



HOUSE OF REPRESENTATIVES FEDERAL REPUBLIC OF NIGERIA VOTES AND PROCEEDINGS

Wednesday, 15 November, 2017

1. The House met at 11.23 a.m. Mr Speaker read the Prayers.
2. **Votes and Proceedings**
Mr Speaker announced that he had examined and approved the *Votes and Proceedings* of Tuesday, 14 November, 2017.

The Votes and Proceedings was adopted by unanimous consent.
3. **Announcement**
Visitors in the Gallery:
Mr Speaker recognised the presence of the following visitors in the Gallery:
 - (i) Staff and Students of *Wisdom International School*, Suleja, Niger State;
 - (ii) Staff and Students of *Pedmax Excellence Academy Limited*, FHA, Lugbe, Abuja; and
 - (iii) Staff and Students of *Solid Foundation Private Schools*, Maitama, Abuja.
4. **Petitions**
 - (i) A petition from Hamisu Kallamu, on the non-payment of his severance allowances by Keystone Bank Limited, was presented and laid by Hon. Abbas Tajudeen (*Zaria Federal Constituency*);
 - (ii) Petitions from the following persons were presented and laid by Hon. Rita Orji (*Ajeromi/Ifelodun Federal Constituency*):
 - (a) Rayfield Associates (Attorneys-at-Law, Consultants), on behalf of the Global Spectrum Energy Services Limited, on alleged violation of contractual agreement by the Nigerian Ports Authority;
 - (b) Okolocha Ufual & Co. (Legal Practitioners), on behalf of Gift Udeagwu, on alleged criminal breach of trust, intimidation and threat to life by the Commissioner of Police, FCT Command and 2 others;
 - (c) Ateke Tom, on the threat to peace over the provision of Security Services, Protection of Pipeline and other Oil and Gas facilities in Rivers State; and

- (iii) A petition from Hamdalla Chambers (Corporate Legal Consultants, Advocates), on behalf of Adamu Suleiman Yakubu, on his dismissal from service by the National Universities Commission, was presented and laid by Hon. Okoro Ikani Benjamin (*Bassa/Dekina Federal Constituency*).

Petitions referred to the Committee on Public Petitions.

5. Limitation as to the time of Paper (Order Seventeen, Rule 3 (g))

Hon Ossai Nicholas Ossai (*Ndokwa East/Ndokwa West/Ukwuani Federal Constituency*), drew the attention of the House to the numerous referrals of Bills pending before various Committees of the House for a long time. He underscored the need for the House to invoke the provision of the Rule.

Ruling: Mr Speaker directed the Committee on Rules and Business to enforce the directive.

6. Consolidation of Bills:

- (i) *Motion made and Question proposed*, "That a Bill for an Act to Amend the Evidence Act, 2011 to Accommodate Modern Development Relating to Admissibility of Confessional Statement; and for Related Matters (HB. 1149); Bill for an Act to Amend the Evidence Act, 2011 to Render Illegally Obtained Evidence Inadmissible; Give Discretion to the Court with Regard to Certification of Electronically Generated Documents; Provide for Admissibility of Public Documents without Makers of such Documents being called as Witnesses; and for Related Matters (HB. 1188); and a Bill for an Act to Amend Section 17 of the Evidence Act, 2011 to Stipulate a Time Limit on the Presumption of Validity of Judicially Noticed Customs and to Impose a Duty on the Courts to Ensure that Customs that have been Judicially Noticed and not thereafter been Subjected to Proof by Evidence for an Inordinately Long Period of Time are Reviewed by the Courts to Ascertain that they are still Representative of the Customs as they are Currently Practised in the Communities with Respect to which the Customs Relate; and for Related Matters (HB. 1192) be now consolidated" (*Hon. Orker-Jev Emmanuel Yisa — Buruku Federal Constituency*).

Agreed to.

- (ii) *Motion made and Question proposed*, "That a Bill for an Act to Amend the Fiscal Responsibility Act, 2007 to Provide an Expanded Scope of Borrowing Power to the Government; and for Related Matters (HB. 1166); and a Bill for an Act to Repeal the Fiscal Responsibility Act, 2007 and Re-enact the Fiscal Responsibility Bill to Provide for Prudent Management of the Nation's Resources, Ensure Long Term Macro-Economic Stability of the National Economy, Secure Greater Accountability and Transparency in Fiscal Operations within the Medium Term Fiscal Policy Framework and the Establishment of the Fiscal Responsibility Commission to Ensure the Promotion and Enforcement of the Nation's Economic Objectives; and for Related Matters (HB. 1093) be now consolidated" (*Hon. Orker-Jev Emmanuel Yisa — Buruku Federal Constituency*).

Agreed to.

- 7. A Bill for an Act to Amend the Public Accounts Implementation Tribunal Act, Cap. P36, Laws of the Federation of Nigeria, 2004; and to Repeal the Public Accounts Implementation Tribunal Act and Re-enact the Public Accounts Implementation Tribunal Bill, 2016 which shall, among Other Things, Recover from Public Officers, Contractors or Companies, Government Funds or Properties Found by the Public Accounts Committee to have been Misappropriated or to be Due to the Government of the Federation; and for Related Matters (HB.340, HB. 275 and HB. 632) — Second Reading**

Order read; deferred by leave of the House.

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

Order read; deferred by leave of the House.

9. **Need to Rehabilitate Oyigbo-Okoloma-Umuagbai and Oyigbo-Eleme-Agbonchia Roads in Rivers State**

Order read; deferred by leave of the House.

10. **Need to Complete Construction Work on the East-West Road, Particularly the Rumuokwurusi Interchange (Oil Mill Junction) to Onne (Eleme) Section**
Motion made and Question proposed;

The House:

Notes the abandonment of construction work on the East - West Road which traverses the South - South States of Edo, Delta, Bayelsa, Rivers, Akwa Ibom and Cross River and is of strategic commercial importance not only to the people of the Niger Delta region, but the entire country;

Also notes that those States play host to a number of national and multinational Oil and Gas companies, fertilizer plant, seaports and several other Federal and State Government institutions which are of immense importance to the economy of the nation;

Aware that contract for construction of the road was awarded in 2006 by the Federal Government to Setraco Nigeria Limited and Julius Berger Nigeria Plc and was initially billed to be completed by 2010, but that could not be achieved, and it was subsequently taken over by the Ministry of Niger Delta Affairs (MNDA) in 2010, at 10% completion;

Also aware that the total contract sum for the road was put at ₦349.87 billion, out of which about 90% has been paid for work executed on the 338 kilometers dual carriage way that has about 41 bridges along its stretch;

Further aware that the Federal Government, in 2014 approved another sum of ₦165.2 billion for the completion of the Road, but so far, only 90% completion of the 87.4 kms Warri-Kaiama section 1 in Delta/Bayelsa States has been achieved. The 101 kms Kaiama-Port Harcourt section 2 in Bayelsa/Rivers States has attained 52% completion, while the 51kms Eket-Oron stretch of sections 3 and 4 in Akwa Ibom State have attained 88% and 89% completion, respectively;

Recalls that the Senate adopted a Resolution on 4 July 2017 calling on the Federal Roads Maintenance Agency (FERMA) and the Ministry of Niger Delta Affairs to urgently rehabilitate the failed sections of the Road as well as ensure the completion of the entire stretch of the Road;

Concerned about the abandonment of the road owing to huge debt owed the contractors, a situation that has cast heavy burden on other roads in the areas which are all failing due to the heavy vehicular movements, not to mention cases of accidents due to congestion on those alternative routes, despite concerted efforts of various State Governments in the Niger Delta Region;

Cognizant that the abandonment of the road has adversely affected socio-economic and commercial activities in the areas and unless urgent steps are taken for work to resume on the project, the primary aim for which the contract was awarded will be defeated.

Resolves to:

- (i) concur with the Resolution of the Senate (S/Res/011/03/17) of Tuesday, 4 July, 2017 urging the:
 - (a) Federal Roads Maintenance Agency (FERMA) and the Niger Delta Development Commission (NDDC) to, as a matter of urgency, intervene in the rehabilitation of the failed sections of the Aba Road/Elemo Junction to Onne junction,
 - (b) Ministry of Niger Delta Affairs (MNDA) to ensure the completion of the East/West Road, particularly the section that links the multi-national investment during the 2017 budget year;
- (ii) call on the Federal Government to look for alternative funding source for the East-West Road for speedy completion; and
- (iii) mandate the Committees on Niger Delta Development Commission, and Legislative Compliance to ensure compliance and report back within four (4) weeks for further legislative action (*Hon. Betty Apiafi — Ahoada East/Abua/Odual Federal Constituency and 18 others*).

*Debate.***Amendments Proposed:**

- (i) In Prayer (i), line 1, *leave out* the words “concur with the Resolution of the Senate (S/Res/011/03/17) of Tuesday, 4 July, 2017” (*Hon. Chinda Kingsley — Obio/Akpor Federal Constituency*).

Question that the amendment be made — Agreed to.

- (i) In Prayer (i) (b), line 2, *leave out* the date “2017” and *insert* a new date “2018” (*Hon. Chinda Kingsley — Obio/Akpor Federal Constituency*).

Question that the amendment be made — Agreed to.

Question on the Motion as amended — Agreed to.

The House:

Noted the abandonment of construction work on the East - West Road which traverses the South - South States of Edo, Delta, Bayelsa, Rivers, Akwa Ibom and Cross River and is of strategic commercial importance not only to the people of the Niger Delta region, but the entire country;

Also noted that those States play host to a number of national and multinational Oil and Gas companies, fertilizer plant, seaports and several other Federal and State Government institutions which are of immense importance to the economy of the nation;

Aware that contract for construction of the road was awarded in 2006 by the Federal Government to Setraco Nigeria Limited and Julius Berger Nigeria Plc and was initially billed to be completed by 2010, but that could not be achieved, and it was subsequently taken over by the Ministry of Niger Delta Affairs (MNDA) in 2010, at 10% completion;

Also aware that the total contract sum for the road was put at ₦349.87 billion, out of which about 90% has been paid for work executed on the 338 kilometers dual carriage way that has about 41 bridges along its stretch;

Further aware that the Federal Government, in 2014 approved another sum of ₦165.2 billion for the completion of the Road, but so far, only 90% completion of the 87.4 kms Warri-Kaiama section 1 in Delta/Bayelsa States has been achieved. The 101 kms Kaiama-Port Harcourt section 2 in Bayelsa/Rivers States has attained 52% completion, while the 51kms Eket-Oron stretch of sections 3 and 4 in Akwa Ibom State have attained 88% and 89% completion, respectively;

Recalled that the Senate adopted a Resolution on 4 July 2017 calling on the Federal Roads Maintenance Agency (FERMA) and the Ministry of Niger Delta Affairs to urgently rehabilitate the failed sections of the road as well as ensure the completion of the entire stretch of the Road;

Concerned about the abandonment of the road owing to huge debt owed the contractors, a situation that has cast heavy burden on other roads in the areas which are all failing due to the heavy vehicular movements, not to mention cases of accidents due to congestion on those alternative routes, despite concerted efforts of various State Governments in the Niger Delta Region;

Cognizant that the abandonment of the road has adversely affected socio-economic and commercial activities in the areas and unless urgent steps are taken for work to resume on the project, the primary aim for which the contract was awarded will be defeated.

Resolved to:

- (i) (a) urge the Federal Roads Maintenance Agency (FERMA) and the Niger Delta Development Commission (NDDC) to, as a matter of urgency, intervene in the rehabilitation of the failed sections of the Aba Road/Elemo Junction to Onne junction,
- (b) also urge the Ministry of Niger Delta Affairs (MNDA) to ensure the completion of the East/West Road, particularly the section that links the multi-national investment during the 2018 budget year;
- (ii) call on the Federal Government to look for alternative funding source for the East-West Road for speedy completion; and
- (iii) mandate the Committees on Niger Delta Development Commission, and Legislative Compliance to ensure compliance and report back within four (4) weeks for further legislative action (HR. 162/2017).

11. Need to Curb Excessive Electricity Charges Being Levied on Consumers by Distribution Companies (DISCOs) Through Prepaid Meters

Motion made and Question proposed;

The House:

Notes that the defunct Power Holding Company of Nigeria (PHCN) introduced the electronic prepaid meters in 2007 to enable consumers have value for the money they are paying for services;

Also notes that the unbundling of PHCN in 2013 led to the emergence of eleven (11) Electricity Distribution Companies (DISCOs) and six (6) Electricity Generating Companies (GENCOs);

Further notes that the first set of prepaid meters installed at residential houses by the defunct PHCN which were inherited by the Distribution Companies (DISCOs) satisfied the yearnings of consumers;

Recalls that in June 2016, the Nigerian Electricity Regulatory Commission (NERC) issued a directive to Distribution Companies that all customers must be metered by November 30, 2016 but the deadline was later extended to March 1, 2017 after consideration of appeals from the Distribution Companies;

Observes that the Distribution Companies, in an effort to meet the deadline, commenced installation of new set of prepaid meters which do not satisfy the expectations of electricity consumers in the country who are now groaning over the rate at which the newly installed MOJEC prepaid meters gobble up their units when compared to the old prepaid meters installed by the defunct PHCN;

Aware that many consumers across the country have paid for the prepaid meters for a long period of time, but were yet to be metered by the Distribution Companies, thereby subjecting them to outrageous estimated billing regime.

Resolves to:

- (i) urge the Federal Ministry of Power, Works and Housing and the Nigerian Electricity Regulatory Commission (NERC) to investigate the quality of the new MOJEC prepaid meters being installed by the Distribution Companies and phase them out if they do not meet up with the standard requirements with a view to protecting the interests of electricity consumers; and
- (ii) mandate the Committee on Power to ensure implementation and report back within six (6) weeks for further legislative action (*Hon. Adedapo Lam Adesina — Federal Constituency*).

Debate.

Amendments Proposed:

- (i) In Prayer (ii), line 1, *leave out* the words “mandate the Committee on Power to ensure implementation ” and *insert* the words “Set- up an *Ad-hoc* Committee to investigate the matter” (*Hon. Adamu Abubakar Chika — Shiroro/Rafi/Munya Federal Constituency*).

Question that the amendment be made — Agreed to.

- (ii) *Leave out* Prayer (i) and *insert* a new Prayer as follows:
“Mandate the relevant Committee of the House to investigate the matter and report back to the House within 6 weeks” (*Hon. Ossai Nicholas Ossai — Ndokwa East/Ndokwa West /Ukwuani Federal Constituency*).

Question that the amendment be made — Negatived.

Question on the Motion as amended — Agreed to.

The House:

Noted that the defunct Power Holding Company of Nigeria (PHCN) introduced the electronic prepaid meters in 2007 to enable consumers have value for the money they are paying for services;

Also noted that the unbundling of PHCN in 2013 led to the emergence of eleven (11) Electricity Distribution Companies (DISCOs) and six (6) Electricity Generating Companies (GENCOs);

Further noted that the first set of prepaid meters installed at residential houses by the defunct PHCN which were inherited by the Distribution Companies (DISCOs) satisfied the yearnings of consumers;

Recalled that in June 2016, the Nigerian Electricity Regulatory Commission (NERC) issued a directive to Distribution Companies that all customers must be metered by November 30, 2016 but the deadline was later extended to March 1, 2017 after consideration of appeals from the Distribution Companies;

Observed that the Distribution Companies, in an effort to meet the deadline, commenced installation of new set of prepaid meters which do not satisfy the expectations of electricity consumers in the country who are now groaning over the rate at which the newly installed MOJEC prepaid meters gobble up their units when compared to the old prepaid meters installed by the defunct PHCN;

Aware that many consumers across the country have paid for the prepaid meters for a long period of time, but were yet to be metered by the Distribution Companies, thereby subjecting them to outrageous estimated billing regime.

Resolved to:

- (i) urge the Federal Ministry of Power, Works and Housing and the Nigerian Electricity Regulatory Commission (NERC) to investigate the quality of the new MOJEC prepaid meters being installed by the Distribution Companies and phase them out if they do not meet up with the standard requirements with a view to protecting the interests of electricity consumers; and
- (ii) Set- up an *Ad-hoc* Committee to investigate the matter and report back within six (6) weeks for further legislative action (HR. 163/2017).

12. Call on the National Universities Commission (NUC) to Allow Fresh Graduates to Enroll for Masters Degree Programmes in Universities without Requiring Them to Serve in the National Youth Service Corps (NYSC) Scheme as a Stop-Gap
Motion made and Question proposed;

The House:

Notes that fresh graduates from Nigerian Universities are barred from enrolling for Masters Degree Programmes in Universities without having participated in the National Youth Service Corps Programme as a prerequisite;

Aware that graduates who schooled abroad are freely admitted for the Programmes without being required to have participated in the National Youth Service Corps scheme as a pre-condition;

Also aware that there is no policy by the National Universities Commission (NUC), which is the regulator in the tertiary education sector, that bars fresh graduates of Nigerian Universities from enrolling into Masters Degree Programmes in Universities without having participated in the NYSC scheme as a stop gap.

Resolves to:

- (i) call on the National Universities Commission (NUC) to make clarification on why fresh graduates of Nigerian Universities are barred from pursuing Masters Degree Programmes without having participated in the NYSC scheme as a precondition, while their foreign counterparts are not subjected to the same condition;
- (ii) also call on the NUC to direct Nigerian Universities to facilitate the admission of fresh graduates of Nigerian Universities to pursue Masters Degree Programmes in Universities; and
- (iii) mandate the Committees on Tertiary Education and Services, and Legislative Compliance to ensure compliance and report back within eight (8) weeks for further legislative action (*Hon. Muhammad Sani Zorro — Gumel/Maigatari/S/Tankar/Gagarawa Federal Constituency*).

Debate.

Debate adjourned.

Ordered: *Committee on Justice to examine the Motion vis-a-vis the relevant provisions of the 1999 Constitution, and National Youth Service Corps Act, and advise the House accordingly.*

13. Call to Reconstitute the Board of the Securities and Exchange Commission and Appoint Executive Commissioners

Motion made and Question proposed;

The House:

Notes that since the dissolution of the Board of the Securities and Exchange Commission (SEC) by the Federal Government on 16 July 2015, the regulatory agency has not been able to effectively and efficiently carry out its responsibilities;

Also notes that the failure to appoint Executive Commissioners to fill the three vacant positions has slowed down the general administration, operations and monitoring duties of the Commission as the regulator of the Capital Market;

Observes that the non-constitution of the Board for over two years now is posing both regulatory and reputational challenges to SEC, creating delay in approvals from the supervising Ministry of Finance, causing non-formalisation of broad economic, financial, operational and administrative guidelines and targets for the Commission, as well as lacking in streamlined monitoring of performance and evaluation of institutional projects and programmes;

Aware that the absence of Executive Commissioners, who are saddled with responsibilities to assist the Director-General in the day to day management and administration of the Commission, has increased the workload of the Director-General, and has, as a result, slowed down certain operations which require promptness and timeliness;

Cognizant that the continued failure to reconstitute the Board will limit the contributions of the Capital Market to the national economy because the Commission, at the moment, will not be able to formulate general policies that are expected to drive development of the sub sector.

Resolves to:

- (i) call on the Federal Government to expedite action on the reconstitution of the Board of the Securities and Exchange Commission and appointment of Executive Commissioners to fill the three vacant positions; and
- (ii) mandate the Committee on Capital Market and Institutions to liaise with the Federal Ministry of Finance and relevant stakeholders to work out short term solutions that would improve the day to day operations and administration of SEC pending the reconstitution of its Board and appointment of Executive Commissioners (*Hon. Yusuf Tajudeen — Ijumu/Kabba-Bunu Federal Constituency*).

Debate.

Amendment Proposed:

Leave out Prayer (ii) (Hon. Solomon Bulus Maren — Mangu/Bokkos Federal Constituency).

Question that the amendment be made — Agreed to.

Question on the Motion as amended — Agreed to.

The House:

Noted that since the dissolution of the Board of the Securities and Exchange Commission (SEC) by the Federal Government on 16 July, 2015, the regulatory agency has not been able to effectively and efficiently carry out its responsibilities;

Also noted that the failure to appoint Executive Commissioners to fill the three vacant positions has slowed down the general administration, operations and monitoring duties of the Commission as the regulator of the Capital Market;

Observed that the non-constitution of the Board for over two years now is posing both regulatory and reputational challenges to SEC, creating delay in approvals from the supervising Ministry of Finance, causing non-formalisation of broad economic, financial, operational and administrative guidelines and targets for the Commission, as well as lacking in streamlined monitoring of performance and evaluation of institutional projects and programmes;

Aware that the absence of Executive Commissioners, who are saddled with responsibilities to assist the Director-General in the day to day management and administration of the Commission, has increased the workload of the Director-General, and has, as a result, slowed down certain operations which require promptness and timeliness;

Cognizant that the continued failure to reconstitute the Board will limit the contributions of the Capital Market to the national economy because the Commission, at the moment, will not be able to formulate general policies that are expected to drive development of the sub sector.

Resolved to:

Call on the Federal Government to expedite action on the reconstitution of the Board of the Securities and Exchange Commission and appointment of Executive Commissioners to fill the three vacant positions. (HR. 164/2017).

14. Consideration of Report

A Bill for an Act to Provide for Establishment of the School of Mines and Geological Studies in Akoko-Edo Local Government Area; and for Related Matters (HB. 105) (Committee of the Whole)

Order read; deferred by leave of the House.

15. Adjournment

That the House do adjourn till Thursday, 16 November, 2017 at 11.00 a.m. (Hon. Jibril Umar Buba — Lokoja/Kogi/Koton/Karfi Federal Constituency).

The House adjourned accordingly at 1.56 p.m.

Yakubu Dogara
Speaker