



HOUSE OF REPRESENTATIVES FEDERAL REPUBLIC OF NIGERIA VOTES AND PROCEEDINGS

Wednesday, 14 February, 2018

1. The House met at 11.21 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, 13 February, 2018.
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 *Hasab Heritage Schools*, Karu, Abuja; and
 - (ii) Staff and Students of *Heritage Creativity Schools Limited*, North Bank, Makurdi, Benue State.
4. **Petition**
A petition from Eze Charity, on the termination of her appointment by the Nigerian Army, was presented and laid by Hon. Golu Timothy (*Paskshin/Kanke/Kanam Federal Constituency*).
Petition referred to the Committee on Public Petitions.
5. **Matter of Urgent Public Importance (Standing Order Eight, Rule 4)**
Need to Halt any Further Renewal of the Growth and Employment (GEM) Project Coordinator's Contract and Revert to Status Quo-Ante in the Best Interest of Nigeria:
Hon. Gbillah Mark Terseer (*Gwer East/Gwer West Federal Constituency*) introduced the matter and prayed the House to:
 - (a) consider and approve the matter as one of urgent public importance; and
 - (b) suspend Order Eight, Rule 4 (3) to allow debate on the matter forthwith.

Question that the matter be considered as one of urgent public importance — Agreed to.

Question that the House do suspend Order Eight, Rule 4 (3) to enable it debate the matter forthwith — Agreed to.

Need to Halt Any Further Renewal of the Growth and Employment (GEM) Project Coordinator's Contract and Revert to Status Quo-Ante in the Best Interest of Nigeria:

The House:

Notes that the Growth and Employment (GEM) Project was conceptualized by the Federal Government and funded by the World Bank through a concessionary loan of \$160m under the Ministry of Industry, Trade and Investment to create jobs and increase non-oil growth through the empowerment of 4000 Small and Medium Enterprises (SMEs) across the country in specific high-potential value chain sectors. After approval by the National Assembly in 2013, GEM was first headed by a Project Coordinator who was a serving Director in the Federal Civil Service in line with the agreed terms of the project to ensure accountability to the Federal Government, protection of the interests of the country, cost effectiveness in project implementation and capacity-building within the civil service;

Concerned that instead of posting another-capable Director to GEM after the retirement from the Federal Civil Service in January 2017, of the first GEM Project Coordinator, the Minister of Industry, Trade and Investment, with the buy-in of the World Bank, engaged a consultant (alleged to be one of his two erstwhile employees engaged on the project from African Capital Alliance; a Private Equity firm owned by the Minister), on contract with a monthly salary of ₦4.7 million paid from the funds intended for the development of SMEs across the country;

Aware of the impending expiration of the one year contract of the current GEM Project Coordinator on Thursday, 15 February, 2018 and the allegations that the Minister in collaboration with the World Bank are on the verge of renewing his contract for a further term of two years, even though it has cost the nation about ₦60 million from the SME funds for the initial one year contract and will cost about ₦120 million for the alleged two year extension especially when this is a position that is originally intended to be occupied by a serving Director within the Federal Civil Service, as there are no particular specialized skills a consultant provides that a capable Director cannot provide, perhaps even with a greater sense of commitment and responsibility, considering the impending end of the GEM project in September 2018;

Worried about the allegation that the purported renewal of the GEM Project Coordinator's contract is intended to ensure the illegal diversion of \$35 million from the project funds for the creation of an SME Fund proposed by this same Project Coordinator after only three months into his contract to dispense between \$250,000 to \$2 million each to only 23 unidentified companies without legislative approval, and contrary to the initially proposed scope of the project which is currently a subject of investigation by this House;

Resolves to:

- (i) urge the Ministers of Industry, Trade and Investment, Finance, and the World Bank not to renew or extend the contract of the current GEM Project Coordinator and also urge the Ministers to immediately liaise with the Head of the Civil Service of the Federation to identify a capable Director and Assistant Director to be posted to occupy the positions of GEM Project Coordinator and Assistant Project Coordinator after the expiration of the contract of the current consultant; and
- (ii) mandate the Committees on Finance, Industry, and Aids, Loans and Debts to investigate the circumstances surrounding the engagement of a consultant as the GEM Project Coordinator and approval of the consultant's remuneration contrary to the original plan for the management of the project (*Hon. Mark Terseer Gbillah — Gwer-East/Gwer-West Federal Constituency*).

Debate.

Agreed to.

The House:

Noted that the Growth and Employment (GEM) Project was conceptualized by the Federal Government and funded by the World Bank through a concessionary loan of \$160m under the Ministry of Industry, Trade and Investment to create jobs and increase non-oil growth through the empowerment of 4000 Small and Medium Enterprises (SMEs) across the country in specific high-potential value chain sectors. After approval by the National Assembly in 2013, GEM was first headed by a Project Coordinator who was a serving Director in the Federal Civil Service in line with the agreed terms of the project to ensure accountability to the Federal Government, protection of the interests of the country, cost effectiveness in project implementation and capacity-building within the civil service;

Concerned that instead of posting another-capable Director to GEM after the retirement from the Federal Civil Service in January 2017, of the first GEM Project Coordinator, the Minister of Industry, Trade and Investment, with the buy-in of the World Bank, engaged a consultant (alleged to be one of his two erstwhile employees engaged on the project from African Capital Alliance; a Private Equity firm owned by the Minister), on contract with a monthly salary of ₦4.7 million paid from the funds intended for the development of SMEs across the country;

Aware of the impending expiration of the one year contract of the current GEM Project Coordinator on Thursday, 15 February, 2018 and the allegations that the Minister in collaboration with the World Bank are on the verge of renewing his contract for a further term of two years, even though it has cost the nation about ₦60 million from the SME funds for the initial one year contract and will cost about ₦120 million for the alleged two year extension especially when this is a position that is originally intended to be occupied by a serving Director within the Federal Civil Service, as there are no particular specialized skills a consultant provides that a capable Director cannot provide, perhaps even with a greater sense of commitment and responsibility, considering the impending end of the GEM project in September 2018;

Worried about the allegation that the purported renewal of the GEM Project Coordinator's contract is intended to ensure the illegal diversion of \$35 million from the project funds for the creation of an SME Fund proposed by this same Project Coordinator after only three months into his contract to dispense between \$250,000 to \$2 million each to only 23 unidentified companies without legislative approval, and contrary to the initially proposed scope of the project which is currently a subject of investigation by this House.

Resolved to:

- (i) urge the Ministers of Industry, Trade and Investment, Finance, and the World Bank not to renew or extend the contract of the current GEM Project Coordinator and also urge the Ministers to immediately liaise with the Head of the Civil Service of the Federation to identify a capable Director and Assistant Director to be posted to occupy the positions of GEM Project Coordinator and Assistant Project Coordinator after the expiration of the contract of the current consultant; and
- (ii) mandate the Committees on Finance, Industry, and Aids, Loans and Debts to investigate the circumstances surrounding the engagement of a consultant as the GEM Project Coordinator and approval of the consultant's remuneration contrary to the original plan for the management of the project (HR. 48/2018).

6. Presentation of Report***Conference Committee on Electoral and Political Party Matters:***

Motion made and Question proposed, "That the House do receive the Report of the Conference Committee on a Bill for an Act to Amend the Provisions of the Electoral Act, No. 6, 2010 and the Electoral Act (Amendment) Act, 2015 to Provide a Time Line for the Submission of List of Candidates, criteria for Substitution of Candidates, Limit of Campaigns Expenses and Address the Omission of Names of Candidates or Logos of Political Parties; and for Related Matters" (*Hon. Pwajok Edward Gyang — Jos South/Jos East Federal Constituency*).

Agreed to.

Report laid.

7. A Bill for an Act to Amend the National Environmental Standards and Regulations Enforcement Agency Act, Cap. N164, Laws of the Federation of Nigeria, 2004 to Provide for the Payment of all Monies Received by the Agency into the Federation Account in Accordance with Section 162 of the Constitution of the Federal Republic of Nigeria, 1999 and to Provide for and Adopt Clean Air Policies; and for Related Matters (HB. 951, HB. 992 and HB. 1043) — Third Reading

Motion made and Question proposed, "That a Bill for an Act to Amend the National Environmental Standards and Regulations Enforcement Agency Act, Cap. N164, Laws of the Federation of Nigeria, 2004 to Provide for the Payment of all Monies Received by the Agency into the Federation Account in Accordance with Section 162 of the Constitution of the Federal Republic of Nigeria, 1999 and to Provide for and Adopt Clean Air Policies; and for Related Matters (HB. 951, HB. 992 and HB. 1043) be now read the Third Time" (*Hon. Femi Gbajabiamila — House Leader*).

Agreed to.

Bill read the Third Time and Passed.

8. A Bill for an Act to Amend the Nigerian Press Council Act, Cap. N128, Laws of the Federation of Nigeria 2004; and for Related Matters (HB. 1134) — Second Reading

Motion made and Question proposed, "That a Bill for an Act to Amend the Nigerian Press Council Act, Cap. N128, Laws of the Federation of Nigeria 2004; and for Related Matters (HB. 1134) be now read a Second Time" (*Hon. Samuel Okon Ikon — Etinan/Nsit Ibom/Nsit Ubium Federal Constituency*).

Debate.

Question that the Bill be read a Second Time — Agreed to.

Bill read the Second Time.

Bill referred to the Committee on Information, National Orientation, Ethics and Values.

9. A Bill for an Act 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

Motion made and Question proposed, "That a Bill for an Act 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) be now read a Second Time" (*Hon. Sergius Oseasochie Ogun — Esan Northeast/Esan Southeast Federal Constituency*).

Debate.

Question that the Bill be read a Second Time — Agreed to.

Bill read the Second Time.

Bill referred to the Committees on Healthcare Services, and Health Institutions.

10. **A Bill for an Act to Amend the Provisions of the Nigerian Dock Labour Act, Cap. N103, Laws of the Federation of Nigeria 2004, to reduce the Number of the Board Members and adjust the Tenure of Office of the Board Members; and for Related Matters (HB. 1122) — Second Reading**

Order read; deferred by leave of the House.

11. **A Bill for an Act to Establish Federal University of Technology, Kaduna, to Provide Training and Teaching Instruction in every aspect of Education and such Other Fields of Applied Learning Relevant to the Needs of the Development of Education in Nigeria, Matters of Administration and Discipline of Students; and for Related Matters (HB. 1197) — Second Reading**

Motion made and Question proposed, "That a Bill for an Act to Establish Federal University of Technology, Kaduna, to Provide Training and Teaching Instruction in every aspect of Education and such Other Fields of Applied Learning Relevant to the Needs of the Development of Education in Nigeria, Matters of Administration and Discipline of Students; and for Related Matters (HB. 1197) be now read a Second Time" (Hon. Abbas Tajudeen — Zaria Federal Constituency).

Debate.

Question that the Bill be read a Second Time — Agreed to.

Bill read the Second Time.

Bill referred to the Committee on Tertiary Education and Services.

12. **Call on the Niger Delta Development Commission (NDDC) to Complete the Oguta Lake Bridge Linking Ohaji/Egbema, Oguta and Oru West Local Government Areas of Imo State**
Motion made and Question proposed:

The House:

Notes that the famous Oguta Lake separates Oguta Ameshi town from other parts of Oguta Local Government Area namely, Kalabari Beach, Orsu Obodo, Nnebukwu, Ezi Orsu, Nkweshi, Awa, Mgbele, Izombe, Ejemekwuru, Agwa, including Local Government Areas of Ohaji/Egbema, Owerri West and Mbaitoli in Imo State and other neighbouring Local Government Areas such as Ogba/Egbema/Ndoni and Ikwerre in Rivers State;

Also notes that the Lake creates social and economic obstacles between the people of the area, as ferries and canoes are the only sources of transportation into Oguta Ameshi and the entire Orlu Senatorial District of Imo State comprising of twelve (12) Local Government Areas and the adjoining Amorka, Uli, Ihiala and Onitsha towns in Anambra State;

Concerned that the difficulties experienced by users of that route constitute a setback in the economic development of the area, as the Oguta Lake Hotels and Resorts Limited, and Agro-Allied and Oil Companies operate in the area;

Aware that the Niger Delta Development Commission (NDDC) awarded a contract for the Construction of a bridge across the lake to link other parts of the State;

Also concerned that the contract has not been executed following some deficiency in the Engineering design and valuation, and has therefore been abandoned since 2010;

Cognizant that the non-completion of the bridge has continued to increase the transportation burden on the citizens of Orlu Zone and some parts of the South/East and South South Geopolitical Zones.

Resolves to:

- (i) urge the Niger Delta Development Commission (NDDC) to urgently review the contract for the construction of Oguta Lake bridge with a view to providing for its construction in the 2018 budget of the Commission; and
- (ii) mandate the Committees on Niger Delta Development Commission, and Legislative Compliance to ensure compliance (*Hon. Opiah, Goodluck Nanah — Ohaji /Egbema/Oguta/Oru West Federal Constituency*).

Agreed to.

(HR. 49/2018).

Motion referred to the Committees on Niger Delta Development Commission, and Legislative Compliance, pursuant to Order Eight, Rule 9(5).

13. Flagrant Abuse of Passengers' Rights by Nigerian Airline Operators

Motion made and Question proposed:

The House:

Notes that there has been consistent disregard and outright violation of the rights of passengers by local Airline Operators;

Also notes that many of these Airlines, while perpetrating serial ill-treatment of passengers, do not adhere to the terms and conditions of their contracts;

Observes that these anomalies which range from flight delays, penalty for missed flights, discriminatory charges, flight cancellation and more, are not in line with global practices in the Aviation Industry;

Aware that besides passengers not getting value for their fares, some airline operators devise shady and questionable measures through which basic welfare entitlement of customers are denied;

Concerned that these unwholesome practice by airline operators is portraying Nigeria in bad light to the international community patronising the airlines for their respective local engagements;

Worried that due to the failure of regulatory agencies, airline operators continually offer unsatisfactory services and treat passengers with outright disdain and disrespect.

Resolves to:

Mandate the Committee on Aviation to liaise with the relevant airline operators to ensure that passengers' rights and privileges are satisfactorily respected by Airline Operators (*Hon. Yusuf Ayo Tajudeen — Ijumu/Kabba-Bunu Federal Constituency*).

Debate.

Agreed to.

The House:

Noted that there has been consistent disregard and outright violation of the rights of passengers by local Airline Operators;

Also noted that many of these Airlines, while perpetrating serial ill-treatment of passengers, do not adhere to the terms and conditions of their contracts;

Observed that these anomalies which range from flight delays, penalty for missed flights, discriminatory charges, flight cancellation and more, are not in line with global practices in the Aviation Industry;

Aware that besides passengers not getting value for their fares, some airline operators devise shady and questionable measures through which basic welfare entitlement of customers are denied;

Concerned that these unwholesome practice by airline operators is portraying Nigeria in bad light to the international community patronising the airlines for their respective local engagements;

Worried that due to the failure of regulatory agencies, airline operators continually offer unsatisfactory services and treat passengers with outright disdain and disrespect.

Resolved to:

Mandate the Committee on Aviation to liaise with the relevant airline operators to ensure that passengers' rights and privileges are satisfactorily respected by Airline Operators (HR. 50/2018).

14. **Consideration of Report**

Conference Committee on Electoral and Political Party Matters:

Motion made and Question proposed, "That the House do consider the Report of the Conference Committee on a Bill for an Act to Amend the Provisions of the Electoral Act, No. 6, 2010 and Electoral Act (Amendment) Act, 2015 to Provide a Time Line for the Submission of List of Candidates, criteria for Substitution of Candidates, Limit of Campaigns Expenses and Address the Omission of Names of Candidates or Logos of Political Parties; and for Related Matters and approve the recommendations therein"(Hon. Pwajok Edward Gyang — Jos South/Jos East Federal Constituency).

Agreed to.

Motion made and Question proposed "That the House do suspend Order Seven, Rule 2 (2) to enable Mr Speaker preside in the Committee of the Whole. (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 Speaker in the Chair)

A BILL FOR AN ACT TO AMEND THE PROVISIONS OF THE ELECTORAL ACT
NO. 6 2010 AND ELECTORAL (AMENDMENT) ACT, 2015 AND FOR OTHER RELATED
MATTERS (SBS 231 & 234) (HBS 165, 174, 220, 429, 468, 484, 809 & 966)

Clause 1: Amendment of Section 36.

- “(3) If after the commencement of poll and before the announcement of the final result and declaration of a winner, a nominated candidate dies:
- (a) the Commission shall, being satisfied of the fact of the death, suspend the election for a period not exceeding 21 days;
 - (b) the political party whose candidate died may, if it intends to continue to participate in the election, conduct a fresh primary within 14 days of the death of its candidate and submit a new candidate to the Commission to replace the dead candidate; and
 - (c) subject to paragraphs (a) and (b) of this subsection, the Commission shall continue with the election, announce the final result and declare a winner” (*Hon. Pwajok Edward Gyang — Jos South/Jos East Federal Constituency*).

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

Clause 2: Amendment Section 49.

- “(1) A person intending to vote in an election shall present himself with his voter's card to a Presiding Officer for accreditation at the polling unit in the constituency in which his name is registered.
- (2) The Presiding Officer shall use a Smart Card Reader or any other technological device that may be prescribed by the Commission from time to time for the accreditation of voters, to verify, confirm or authenticate the particulars of the voter in the manner prescribed by the commission” (*Hon. Pwajok Edward Gyang — Jos South/Jos East Federal Constituency*).

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

Clause 3: Amendment of Section 53:

- “(2) Where the votes cast at an election in any polling unit exceed the number of accredited voters in that polling unit, the result of the election for that polling unit shall be declared null and void by the Commission and another election may be conducted at a date to be fixed by the Commission where the result at that polling unit affect the overall result in the Constituency” (*Hon. Pwajok Edward Gyang — Jos South/Jos East Federal Constituency*).

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

Clause 4: Amendment of Section 63.

- “(4) The presiding Officer shall announce the result at the polling unit” (*Hon. Pwajok Edward Gyang — Jos South/Jos East Federal Constituency*).

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

Clause 5: Amendment of Section 78.

- “(4) A political association that meets the conditions stipulated in the Constitution and this Act shall be registered by the Commission as a political party within 60 days from the date of receipt of the application, and if after the 60 days such Association is not registered by the Commission unless the Commission informs the association to the contrary it shall be deemed to have been registered”.

- (5) Association and each of its executives or principal officers shall, on account of such false or misleading information, be guilty of an offence and be liable on conviction:
- (a) in the case of association to a fine of ₦5,000,000; and
- (b) in the case of each executive or principal officer of the association to imprisonment for at least 6 months or a fine of ₦1,000,000 or both" (*Hon. Pwajok Edward Gyang — Jos South/Jos East Federal Constituency*).

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

Clause 6: Short Title.

This Bill may be cited as the Electoral Act (Amendment) Bill, 2018 (*Hon. Pwajok Edward Gyang — Jos South/Jos East Federal Constituency*).

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

Explanatory Memorandum:

The Bill seeks to amend the Electoral Act No. 6 of 2010 and Electoral (amendment) Act 2015 to make provisions for the restriction of the qualification for elective office to relevant provisions of the Constitution of the Federal Republic of Nigeria 1999 (as amended); use of Card Readers and other technological devices in elections; sequence of elections and Political Party Primaries, to provide a time line for the submission of list of candidates, criteria for substitution of candidates, limit of campaign expenses and address the omission of names of candidates or logo of political parties (*Hon. Pwajok Edward Gyang — Jos South/Jos East Federal Constituency*).

Agreed to.

Long Title:

A Bill for an Act to Amend the Provisions of the Electoral Act No. 6, 2010 and Electoral (Amendment) Act, 2015 and for Other Related Matters (SBs 231 & 234) (HBs 165, 174, 220, 429, 468, 484, 809 & 966) (*Hon. Pwajok Edward Gyang — Jos South/Jos East Federal Constituency*).

Agreed to.

Chairman to report Bill.

(HOUSE IN PLENARY)

Mr Speaker in the Chair, reported that the House in Committee of the Whole considered the Report of the Conference Committee on a Bill for an Act to Amend the Provisions of the Electoral Act No. 6, 2010 and Electoral (Amendment) Act, 2015 and for Other Related Matters (SBs 231 & 234) (HBs 165, 174, 220, 429, 468, 484, 809 & 966) and adopted Clauses 36, 49, 53, 63, 78, Short Title, 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 Thursday, 15 February, 2018 at 11.00 a.m. (Hon. Mohammed Tahir Monguno — Munguno/Marte/Nganzai Federal Constituency).

The House adjourned accordingly at 2.18 p.m.

Yakubu Dogara
Speaker