken note and I will take them away. I assure you that I would also be implementing the things that I have learnt from you. To make sure I do not end up being a tourist, I think I have to take good advice. Thank you very much.

Some of them are also questions that are being repeated. On the issue of Policy thrust of why companies are shutting down, the reason why we have

this Nigerian Industrial Revolution Plan like a honourable Member said, is to look at all the reasons why it has not worked before and make sure it works going forward. We all accept that the theoretical framework is there, it is the implementation that is key. So, I would say that if we will implement the things in the NIRP, the companies will stop going down and start going up.

Also, on the concrete policies to encourage FDI and avoid problems with the repatriation of capital, the answer to that is that it is like FDI it is attracted. It is like insurance; it is sold and not bought. You have to engage the FDI and when you engage them you honour your commitments and they would come. That is what we have been doing and that is why we have been reaching out to them and creating the investment climate.

I have answered the question of NIRP, why after one year are we still talking it rather than doing it? The answer is that actually there is a lot going on. Most of the policies related to it in most of the sectors are actively going on, and overtime, we will just report on the work that is going on, but there is no question that we are not just sitting back, we are working on it already.

How to protect the Nigerian businesses from Chinese: The answer is by entering into tripartite agreements, enforcing those agreements and I agree that the Chinese are very aggressive. Somebody said if you give them an inch they can take a mile. So we have to make sure that we know the agreements that we are entering with them, and frankly, we are honouring our part of the Agreements and they honour theirs. I believe by so doing, we will make sure our people are employed.

Monopolies that are dominating Nigerian landscape: You will find out that one of the laws that is being discussed is that of the competition and anti-monopoly law. Part of it is just to make sure that we create enabling environment for competition to avoid monopolies that are not good for the consumers.

Template for investors to make sure that they are categorised: The answer to that is that you allow investors to come in different categories and all our incentives take that into account. We certainly do not treat all investors as one. We do not treat Alhaji Aliko Dangote the same way we treat another investor that is smaller. It is programmed to work for different sectors, different sizes, and so on.

The issue of high interest rate is a very good observation. One of the major benefits of creating the right enabling environment where people invest and save long term is that interest rate to come down. High interest rates are indication of limited supply of capital. I believe as we create environment for more capital to come in, it will push down interest rate.

Multiple-taxation is one of the major achievements when you work on ease of doing business because we are working with the states and all the agencies; so you agree on one set of taxes and one set of rules. We are talking to each other and we will address the multiple taxation.

Nigeria/Chinese Agreements; efforts to ensure that MOUs are followed through this time: Again, it is a very good observation. I can tell you that the President already since we came back has asked us to be very specific in the follow up and my Ministry which played a very active role have already marshalled out the next steps and we are working on them as we speak. I am very certain that this time will be different. Also, keep in mind that some of us have been working with the investments, so we are not dealing with something we do not understand. This is an area where one (myself) has garnered competence in over many, many years.

How do we sustain the success that we have recorded in cement and sugar going forward in the other sectors? The answer is just by learning from that experience. I do not want to bore you with all the details. There are several things they did right, including having clear incentives, having the industry monitor itself, having the milestone checks on what is done and based on what is done, you then give reward. In other words, rewards or incentives were for actual results and not for aspiration or theory. That is the lesson we have learnt from them and we are going to carry it to other sectors.

BOI loans, equity versus debt and why can we not use the machinery as collateral? The answer is that BOI needs to be more accommodating as we go on, to encourage industrialisation. We are looking for ways to do that, but at the same time, you need to make sure the money is not lost. So it is a balancing act all the time. Obviously, the short answer to that question is that the equity cannot be the collateral for the loan at the same time, because what it tends to do is that like the thing is bought for 100 *per cent* and the loan is 75 *per cent*, so you typically if it is collateral, we will need to go beyond that. But I do understand the more important questions, which is how do you relax the

conditions so people can get the loans they need? Trust me; we are engaged and we are doing it.

The Central Bank of Nigeria 41 items and access to foreign exchange: Like the person observed, this is the topic of the hour. A lot of time is going into it. We have received complaints that some of those are raw materials and we need to find a way to bring them in. We are working on that as we speak and the Ministry of Industry is very active in that and hopefully you will see policies and adjustments begin to happen overtime to make sure that the policies that we have in place are not stifling manufacturing in any way since that is our priority.

Duties on Nigerian export going to China: This is why we need to engage China because the truth of the matter is that some other countries have entered into relationship with them where they get special benefits. So, we are also entering into those relationships where we can get the same benefits. That is why we are asking because they say; *if you do not ask, you do not get*. So, we are asking and that is a good one.

BOI versus SMEDAN: BOI has money; SMEDAN has need for money for the SMEs: We have asked them that they must work together. There is something called NEDEC where they are supposed to work together. We met only yesterday and there was a concrete agreement on how all these agencies will work together to make sure that those that need the funding are getting it.

Thoughts on how Parliament can come in and help us: I take that as an invitation to bring our requests and we will do so, Sir. Thank you very much.

Attracting capital with people and trying to make sure that they are not taking our own jobs: What we need from them is knowhow; we do not need jobs. We have 170 million people; we have lots of people to employ. We are like China, I have been there; you cannot have them importing the people here and that is something we have made very clear to them. In fact, I am sure that you are aware that when we went, the President did not only thank them for what they have done, but also said the trade is good, but what we need now is investment and to generate employment for our own people. So, that is something we will be paying attention to going forward.

Policy for alternative sources of power: That is something that the Minister of Power is very focused on. I know there is work going on solar; so you will find that there are some particular policies to address

the solar question in the North or Coal in the East and so on.

Privatisation of power could well be a scam according to the Leader: I understand his concerns, but one thing we need to do is to also maintain like some level of continuity. The reason why that is important is that if you go and throw away the baby with the birth water by reversing everything, when you hear the headline, it will just say Nigerians they privatised, they cancel and meanwhile the funds have been collected from the people. But if you read the news today, you would have heard that the Minister of Power told the DISCOs for instance, that they should bring in capital from same institutions. So, the way to do it is by making sure they get the capital they need, and in that process they will probably also have to reduce their ownership to accommodate the new capital. Let us also keep in view that the government retains ownership in those companies, so the government also has a real say. So, it is not just something we privatised and we let go. We are certainly in a partnership with the private sector in power. But I agree that there is a lot more that needs to be done.

Key take-aways from China: I will say three things though there are many more. First, is if they will actually work with our infrastructure needs like the way they said railways, powers, roads, waterways, ports, I think they will help change the face of Nigeria.

Secondly, if the various businesses that signed Agreements (equity Agreement) to create the environment and they work on it, you will find that we would have created a lot of jobs.

Finally, if the deal we signed with them whether it is the Central Bank Deal with their own Central Bank or they go G to G deals, would have brought down the pressure on the US Dollar; for now, we will be able to deal with Chinese RMB which is another convertible currency. So those three benefits will come among others.

On Micro Finance Banks, there is no question, we need them and they are doing a lot of things that will help provide micro credit. I gave one example about the social intervention fund which would be done going forward.

Government policies and how to make sure that going forward we learn from the past really: I will say that that is why we have Nigeria Industrial Revolution Plan. The Plan looks like what went wrong

in the past with a view to correcting it going forward and we are going to implement it.

Export proceeds and having to return money at the official exchange rate versus the parallel rate: This is something the exporters have noted and frankly the CBN is aware of it and we are looking for ways to make sure that, exporters are incentivized and I think you will hear new policies as we go on.

The retail market and how to take advantage of AGOA: First, I will say that it is like we need to create an environment where Nigerians that are retailers in informal sector will come into the formal sector through a carrot approach and we are looking into all that.

In terms of AGOA; you know that we have been to the United States of America as well and dealt with the specific ways to make sure that our people can harness the AGOA and begin going forward more than what we have done in the past.

Dumping: There are two ways to address the dumping issue. First is by policing our borders better and of course, improving quality control even from China. The Standard Organization of Nigeria was on trip to China. They signed an agreement with China on how to make sure that the products that leave China and come here are of good quality. We are also taking measure to better Police our borders going forward. There is no question that substandard goods should not be allowed to come into the country.

Status of Nigeria; use of policies to enhance: I think that was an erudite contribution from the honourable Members over there and I take it as a contribution really. He was basically saying that our policy should align with the kind of standing that we have and that we should make better use of what we have; whether it is our port or intellectual capital; outstanding in Africa; it is an advice and like the African proverb says; when you are given advice, take it and do not respond. So, thank you.

On the issue of us to decentralize our power system so that things like the use of solar can be encouraged, I think I have responded to that. Certainly, I agree.

Secret of industrialization is to encourage SMEs: That was part of my speech. Over 50 per cent of GDP are SMEs and you will find us doing this to encourage them. The examples that I have given, some of them are from innovation to things that may well be

illegitimate. There is a point that if you want to encourage SMEs as part of the formal, come into the system, come into the terms and do what is within the rules and I think some of the examples that have been given may be outside the rules. In which case, it is good to make sure that we encourage them to operate within the rules, but there is no question that SMEs bring more incentive, they should not be discouraged.

How to harmonize the Tax regime in the country: That is what the ease of doing business project is all about. It is by harmonizing it to make doing business easier and we earn more revenues across all the centers of government.

I have addressed the question of loans and high interest rates and being short term: We have to generate more sources of funding to give out as loans, and that is exactly the role of Bank of Industry as one agency, but we need multiple agencies and multiple efforts.

What is the nature of the six billion deal that was done in China? It is more of partnership equity deal. It is not so much loan; that six billion deal is the value of Agreement in terms of most part between two businesses; saying we are going to invest; some of it may well be loan, but those differences may emerge later; but I think the most important thing is just Nigerians are there as equal partners more or less. I do not think they will take any wrong product as loans, which will amount to dumping, that is not the intention at all.

Manufacturers and importance of Ajaokuta: There is no question that something has to be done about Ajaokuta. I can tell you that Minister of Steel, and Minister of Transportation are already working, because it has to do with taking things out of Ajaokuta, as well as privatizing or working with Ajaokuta in the way that it brings in good management. The example that you gave is a good one, where you have workers but we are not producing.

So we must make sure we are producing even if it means bringing in other sources of funding and other sources of know-how, and I know China has indicated interest to work with us on Ajaokuta and some other countries have also shown interest. So, I am sure going forward, it will not be the way an honourable Member has put it; it would not be a tourist issue. There will be answers going forward.

I think the final sets of questions were on Companies and Allied Companies Matters Act; and the

need to bring whatever the issues are so that we can address them and I can assure you we will do so. Points are many, but we will certainly bring it to you. Thank you very much, the Rt. Hon. Speaker, I appreciate the privilege to be here today.

The Speaker: Before you take your leave, I want to bring to you, your Excellency that I on very important areas that you need help in terms of legal framework or legislation, this House will do everything possible to ensure that we have success. We do not want you to do everything, we want you to provide facility like the enabling environment and anything that can generate more money and help the stakeholders to bring about progress in the areas of the SMEs.

I will love to see a bankable policy towards uplifting this sector of our economy because a lot of Nigerians are waiting to go to work. When you talk to them they will say that they are ready, that they have the training, they have the skill, they want to go to work, but where do they go to and we know that it is only in this area of SMEs that we would be able to provide them with job opportunities and create wealth.

Multi-nationals are always there. They do not generate wealth as such. As a matter of fact, in technical terms, they encourage the flow of resources or wealth from the citizens into the pocket of few people who are promoters of those multi-nationals, but the strength of this nation going forward must always rest on the SMEs.

I believe that the goal of our democracy must be for the government to depend on the people and not vice versa. And where the people depend on government in terms of economic empowerment continuously for job opportunities, we will be making slaves of our citizens. So, we have to give them as the license to go create wealth to pursue happiness and that is what democracy is all about.

Having said this, Mr. Minister, if current efforts are sustained, where do you see us getting to in the next one year, in this area that you superintend or in the next four years?

The Hon. Minister: I agree with what you have said. Let me make two or three observations and I hope it will address your question at the end as well. First is that the reason why we are doing business initiative is crucial. It is essential that SMEs benefits proportionally from it. Like you said about multi-national, they can provide their own power they can even bring their own government if you let them; they

just operate like an island but SMEs cannot afford them.

Therefore, we must do those things that create the common denominator. I was talking to the Germans when they came here and they said that the secret of why Germany was so successful is that they use infrastructure and other resources to level the playing ground for everybody, so that you do not have to recruit people who can just run away with it while others are struggling, and that is the first point. So they will benefit from this on doing business.

Secondly, the most important thing that we have from SMEs is access to financing and that is why we are attacking the assets financing questions from multiple angles and I think you will find a lot of social intervention programmes, the micro-credit, BOI programmes and the collaboration that we are doing. We would put real money in their hands. As I speak to you, just last Friday, I launched a *YES Programme*; which is an entrepreneurship programme by BOI that is being empowered like four thousand initially, and it is going like ten thousand SMEs, to help them with ten billion naira and over time more will be done. I think concrete things are being done.

The final thing that I will say is that we have also worked in the private sector, and everybody agrees that this SMEs thing is important but the question is why are we not doing more? Even by creating an environment where government supports those who want to help SME, by saying please, go ahead, you would be amazed how much goodwill we would get. So, we have packaged this strategic implementation plan to achieve what we can achieve in one year and I think the SMEs are included there. We are now working on a three to four-year Plan which is what we would achieve by the end of this administration.

Thank you, Rt. Hon. Speaker for having me.

The Speaker: Thank you very much for your presentation.

VOTES AND PROCEEDINGS

The Speaker: The Votes and Proceedings of yesterday are now available and have been circulated to the Members. So, let us quickly adopt it and move forward.

Hon. Colleagues, I have examined and approved the Votes and Proceedings of Wednesday, 4th May, 2016.

We will take Bills before we go to Matters of Urgent Public Importance. Let us move to Order 3 of our Scheduled Business of the Day.

CONSIDERATION OF BILLS

Consolidation of Bills

Universal Basic Education Act, Cap. C52 (Amendment) Bills, 2016

The Speaker: The third Order of the day is Consolidation of two Bills. Honourable Members, you may wish to note that the Bills are on the same subject matter. I now invite the Chairman, Committee on Rules and Business to move that the Bills be now consolidated.

Hon. Orker-Jev Emmanuel Yisa: I move that (a) A Bill for an Act to Amend the Compulsory, Free, Universal Basic Education Act, Cap. C52, Laws of the Federation of Nigeria, 2004 to Increase the Functions of the Commission; and a Bill for an Act to Introduce Peace Studies as part of the Basic National Curricular in both the Junior and Secondary Schools in Nigeria; and for Other Related Matters (HB. 419 and HB. 420); and a Bill for an Act to Amend the Compulsory, Free Universal Basic Education Act, Cap. C52, Laws of the Federation of Nigeria, 2004, to Provide Compulsory Free Meal a day for Children of ages 6-8 and Classes 1-2 in Universal Basic Schools in the Federal Republic of Nigeria; and for Other related Matters (HB.155), be consolidated as one Bill.

Hon. Chinda Kingsley Ogundu: Point of Order, Mr. Speaker!

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

Hon. Chinda Kingsley Ogundu: Mr. Speaker, I come under Order XII, Rule 92; page 58, which has to do with Consolidation. Our Rule provides that we can only consolidate *Bills of same subject matter*. Not necessarily the same law. It does not follow that if there is an amendment to different Sections of Electoral Act, that we must consolidate them.

If you look at the two Bills, the subject matters are not the same. One of the Amendments is seeking to amend by increasing the functions of the Commission and then the other one is talking about providing compulsory free meal for school children, although under the same law. In fact yesterday, I had the same

challenge, where we consolidated six Bills on the same statute but different subject matters. I wanted to support one and oppose the other subject matter, but the one we are to vote on the Second Reading, I was confused. The subject matters are different and I do not think it is proper to consolidate them.

Hon. Femi Hakeem Gbajabiamila: I think it depends on the interpretation of the two words - *subject matter*. Like yesterday's Bill and today's Bill, this is the way I want to look at them. The subject matter is the Electoral Law. What he is talking about is the issues. Yes, they are different issues but the same subject matter. Just like now we are talking about this Bill, the issues are different but the subject matter remains the same. It is the same subject matter.

So, I think the Chairman, Business and Rules Committee is in order, otherwise, a different interpretation will mean replicating and bringing amendment on the same Bill over and over and over again! A Bill can have forty sections, dealing with different issues. If every Member is going to amend different Sections, Then, we will be talking about forty Amendments over time. So, it is consolidating those Amendments of the same subject matter.

The Speaker: Chairman, Rules and Business Committee, anything to add to that?

Hon. Orker-Jev Emmanuel Yisa: I concur with the Leader. What is the notion behind consolidating Bills? It will save time and cost when the subject matters are the same. The idea behind it like the Leader has said is that we do not want to have forty Bills trying to amend the same law, coming as different Bills on the Floor of the House. Hon. Chinda has conceded that we are talking about the same law here. We are in order trying to consolidate the three as the case is.

The Speaker: I think I will have to rule on this because the distinction is between issues involved in the Bill and then the subject matter of the Bill. So, I do not think we will debate this.

Hon. Chinda Kingsley Ogundu: It is about the Rule.

The Speaker: The Rule talks about subject matter.

Hon. Chinda Kingsley Ogundu: Can I read the Rule?

The Speaker: All right, go ahead and read it.

Hon. Chinda Kingsley Ogundu: I just want to say that the Rules say; *subject matter*. This rule would have said; *more than one Bills on the same statute may be introduced, but when the second reading*, it did not say the same statute. It says *subject matter*. Constitutional amendment is coming before us. What it means is that if we have sections of the constitution to amend by the interpretation we want to give to this, it means that we would consolidate all because they are on the Constitution, and when we debate it, there are areas you would agree, and there are other areas you would disagree and when it comes to voting, you are voting on that Bill as a consolidated Bill. Mr. Speaker, I still doubt if that interpretation would be correct.

The Speaker: Hon. Chinda, No. I do not agree with you because you see the goal of this is actually to save time and cost. So, if the interpretation of the subject matter means that it relates only to the issue being raised by those who are seeking to amend the statute, then, we would have open-ended Bills coming on the same statute. If you talk about constitutional review, we have one Committee that consolidates all the proposed amendments that are coming with regards to the 1999 Constitution and that Committee is a Special *Ad-hoc* Committee on the Review of the 1999 Constitution.

All the Bills that we debate here go there, they will sieve them and at the end of the day, they would consolidate everything and present a one single Report to the House. So, my ruling would be that you are out of order.

Is there any seconder?

Hon. Musa Sarkin Adar (Goronyo/Gada): I second the Motion ably moved by my Colleague.

Question put and agreed to.

Resolved: That (a) A Bill for an Act to Amend the Compulsory, Free, Universal Basic Education Act, Cap. C52, Laws of the Federation of Nigeria, 2004 to Increase the Functions of the Commission; and a Bill for an Act to Introduce Peace Studies as part of the Basic National Curricular in both the Junior and Secondary Schools in Nigeria; and for Other Related Matters (HB. 419 and HB. 420); and a Bill for an Act to Amend the Compulsory, Free Universal Basic Education Act, Cap. C52, Laws of the Federation of Nigeria, 2004, to Provide Compulsory Free Meal a day

for Children of ages 6-8 and Classes 1-2 in Universal Basic Schools in the Federal Republic of Nigeria; and for Other related Matters (HB.155), be consolidated as one Bill.

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

Monetary Power (Abrogation and Regulation) Bill, 2016

A Bill for an Act to abrogate legislative powers delegated to executive, administrative judicial and other officers, agencies and authorities for the determination, imposition, increase, cancellation, withdrawer or reduction of taxes, duties, tariffs and fees and to prohibit the exercise of such powers without the approval of National Assembly pursuant to Section 59(1)(b) of the Constitution of the Federal Republic of Nigeria, 1999 and for other related matters –

Order for Second Reading.

The Speaker: Hon. Colleagues, the fourth Order of the day is the commencement of debate on the general principles of a Bill for an Act to abrogate legislative powers delegated to executive, administrative judicial and other officers, agencies and authorities for the determination, imposition, increase, cancellation, withdrawer or reduction of taxes, duties, tariffs and fees and to prohibit the exercise of such powers without the approval of National Assembly pursuant to Section 59(1)(b) of the Constitution of the Federal Republic of Nigeria, 1999 and for other related matters.

Hon. Members, you will recall that the Bill was read the First Time on Wednesday, 27th April, 2016. I now invite Hon. Garba Datti Mohammed to move that the Bill be now read a Second Time.

Hon. Orker-Jev Emmanuel Yisa: Mr. Speaker, Hon. Datti is not on the Floor. I therefore apply to stand down the Bill.

Bill stood down by leave of the House.

MATTER OF URGENT PUBLIC IMPORTANCE

Urgent Need to Improve Electricity Supply in Ifelodun/Offa/Oyun Federal Constituency and the Nation at Large to Avoid Total Breakdown of Economic Activities

The Speaker: Hon. Tope Danladi Olayonu, can you move your point of Order?

Hon. Tope Danladi Olayonu Olarinoye (Ifelodun/Offa/Oyun): I rely on Order VIII Rule 46, which is Matter of Urgent Public Importance. The matter is on the urgent need to improve electricity supply in Ifelodun/Offa/Oyun Federal Constituency and the nation at large to avoid total breakdown of economic activities. I move that this matter be taken as of urgent public importance.

I also rely on Rule 49 to move for the suspension of the relevant Rules of the House, so that this Motion can be taken immediately.

Hon. Nnam-Obi Uchechukwu (Ogba/Egbema/Ndoni/Ahoada West): I second the Motion that the matter be considered as a Matter of Urgent Public Importance.

Question put and agreed to.

Resolved: That the House do consider the Motion on the urgent need to improve electricity supply in Ifelodun/Offa/Oyun Federal Constituency and the nation at large to avoid total breakdown of economic activities as a matter of Urgent Public Importance.

Hon. Ogbene Emma Egoh (Amuwo Odofin): I second the Motion ably moved by my Colleague that relevant Rules be suspended for the matter to be taken immediately.

Question put and agreed to.

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

Hon. Tope Danladi Olayonu Olarinoye: The Motion is on the urgent need to improve electricity supply in Ifelodun/Offa/Oyun Federal Constituency and the nation at large to avoid total breakdown of economic activities.

The House:

Notes that Electricity Consumers led by Association of the Artisans in Ifelodun/Offa/Oyun Federal Constituency on Tuesday, 3rd May, 2016 moved to the Streets in their thousands to peacefully protest to

register their dissatisfaction with the services provided by the Ibadan Electricity Distribution Company;

Also notes that in the last few weeks, there have been series of protest on the same issue from different parts of the country such as in Abakaliki, Ebonyi State, University of Lagos (UNILAG), Students of University of Ibadan (UI), residents of Abaji in Abuja and many more protested against recent total epileptic power supply in the country;

Concerned that people are really suffering and going through hardship, it is disheartened that due to power shortage, many small scale businesses are folding up and the lack of electricity supply has grounded economic activities to constitute serious macro-economic problem for the country;

Resolves to:

Mandate the Committee on Power to investigate the matter, with a view to have an assessment of the issue across the country and report back to the House within 4 weeks.

I so move.

Hon. Amuda-Kannike Abubakar Garba (Ilorin East/Ilorin South): I second the Motion as ably moved by my Colleague and compatriot.

The Speaker: Hon. Tope, even though it is an infrastructure Motion, I will give you two minutes to round up your debate so that we can move on.

Hon. Tope Danladi Olayonu Olarinoye: Considering the economic situation in this country today, and at the same time, the issue of electricity and power generation generally, most of these companies that are actually taking over the power sector in what we call Power Holding Company of Nigeria (PHCN)... *(Interruption)*

The Speaker: Please, Hon. Members; listen to him in absolute quiet, please.

Hon. Tope Danladi Olayonu Olarinoye: The Members are enjoying the oration of the debate. Mr. Speaker, with the present economic situation of this country, it is clear to every Nigerian and everywhere in the world that power is part of the sector that actually improves the economy of the country. But in Nigeria, reverse is always the case relating to the issue of power.

Every common man in Nigeria today virtually depends on power and it is not everybody that can avoid the issue of generating set. We are talking about inflation and then the drop in economic situation of this country, all these happen because of lack of power and the improvement in power that we are actually aiming at, thinking that we could have improvement in the economy of this country, but all is null and void.

It is discovered that even the issue of power today in this country has actually been turned to the issue that is being controlled by so called cabal and this has affected the entire economic situation, and small and medium scale people are unable to perform. This is really affecting the economic situation of this country.

These are areas in which we need to look into and we are taking it with levity. We are expecting this House - the Eighth Assembly to put the issue of power on track, so that the economic situation of Nigeria could improve. Industries are folding, all the small scales, the welders, grinders, students, everybody is rising up protesting every day.

In Ibadan, there was a protest yesterday, the day before yesterday there was a protest in Offa and Abakaliki. Today, there is going to be a protest in Kano, Onitsha and Abuja. These protests are as a result of epileptic power supply.

I expect that we take the bull by the horns, so that at least, we can put things straight and then have electricity restored and being used as expected, and for the improvement of the economy.

Question put and agreed to.

Resolved to:

Mandate the Committee on Power to investigate the matter, with a view to have an assessment of the issue across the country and report back to the House within 4 weeks.

(Motion accordingly referred to the Committee on Power).

**Call on the Authorities for an Urgent Intervention
on Incessant Local Flight Delays and
Cancellations without Notice**

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

Hon. Agunsoye Oluwarotimi Ojo (Kosofe): Mr. Speaker, I am coming under Order VIII, Rules 46 and 49. The Motion before us has to do with the incessant local flight delays and cancellations without notice. I am moving a Motion under Order VIII, Rule 46 that we should consider this as urgent for discussion.

I also move that we suspend relevant Rules for the House to consider the matter immediately.

The Speaker: Any seconder to the first limb of the Motion? Hon. Wale Raji.

Hon. Raji Tasir Olawale (Epe): Mr. Speaker, I second the Motion as ably moved by Hon. Rotimi Agunsoye.

Question put and agreed to.

The Speaker: Any seconder to the second limb of the Motion? Hon. Philip Shaibu.

Hon. Shaibu Phillip (Etsako East/West Central): Mr. Speaker, I second the Motion that we suspend our relevant Rules in order to take the matter immediately.

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. Rotimi, move your Motion.

Hon. Agunsoye Oluwarotimi Ojo: The Motion before us is on Incessant Local Flight Delays and Cancellations Without Notice - A Call on the Authorities for an Urgent Intervention.

The House:

Aware that there has been frequent complaints by the public and airline passengers throughout the country about a rampant trend by local airline flight operators and their unsavoury customer relation, delays and cancellations, without reasonable grounds and/or ample notice for these occurrences;

Also aware that many local airlines operating within the country do not operate in consonance with the rules of international best practices;

Worried that these local flight operators subject passengers to stress and untold hardship, compelling them to wait several hours at the airports, who many times are pregnant women and little children;

Concerned that many of these flight operators do not deem it fit to communicate passengers on the delayed flights, or give notice of cancellations within a reasonable time, to enable passengers adjust to the developments or seek alternative options;

Also worried that a delayed or cancelled flight without the requisite notice most often plunges passengers into diverse losses ranging from loss of man hours, appointments, business schedules and other matters requiring exigencies;

Also concerned that incidences of poor services ranging from ground handling, poor passengers relations, loss of luggage, time to pick up luggage and so on, have become daily frequency;

Recalls that an Arik flight which was going from Lagos to London on the 4th of April, 2016 at 12 noon could not use the conveyor belt to load luggage into its under cabin, leading to a protracted time from a manual loading;

Determined to ensure passengers are not treated inhumanly and that adequate compensations are paid to passengers who have been subjected to unfair treatments, some of whom have suffered losses of varying degrees;

Also determined to stem these unconventional attitudes of these local flight operators and ensure adequate sanctions and fines are met on erring operators;

Further determined to ensure that local airline operators operate within the international best practices and encourage Nigerians to patronise Nigerian owned airlines;

Resolves to:

(i) Urge the Federal Government of Nigeria to urgently intervene in the issue of flight passengers' unfair treatments, incessant flight cancellations and delays by airline operators in Nigeria;

(ii) Also urge the Nigerian Civil Aviation Authority (NCAA), the Federal Airport

Authority of Nigeria (FAAN) and SERVICOM to carry out a holistic overhaul of service delivery in the aviation sector with a view to alleviating the sufferings of airline passengers; and

- (iii) *Mandate* the Committee on Aviation to invite the Managing Director, Federal Airport Authority of Nigeria (FAAN) and the Director-General of the Nigerian Civil Aviation Authority (NCAA) with a view of looking into the issue of flight passenger satisfaction in a bid to ensure conformity with best practices.

I so move.

The Speaker: Any seconder? Hon. Sunday Adepoju.

Hon. Sunday Adeyemi Adepoju (Ibarapa East/Ido): Mr. Speaker, I second the Motion as ably moved by Hon. Agunsoye.

The Speaker: Hon. Agunsoye, please you have two minutes to round up your arguments.

Hon. Agunsoye Oluwarotimi Ojo: Mr. Speaker, you will agree with me that time management is the most effective tool you can utilise and become successful in life. Lack of planning will not lead you anywhere. You will also agree that service to humanity is service to God. In whatever position you find yourself, do the job with that passion.

There was a time that about two or three weeks ago, I was at the airport waiting to catch a flight to Abuja from Lagos. I was delayed for over four hours. Last week, some of our colleagues reported as well that they waited at the airport from I think for a five o'clock flight, and some of them left the airport at nine o'clock still waiting for the flight.

It is important that we discuss this issue because we have been talking about how we can move Nigeria forward. We have been talking about our economy. If we cannot handle what we own locally here before talking of foreigners, I think it will not augur well.

I could recollect the time when Aero-contractor Airline was good and timely, but now to fly Aero-contractor Airline you would wait for hours to be carried. It is the same thing with Arik Airline. I was on board on the 4th of April to London, you could not

believe it that when they were doing checking-in, they were not doing it on the counter outside because they said this and that was not working, so you have to go inside for checking-in. Again, we waited and waited, when we asked what they were waiting for, they said this and that; but we found out that they were loading our luggage with their bare hands. The conveyor belt was not working and nothing was working.

It is important that we address this and I want to believe that the blame does not go to the airline operators; it has to go to the agencies and parastatals that supervise them.

My dear colleagues, please support this Motion.

Hon. Adamu Abubakar Chika (Shiroro/Rafi/Munya): This Motion is timely. Timely in the sense that there is a global practice that whenever there is a hitch in the airport either as regards to cancellation or delay of flight, certain concession is usually given to the passengers. But here in Nigeria, nobody would give you even information at early period for you to be prepared and know what next to do. You would be waiting for hours and nothing would happen and you would not have a single information as to whether it is cancellation or delay of flight. I believe we have to look at the law books. If they have recommended any way we can reprimand these Airlines, we have to do it. Where there is none, we need to come back to this Chambers and provide ways to protect Nigerians from this untold hardship.

We have to change the status quo. We need to reinvent the will. We cannot allow this to happen in an era of change. These are the times when Nigerians have hope. There was at a time in the past when they would say the hope is deem, but now the light has come and it is in this Chambers. I believe this Chamber would do something for Nigerians so as to avert future occurrence at which the various Airlines would take Nigerians for granted.

Hon. Shaibu Phillip: I join my Colleagues to say that this Motion is coming timely, most especially when I was a victim of one last weekend. I was delayed in Uyo for five and half hours without any correspondence from the Airline.

The interesting thing was that having missed that flight, I also missed my connecting flight to Edo and was forced to travel by road around 7.00 p.m. to meet up my constituency programme that I was supposed to attend in the evening. The following morning, leaving to catch up with another flight to meet up with another

programme in Kano, I was delayed for another three hours at the airport. I was so angry; I walked to the Captain and said why would you people not do something about this unnecessary flight delay? And the Captain just told me, *Mr... if I were you, I would not use this flight again*. When he said this to me I was taken aback. If the Captain that is flying a flight told me *if I were you I would not use this flight*, beyond flight delay, it is possible that that flight has a problem and the Captain is just managing to fly it. I took a snap at him and said that I am going to make an official complaint. If a Captain that piloted a plane would tell me if I were you I would not use this airline again, it shows that there is a problem that needs to be resolved urgently.

Elsewhere, when you are delayed, the airline operators take charge of every activity that you have missed. If you have to sleep over, they would take care of your hotel accommodation. But here, the rights of passengers are not taken into consideration. I am joining this House under the able leadership of the Speaker, to say that we should take stringent action. I am aware that some of these laws provide that sanctions should be meted on erring airlines. We need to activate those laws so that we can move forward.

Hon. Femi Hakeem Gbajabiamila: This is an issue that we must take serious. I remember in 7th Assembly, I brought a Bill to this House dealing with penalizing airlines for this same thing. That Bill is still in the system but my problem and the only reason why I even refused to pursue it to its logical conclusion is about Nigeria being what it is. I thought for a moment, that yes, it is the right thing to do because it does not obtain anywhere else in the world, where you would be delayed flight for five to six hours. People missed weddings, medical appointments, and other appointments, and so on.

But the problem is that there is something innate about Nigeria that is not in other countries. I have to weigh the issues, if we penalize and come down hard on the airlines, which we should, what if these airlines begin to cut corners and circumvent and compromise safety of passengers. That is the problem. We need to be very careful. I was there, Hon. Philip called me when he was delayed in Calabar. I mentioned this to a few people that yes, it is the right thing to do, but we have to do it in such a way that in their bid to maximize their profit and not to make loss they would not begin to cut corners, adulterate the fuel and not servicing the plane just to meet this deadline. That is the peculiar situation the Nigerian business environment operates in

and we have to balance these two things - the security of our lives and the need to be on time.

Amendment proposed.

The Speaker: There are two Amendments. One is from Hon. Henry Ofongo; he is saying that the House should also invite the Consumer Protection Council to know what the Council is doing about protecting air travellers.

Hon. Chinda Kingsley Ogundu: I second the Amendment as proposed by Hon. Henry Ofongo.

Amendment put and agreed to.

The Speaker: The second amendment is from Hon. Jimoh Olajide. He stated that he wants the prayer to be amended as follows; *that the House resolves to commit to the Ad-hoc Committee to investigate and find lasting solutions*. Is there any seconder to the Amendment?

Hon. Adekunle Abdulkabir Akinlade: I second the amendment ably proposed by my very good friend from Lagos.

Amendment put and agreed to.

Question as amended put and agreed to.

Resolved to:

- (i) Urge the Federal Government of Nigeria to urgently intervene in the issue of flight passengers' unfair treatments, incessant flight cancellations and delays by airline operators in Nigeria;
- (ii) Also urge the Nigerian Civil Aviation Authority (NCAA), the Federal Airport Authority of Nigeria (FAAN) and SERVICOM to carry out a holistic overhaul of service delivery in the aviation sector with a view to alleviating the sufferings of airline passengers;
- (iii) Set up an Ad-Hoc Committee to investigate the matter and report back to the House; and
- (iv) Invite the Consumer Protection Council (CPC) to explain to the House the extent of its activities to protect air travellers.

ANNOUNCEMENT

Three Days Interactive Session with Students of Nigerian Universities with the Parliament

The Speaker: There is an announcement here on three days Interactive Session with Students of Nigerian Universities with the Parliament. It reads thus:

Honourable Members are invited to the above ceremony taking place from Sunday, 8th May, 2016 to Tuesday, 10th May, 2016.

In particular, Members are expected to attend the Opening Ceremony at 10:00 a.m. on Monday, 9th May, 2016 at Conference Hall, Room 0.28 House of Representatives New Building and to attend other aspects of the programme as scheduled.

This is an Interaction with representatives of Nigerian Students, one each from all public and private Universities across the nation. They will be here on Monday.

Those former Comrades like Hon. Phillips Shaibu, Hon. Bashir Baballe, all of you must endeavour to attend, otherwise, we will formalise your exit from Comradeship on that day.

MOTIONS

Urgent Need for the Rehabilitation of Uyo Ndiya/Eket Ndiya, Etinan, Mkpato Enin, Ikot Abasi, Port Harcourt Road

The Speaker: The fifth Order of the Day is a Motion on the Need for the Rehabilitation of Uyo Ndiya/Eket Ndiya, Etinan, Mkpato Enin, Ikot Abasi, Port Harcourt Road, standing in the name of Hon. Samuel Ikon. Hon. Samuel Ikon is invited to move the Motion.

Hon. Ikon Samuel Okon: Mr Speaker, I wish to move a Motion on the Urgent Need for the Rehabilitation of Uyo Ndiya/Eket Ndiya, Etinan, Mkpato Enin, Ikot Abasi, Port Harcourt Road.

The House:

Notes that Uyo Ndiya Eket Ndiya, Etinan, Mkpato Enin, Ikot Abasi, Port Harcourt Road is a major

highway linking Akwa Ibom, Rivers and Bayelsa States;

Also notes the deplorable nature of the road and that the collapse of Ndiya bridge by Ikot Mfon has stalled movement of persons and vehicles, thereby crippling commercial activities in those communities;

Concerned that the deplorable condition of the road has given armed bandits the opportunities to attack travelers and are posing risks to Banks and prime business outfits located on the highway;

Resolves to:

- (i) Urge the Niger Delta Development Commission (NDDC) to commence the reconstruction of the road and the bridge to ease the sufferings of the people;
- (ii) Also urge the Inspector-General of Police to put in place security measures in those areas to safeguard the lives and properties of people;
- (iii) Mandate the Committee on Niger Delta Development Commission to ensure compliance.

I so move.

Hon. Mohammed Danlami Kurfi (Dutsin-Ma/Kurfi): I second the Motion moved by Hon. Ikon Samuel Okon.

Question put and agreed to.

Resolved to:

- (i) Urge the Niger Delta Development Commission (NDDC) to commence the reconstruction of the road and the bridge to ease the sufferings of the people;
- (ii) Also urge the Inspector-General of Police to put in place security measures in those areas to safeguard the lives and properties of people;
- (iii) Mandate the Committee on Niger Delta Development Commission to ensure compliance.

(Pursuant to Order VIII, Rule 51 (5) Motion, referred to the Committee on Niger Delta Development Commission,).

Call on the Council of Legal Education and the Body of Benchers to Allow Law Graduates of National Open University of Nigeria Enrolment into the Nigerian Law Schools

The Speaker: The sixth Order of the day is a Motion calling on the Council of Legal Education and the Body of Benchers to Allow Law Graduates of National Open University of Nigeria Enrolment into the Nigerian Law Schools, standing in the name of Ayodele Oladimeji.

Hon. Oladimeji Ayodele is now invited to move the Motion.

Hon. Oladimeji Ayodele: Mr. Speaker, I move a Motion calling on the Council of Legal Education and the Body of Benchers to Allow Law Graduates of National Open University of Nigeria Enrolment into the Nigerian Law Schools.

The House:

Notes that the National Open University of Nigeria (NOUN) is a Federal Open and Distance Learning (ODL) Institution, the first of its kind in the West African Sub-region and also Nigeria's largest Tertiary Institution in terms of student's population intake;

Aware that the NOUN offers Law as one of its courses and met the requirements for accreditation of a Law Faculty, and also has a good percentage of its law students as degree holders in various disciplines who chose to read Law out of passion to further strengthen their subsisting professions;

Also aware that the Council of Legal Education was established in 1962 to regulate, supervise and be responsible for accreditation, control and management of legal education in Nigeria;

Concerned about the Council's policy that law should no longer be studied on part-time basis despite the fact that many notable lawyers in Nigeria who studied law on part-time or through correspondence are doing exceedingly well in practice; and therefore, enforcement of the policy would deny law graduates of NOUN admissions into the Nigerian Law School, an action that will be punitive.

Resolves to:

- (i) Urge the Council of Legal Education and the Body of Benchers to re-visit the decision with a view to allowing graduates from the NOUN to be admitted to the Nigerian Law Schools; and
- (ii) Mandate the Committees on Tertiary Education and Services, and Federal Judiciary to intervene in the matter with a view to ensuring that the Council of Legal Education rescinds the policy that disapproves of the Bachelor of Laws (LL.B) Degree programme offered by the National Open University of Nigeria.

I so move.

Hon. Udende Emmanuel Memga (Katsina Ala/Logo/Ukum): I second the Motion as moved by Hon. Oladimeji Ayodele.

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

Hon. Oladimeji Ayodele: Mr. Speaker, this Motion seeks to call on the Council of Legal Education and the Body of Benchers to allow Law Graduates of National Open University of Nigeria admission into the Nigerian Law Schools.

The Council of Legal Education has declared that the LL.B Degree Programme of this University is not recognized and therefore Law Graduates of the school are not qualified for admission into the Nigerian Law Schools. There is no known law that backs up the policy that Graduates of this Law Programme should not be allowed into the Nigerian Law Schools.

Statutorily, the Legal Education of a Lawyer is not complete until he goes to the Law School to complete his training. This University is set up by statute originated and approved in Nigeria. The University was accredited by the National University Commission (NUC) and has about thirty-two programmes (courses) accredited, including Law programme. I want to believe that in the course of accreditation NUC carried the Council of Legal Education along because they have joint responsibility to see that this programme is properly structured. The prescription of the study of law through part time, distance learning and correspondence studies by the Council of Legal Education and Body of Benchers should not apply to

National Open University of Nigeria. The reason being that, this school has structured programmes, scheduled lectures and these lectures are taken by Faculty of Law lecturers from the closest Universities to the state study centres. Again, notable practising lawyers also come around to take them lectures. I know of an International Professor with two PhDs who is a lecturer in this University taking students in Law and I want to believe that the lectures such a lecturer gives them are reliable enough.

I believe too that there is nothing wrong studying law by part-time, distance learning and correspondence studies. The principles remain unchanged and only a self-disciplined and intelligent student can study through any of these processes and pass creditably well. Most of the people who enrolled in NOUN for Law programme have acquired First Degree, and sometime Second and Third Degrees. As we speak, there is a Professor of Boston in the University of Ibadan who is a student of Law in this particular school and I believe that such a man knows what he is doing as a student in that University as there is no end to learning. It is only death that ends learning. Anybody can choose to study any programme to add to his knowledge at any given time.

We need to give this University a good support. This school if well supported can as well start to train people from West Africa and even African countries. For instance, we have Queen Mary University of London, which was admitted to the University of Melbourne in 1915. This school runs all courses, including Law except Medicine and Dentistry for students all over the world through a study called *Study Abroad Programme*, which presently is running on-line and the programme has been successful for over forty-years. There is nothing wrong if the Council on Legal Education conducts an entrance examination for all the intending Law Schools candidates that will be a level playing ground for everybody to make them prepare well.

I believe that this policy of the Council of Legal Education and the Body of Benchers is against the principle of democracy and social justice in accordance to Section 14 (1) of the 1999 Constitution as amended. Sub-section 2 (a) of this same Section states that: Sovereignty belongs to the people of Nigeria from whom government through the Constitution derives its powers and authority.

These are Nigerians and many of them have studied for more than seven years and today cannot go to Law School and this is like they are being frustrated and

everybody is complaining everywhere. We have had a number of editorial write up over this in the newspapers and till now, nothing has been done. I believe that this matter requires legislative input to see that the right thing is done.

We have prominent Nigerians who have gone through the process of part time correspondence studies and studied law in the past and they emerged in flying colours and occupied prominent legal positions in Nigeria. I carve the indulgence of the Speaker to mention a few of them. We have Professor Oby Nwanguze, who read through part time. We also have Hon. Justice Joseph Jeremiah Imorel who was a Minister at the Temple of Justice who read through part time. We had external students of which among them, is Hon. Justice Abdul-Fatai Demola Kuti, the retired Judge of Abuja High Court and was considered one of the known incorruptible Judges Nigeria has ever produced.

We have Justice Michael Adeyinka Odesanya whose taste for knowledge was so high that he was among four Nigerian students that passed Intermediate Bachelor of Art degree in Law as external student during the Second World War -1939-1945 and later became the Second General Secretary of the Nigerian Bar Association in Lagos branch. Among the four students was revered Dr. T. Elias who had five Degrees before he was called to Bar. In addition, he had two Doctorate Degrees and later became a Professor in Law and Attorney-General of the Federation, Chief Justice of Nigeria - the first African and Black man to head International Court of Justice in the State. The fourth is N. Okafor.

Again, I want to quickly mention a living legend in person of Chief Are Afe Babalola OFR, CON, SAN, SCI, ARB, FMIAMS, LLD who is from my state and went through correspondence programme and was able to excel exceedingly well and everybody here knows him.

Finally, I urge this honourable House to unanimously resolve and call on the Council of Legal Education and Body of Benchers to meet with National University Commission and the National Open University on how to regulate and modernise the Law Faculty of the University in order to allow the law graduates of the National Open University of Nigeria enrolment into the Nigerian Law Schools.

The Speaker: This Motion is very clear, but I will yield the Floor to two or three Members who will speak about it. But in the course of your argument, I was

bothered about the principle of fair hearing, which is enshrined in the Constitution; that if the Council of Legal Education is empowered by us through an Act of the National Assembly to set standards for legal Education in Nigeria and they have reached the determination that certain trainings do not meet the standard, except you have listened to them, and say that the reason they are giving is not tenable; but as it is, I have listened to your arguments and examined the Motion and there is nowhere it is alleged that you have sought explanation from the Council as to why they exclude them and found those explanations or reasons to be attainable. So, that is just the problem I have by just saying that they should rescind without first hearing from them why they took such a policy. I recall when I graduated, there was no such policy and so there must have been a mischief they sought to have cured by that.

Hon. Femi Hakeem Gbajabiamila: Thank you, Mr. Speaker. It is often said that great minds think alike. You have made exactly the point I was going to make and met with members earlier; that we should invite these people to hear what reason make them stop the accreditation of these people. I want to make it clear that I support this Motion with amendment, but before I go on I want to ask; what profession are we talking about?

We are talking rightly or wrongly about a profession that is described as learned and noble profession. We are aware that the standard of education in Nigeria today has fallen. I do not know the reason the Council of Legal Education has decided to stop this accreditation process. Mr. Speaker, I know and I am sure you know that there are lawyers today who cannot string two paragraphs together in a letter, yet they are graduates of Law Schools. I have had cause to employ some of them in the past. Even in my benevolence, I could not keep them because I had to go over their letters.

So, I support this Motion but I would want us to drop the first prayer and the second prayer, then, amend it to read thus:

To mandate the Committee on Tertiary Education and Services and Federal Judiciary to intervene in the matter with a view to determining the reasons why the Council of Legal Education had stopped the accreditation of the National Open University (NOUN) students into the Nigerian Law School;

Again, like I said, this is a profession that has been held to the restricted highest and conservative standard

and maybe they are wrong and that their reasons are unfounded in which case, we would then begin to persuade them; that no, these reasons are not tenable, you must accredit these people.

Hon. Daniel Ofongo Henry: I second the Amendment as proposed by the House Leader.

Amendment put and agreed to

The Speaker: There are two amendments. To drop Prayer (i) and secondly to amend it to read that they should invite the Council to determine the reasons why they crafted their policy that entails that long distance learners will not be admitted into Law School.

Hon. Aminu Shehu Shagari: I agree totally with the submissions of my Leader on this issue. But I want to also look at it from the source. What we are doing now is to proffer solution to the problem. But we should look at why universities are giving admission to students into courses that they do not have full permit or accreditation to study.

There are many Universities. Baze University for instance, just got their clearance last year. They have students that have graduated but cannot go to Law School because of this problem. I want to look at it from the point of view of those poor students that have gone through three, four years of study only for you to be told that you cannot go to Law School.

So, we should ensure that these Committees go to the root of the matter and see how we can redress the situation. Those Universities that are not accredited to offer certain courses should not give admission to students.

Hon. Egwu Emmanuel M.: Mr. Speaker, I align myself totally with the amendment by the Leader of the House because this is a delicate Motion. I also would want to guide the Committee that is going to work on this investigation because Law profession like the leader has said is noble and that we must be very careful when we give a directive to a regulatory body.

What I am trying to say in effect is that the Committee as much as possible should ensure that it gets to the root of this matter because in terms of standard the Open University, I must confess, has a standard.

The Speaker: Hon. Emma, you will now forward your suggestion to the Committee or you are by

Executive fiat co-opted into the Committee that will do this investigation.

There is an amendment here from Hon. Kingsley Chinda and Hon. Adekola proposing that we should add the words *within three weeks... for further legislative action* to the prayers because it stopped at just referring the matter to the Committee. They are saying that we should add that they should conclude the assignment within three weeks and report back to the House for further legislative action.

Hon. Daniel Ofongo Henry: I second the Amendment as proposed by Hon. Chinda.

Amendment put and agreed to

The Speaker: The amendment from Hon. Babajimi Benson is coming late. We have already agreed on that.

Question as amended put and agreed to.

Resolved to:

Mandate the Committee on Tertiary Education and Services and Federal Judiciary to intervene in the matter with a view to determining the reasons why the Council of Legal Education had stopped the accreditation of the National Open University (NOUN) students into the Nigerian Law School and report back to the House within three weeks for further legislative action.

(Motion accordingly referred to the Committee on Tertiary Education and Services and Federal Judiciary)

CONSIDERATION OF REPORTS

Report on a Bill for an Act to Penalize the Commission of Acts of Torture And Other Cruel, Inhuman and Degrading Treatment or Punishments, Prescribing Penalties Thereof; and For Other Connected Purposes

The Speaker: The seventh Order of the day is consideration of Report on a Bill for an Act to Penalize the Commission of Acts of Torture and Other Cruel, Inhuman and Degrading Treatment or Punishments, Prescribing Penalties Thereof; and for Other Connected Purposes (HB. 120). Hon. Members will recall that the Bill was committed to the Committee of the Whole on Wednesday, 24th February, 2016.

I now invite Hon. Nkeiruka Onyejeocha to move for its consideration.

Hon. Orker-Jev Emmanuel Yisa: Hon. Nkeiruka is not on the Floor. We apply to withdraw the consideration.

Bill, by leave of the House stood down.

Report on the Chartered Institute of Loan and Risk Management of Nigeria (Establishment) Bill, 2016

The Speaker: The eighth Order of the day is consideration of Report on a Bill for an Act to Establish the Chartered Institute of Loan and Risk Management of Nigeria to Provide for the Control of its Membership and to Promote the Practice of Loan and Risk management in Nigeria; and for Other Connected Purposes (HB. 77). Hon. Members will recall that the Bill was committed to the Committee of the Whole on Wednesday, 24th February, 2016.

I now invite Hon. Sylvester Ogbaga to move for its consideration.

Hon. Orker-Jev Emmanuel Yisa: Hon. Ogbaga too is not on the Floor. Again, I apply to withdraw the consideration of the report.

Bill, by leave of the House stood down.

National Judicial Institute Act, Cap. N55, Laws of the Federation of Nigeria 2004, (Amendment) Bill, 2016

The Speaker: Ninth Order of the day is consideration of Report on a Bill for an Act to Amend the National Judicial Institute Act, Cap. N55, Laws of the Federation of Nigeria; 2004 to specify the tenure of office of the Administrator; and for Other Matters Related Thereto (HB. 302).

Hon. Members will recall that the Bill was committed to the Committee of the Whole on Tuesday, 26th April, 2016. I now invite Hon. Aminu Shehu Shagari to move for its consideration.

Hon. Aminu Shehu Shagari: Mr. Speaker, this Bill was taken last week and I argued it here and this House magnanimously allowed it to pass Second Reading. I do not know why it is coming up again today.

The Speaker: The Bill was committed to the Committee of the Whole because there are other substantial works to be done on it. We said that when there is a Bill that relates to just increase in penalties, and maybe the amendments are to appellations, we shall henceforth be referring them to the Committee of the Whole, so that it will not go to the Committee and stagnate there. So, that is the reason this Bill is coming up for consideration today. It was referred to the Committee of the Whole and not to any Committee.

Hon. Aminu Shehu Shagari: I am really not aware, Sir. I am just hearing this. So, may I apply that it be stepped down?

Bill, by the leave of the House stood down.

Report of the Ad Hoc Committee on the Investigation on the Declaration by the Hon. Attorney-General of the Federation and Minister of Justice Concerning the Resolution of the National Assembly On the Crisis in the Kogi State House of Assembly

The Speaker: The next Order of the Day which is the Supplement to the Order Paper is consideration of the Report of the *Ad Hoc* Committee on the Investigation on the Declaration by the Hon. Attorney-General of the Federation and Minister of Justice Concerning the Resolution of the National Assembly on the Crisis in the Kogi State House of Assembly.

Honourable Members will recall that the Report was laid on Thursday, 5th May, 2016. I now invite Hon. Femi Gbajabiamila to move for its consideration.

Hon. Femi Hakeem Gbajabiamila: I move that the House do consider the Report of the *Ad Hoc* Committee on Investigation on the Declaration by the Honourable Attorney-General of the Federation and Minister of Justice Concerning the Resolution of the National Assembly on the Crisis in the Kogi State House of Assembly.

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

The Speaker: Leader, move that the House do resolve into the Committee of the Whole to consider the Report.

Hon. Femi Hakeem Gbajabiamila: I move that this House do resolve into the Committee of the Whole to consider the Report as presented.

Hon. Jubril Umar Buba: I second the Motion as moved by the Leader.

Question put and agreed to.

Resolved: That the House do resolve into the Committee of the Whole for the consideration of the Report.

(The Deputy Speaker in the Chair)

Report of the Ad Hoc Committee on the Investigation on the Declaration by the Honourable Attorney-General of the Federation and Minister of Justice Concerning the Resolution of the National Assembly on the Crisis in the Kogi State House of Assembly - CONSIDERED IN THE COMMITTEE OF THE WHOLE.

The Chairman: Hon. Colleagues, the Report we are about to consider is a Report of the *Ad Hoc* Committee on the Investigation on the Honourable Attorney-General Declaration in respect of the Kogi State House of Assembly Crisis.

We have in the past taken decision on this issue but so many other things arose, and that was why a new Committee was set up to go and review the situation. So, I will now call on the Leader of the House to give an insight.

Hon. Femi Hakeem Gbajabiamila: Mr. Chairman, as you correctly stated, there is a lot of history and background to this, which we are all familiar with and I will not go into the background. Suffice to say that the Attorney-General of the Federation wrote a letter to the Inspector-General of Police after this House and the Senate have resolved to take over the Kogi State Assembly in accordance with Section 11 of the Constitution.

The Inspector-General of Police had acted swiftly based on the Resolution of the House, but unfortunately, he thereafter, and he did seal the House. He thereafter sought an opinion from the Attorney-General and the Attorney-General in writing back to the Inspector-General of Police advised him to reopen or reseal or unseal the Kogi State Assembly for business to continue. Now the Attorney-General's advice was premise on three grounds and I want us to be a little bit patient, because I might have to go through a lot of this and it might take longer than usual.

The first ground was that before the National Assembly can take over the functions of the State Assembly there has to be a state of insecurity prevailing in the whole State Assembly, and not just in the House of Assembly and that the situation in Kogi was a mere in-house disagreement between Legislators; that was his first ground.

The second ground was that the Rules and Procedures of the National Assembly preclude the National Assembly from taking decisions on a matter adopting a Resolution where such a matter is pending before a court of law.

His third ground was that the National Assembly cannot by a Resolution close or take over the affairs of the Kogi State House of Assembly as the Resolution does not carry the force of law.

We invited the Attorney-General and the Inspector-General of Police and at different times, the Inspector-General of Police came before the Committee. He apologized and made it clear that he would never disrespect the House or the National Assembly but that he had written to the Attorney-General and based on his advice he did what he did to unseal the premises.

Thereafter, we invited the Attorney-General and he met with the Committee, and both meetings were in camera. This is because we were not aware whether there would be security issues that would be raised. The Attorney-General again confirmed the contents of his letter, but he said that he would need a little more time; that after he was engaged by the Committee, he would need a little more time to review the contents of the letter and get back to the House. He actually pleaded for more time before this Report is presented.

This Report was meant to have been presented last Tuesday, but because of the request of the Attorney-General for more time to review his letter, we decided to extend this by another week. Unfortunately and perhaps because of schedule of his duties, the Attorney-General has not got back to us and so we are constrained at this point to submit this Report.

These are the observations of the Committee:

On the first ground which was that the National Assembly cannot take over the functions if it has nothing to do with insecurity in the whole State:

The Committee finds that the provisions of Section 11 (4) are not restrictive, neither is it limited only to insecurity in a state as posited by the Attorney-General.

The Committee further finds that situations of security are already provided for in Section 305 of the Constitution, which allows for a declaration of a State of Emergency should there be state of insecurity in the State.

The Committee believes that the condition precedent envisaged by Section 11(4) is the Assembly's inability '*inability to perform its functions by reasons of the situation prevailing* whether in the entire state or any part of the state, the existence of two Speakers purported and the illegal impeachment of five (5) Members out of twenty five (25) is definitely a situation in the state as envisaged by the Constitution; should twenty (20) Members of the State Assembly be trapped on an island?

We gave that example to the Attorney-General then; that if you are talking about the entire state and not just a situation in the Assembly where they can no longer discharge their functions. We gave him a hypothetical; should twenty Members of the State Assembly be trapped on an island, and unable to get back to Nigeria or Kogi, it is clear that the situation leading to the inability of the State Assembly to discharge its functions would have arisen, under Section 11, and he agreed on that.

Indeed the Supreme Court has covered this field when this House took over or attempted to take over the Rivers Assembly and the Supreme declared that "though the House was right in evoking Section 11 of the Constitution in attempting to take over the Rivers State Assembly, the matter had become mute because the issues had been resolved and the House had started sitting constitutionally. That was the position of the Supreme Court. There was no issue of the whole entire State; it was just a situation where the State House of Assembly could not sit to discharge its functions.

To describe the impeachment of a Speaker by five Legislators and the filing of legal action by one "faction" against another as "mere" disagreement by the Attorney General shows a complete misunderstanding of the legislature and situation in Kogi State. In any case, the "mere" disagreement has made it impossible for the Assembly to discharge its functions under the Constitution, as a simple majority of all Members is required for the purpose of making laws.

The second ground upon which the Attorney-General took his position was that the Rules of Procedure of the National Assembly preclude it from taking decision on a matter, when such a matter is pending before a law court. The learned Attorney-General made this argument before the Committee and the Committee made it clear that the Attorney-General had erred both factually on two grounds:

First and I want to make this abundantly clear at this point that there is no House Rule that says that any matter before a court cannot be discussed in the House. We do not have any such thing in our Rule. To give it the interpretation the Attorney-General was given, any such Rule would invariably render the House Rule redundant, as most issues of importance would ultimately or may ultimately end up in court. And for the avoidance of doubts, our Rules - Order IX, Rule 5, which says: *Reference shall not be made to any matter of which a judicial decision is pending in such a way as might in the Speaker's opinion prejudice the interest of parties thereto.* That is what the Rule says. The rule is not absolute. It requires the satisfaction of the Speaker that discussing a matter relating to a case would prejudice the outcome of the case. In any case, taking over a State Assembly which is unable to discharge its functions pending the resolution of the crises cannot in any way prejudice its outcome.

Secondly, the Attorney General was misguided when he claimed that the Suit Kogi House of Assembly and three Others, Versus National Assembly was pending in Court. Now, this is very important because one of the things he said was that the matter was pending in Court.

The fact of the matter was that the matter he referred to was filed on 15th March, 2016 and we have the Court papers. That matter was filed on the 15th of March, 2016. The Debate and the Resolution of the House was taken on the 9th of March, 2016. Therefore, the doctrine he was explaining that the matter was pending in court upon which the Attorney General relied in his letter is not applicable. The court action came after the deed had been done.

His third ground in his Letter to the Inspector-General raised the third issue, and he said that the Resolution of the National Assembly was of no effect. He argues that the Resolutions are only persuasive and also that Section 11 (4) can only be effected by a Law or Act of the National Assembly and not a Resolution.

In other words, what the Attorney-General was saying is that for us to evoke Section 11 (4) it has to be

by way of Law and not by Resolution. He misread that provision of the Constitution. In fact, our position is that that position is triggered by an event; it is almost automatic. It does not prescribe how you do it or how you do not do it. It just says: *The National Assembly shall take over if this happens.* So for you to say it must be by way of Law, first of all, we all know how Bills are passed into a law here. It can take a year – something that needs to be done right now. It can take six months - First to Third Readings. And then we asked him a question. Who do we now send the Bill to? Do we send it to the President for signing or do we send it to the Governor? The Attorney-General could not answer that question.

I believe that the Attorney-General misread the Law because what Section 11 (4) says is that: *Any law thereafter after you have taken over. Then you will make laws.* It becomes the State Assembly of Kogi and of course, you go through the normal process of making laws by way of Bills and an Act. That is after you have taken over the Kogi State House of Assembly.

We arrived at four conclusions. First, that the Attorney General was wrong in advising the Inspector-General of Police to reopen the Kogi State House of Assembly after it had been taken over by the National by operation of law.

Second: that the Attorney-General has no power, none whatsoever, under the Constitution or any known law to reverse the decision made by the Legislative Arm of the Government, whether or not such decision was made rightly or wrongly.

That the only body or institution under our democracy vested with powers under the Constitution and under the democratic principle of separation of powers to interpret the Constitution is the Judiciary and not the Attorney-General;

That the Attorney-General erred by seeking to interpret the Constitution and acted ultra-vires in doing so; The Attorney-General is seeking to undermine the Legislature himself said this (and this is very important) in his letter to the Inspector-General of Police, and this is what he said and I am quoting verbatim: *It appears to me that the determination by the National Assembly that the alleged impeachment of the Speaker of the House of Assembly by five Members of the House of Assembly was null and void, was an exercise of judicial power by the legislature contrary to Section 6 of the 1999 Constitution as it is a matter that should be determined judicially on the application of*

the affected persons. Matters of constitutionality are issues for judicial determination. That was what he wrote in his letter to the Inspector-General of Police.

So the Committee finds it ironic that the Attorney-General now seeks to do that which he condemned in his letter by determining the constitutionality of the Resolution of the National Assembly - A matter that is exclusive preserved for the judiciary.

We concluded that the only option left to the Attorney-General where and when he disagrees with the legislature's actions is to seek redress in Court.

That the Inspector-General of Police acted in bad faith by reversing and disobeying the directives of the National Assembly;

We also concluded that the actions of the Attorney General and Inspector General of Police were an affront on the legislature and our democracy.

Recommendations: There are seven Recommendations and they are as follows:

Recommendation (i):

That the Attorney General should immediately withdraw his letter and advice to the Inspector-General;

Recommendation (ii):

That the Attorney General be reprimanded for undermining the authority of the Legislature;

Recommendation (iii):

That the Attorney General proceed to court if he has any issue with the Resolution of the National Assembly on this matter or any matter in the future;

Recommendation (iv):

That the Inspector-General of Police immediately reseal the Kogi State Assembly pending the Resolution of the Kogi crisis;

Recommendation (v):

That the Inspector-General of Police be reprimanded for undermining the authority of the legislature;

Recommendation (vi):

That all Resolution, laws and actions taken by the Kogi State House of Assembly from the date of the National Assembly Resolution be declared null and void by operation of law;

Recommendation (vii):

That the Governor of Kogi should immediately send his budget and stipulated executive Bills to the National Assembly for consideration as stipulated in Section 11 of the Constitution;

Mr. Chairman, this is the Report of the *Ad Hoc* Committee on the Kogi State House of Assembly crisis. Thank you.

The Chairman: Hon. Colleagues, we will now go on to look at the Recommendations and pass them. I want to add too that the Attorney-General should be put on notice that any Resolution approved or adopted by the two Chambers has the potency of law; it is important he knows that. On this case, the earlier decision taken by the House of Representatives and adopted by the Senate subsists.

Question put and agreed to.

Recommendation (i):

That the Attorney General should immediately withdraw his letter and advice to the Inspector-General –

The Chairman: In this case, having listened to the Leader and the Chairman of the *Ad Hoc* Committee, you can only amend Recommendation, so, there is no observation. Yes, Hon. Chinda.

Hon. Chinda Kingsley Ogundu: I wish to amend Recommendation (i) by deleting letter 'and', that is the first line and it will read thus:

'That the Attorney General immediately withdraws his advice to the Inspector General of Police'.

I say so because the letter is just a legal opinion, but the problem and our quarrel is with his advice.

The Chairman: Hon. Shagari, hold on; let us be procedural; I think if we take a seconder now, it is going to be injurious to what you want to say. If I take

a seconder and rule on it you may not be able to take that Recommendation again.

Hon. Aminu Shehu Shagari: I just want to observe a misnomer in the Recommendation. In the Recommendation, there are some omissions, but if you look at the Order Paper, there are no omissions there. So, I think it is better we take the Recommendations as they appear on the Order Paper. This is because on the Order Paper, it says: *the Attorney General of the Federation*, and in the Report it only says *the Attorney-General*. It also says; *Inspector-General* and the words *of Police* are not there. Here, on the Order Paper it says: *Inspector General of Police*, which is more specific. Further down they say: *Governor of Kogi* instead of saying; *Kogi State* and in the Order Paper, it says; *Kogi State*. I think we should take the Recommendations as they appear on the Order Paper.

The Chairman: Your contribution is just to take the Recommendation on the Order Paper, and not specific on any Recommendation.

Is there any seconder to Hon. Chinda's amendment?
Hon. Betty Apiafi.

Amendment put and agreed to.

That the Attorney General should immediately withdraw his letter and advice to the Inspector-General – *as amended, agreed to.*

Recommendation (ii):

That the Attorney-General of the Federation be reprimanded for undermining the authority of the Legislature – *agreed to.*

Recommendation (iii):

That the Attorney General proceed to court if he has any issue with the Resolution of the National Assembly on this matter or any matter in the future – *agreed to.*

Recommendation (iv):

That the Inspector-General of Police immediately reseal the Kogi State Assembly pending the Resolution of the Kogi crisis –

The Chairman: Hon. Chinda, what is your amendment?

Hon. Chinda Kingsley Ogundu: I pray that we amend Recommendation (iv) to read thus: *That the Inspector General of Police immediately reseals the Kogi State Assembly pending the resolution of the Kogi Crisis by (adding the following) and report back to the House within seven days.*

The Chairman: Any seconder? The rule is that we have to second a Motion first before you take any other one, unless you think it is going to change it substantially. All right, let me give you the benefit of the doubt. Hon. Olajide.

Hon. Jimoh Abdulraheem Olajide: Mine is just on the same item, which is Recommendation (iv), where we have Kogi State Assembly. Why not Kogi State House of Assembly, because Kogi State Assembly is quite different from Kogi State House of Assembly constitutionally.

The Chairman: Honourable Colleagues, I think Hon. Olajide probably travelled to Lagos when Hon. Shagari made his submission that he advised that we go with the Order Paper; it is correct on the Order Paper. So, take the Order Paper.

Any seconder to the amendment made by Hon. Chinda, with the emphasis that he is asking the Inspector General of Police to report back to the House within seven days? Hon. Shuaibu.

Hon. Shuaibu Abdulrahman Abubakar (Miaha/Mubi North/Mubi South): I second the motion as moved by Hon. Chinda with an amendment that it should be *immediately* instead of seven days; seven days is too long.

The Chairman: Hon. Chinda, it looks like you did not read that Recommendation before you made your amendment, because the word *immediately* is there and if that word is there, then, there is no cause for the words *seven days* again.

Recommendation (iv):

That the Inspector-General of Police immediately reseal the Kogi State Assembly pending the Resolution of the Kogi crisis – *agreed to.*

Recommendation (v):

That the Inspector-General of Police be reprimanded for undermining the authority of the legislature – *agreed to.*

Recommendation (vi):

That all Resolution, laws and actions taken by the Kogi State House of Assembly from the date of the National Assembly Resolution be declared null and void by operation of law – *agreed to*.

Recommendation (vii):

That the Governor of Kogi should immediately send his budget and stipulated executive Bills to the National Assembly for consideration as stipulated in Section 11 of the Constitution – *agreed to*.

The Chairman: Leader of the House, please.

Hon. Femi Hakeem Gbajabiamila: I move that this House do revert to Plenary to report progress.

(The Deputy Speaker resumed the Chair)

The Deputy Speaker: The House in the Committee of the Whole considered the Report of the *Ad-hoc* Committee on the Investigation of Declaration by the Hon. Attorney-General of the Federation and Minister of Justice concerning the Resolution of the National Assembly on the crisis of Kogi State House of Assembly and approved Recommendation (i) as amended, approved Recommendations (ii), (iii), (iv), (v), (vi) and (vii) of the Report.

Adoption of the Report

Hon. Femi Hakeem Gbajabiamila: I move that the House do adopt the Report of the Committee of the Whole. I so move.

Hon. JibriI Umar Buba: I second the Motion as moved by the Leader.

Question put and agreed to.

Resolved: That the House do adopt the Report of the Committee of the Whole.

ADJOURNMENT

Hon. Femi Hakeem Gbajabiamila: I move that this House do stand adjourned till Thursday, 12th May, 2016 at 11.00 a.m.

Hon. JibriI Umar Buba: I second the Motion that this House do stand adjourned till Thursday, 12th May, 2016 at 11.00 a.m.

The Deputy Speaker: We are obliged to tell the Members that the reason House is adjourning till Thursday, 12th May, 2016 is to allow the PDP Members to conduct their Congress.

The House accordingly adjourned at 3.18 p.m.