



HOUSE OF REPRESENTATIVES FEDERAL REPUBLIC OF NIGERIA

VOTES AND PROCEEDINGS

Tuesday, 30 January, 2018

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 Thursday, 25 January, 2018.

The Votes and Proceedings was adopted by unanimous consent.
3. **Announcement**
Visitors in the Gallery:
Mr Speaker recognised the presence of Staff and Students of *Dar'El-Hikmah Int'L Academy (DIA)*, Dutse Alhaji, Abuja.
4. **A Bill for an Act to Provide for the Establishment of the National Research and Innovation Council, National Research and Innovation Foundation; and for Matters Related Thereto (HB. 1139) — Third Reading**
Motion made and Question proposed, "That a Bill for an Act to Provide for the Establishment of the National Research and Innovation Council, National Research and Innovation Foundation; and for Matters Related Thereto (HB. 1139) be now read the Third Time" (Hon. Orker-Jev Emmanuel Yisa — Buruku Federal Constituency).

Question Agreed to.

Bill read the Third time and Passed.
5. **A Bill for an Act to Amend the Animal Diseases (Control) Act, Cap. A17, Laws of the Federation of Nigeria, 2004 to increase some Penalties and to Provide for the Establishment and Maintenance of Electronic Animal Identification System throughout the Federation; and for Related Matters (HB. 682 and HB. 1268) — Second Reading**

Order Read; deferred by leave of the House.
6. **A Bill for an Act to Regulate International Trips for Medical Treatment by Public Officers to Strengthen the Health Institutions for Efficient Service Delivery and to Amend the National Health Act, 2014 to Regulate International Trips for Medical Treatment by Public Officers to strengthen the Health Institutions for Efficient Service Delivery; and for Related Matters (HB. 1267 and HB. 1007) — Second Reading**

Order Read; deferred by leave of the House.

7. **A Bill for an Act to Amend the Industrial Training Fund Act, Cap. I9, Laws of the Federation of Nigeria, 2004 to increase the penalties for offences under the Act; and for Related Matters (HB. 1272) — Second Reading**

Order Read; deferred by leave of the House.

8. **A Bill for an Act to Establish Nigerian Civil Defence University, Azare, to, among other things, serve as an Institution for High Level Manpower Development with a Mission to train Civil Defence Officers to acquire the Highest Standard of Professionalism and Knowledge as well as Award Degrees and Other Certificates to deserving and Qualified Students as may be approved by the National Universities Commission and Other Academic Regulatory Bodies from time to time; and for Related Matters (HB. 1262) — Second Reading**

Order Read; deferred by leave of the House.

9. **A Bill for an Act to Establish Federal Polytechnic, Abiriba, Abia State to Provide for Equity and Access to Tertiary Education in the Country, make Comprehensive Provision for its Management and Administration; and for Related Matters (HB. 1263) — Second Reading**

Order Read; deferred by leave of the House.

10. **Call on the Federal Capital Territory Administration (FCTA) to Address the Perpetual Darkness on Major Streets and Roads in the FCT**
Motion made and Question proposed;

The House:

Notes the perpetual darkness on major roads and streets within the metropolis of the Federal Capital Territory (FCT) at night owing to lack of street lights and inadequate lighting or lack of power supply to existing light facilities;

Also notes that majority of the roads and streets leading to different parts of the city and destinations as well as under the bridges and roundabouts are often in pitch-black from dusk till dawn, leaving citizens fearful and apprehensive of the unseen;

Aware that the prevalence of darkness on the roads and streets in the FCT creates avenues for men of the underworld to perpetuate crimes, touting and intimidation of unsuspecting citizens, making the city less receptive and in attractive to residents and visitors;

Also aware that despite the prevailing darkness almost everywhere in the FCT at night, there is hardly any presence of either stationary or patrol police vans along the very dangerous stretch of roads and under the bridges and roundabouts;

Observes that some States of the federation such as Lagos and Anambra have done well in ensuring that their major roads are well lit at night, and in some cases, have to power the street lights with standby generators, in the event of power outage;

Cognizant of the need to ensure that major roads and streets in the Federal Capital Territory are well lit in order to ward off criminals, enable residents move about without fear in and around the city, as well as having a capital city that is receptive and attractive to foreign investors as is obtainable in major capital cities of the world;

Resolves to:

- (i) urge the Minister of the Federal Capital Territory to urgently provide street lights in all the major roads, streets, under the bridges and roundabouts within the Federal Capital Territory;
- (ii) also urge the Inspector General of Police to immediately deploy more police officers and vans to major roads and strategic areas in the Federal Capital Territory; and
- (iii) mandate the Committee on Federal Capital Territory to ensure implementation (*Hon. Oluwarotimi Agunsoye Ojo— Kosofo Federal Constituency*).

Debate.

Amendments Proposed:

- (i) In Prayer (i), immediately after the word “lights”, *insert* the words “and directory signboards” (*Hon. Rita Orji — Ajeromi/Ifelodun Federal Constituency*).

Question that the amendment be made — Agreed to.

- (ii) *Insert* a new Prayer (iv) as follows:
“Further urge the Minister of the Federal Capital Territory to ensure functionality of all traffic lights in the city” (*Hon. Abiante Awaji-Inombek Dagomie — Andoni-Opobo/Nkoro Federal Constituency*).

Question that the amendment be made — Agreed to.

- (iii) *Insert* a new Prayer (v) as follows:
“Still urge the Minister of the Federal Capital Territory, to take immediate steps to cover all the gaping manholes on the streets of the FCT that are causing injury and posing danger to pedestrians and vehicles alike” (*Hon. Aminu Shagari — Yabo/Shagari Federal Constituency*).

Question that the amendment be made — Agreed to.

Question on the Motion as amended — Agreed to.

The House:

Noted the perpetual darkness on major roads and streets within the metropolis of the Federal Capital Territory (FCT) at night owing to lack of street lights and inadequate lighting or lack of power supply to existing light facilities;

Also noted that majority of the roads and streets leading to different parts of the city and destinations as well as under the bridges and roundabouts are often in pitch-black from dusk till dawn, leaving citizens fearful and apprehensive of the unseen;

Aware that the prevalence of darkness on the roads and streets in the FCT creates avenues for men of the underworld to perpetuate crimes, touting and intimidation of unsuspecting citizens, making the city less receptive and in attractive to residents and visitors;

Also aware that despite the prevailing darkness almost everywhere in the FCT at night, there is hardly any presence of either stationary or patrol police vans along the very dangerous stretch of roads and under the bridges and roundabouts;

Observed that some States of the federation such as Lagos and Anambra have done well in ensuring that their major roads are well lit at night, and in some cases, have to power the street lights with standby generators, in the event of power outage;

Cognizant of the need to ensure that major roads and streets in the Federal Capital Territory are well lit in order to ward off criminals, enable residents move about without fear in and around the city, as well as having a capital city that is receptive and attractive to foreign investors as is obtainable in major capital cities of the world;

Resolved to:

- (i) urge the Minister of the Federal Capital Territory to urgently provide street lights, and directory signboards in all the major roads, streets, under the bridges and roundabouts within the Federal Capital Territory;
- (ii) also urge the Inspector General of Police to immediately deploy more police officers and vans to major roads and strategic areas in the Federal Capital Territory;
- (iii) mandate the Committee on Federal Capital Territory to ensure implementation;
- (iv) further urge the Minister of the Federal Capital Territory to ensure functionality of all traffic lights in the city; and
- (v) still urge the Minister of the Federal Capital Territory, to take immediate steps to cover all the gaping manholes on the streets of the FCT that are causing injury and posing danger to pedestrians and vehicles alike (HR. 17/2018).

11. Need to Investigate the Termination of the Public Private Partnership (PPP) Concession Agreement between the Transmission Company of Nigeria (TCN) and Phase 3 Telecom Ltd on TCN's Fibre Optical Telecommunication Infrastructure Projects

Motion made and Question proposed;

The House:

Notes that the Transmission Company of Nigeria (TCN) signed a Concession Agreement with Phase 3 Telecom Ltd, in 2006 under the PPP Arrangement for the fibre optic deployment projects to Design, Build, Finance and Operate (DBFO) the infrastructure with unhindered access to existing and future fibre optic infrastructure on the network;

Also notes that since the signing of the Concession Agreement, extensive expansion and upgrades have been carried out by Phase 3 Telecom Ltd, to rehabilitate and replace most of the existing fibre (450km) on TCN's Power lines as well as installation of about 1600km of new fibres on the routes where there were no fibres;

Further notes that between 2006 and 2017, Phase 3 Telecom Ltd, has made substantial investment on the project in the region of ₦25 Billion in fibres deployment cost across the country, royalties payment to TCN (2.5% of revenues), procurement of transmission equipment, network maintenance and operational costs, payment to expatriates, personnel costs, etc.;

Informed of the termination of the Concession Agreement without following due process or considering the enormous commitments made on the project by Phase 3 Telecom Ltd;

Also informed that despite the fact that Phase 3 Telecom Ltd, has made full payment of all outstanding royalties and rentals to TCN up to March 2017, TCN failed in its obligation under the Concession Agreement by not releasing linesmen and allocating space for equipment to Phase 3 Telecom Ltd, which grossly affected the ability of the Company to adequately meet customer requirements;

Concerned that TCN terminated the Concession Agreement with Phase 3 Telecom Ltd, without respecting the rights of the Concessionaire as contained in the Agreement by not exploring the Arbitration Clause which makes the parties obliged to peaceful settlement of disputes;

Also concerned that in spite of the timely intervention of the regulatory body, the Infrastructure Concession Regulatory Commission (ICRC) for settlement of the dispute, the new Managing Director (MD) of TCN, Mr Usman Gur Mohammed still went ahead to terminate the Concession Agreement;

Further concerned that the termination of the Concession Agreement and outright closure of Phase 3 Telecom Ltd's operations which has denied the company access to all its sites nationwide, will put the company's investments of over a decade in jeopardy, coupled with the attendant disruption of services to telecom operators and security agencies worldwide, thereby putting all stakeholders and subscribers at risk;

Cognizant that if there is no urgent intervention in the matter, the development could cripple the telecom industry and also put the economy of the nation in grave danger.

Resolves to:

Set up an *Ad-hoc* Committee to investigate the alleged termination of the Concession Agreement between the Transmission Company of Nigeria (TCN) and Phase 3 Telecom Ltd; and report back within two (2) weeks for further legislative action (*Hon. Rita Orji — Ajeromi/Ifelodun Federal Constituency*).

Débate.

Agreed to.

The House:

Noted that the Transmission Company of Nigeria (TCN) signed a Concession Agreement with Phase 3 Telecom Ltd, in 2006 under the PPP Arrangement for the fibre optic deployment projects to Design, Build, Finance and Operate (DBFO) the infrastructure with unhindered access to existing and future fibre optic infrastructure on the network;

Also noted that since the signing of the Concession Agreement, extensive expansion and upgrades have been carried out by Phase 3 Telecom Ltd, to rehabilitate and replace most of the existing fibre (450km) on TCN's Power lines as well as installation of about 1600km of new fibres on the routes where there were no fibres;

Further noted that between 2006 and 2017, Phase 3 Telecom Ltd, has made substantial investment on the project in the region of ₦25 Billion in fibres deployment cost across the country, royalties payment to TCN (2.5% of revenues), procurement of transmission equipment, network maintenance and operational costs, payment to expatriates, personnel costs, etc.;

Informed of the termination of the Concession Agreement without following due process or considering the enormous commitments made on the project by Phase 3 Telecom Ltd;

Also informed that despite the fact that Phase 3 Telecom Ltd, has made full payment of all outstanding royalties and rentals to TCN up to March 2017, TCN failed in its obligation under the Concession Agreement by not releasing linesmen and allocating space for equipment to Phase 3 Telecom Ltd, which grossly affected the ability of the Company to adequately meet customer requirements;

Concerned that TCN terminated the Concession Agreement with Phase 3 Telecom Ltd, without respecting the rights of the Concessionaire as contained in the Agreement by not exploring the Arbitration Clause which makes the parties obliged to peaceful settlement of disputes;

Also concerned that in spite of the timely intervention of the regulatory body, the Infrastructure Concession Regulatory Commission (ICRC) for settlement of the dispute, the new Managing Director (MD) of TCN, Mr Usman Gur Mohammed still went ahead to terminate the Concession Agreement;

Further concerned that the termination of the Concession Agreement and outright closure of Phase 3 Telecom Ltd's operations which has denied the company access to all its sites nationwide, will put the company's investments of over a decade in jeopardy, coupled with the attendant disruption of services to telecom operators and security agencies worldwide, thereby putting all stakeholders and subscribers at risk;

Cognizant that if there is no urgent intervention in the matter, the development could cripple the telecom industry and also put the economy of the nation in grave danger.

Resolved to:

Set up an *Ad-hoc* Committee to investigate the alleged termination of the Concession Agreement between the Transmission Company of Nigeria (TCN) and Phase 3 Telecom Ltd, and report back within two (2) weeks for further legislative action (HR. 18/2018).

12. Need to Declare a State of Emergency on the Accommodation Problems Confronting Members of the Armed Forces of the Federal Republic of Nigeria

Motion made and Question proposed;

The House:

Notes that the Armed Forces of the Federal Republic of Nigeria was established by Section 217 of the Constitution of the Federal Republic of Nigeria, 1999 (as amended), to among others, defend Nigeria from external aggression, maintain Nigeria's territorial integrity, secure Nigeria's borders from violation, suppress insurrection and act in aid of civil authorities to restore order when called upon to do so by the President;

Also notes that members of the Armed Forces have discharged those functions heroically and remarkably to the unanimous concurrence of all well-meaning Nigerians;

Further notes that the Armed Forces have consistently stood by Nigeria and Nigerians during the Civil War, the militancy in the Niger Delta, the Boko Haram insurgency in the North East as well as advertising Nigeria's credentials in the realm of international politics in its involvement in peacekeeping missions around the world, including the Western Sahara crisis and in its many services to our brothers in Africa, especially in the West African sub-region in resolving the complex conflicts in Liberia and Sierra Leone;

Equally notes that recently, the press has been awash with news of the acute welfare challenges that members of the Armed Forces have been contending with, particularly the problem of accommodation such that some senior officers are having to squat while others are being paired to share accommodation and while others still are being housed in rented apartments;

Aware that the reason being advanced for this national embarrassment is that more personnel have had to be recruited owing to the involvement of the Military in multiple fronts of security challenges but particularly the counter-insurgency across Nigeria;

Observes that although there appears to be measures being taken to ameliorate the situation, these measures are not only inadequate but, by the admission of one Major General Austin Okoh, Chief of Logistics, Defence Headquarters who spoke on behalf the Chief of Defence Staff, General Gabriel Abayomi Olonisakin in one of the reports, the issue of shortage of accommodation has always been there and the process of resolving the problem is slow;

Concerned that despite the colossal sums appropriated every year in the Federal Budget for the rehabilitation of military barracks, and other measures such as the establishment of the Presidential Committee on Barracks Rehabilitation, the residences of the men and women of the Armed Forces continue to be both inadequate and grotesque;

Determined that this matter must be resolved at once so that the men and women of the Armed Forces can focus fully on their critical jobs as stated in section 217 (1) (2) of the Constitution of the Federal Republic of Nigeria.

Resolves to:

- (i) urge the Ministries of Defence, Justice, Power, Works and Housing and the Service Chiefs to immediately initiate an Inter-Ministerial Collaboration towards resolving all pending litigations with a view to expeditious resolution and also proffer solutions to the acute problem of providing befitting housing/accommodation for personnel of the Armed Forces of the Federal Republic of Nigeria; and
- (ii) Mandate the Committees on Defence, Army, Navy, Air Force, Justice and Housing to liaise with the Ministries of Defence, Power, Works and Housing, Justice and the Service Chiefs with a view to appraising and monitoring the progress of the Inter-Ministerial Collaboration towards urgently resolving the issue of accommodation for personnel of the Armed Forces and report back within three (3) weeks for further legislative action (*Hon. Abdussamad Dasuki — Kebbe/Tambuwal Federal Constituency and 3 Others*).

Debate.

Agreed to.

The House:

Noted that the Armed Forces of the Federal Republic of Nigeria was established by Section 217 of the Constitution of the Federal Republic of Nigeria, 1999 (as amended), to among others, defend Nigeria from external aggression, maintain Nigeria's territorial integrity, secure Nigeria's borders from violation, suppress insurrection and act in aid of civil authorities to restore order when called upon to do so by the President;

Also noted that members of the Armed Forces have discharged those functions heroically and remarkably to the unanimous concurrence of all well-meaning Nigerians;

Further noted that the Armed Forces have consistently stood by Nigeria and Nigerians during the Civil War, the militancy in the Niger Delta, the Boko Haram insurgency in the North East as well as advertising Nigeria's credentials in the realm of international politics in its involvement in peacekeeping missions around the world, including the Western Sahara crisis and in its many services to our brothers in Africa, especially in the West African sub-region in resolving the complex conflicts in Liberia and Sierra Leone;

Equally noted that recently, the press has been awash with news of the acute welfare challenges that members of the Armed Forces have been contending with, particularly the problem of accommodation such that some senior officers are having to squat while others are being paired to share accommodation and while others still are being housed in rented apartments;

Aware that the reason being advanced for this national embarrassment is that more personnel have had to be recruited owing to the involvement of the Military in multiple fronts of security challenges but particularly the counter-insurgency across Nigeria;

Observed that although there appears to be measures being taken to ameliorate the situation, these measures are not only inadequate but, by the admission of one Major General Austin Okoh, Chief of Logistics, Defence Headquarters who spoke on behalf the Chief of Defence Staff, General Gabriel Abayomi Olonisakin in one of the reports, the issue of shortage of accommodation has always been there and the process of resolving the problem is slow;

Concerned that despite the colossal sums appropriated every year in the Federal Budget for the rehabilitation of military barracks, and other measures such as the establishment of the Presidential Committee on Barracks Rehabilitation, the residences of the men and women of the Armed Forces continue to be both inadequate and grotesque;

Determined that this matter must be resolved at once so that the men and women of the Armed Forces can focus fully on their critical jobs as stated in section 217(1) (2) of the Constitution of the Federal Republic of Nigeria.

Resolved to:

- (i) urge the Ministries of Defence, Justice, Power, Works and Housing and the Service Chiefs to immediately initiate an Inter-Ministerial Collaboration towards resolving all pending litigations with a view to expeditious resolution and also proffer solutions to the acute problem of providing befitting housing/accommodation for personnel of the Armed Forces of the Federal Republic of Nigeria; and
- (ii) mandate the Committees on Defence, Army, Navy, Air Force, Justice and Housing to liaise with the Ministries of Defence, Power, Works and Housing, Justice and the Service Chiefs with a view to appraising and monitoring the progress of the Inter-Ministerial Collaboration towards urgently resolving the issue of accommodation for personnel of the Armed Forces and report back within three (3) weeks for further legislative action (HR. 19/2018).

13. Need to Address the Outbreak of Lassa Fever in Orlu, Imo State and Other Parts of the Country

Motion made and Question proposed;

The House:

Notes the recent outbreak of Lassa fever in Orlu Local Government Area of Imo State which, according to the Government of Imo State, had claimed the lives of three persons while seven others were hospitalized and also in Ebonyi State which has claimed the lives of many health and non-health workers;

Concerned by the recurrent outbreak of the deadly viral disease in the country and the apparent non-proactive approach of Ministries of Health, both at Federal and State levels to prevent the outbreak of the disease;

Also concerned by the recorded number of deaths from Lassa fever outbreak in the country in the recent time and in the past years;

Aware that it is the constitutional responsibility of government to secure the lives and welfare of the citizens;

Resolves to:

- (i) urge the Federal Government to put in place measures to checkmate the outbreak of the disease in Orlu LGA and other parts of the country to prevent the spread of the disease and assist infected persons who are currently hospitalized in the areas;
- (ii) urge the Federal Government to vote more funds and resources to research and development in the health sector and ensure that such funds are utilized in order to find solutions to the health challenges facing the country; and
- (iii) mandate the Committees on Health Services and Health Institutions to ensure proper implementation of the provisions of the Constitution of the Federal Republic of Nigeria.

Debate.

Amendment Proposed:

Insert a new Prayer (iv) as follows:

“Further urge the Federal Ministry of Health to embark on constant enlightenment, education and orientation programme on Lassa fever and any other related diseases that can affect human existence”
(Hon. Jimoh Olajide — Lagos Mainland Federal Constituency).

Question that the amendment be made — Agreed to.

Question on the Motion as amended — Agreed to.

The House:

Noted the recent outbreak of Lassa fever in Orlu Local Government Area of Imo State which, according to the Government of Imo State, had claimed the lives of three persons while seven others were hospitalized and also in Ebonyi State which has claimed the lives of many health and non-health workers;

Concerned by the recurrent outbreak of the deadly viral disease in the country and the apparent non-proactive approach of Ministries of Health, both at Federal and State levels to prevent the outbreak of the disease;

Also concerned by the recorded number of deaths from Lassa fever outbreak in the country in the recent time and in the past years;

Aware that it is the constitutional responsibility of government to secure the lives and welfare of the citizens.

Resolved to:

- (i) urge the Federal Government to put in place measures to checkmate the outbreak of the disease in Orlu LGA and other parts of the country to prevent the spread of the disease and assist infected persons who are currently hospitalized in the areas;
- (ii) also urge the Federal Government to vote more funds and resources to research and development in the health sector and ensure that such funds are utilized in order to find solution to the health challenges facing the country;
- (iii) mandate the Committees on Healthcare Services and Health Institutions to ensure implementation; and
- (iv) further urge the Federal Ministry of Health to embark on constant enlightenment, education and orientation programme on Lassa fever and any other related diseases that can affect human existence (HR. 20/2018).

14. Consideration of Reports

- (i) ***A Bill for an Act to Amend the Hydroelectric Power Production Areas Development Commission Act, 2010 to make Provisions for Reduction of Percentage on Revenue Generated by any Company or Authority from the Operations of Hydro Electric Dams; and for Related Matters (HB. 1213) (Committee of the Whole):***

Motion made and Question proposed, “That the House do consider the Report on a Bill for an Act to Amend the Hydroelectric Power Production Areas Development Commission Act, 2010 to make Provisions for Reduction of Percentage on Revenue Generated by any Company or Authority from the Operations of Hydro Electric Dams; and for Related Matters (HB. 1213) and approve the recommendations therein” (Hon. Orker-Jev Emmanuel — Yisa Buruku Federal Constituency).

Agreed to.

Question that the House do resolve into the Committee of the Whole to consider the Report — Agreed to.

(HOUSE IN COMMITTEE)

(Mr Deputy Speaker in the Chair)

A BILL FOR AN ACT TO AMEND THE HYDROELECTRIC POWER PRODUCING AREAS DEVELOPMENT COMMISSION (ESTABLISHMENT, ETC.) ACT, 2010 TO MAKE PROVISION FOR THE REDUCTION OF PERCENTAGE ON REVENUE GENERATED BY ANY COMPANY OR AUTHORITY FROM THE OPERATIONS OF HYDROELECTRIC DAMS AND FOR RELATED MATTERS (HB. 1213)

Clause 1: Amendment of Hydroelectric Power Producing Areas (Establishment, etc.) Act, 2010.

he Hydroelectric Power Producing Areas (Establishment, etc.) Act, 2010 (hereafter referred to as the "Principal Act") is hereby amended as set out in this Bill (*Hon. Orker-Jev Emmanuel Yisa — Buruku Federal Constituency*).

Question that Clause 1 stands part of the Bill — Agreed to.

Clause 2: Amendment of section 8.

(a) Section 8 subsection (1) of the Principal Act is amended by substituting for paragraph (a) a new paragraph as follows —

"(1) The Commission shall —

(a) formulate policies and guidelines for the development of hydroelectric power producing areas without prejudice to the powers of the Minister to issue policy directives and the Nigerian Electricity Regulatory Commission's power to regulate the electricity supply industry under the Electric power Sector Reform act 2005".

(b) Section 8 of the Principal Act is further amended in paragraph (f) by inserting immediately after the words "implementation of" the word "measures" (*Hon. Orker-Jev Emmanuel Yisa — Buruku Federal Constituency*).

Question that Clause 2 stands part of the Bill — Agreed to.

Clause 3: Amendment of section 14.

Section 14 (2) (a) of the Principal Act is amended by substituting for the expression "30 percent" in line 1, the expression "10 percent" (*Hon. Orker-Jev Emmanuel Yisa — Buruku Federal Constituency*).

Question that Clause 3 stands part of the Bill — Agreed to.

Clause 4: Citation.

This Bill may be cited as the Hydroelectric Power Producing Areas Development Commission Act (Amendment) Bill, 2018 (*Hon. Orker-Jev Emmanuel Yisa — Buruku Federal Constituency*).

Question that Clause 4 stands part of the Bill — Agreed to.

Long Title:

A Bill for an Act to Amend the Hydroelectric Power Producing Areas Development Commission (Establishment, etc.) Act, 2010 to Make Provision for the Reduction of Percentage on Revenue Generated by Any Company or Authority from the Operations of Hydroelectric Dams and for Related Matters (HB. 1213) (*Hon. Orker-Jev Emmanuel Yisa — Buruku Federal Constituency*).

Agreed to.

Chairman to report Bill.

(HOUSE IN PLENARY)

Mr Deputy Speaker in the Chair, reported that the House in Committee of the Whole considered the Report on a Bill for an Act to Amend the Hydroelectric Power Production Areas Development Commission Act, 2010 to make Provisions for Reduction of Percentage on Revenue Generated by any Company or Authority from the Operations of Hydro Electric Dams; and for Related Matters (HB. 1213) and approved Clauses 1- 4, and the Long Title of the Bill.

Question that the House do adopt the Report of the Committee of the Whole — Agreed to.

- (ii) ***A Bill for an Act to Provide for the Prohibition and Protection of Persons from Lynching or Unlawful Killing by Mob Action, Riotous Assemblage or Extra Judicial Killing in Nigeria; and for Related Matters (HB. 1169) (Committee of the Whole):***

Motion made and Question proposed, “That the House do consider the Report on a Bill for an Act to Provide for the Prohibition and Protection of Persons from Lynching or Unlawful Killing by Mob Action, Riotous Assemblage or Extra Judicial Killing in Nigeria; and for Related Matters (HB. 1169) and approve the recommendations therein” (Hon. Orker-Jev Emmanuel — Yisa Buruku Federal Constituency).

Agreed to.

Question that the House do resolve into the Committee of the Whole to consider the Report — Agreed to.

(HOUSE IN COMMITTEE)

(Mr Deputy Speaker in the Chair)

**A BILL FOR AN ACT FOR THE PROHIBITION AND PROTECTION OF
PERSONS FROM LYNCHING OR UNLAWFUL KILLINGS BY MOB ACTION OR
RIOTOUS ASSEMBLAGE OR EXTRAJUDICIAL KILLINGS IN NIGERIA
AND FOR OTHER RELATED OFFENCES (HB. 1169)**

PART I — OFFENCES AND APPLICATION

- Clause 1: Criminalisation of lynching or unlawful killing by mob action or riotous assemblage.**

It shall be a criminal offence to deprive any person of his life through lynching or unlawful killing by mob action or riotous assemblage (*Hon. Orker-Jev Emmanuel Yisa — Buruku Federal Constituency*).

Question that Clause 1 stands part of the Bill — Negatived.

- Clause 2: Criminalisation of extrajudicial killings by Security Officers.**

It shall be a criminal offence for any security officer of the Nigeria Police Force, Armed Forces of the Federal Republic of Nigeria or any other paramilitary organisation to deprive any person of his life or engage in the extrajudicial killings

of any person within the Federal Republic of Nigeria without lawful authority (*Hon. Orker-Jev Emmanuel Yisa — Buruku Federal Constituency*).

Question that Clause 2 stands part of the Bill — Negatived.

Clause 3: Role and Obligation of the State to protection of lives.

A State or a Local Government shall be responsible for the protection of lives of every person within its jurisdiction and shall exercise such powers so as to prevent loss of lives of persons, through lynching or unlawful killings by mob action, riotous assemblage or by extrajudicial killings (*Hon. Orker-Jev Emmanuel Yisa — Buruku Federal Constituency*).

Question that Clause 3 stands part of the Bill — Negatived.

Clause 4: Liability of the State.

Any State or Local Government thereof that fails, neglects, or refuses to provide and maintain protection to the life of any person within its jurisdiction against a mob or riotous assemblage, such State or Local Government shall by reason of such failure, neglect, or refusal, be said to have denied to such person the equal protection of the Laws of the State as guaranteed by the Constitution of the Federal Republic of Nigeria (*Hon. Orker-Jev Emmanuel Yisa — Buruku Federal Constituency*).

Question that Clause 4 stands part of the Bill — Negatived.

Clause 5: Parties to lynching or unlawful killing by mob action, riotous assemblage or extrajudicial killing.

Any person or persons who is or are identified as the primary agitator for lynching or unlawful killings by mob action, riotous assemblage or by extrajudicial killings, which results in the death of a person is said to have committed an offence (*Hon. Orker-Jev Emmanuel Yisa — Buruku Federal Constituency*).

Question that Clause 5 stands part of the Bill — Negatived.

PART II — PUNISHMENT

Clause 6: Punishment for lynching or unlawful killing by mob action, riotous.

- (1) Any person who is a primary agitator in the lynching or unlawful killing by mob action or riotous assemblage or extrajudicial killing, either as a party or parties to the unlawful acts, shall be guilty of an offence and liable upon conviction to death.
- (2) Where such unlawful act does not result in the death of a person, the party or parties shall or by upon conviction be liable to 15 years imprisonment.
- (3) The extrajudicial killing of any person, suspects or prisoners by:
 - (a) any security officer acting under the authority of the law, having in his custody or control, a suspect, who conspires with any person to put such suspect to death without authority of law, as a punishment for some alleged offence, shall be guilty of an offence and upon conviction be sentenced to death; and
 - (b) any security officer having in his custody or control, a suspect, who aided and abetted with any person to suffer such suspect to be taken or obtained from his custody or control for the purpose of being killed or put to death without authority of law, as a punishment for

an alleged public offence, shall be guilty of an offence, and those who so aided and abetted with such officer, shall likewise be guilty of an offence and upon conviction be sentenced to death (*Hon. Orker-Jev Emmanuel Yisa — Buruku Federal Constituency*).

Question that Clause 6 stands part of the Bill — Negatived.

PART III — UNLAWFUL KILLINGS

Clause 7: Criminal liability in lynching, unlawful killing by mob action, riotous assemblage or by extrajudicial killing.

- (1) Any security officer charged with the duty or who possesses the power or authority to protect the life of any person or persons in his charge as a prisoner, may be put to death or lynched by any mob or riotous assemblage, but fails, neglects, or refuses to make all reasonable efforts to prevent such person from being so lynched or put to death, shall be guilty of an offence and upon conviction thereof shall be punished by imprisonment of not less than five years or by a fine of not less than ₦1,000,000.00 or by both such fine and imprisonment.
- (2) Any security officer charged with the duty of apprehending or prosecuting any person participating in lynching by mob action, riotous assemblage or extrajudicial killing who fails, neglects, refuses to make all reasonable efforts to perform his duty in apprehending or prosecuting such persons under the provisions of this Bill and or under the provisions of any existing Laws of the Federal Republic of Nigeria, shall be guilty of an offence, and upon conviction thereof shall be punished by imprisonment of not less than five years or a fine of not less than ₦1,000,000.00 or to both such fine and imprisonment.
- (3) Any senior security officer who is alleged to have failed or willingly refused to exercise his authority to prevent the ill-treatment and extrajudicial killing of a suspect of any crime, shall be guilty of an offence and upon conviction, be dismissed from service and sentenced to imprisonment for 15 years (*Hon. Orker-Jev Emmanuel Yisa — Buruku Federal Constituency*).

Question that Clause 7 stands part of the Bill — Negatived.

Clause 8: Joint and several liability of States.

In the event that any person so put to death shall have been transported by such mob or riotous assemblage from one State to another State during the time intervening between his capture and putting to death, the State in which he is seized and the State in which he is put to death shall be jointly and severally liable to pay compensation herein provided (*Hon. Orker-Jev Emmanuel Yisa — Buruku Federal Constituency*).

Question that Clause 8 stands part of the Bill — Negatived.

Clause 9: Compulsory autopsy.

- (1) Any security organisation in which a person is put to death by its officers or dies in their custody, shall be responsible for the cost of autopsy of such dead persons in its custody.
- (2) A sealed copy of the official autopsy result shall be presented to the personal representatives or family of the deceased person (*Hon. Orker-Jev Emmanuel Yisa — Buruku Federal Constituency*).

Question that Clause 9 stands part of the Bill — Negatived.

Clause 10: Financial compensation.

- (1) Any State in which a person is put to death by a mob or riotous assemblage shall, if it is Financial alleged and proven that the security officers in the State charged with the duty of protecting lives compensation and prosecuting such offences under the provisions of this Bill or any Act of the National Assembly or Laws of the State, had failed, neglected, or refused to proceed with due diligence to apprehend and prosecute the participants in the mob or riotous assemblage, shall pay compensation of not less than ₦2,000,000.00, which may be recovered in a civil action by the personal representatives of the person put to death against any such a State.
- (2) Any security organisation in which a person is killed or put to death by its officers, and it is proven that the security officers are responsible for the unlawful killing of such person, shall forfeit a compensation in the minimum sum of ₦10,000,000.00, which may be recovered by a civil action by the personal representatives of the person killed or put to death (*Hon. Orker-Jev Emmanuel Yisa — Buruku Federal Constituency*).

Question that Clause 10 stands part of the Bill — Negatived.

Clause 11: Procedure for failure to compensate.

Where such compensation is not paid upon recovery of a judgment thereof, such court shall have Procedure jurisdiction to enforce payment by levy of execution upon any property of the State, or may failure otherwise compel the levy and collection of a tax, thereof or may otherwise compel payment compensate thereof by mandamus or other appropriate process; and any officer of such State or other person who disobeys or fails to comply with any lawful order of the court shall be liable to punishment for contempt and to any other penalty provided by Law thereof (*Hon. Orker-Jev Emmanuel Yisa — Buruku Federal Constituency*).

Question that Clause 11 stands part of the Bill — Negatived.

PART V — JURISDICTION**Clause 13: Jurisdiction of Court.**

- (a) The High Court of a State where a person is put to death by a mob or riotous assemblage or extrajudicial killing shall have jurisdiction to try and punish the offenders in accordance with this Bill or any other Act of the National Assembly or Laws of the State where the unlawful killing is committed.
- (b) The High Court of a State shall have jurisdiction to try any security officer charged in the indictment, by reason of failure, neglect, or refusal of the security officer or officers charged with the duty of protecting lives and prosecuting such offence under the provisions of this Bill to proceed with due diligence to apprehend and prosecute such participants and the State is said to have denied to its citizens the equal protection of the law.
- (c) The High Court of a State where a person is killed or put to death by a security officer acting alone or in collusion with others shall have jurisdiction to try and punish the offenders in accordance with this Bill where the extrajudicial killing is committed (*Hon. Orker-Jev Emmanuel Yisa — Buruku Federal Constituency*).

Question that Clause 12 stands part of the Bill — Negatived.

PART VI — OTHER RELATED OFFENCES (CRIMINAL NEGLIGENCE)

Clause 13: Denial of access to medical treatment general of victims of bullet wounds.

- (1) Any person or persons who is in police detention or custody and suffers from bullet wounds or any wound sustained during arrest, shall be given immediate medical treatment in the nearest hospital within the vicinity of the police station or area where the injury was sustained.
- (2) Any security officer who denies access to immediate medical treatment to be given to a person or persons suffering from bullet wounds or any wound sustained during arrest in his/her custody, shall be guilty of an offence and shall upon conviction be sentenced to imprisonment for 7 years (*Hon. Orker-Jev Emmanuel Yisa — Buruku Federal Constituency*).

Question that Clause 13 stands part of the Bill — Negatived.

Clause 14: Liability of Security Officers to victims of bullet wounds.

Any security officer who is alleged to have denied access to immediate medical treatment of a victim of bullet wounds or any wound sustained during arrest under section 9 of this Bill, resulting in the death of such victim or victims, upon conviction shall be punished with imprisonment for twenty-five years (*Hon. Orker-Jev Emmanuel Yisa — Buruku Federal Constituency*).

Question that Clause 14 stands part of the Bill — Negatived.

Clause 15: Liability of Medical Facilities and Medical Personnel.

- (1) It shall be unlawful for any health facility or medical personnel to reject or refuse medical treatment to any person or persons suffering from bullet wound on account of failure to produce a police report, provided that a report of any such treatment shall be made by the health facility to the Police immediately.
- (2) It shall be unlawful for any medical personnel to demand for a police report from a victim or victims of bullet wound as a condition before treatment in any part of the Federal Republic of Nigeria.
- (3) Any medical personnel who refuses, rejects or demands for a police report as a condition before treatment of a victim of bullet wound and where such victim dies as a result of any delay of medical attention due to such refusal, rejection or demand for police report before treatment, the medical personnel involved shall be guilty of an offence and punished by imprisonment for twenty-five years.
- (4) Any health facility that refuses, rejects or demands for a police report as a condition before treatment of a victim or victims of bullet wounds, upon investigation and indictment in a report by the Nigerian Police Force and, or the Nigerian Medical Association shall be liable upon conviction to pay compensation of ₦10,000,000.00 to the victim and, or the personal representatives of the victim where the victim dies from the bullet wounds (*Hon. Orker-Jev Emmanuel Yisa — Buruku Federal Constituency*).

Question that Clause 15 stands part of the Bill — Negatived.

Clause 16: Petition to Attorney-General.

Any victim of bullet wound who suffers discrimination or denial of medical treatment under section 9 of this Bill, may either by himself or through his personal representative, petition the Attorney-General of the Federation in writing, seeking

criminal prosecution against such security officer, health facility or medical personnel (*Hon. Orker-Jev Emmanuel Yisa — Buruku Federal Constituency*).

Question that Clause 16 stands part of the Bill — Negatived.

Clause 17: Prosecution by Attorney-General.

- (1) Where any such petition is received by the Attorney-General from a victim of bullet wound, or from his/her personal representatives, the Attorney-General shall order criminal investigation into the matter;
- (2) Where a prima facie case is established under section 16 of this Bill, the Attorney-General of the State shall commence criminal action against the security officer, medical facility or medical personnel (*Hon. Orker-Jev Emmanuel Yisa — Buruku Federal Constituency*).

Question that Clause 17 stands part of the Bill — Negatived.

Clause 18: Interpretation.

In this Bill—

"Lynching" means death caused by two or more persons acting in concert for the purpose of depriving any person of his life without authority of law as a punishment for or to prevent the commission of some actual or supposed offense (*Hon. Orker-Jev Emmanuel Yisa — Buruku Federal Constituency*).

Question that the meaning of the word "Lynching" be as defined in the interpretation to this Bill — Negatived.

"Mob action" means an assemblage of two or more persons acting in concert for the purpose of causing severe bodily harm capable of depriving any person of his life without authority of law as a punishment for or to prevent the commission of some actual or supposed public offense (*Hon. Orker-Jev Emmanuel Yisa — Buruku Federal Constituency*).

Question that the meaning of the words "Mob action" be as defined in the interpretation to this Bill — Negatived.

"Riotous assemblage" means an assemblage of two or more persons acting in concert for the purpose of disturbing the peace, destruction of private or public property and causing severe bodily harm capable of depriving any person of his life without authority of law (*Hon. Orker-Jev Emmanuel Yisa — Buruku Federal Constituency*).

Question that the meaning of the words "Riotous assemblage" be as defined in the interpretation to this Bill — Negatived.

"Extrajudicial killing" means any death arising from or occasioned by any omission or physical act, including torture, carried out by a Security officer of the Federal Republic of Nigeria for the purpose of depriving any person of his life without authority of law (*Hon. Orker-Jev Emmanuel Yisa — Buruku Federal Constituency*).

Question that the meaning of the words "Extrajudicial killing" be as defined in the interpretation to this Bill — Negatived.

"Security officer" means any officer of the Nigerian Police Force, Armed Forces of the Federal Republic of Nigeria, Department of State Services, the Nigerian Civil Defence, and any other officer of a Paramilitary Organisations established under an Act or a law of a State (*Hon. Orker-Jev Emmanuel Yisa — Buruku Federal Constituency*).

Question that the meaning of the words "Security officer" be as defined in the interpretation to this Bill — Negatived.

"Court of competent jurisdiction" means a High Court within the Judicial Division where an offence of lynching or unlawful killing by mob action or riotous assemblage or summary execution occurs (*Hon. Orker-Jev Emmanuel Yisa — Buruku Federal Constituency*).

Question that the meaning of the words "Court of competent jurisdiction" be as defined in the interpretation to this Bill — Negatived.

"Offence" means an act or omission which renders the person doing the act or making the omission liable to punishment under this Bill (*Hon. Orker-Jev Emmanuel Yisa — Buruku Federal Constituency*).

Question that the meaning of the word "Offence" be as defined in the interpretation to this Bill — Negatived.

Question that Clause 18 stands part of the Bill — Negatived.

Clause 19: Citation.

This Bill may be cited as the Anti-Jungle Justice and Other Related Offences Bill, 2018 (*Hon. Orker-Jev Emmanuel Yisa — Buruku Federal Constituency*).

Question that Clause 19 stands part of the Bill — Negatived.

Long Title:

A Bill for an Act for the Prohibition and Protection of Persons from Lynching or Unlawful Killings by Mob Action or Riotous Assemblage or Extrajudicial Killings in Nigeria and for Other Related Offences (HB. 1169) (*Hon. Orker-Jev Emmanuel Yisa — Buruku Federal Constituency*).

Negatived.

Chairman to report Bill.

(HOUSE IN PLENARY)

Mr Deputy Speaker in the Chair, reported that the House in Committee of the Whole considered the Report on a Bill for an Act to Provide for the Prohibition and Protection of Persons from Lynching or Unlawful Killing by Mob Action, Riotous Assemblage or Extra Judicial Killing in Nigeria; and for Related Matters (HB. 1169) and rejected Clauses 1 - 19, and the Long Title of the Bill.

Question that the House do adopt the Report of the Committee of the Whole — Agreed to.

(iii) Committee on Police Affairs:

Motion made and Question proposed, "That the House do consider the Report of the Committee on Police Affairs on a Bill for an Act to Establish the Nigeria Police Trust Fund; and for Related Matters, 2017 (HB.894) and approve the recommendations therein" (Hon. Halliru Dauda Jika — Darazo/Ganjuwa Federal Constituency).

Agreed to.

Question that the House do resolve into the Committee of the Whole to consider the Report — Agreed to.

(HOUSE IN COMMITTEE)

(Mr Deputy Speaker in the Chair)

**A BILL FOR AN ACT TO ESTABLISH THE NIGERIA POLICE TRUST FUND
AND FOR RELATED MATTERS (HB.894)**

PART I — OBJECTIVE, SCOPE AND DURATION

Committee Recommendation:

Clause 1: Objective.

The objective of this Bill is to provide a legal framework for management and control of the special intervention fund established under section 3 of this Bill for training and retraining of personnel of the Nigeria Police Force and for the provision of State of the Art Security equipment and other related facilities for the enhancement of the skills of the personnel of the Nigeria Police in the handling of operational equipment and machineries (*Hon. Halliru Dauda Jika — Darazo/Ganjuwa Federal Constituency*).

Question that Clause 1 stands part of the Bill — Agreed to.

Committee Recommendation:

Clause 2: Scope and Duration.

- (1) The Trust Fund established under section 3 of this Bill covers all personnel of the Nigeria Police Force, including its auxiliary staff in Nigeria and abroad for the overall improvement and efficiency in the discharge of their duties and responsibilities.
- (2) The Trust Fund is to operate for a period of six years from the commencement of this Bill and shall at the expiration of that period cease to exist unless extended for any further period by an act of the National Assembly (*Hon. Halliru Dauda Jika — Darazo/Ganjuwa Federal Constituency*).

Question that Clause 2 stands part of the Bill — Agreed to.

**PART II — ESTABLISHMENT, PURPOSE AND MANAGEMENT
OF THE NIGERIA POLICE TRUST FUND**

Committee Recommendation:

Clause 3: Establishment of the Nigeria Police Trust fund.

- (1) There is established a fund to be known as the Nigeria Police Trust fund (in this Bill referred to as "the Trust Fund").
- (2) The Trust Fund:
 - (a) is a body corporate with a common seal; and
 - (b) may sue and be sued in its corporate name (*Hon. Halliru Dauda Jika — Darazo/Ganjuwa Federal Constituency*).

Question that Clause 3 stands part of the Bill — Agreed to.

Committee Recommendation:**Clause 4: Composition of the Trust Fund.**

- (1) The Trust Fund shall comprise of:
 - (a) any take-off grant and special intervention funds as may be provided by the Federal, State and Local Government of the Federation;
 - (b) such moneys as may be appropriated to meet the objective of this Bill by the National Assembly in the Federal budget;
 - (c) aids, grants and assistance from international bilateral; and multilateral agencies, non-Governmental organizations and the private sector;
 - (d) grants, donations, endowments, bequests and gifts, whether of money, land or any other property whatsoever, from any source;
 - (e) monies derived from investment made by the Trust Fund; and
 - (f) any other monies which may accrue to the fund from time to time.
- (2) The sources of monies referred to in the paragraphs (c) and (d) of subsection (1) of this section shall be acceptable to the Trust Fund except where the terms and conditions attached to an aid, grant, donation or gift are inconsistent with the objective of the Trust Fund and the provisions of this Bill (*Hon. Halliru Dauda Jika — Darazo/Ganjuwa Federal Constituency*).

Amendment Proposed:

Deferred consideration on Clause 4 (*Hon. Pwajok Edward Gyang — Jos South/Jos East Federal Constituency*).

Question that the amendment be made — Agreed to.

Committee Recommendation:**Clause 5: Purpose of the Trust Fund.**

- (1) The Trust Fund shall be utilized:
 - (a) for meeting the training and re-training needs of the personnel of the Nigeria Police Force and its auxiliary staff within and outside Nigeria;
 - (b) for the enhancement of the skills of the personnel of the Nigeria Police Force and its auxiliary staff for improved proficiency in the use of operational equipment and machineries;
 - (c) for the overall improvement, performance and efficiency in the discharge of the duties and responsibilities of the Nigeria Police Force;
 - (d) for the purchase of equipment, machineries, including operational vehicles for the Nigeria Police Force;
 - (e) for the construction of police stations, provision of living facilities, such as quarters or barracks for the Nigeria Police Force;

- (f) to finance the procurement of books, instructional materials, training equipment for use at Police Colleges and such other similar training institutions;
- (g) to meet the cost of participation by the personnel of the Nigeria Police Force at seminars and conferences relevant to or connected with policing or intelligence gathering; and
- (h) for such other purposes incidental to or connected with the attainment of objective of this Bill (*Hon. Halliru Dauda Jika — Darazo/Ganjuwa Federal Constituency*).

Question that Clause 5 stands part of the Bill — Agreed to.

Committee Recommendation:

Clause 6: Functions of the Trust Fund.

- (1) The Trust Fund shall:
 - (a) receive all monies accruing to the Fund under the provisions of this Bill;
 - (b) utilize all monies accruing to the Trust Fund under this Bill to meet the stated objectives of this Bill; and
 - (c) carry out such other activities as considered necessary for the attainment of the objectives of this Bill. Term of three years in the first instance and may be eligible for re-appointment for another term of three years and no more.
- (2) Members of the Board shall be paid such allowances as may be determined by the Board in consultation with the National Salaries, Wages and Income Commission (*Hon. Halliru Dauda Jika — Darazo/Ganjuwa Federal Constituency*).

Question that Clause 6 stands part of the Bill — Agreed to.

Committee Recommendation:

Clause 7: Resignation by a Member.

A member, other than *ex-officio* member, may resign his appointment by a notice in writing, under his hand, addressed to the President (*Hon. Halliru Dauda Jika — Darazo/Ganjuwa Federal Constituency*).

Question that Clause 7 stands part of the Bill — Agreed to.

Committee Recommendation:

Clause 8: Cessation of Membership.

- (1) A member of the Board ceases to hold office if he:
 - (a) becomes of unsound mind;
 - (b) becomes bankrupt or makes compromises with his creditors;
 - (c) is convicted of a felony or any offence involving dishonesty; or
 - (d) is guilty of corrupt practices or misconduct in relation to his duties.

- (2) A member of the Board of Trustees may be removed from office by the President if he is satisfied that it is not in the interest of the Fund or the Public that the member should continue in that office.
- (3) A member of the Board of Trustees, other than an ex-officio, may resign his appointment by a notice in writing under his hand, addressed to the President.
- (4) Where a vacancy occurs in the membership of the Board of Trustees, it shall be filled by the appointment of a successor to hold office for the remainder of the term of office of his predecessor, so that the successor shall represent the same interest and shall be appointed by the President (*Hon. Halliru Dauda Jika — Darazo/Ganjuwa Federal Constituency*).

Question that Clause 8 stands part of the Bill — Agreed to.

Committee Recommendation:

Clause 9: Removal from Office of a Member.

Notwithstanding the provisions of sections 9 and 10 of this Bill, the President may remove a member from the Board if any circumstance which borders on corruption and other activities that negates the interest and security of the nation would require the removal of the member from the Board (*Hon. Halliru Dauda Jika — Darazo/Ganjuwa Federal Constituency*).

Question that Clause 9 stands part of the Bill — Agreed to.

Committee Recommendation:

Clause 10: Functions of the Board.

- (1) The Board shall be responsible for:
 - (a) setting out the policies and programs for the training and training of personnel of the Nigeria Police Force and its auxiliary staff in Nigeria and abroad in accordance with intendment of this Bill;
 - (b) approving the disbursement of monies from the Trust Fund to Finance projects or activities of the Nigeria Police Force and of the police institutions beneficiaries of the proceeds of Trust Fund;
 - (c) scrutinizing and approving projects which qualify for financing under the Act;
 - (d) exercising control over the management of the Trust Fund with a view to ensuring accountability and proper utilization of money in the Trust Fund for the purposes set out in this Bill;
 - (e) carrying out such other activities as are considered necessary for the attainment of the objectives of this Bill;
 - (f) updating the Federal Government on its activities and progress through annual and audited reports;
 - (g) reviewing progress and suggesting improvement within the provisions of this Bill;
 - (h) making and issuing guidelines, from time to time, to all beneficiaries on disbursement from the Fund on the use of monies received from the Fund; and

- (i) generally regulating the administration, application and disbursement of monies from the Fund under this Bill (*Hon. Halliru Dauda Jika — Darazo/Ganjuwa Federal Constituency*).

Question that Clause 10 stands part of the Bill — Agreed to.

Committee Recommendation:

Clause 11: Powers of the Board.

- (1) The Board has powers to:
 - (a) award contracts of any kind or description for any amount, whether in local or foreign currency in conformity with the due process requirements as provided under any law, rules, guidelines or regulations; and
 - (b) invest monies accruing to the Trust Fund and approve the utilization of the returns on investment in the same way as monies accruing to the Trust Fund.
- (2) In the discharge of its functions under this Bill, the Board shall:
 - (a) through the Ministry, identify the funding needs of the various Police institutions for the enhancement of the performance of the Nigeria Police Force;
 - (b) enter into contractual arrangements of the purpose of executing of approved projects on behalf of the Trust Fund;
 - (c) oversee the implementation of projects financed through monies accruing to the Trust Fund; and
 - (d) enter into Public-Private Partnership and private finance initiative arrangements and agreements necessary for project execution (*Hon. Halliru Dauda Jika — Darazo/Ganjuwa Federal Constituency*).

Question that Clause 11 stands part of the Bill — Agreed to.

Committee Recommendation:

Clause 12: Establishment Of The Police Trust fund Project Implementation Committee.

- (1) For the purpose of implementing any project approved by the Board under this Bill, there is established the Police-Trust fund Project Implementation Committee (in this Bill referred to as the implementation committee).
- (2) The implementation committee established under subsection (1) of this section is comprised of:
 - (a) the Minister, who shall be the Chairman of the Committee; and
 - (b) such other member, not exceeding six in number, with proven integrity, to be appointed by the Board.
- (3) The implementation Committee is responsible to the Board In the execution of the duties and responsibilities assigned to it by the Board (*Hon. Halliru Dauda Jika — Darazo/Ganjuwa Federal Constituency*).

Question that Clause 12 stands part of the Bill — Agreed to.

PART III — STAFF OF THE TRUST FUND

Committee Recommendation:**Clause 13: Appointment of the Executive, Secretary and Other Staff of the Trust Fund.**

- (1) The Executive Secretary of the Trust Fund shall be appointed by the president on the recommendation of the Minister.
- (2) The Executive Secretary shall:
 - (a) be a person of unquestionable character and integrity; and
 - (b) have qualifications and experience as are appropriate for a person required to perform the functions of that office under this Bill; and
- (3) The Executive Secretary shall hold office:
 - (a) for a time of three years in the first instance and may be eligible for re- appointment for another term of three years and no more; and
 - (b) on such other terms and conditions as may be specified in his letter of appointment (*Hon. Halliru Dauda Jika — Darazo/Ganjuwa Federal Constituency*).

Question that Clause 13 stands part of the Bill — Agreed to.

Committee Recommendation:**Clause 14: Functions of the Executive Secretary.**

The Executive Secretary shall:

- (a) be the Chief Executive and Accounting Officer of the Trust Fund;
- (b) be responsible for the day to day administration of the Trust Fund;
- (c) be the secretary to the Board;
- (d) keep proper records of the proceedings of the Board;
- (e) work closely with the implementation committee established under section 12 of this Bill in carrying out such duties and responsibilities as may be assigned by the Board;
- (f) be in charge of the general direction and control of all other employees of the Fund; and
- (g) carry out such other duties as may be requested of him by the Board (*Hon. Halliru Dauda Jika — Darazo/Ganjuwa Federal Constituency*).

Question that Clause 14 stands part of the Bill — Agreed to.

Committee Recommendation:**Clause 15: Removal of the Executive Secretary.**

- (1) Notwithstanding the provision of section 13 of this Bill, the Executive Secretary may be removed from office by the President where any circumstances arises which in the opinion of the President makes the Executive Secretary no longer capable of carrying out the duties and responsibilities of the office.

- (2) A person appointed as the Executive Secretary on the removal of an Executive Secretary under subsection (1) of this section shall serve the unexpired period of the term of his predecessor-in-office or the remainder of the term of the Trust Fund, whichever is shorter (*Hon. Halliru Dauda Jika — Darazo/Ganjuwa Federal Constituency*).

Question that Clause 15 stands part of the Bill — Agreed to.

Committee Recommendation:

Clause 16: Staff of the Board.

- (1) The Board may appoint such other members of staff as may in the opinion of the Board be necessary to assist the Trust Fund in carrying out its functions under this Bill.
- (2) The terms and conditions of service (including terms and conditions as to the remuneration, payment of allowances, and other benefits) of person employed by the Board for the Trust Fund shall be in line with the general conditions of Service as obtainable in the Public Service of the Federation.
- (3) The Board shall have power to appoint, either on transfer or on secondment from any public service of the Federation, such number of employees required for the effective discharge of the duties and function of Trust Fund under this Bill (*Hon. Halliru Dauda Jika — Darazo/Ganjuwa Federal Constituency*).

Question that Clause 16 stands part of the Bill — Agreed to.

Committee Recommendation:

Clause 17: Severance Allowance.

Service in the Trust Fund shall be for the duration of the Trust Fund and accordingly employees of the Trust Fund, in respect of their services as shall be entitled to other retirement benefits and severance allowances as shall be approved by the Board (*Hon. Halliru Dauda Jika — Darazo/Ganjuwa Federal Constituency*).

Question that Clause 17 stands part of the Bill — Agreed to.

PART IV — FINANCIAL PROVISIONS

Committee Recommendation:

Clause 18: Trust Financial Provisions for the Management of the Fund.

There is established under this Bill a general fund for the day to day administration of the Trust Fund comprising of:

- (a) annual budgetary allocation appropriated by National Assembly for the management of the Trust Fund;
- (b) take -off grants such other monies as may from time to time be made available to the Trust Fund to meet the cost of administration; and
- (c) all other monies which may from time to time to be made available for the running of the Trust Fund (*Hon. Halliru Dauda Jika — Darazo/Ganjuwa Federal Constituency*).

Amendment Proposed:

Deferred consideration on Clause 18 (*Hon. Shuaibu Abdulrahman Abubakar — Miah/Mubi North/Mubi South Federal Constituency*).

Question that the amendment be made — Agreed to.

Committee Recommendation:

Clause 19: Accounts of the Trust Fund.

- (1) There shall be maintained for the Trust Fund an account into which shall be paid all monies accruing to the Trust Fund by virtue of the provision of section 4 of this Bill.
- (2) The Board shall also open and maintain an account into which shall be paid monies received for management of the Trust Fund by virtue of the provision of section 22 of this Bill.
- (3) The accounts referred to in subsections (1) and (2) of this section shall be managed in accordance with the extant financial regulations.
- (4) The Board shall from time to time:
 - (a) apply the proceeds of the Trust Fund established under section 3 of this Bill for the purposes set out in section 5 of the Act; and
 - (b) apply the proceeds of the monies referred to in subsection (2) of this section to meet the cost of administration, including payment of salaries, fees and other remunerations and allowances payable to members of the Board and employees of the Trust Fund, and for Payment of experts, professionals and consultants engaged by the Board for Trust Fund (*Hon. Halliru Dauda Jika — Darazo/Ganjuwa Federal Constituency*).

Amendment Proposed:

Deferred consideration on Clause 19 (*Hon. Shuaibu Abdulrahman Abubakar — Miahah/Mubi North/Mubi South Federal Constituency*).

Question that the amendment be made — Agreed to.

Committee Recommendation:

Clause 20: Budgetary Provisions and Estimates.

The Board shall not later than 30th June of every year submit to the Minister an estimate of its income and expenditure during the succeeding year (*Hon. Halliru Dauda Jika — Darazo/Ganjuwa Federal Constituency*).

Question that Clause 20 stands part of the Bill — Agreed to.

Committee Recommendation:

Clause 21: Annual Estimates Account and Audit.

The Board shall cause to be kept for the Trust Fund proper accounts and records, and when certified by the Board, these accounts shall be audited by auditors appointed from the list and in accordance with the guidelines supplied by the Auditor-General of the Federation (*Hon. Halliru Dauda Jika — Darazo/Ganjuwa Federal Constituency*).

Question that Clause 21 stands part of the Bill — Agreed to.

Committee Recommendation:

Clause 22: Exemption from Tax.

- (1) The Trust Fund shall be exempted from the payment of income tax on any income accruing from investments made by the Trust Fund or otherwise howsoever.

- (2) • The provisions of any enactment relating to the taxation of companies or trust funds shall not apply to the Trust Fund (*Hon. Halliru Dauda Jika — Darazo/Ganjuwa Federal Constituency*).

Question that Clause 22 stands part of the Bill — Agreed to.

PART V — SUBMISSION OF REPORTS AND SUPPLEMENTARY PROVISIONS

Committee Recommendation:

Clause 23: Quarterly Report.

The Board shall at the end of every three months submit to the President a report on its activities and on the administration of the Trust Fund (*Hon. Halliru Dauda Jika — Darazo/Ganjuwa Federal Constituency*).

Question that Clause 23 stands part of the Bill — Agreed to.

Committee Recommendation:

Clause 24: Annual Report.

The Board shall not later than three months before end of each year, submit to the President a report on the activities and the administration of the Trust Fund during the preceding year and, shall include in such reports the auditor's report thereon (*Hon. Halliru Dauda Jika — Darazo/Ganjuwa Federal Constituency*).

Question that Clause 24 stands part of the Bill — Agreed to.

Committee Recommendation:

Clause 25: Power of the President to Issue Directives.

The President may give to the Board directives of a general nature with regard to the exercise by the Board of its functions under this Bill for compliance by the board (*Hon. Halliru Dauda Jika — Darazo/Ganjuwa Federal Constituency*).

Question that Clause 25 stands part of the Bill — Agreed to.

Committee Recommendation:

Clause 26: Regulations.

The Board, may, with the prior approval of the President make such regulations as deemed necessary or expedient for giving full effect to the provisions of this Bill (*Hon. Halliru Dauda Jika — Darazo/Ganjuwa Federal Constituency*).

Question that Clause 26 stands part of the Bill — Agreed to.

Committee Recommendation:

Clause 27: Transitional Provisions.

Except as provided for under section 2 of this Bill, at the expiration of the six year duration of the Trust Fund referred to in that section, the Trust Fund shall have six months to wind up its activities, including the settlement of all liabilities and thereafter and-over all outstanding assets of the Trust Fund to the Nigeria Police Force (*Hon. Halliru Dauda Jika — Darazo/Ganjuwa Federal Constituency*).

Question that Clause 27 stands part of the Bill — Agreed to.

Committee Recommendation:

Clause 28: Interpretation.

In this Bill, unless the context otherwise require:

"Board" means the Police Trust Fund Management Board, established under section 6 of this Bill (Hon. Halliru Dauda Jika — Darazo/Ganjuwa Federal Constituency).

Question that the meaning of the word "Board" be as defined in the interpretation to this Bill — Agreed to.

"Trust Fund" means the Nigeria Police Trust fund establish under section 3 of this Bill (Hon. Halliru Dauda Jika — Darazo/Ganjuwa Federal Constituency).

Question that the meaning of the words "Trust Fund" be as defined in the interpretation to this Bill — Agreed to.

"Minister" means the Minister charged with responsibility for Police Affairs and Ministry shall be constructed accordingly (Hon. Halliru Dauda Jika — Darazo/Ganjuwa Federal Constituency).

Question that the meaning of the word "Minister" be as defined in the interpretation to this Bill — Agreed to.

"Personnel" means officers and men of the Nigerian Police Force, its auxiliary staff and all of its staff, employees or officers within and outside Nigeria (Hon. Halliru Dauda Jika — Darazo/Ganjuwa Federal Constituency).

Question that the meaning of the word "Personnel" be as defined in the interpretation to this Bill — Agreed to.

"Police Institutions" include the Police Headquarters, Zonal Commands, State Commands, Divisional Police Stations and Police Training Institutions (Hon. Halliru Dauda Jika — Darazo/Ganjuwa Federal Constituency).

Question that the meaning of the words "Police Institutions" be as defined in the interpretation to this Bill — Agreed to.

"President" and "Vice President" means "President" and "Vice -President" of the Federal Republic of Nigeria (Hon. Halliru Dauda Jika — Darazo/Ganjuwa Federal Constituency).

Question that the meaning of the words "President" and "Vice President" be as defined in the interpretation to this Bill — Agreed to.

"Executive Secretary" means the Executive Secretary of the Trust Fund appointed under section 17 of this Bill (Hon. Halliru Dauda Jika — Darazo/Ganjuwa Federal Constituency).

Question that the meaning of the words "Executive Secretary" be as defined in the interpretation to this Bill — Agreed to.

"Due process" means compliances with extant financial rules and regulations on Public Procurement of goods, works and services (Hon. Halliru Dauda Jika — Darazo/Ganjuwa Federal Constituency).

Question that the meaning of the words "Due Process" be as defined in the interpretation to this Bill — Agreed to.

Question that Clause 28 stands part of the Bill — Agreed to.

Committee Recommendation:**Clause 29: Citation.**

This Bill may be cited as the Nigeria Police Trust fund (Establishment) Bill, 2018

SCHEDULE**SUPPLEMENTARY PROVISIONS RELATING TO THE BOARD PROCEEDINGS**

1. Subject to the provisions of this Bill and section 27 of the Interpretation Act, the Board may make standing orders regulating its proceedings or those of its committee.
2. The quorum of the Board shall be the Chairman and ten other members, three of whom shall be from the private sector and the Board shall determine the quorum of any committee.
3. The Board shall meet not less than four times in each year and subject thereto the Board shall meet whenever it is summoned by the Chairman, or if the Chairman is required to do so by notice given to him by not less than ten members of the Board, he shall summon a meeting of the Board to be held within fourteen days from the date on which the notice was given.
4. At any meeting of the Board, the Chairman shall preside but in his absence, the members present at the meeting shall appoint one of their members to preside at the meeting.
5. Where the Board desires to obtain the advice of any person on a particular matter, the Board may co-opt the person to the Board for such period as it thinks fit, but a person who is in attendance by virtue of this sub-paragraph is not entitled to vote at any meeting of the Board and does not count towards a quorum.
6. All members of the Board shall have equal rights and privileges, and where there is equality in vote, the Chairman shall have a casting vote.

Committees

7. The Board may appoint such number of committees to carry out, on behalf of the Board such of its functions as the Board may, from time to time, determine.
8. A committee appointed under paragraph 7 of this schedule shall consist of such number of persons (not necessarily members of the Board) as may be determined by the Board, and the person, other than a member of the Board, shall hold office on the committee in accordance with the terms of his appointment.
9. A decision of a committee of the Board shall be of no effect until it is confirmed and or ratified by the Board.

Miscellaneous

10. The fixing of the seal of the Fund shall be authenticated by the signature of the Chairman or of any other person authorized generally or specially to act for that purpose by the Board.
11. Any contract or instrument made or executed by a person not being a body corporate, that would not be required to be under seal may be made or executed on behalf of the Board by the Chairman or any person generally or specifically authorized to act for that purpose by the Board.
12. Any document purporting to be a document duly executed under the seal of the Trust Fund shall be received in evidence and shall, unless, and until the contrary is proved, be presumed to be so executed.

13. The validity of any proceeding of the Board or of a committee thereof shall not be adversely affected by any vacancy in the membership of the Board or committee, or by any defect in the appointment of a member of the Board or of a committee, or by reason that a person not entitled to do so took part in the proceedings of the Board or committee (*Hon. Halliru Dauda Jika — Darazo/Ganjuwa Federal Constituency*).

Question that the provisions of the Schedule stands part of the Bill — Agreed to.

Explanatory Memorandum:

This Bill seeks to establish the Nigeria Police Trust fund to among other things, provide funds for the training and retraining of the personnel of the Nigeria Police Force, provide State of the Art Security equipment and machineries to improve the general welfare of the personnel of the Nigeria Police Force and enhance their preparedness to effectively discharge their constitutional responsibility of protecting life and property of the people of Nigeria (*Hon. Halliru Dauda Jika — Darazo/Ganjuwa Federal Constituency*).

Agreed to.

Long Title:

A Bill for an Act to Establish the Nigeria Police Trust Fund and for Related Matters (HB.894) (*Hon. Halliru Dauda Jika — Darazo/Ganjuwa Federal Constituency*).

Agreed to.

Chairman to report Bill.

(HOUSE IN PLENARY)

Mr Deputy Speaker in the Chair, reported that the House in Committee of the Whole considered the Report of the Committee on Police Affairs on a Bill for an Act to Establish the Nigeria Police Trust Fund; and for Related Matters (HB.894) and approved Clauses 1 - 3, deferred Clause 4, approved Clauses 5 - 17, deferred Clauses 18 and 19, approved Clauses 20 - 29, the Schedules, the Explanatory Memorandum, and the Long Title of the Bill.

Question that the House do adopt the Report of the Committee of the Whole — Agreed to.

15. Adjournment

That the House do adjourn till Wednesday, 31 January, 2018 at 11.00 a.m. (Hon. Mohammed Tahir Monguno — Munguno/Marte/Nganzai Federal Constituency).

The House adjourned accordingly at 2.30 p.m.

Yakubu Dogara
Speaker