



HOUSE OF REPRESENTATIVES FEDERAL REPUBLIC OF NIGERIA

VOTES AND PROCEEDINGS

Thursday, 22 March, 2018

1. The House met at 11.15 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 Wednesday, 21 March, 2018.

The Votes and Proceedings was adopted by unanimous consent.

3. **Announcements**

(a) **Visitors in the Gallery:**

Mr Speaker recognised the presence of the following visitors in the Gallery:

- (i) Hon. (Dr) Ruth Labode, Member of the *Zimbabwe Parliament & Co-Chair, SADAC African TB Caucus*, and Sam Makau, *African Tuberculosis (TB) Caucus Coordinator*;
- (ii) Staff and Students of *Jaymaris Academy*, Kubwa, Abuja;
- (iii) Staff and Students of *City Stars Academy*, Ado, Karu, Nasarawa State;
- (iv) Staff and Students of *Intensive Education Academy*, Sabon Wuse, Tafa Local Government Area, Niger State;
- (v) Staff and Students of *Roz Academy*, Asokoro Extension, Abuja;
- (vi) Staff and Students of *Glisten International Academy*, Jabi, Abuja; and
- (vii) Staff and Students of *Glojam International School*, Guruku, Mararaba, Nasarawa State.

- (b) *Ad-hoc Committee to Investigate into the Constitutional Breaches, Impunity and other Infractions against the Niger Delta Power Holding Company (NDPHC) and the Need to ensure Probity and Statutory Oversight Functions:*

Mr Speaker announced the Membership of the Ad-hoc Committee as follows:

(1)	Hon. Darlington Nwokocha	—	Chairman
(2)	Hon. Olayonu Olarinoye Tope	—	Member
(3)	Hon. Mark Terseer Gbillah	—	Member
(4)	Hon. Obinna Chidoka	—	Member
(5)	Hon. Agboola Emmanuel Kehinde	—	Member
(6)	Hon. Ismaila Ahmed Gadaka	—	Member
(7)	Hon. Mohammed Abubakar	—	Member
(8)	Hon. Ekpoattai Owoidighe Ime	—	Member
(9)	Hon. Ayo Hulayat Omidiran	—	Member
(10)	Hon. Aisha Jibril Dukku	—	Member
(11)	Hon. Yuguda Hassan Kila	—	Member
(12)	Hon. Omosede Igbinedion	—	Member

4. Petitions

- (i) A petition from Sunny Paul Jika Ogbeche, on the refusal by the Comptroller-General of the Nigerian Immigration Service to effect his promotion approved by the Civil Defence, Fire, Immigration and Prisons Services Board, was presented and laid by Hon. Hassan Saleh (*Ado/Ogbadigbo/Okpokwu Federal Constituency*).
- (ii) A petition from Eke Bartholomew, on the alleged termination of his appointment without fair hearing by the Nigerian Army, was presented and laid by Hon. Bede Eke (*Aboh Mbaise/Ngor Okpala Federal Constituency*); and
- (iii) Petitions from the following persons were presented and laid by Hon. Chris Azubogu (*Nnewi North/Nnewi South/Ekwusigo Federal Constituency*):
- (a) Ejikemeuwa Okeke & Co. (Ojinwayo Chambers), on behalf of Vine-Morris Links Limited, on the alleged infringement on the Registered Trade Mark DORCO RTM No. 5444 in Class 8 and Registered Design TD 709N & TD 702 by Benjamin Ugochukwu Nwaizu of D&K Golden City Investment Limited;
- (b) Members of the African Arts and Crafts Culture Heritage Association, on the locking of the Arts and Crafts Village, Abuja, by the Director-General of the National Council for Arts and Culture; and
- (iv) A petition from Ogbeingbene Community, Burutu Local Government Area, Delta State, on the abandonment of Enogbor-Ogbeingbene Road Project by Chesia Nigeria Limited, was presented and laid by Hon. Pondi Julius (*Burutu Federal Constituency*).

Petitions referred to the Committee on Public Petitions.

5. Matters of Urgent Public Importance (Standing Order Eight, Rule 4)

- (i) *Illegal Activities of Personnel of the Nigeria Customs Service in Kano Markets and Routes Leading to Kano:*
Hon. Aliyu Sani Madaki (*Dala Federal Constituency and 3 others*) 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.

Illegal Activities of Personnel of the Nigeria Customs Service in Kano Markets and Routes Leading to Kano:

The House:

Notes the importance of the Customs Service as one of the revenue generating agencies in Nigeria;

Appreciates the role of Kano city as the nerve centre of commercial activities in the North;

Also notes that the Nigeria Customs Service mounts patrols at designated sea and land borders;

Aware that people from every part of Nigeria and neighbouring countries travel to Kano daily to purchase goods, including textile materials, on wholesale and retail basis;

Also aware that the Nigeria Customs Service recently embarked on illegal seizure of cars, including cars at sales points in the guise of non-payments of Custom duties;

Concerned that personnel of the Nigeria Customs Service seized in large quantum, shoes that were bought from Aba markets and on their way to Kano markets and vice-versa;

Worried that the illegal activities of the Customs Personnel is not only carried out in Kano but extended to all the routes leading to Kano State;

Regrets that the illegal activities of the men and officers of the Nigeria Customs Service are capable of retarding the growth of commerce and trade in Kano, and the extent of its adverse effect cannot be imagined;

Resolves to:

- (i) urge the Comptroller General of the Nigeria Customs Service to direct the personnel of the Service to stop forthwith the illegal seizures; and
- (ii) mandate the Committee on Customs and Excise to conduct a detailed investigation into the activities of the personnel of the Nigerian Customs Service as it relates to the illegal seizure of cars, shoes and textile materials in Kano markets and routes leading to Kano and report back within four (4) weeks (*Hon. Aliyu Sani Madaki — Dala Federal Constituency and 3 Others*).

Debate.

Amendment Proposed:

In Prayer (ii), line 3, immediately after the word “Kano”, insert the words “Aba, Onitsha, Nnewi, Lagos, and other commercial centres in the country” (*Hon. Chris Azubogu — Nnewi North/Nnewi South/Ekwusigo Federal Constituency*).

Question that the amendment be made — Agreed to.

Question on the Motion as amended — Agreed to.

The House:

Noted the importance of the Customs Service as one of the revenue generating agencies in Nigeria;

Appreciated the role of Kano city as the nerve centre of commercial activities in the North;

Also noted that the Nigeria Customs Service mounts patrols at designated sea and land borders;

Aware that people from every part of Nigeria and neighbouring countries travel to Kano daily to purchase goods, including textile materials, on wholesale and retail basis;

Also aware that the Nigeria Customs Service recently embarked on illegal seizure of cars, including cars at sales points in the guise of non-payments of Custom duties;

Concerned that personnel of the Nigeria Customs Service seized in large quantum, shoes that were bought from Aba markets and on their way to Kano markets and vice-versa;

Worried that the illegal activities of the Customs Personnel is not only carried out in Kano but extended to all the routes leading to Kano State;

Regretted that the illegal activities of the men and officers of the Nigeria Customs Service are capable of retarding the growth of commerce and trade in Kano, and the extent of its adverse effect cannot be imagined;

Resolves to:

- (i) urge the Comptroller General of the Nigeria Customs Service to direct the Personnel of the Customs to stop forthwith the illegal seizures; and
 - (ii) mandate the Committee on Customs and Excise to conduct a detailed investigation into the activities of the Personnel of the Nigeria Customs Service as it relates to the illegal seizure of cars, shoes and textile materials in markets in Kano, Aba, Onitsha, Nnewi, Lagos, and other commercial centres in the country and report back within four (4) weeks (**HR. 120/03/2018**).
- (ii) ***Need to Investigate the Legality of the Operations of the Special Presidential Investigation Panel for the Recovery of Public Property:***
Hon. Chinda Kingsley Ogundu (*Obio/Akpor 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 Investigate the Legality of the Operations of the Special Presidential Investigation Panel for the Recovery of Public Property:

The House:

Notes the inauguration of the Special Presidential Investigative Panel (SPIP) pursuant to the Public Property Special Provisions Act, Cap. R4, LFN, 2004 otherwise known as Decree No. 3, 1984 with the commencement date of 31st December, 1983;

Also notes that the said Panel is alleged to have received petitions from Nigerians and its mode of operation is to proceed to invite citizens to fill asset declaration form which is by law the exclusive mandate of the Code of Conduct Bureau under the Code of Conduct and Tribunal Act, Cap. T15, LFN, 2004;

Concerned that following the activities of the Panel, the Attorney General of the Federation has received several complaints from the general public on the need to take an in-depth look at the law viz-a viz the various anti-corruption agencies that are now established, particularly the Code of Conduct Bureau and the Code of Conduct Tribunal;

Aware that Section 153 of the 1999 Constitution captures the Code of Conduct Bureau as a Federal Executive body and that the 5th Schedule to the 1999 Constitution provides greater details of the act amounting to a breach of the code of conduct of public officers and established the Code of Conduct Tribunal. Part II of the Schedule defined a public officer in the context of the constitutional provision;

Also aware that the Public Property (Special Provision) Act codified as Cap. R4, LFN, 2004 predates the Code of Conduct and Tribunal Act, Cap. T15, LFN, 2004, whereas the Act commenced on 31st December, 1983, the Code of Conduct Bureau and Tribunal Act commenced on 1st January, 1991 (8 years later).

Further aware that the Public Property (Special Provision) Act, Cap. R4, LFN, 2004 is a spent law by virtue of the Code of Conduct Bureau and Tribunal Act, Cap. T15, LFN, 2004, the functions specified by the Act to be performed through panels established by the President are now performed by the Code of Conduct Tribunal which serves as a special court headed by a qualified Judge of a superior court of record in Nigeria to try the offences regarding the breach of the Code of the conduct of public officers. Besides the Code of Conduct Act being a newer law on the subject matter, has made specific provisions on the matter;

Cognizant that it is a trite law that the court would construe a later act as repealing an earlier one if the two provisions cannot stand together or if they both make the same provisions dealing with a similar subject matter as established in Trade Bank Plc vs Lagos Island Local Government (2003) FWLR (Pt 161) 1734;

Deeply concerned that there cannot be two parallel agencies of government no matter the manner of operation undertaking the same functions in whatever guise or form, more so where the functions are so similar that the public is meant to go through repeated processes and procedures which may infringe on their rights and give rise to series of litigation and the consequential loss of revenue both in overheads and the execution of awards in the damages;

Also concerned that Special Presidential Investigation Panel (SPIP) ought not to have been set up in view of the existence of such institutions as the EFCC, ICPC and especially the Code of Conduct Bureau and the Code of Conduct Tribunal both created by law and supported by the 1999 Constitution;

Mindful that the Code of Conduct Tribunal is a special court whose Chairman is a qualified Judge of a superior court of record dealing with matters related to the subject, whereas the Public Property (Special Provision) Act, Cap. R4, LFN, 2004 gives jurisdiction to the Federal High Court under Section 2 (2) (b) which is not only inconsistent with the Code of Conduct Bureau and Tribunal Act but inconsistent with section 251 of the Constitution of the Federal Republic of Nigeria which did not include the code of conduct matters under the jurisdiction of the Federal High Court - Trade Bank Plc vs Lagos Island Local Government (2003);

Views with concern the consequential economic implication of setting up multiple agencies with its ravaging effect on the revenue of government;

Resolves to:

Set up an *Ad-hoc* Committee to fully investigate the modus operandi and legality of the Special Presidential Investigation Panel (SPIP) to ensure that it is in tandem with the law and that it conforms to best practices and report back within four (4) weeks (*Hon. Chinda Kingsley Ogundu — Obio/Akpor Federal Constituency*).

Debate.

Agreed to.

The House:

Noted the inauguration of the Special Presidential Investigative Panel (SPIP) pursuant to the Public Property Special Provisions Act, Cap. R4, LFN, 2004 otherwise known as Decree No. 3, 1984 with the commencement date of 31st December, 1983;

Also noted that the said Panel is alleged to have received petitions from Nigerians and its mode of operation is to proceed to invite citizens to fill asset declaration form which is by law the exclusive mandate of the Code of Conduct Bureau under the Code of Conduct and Tribunal Act, Cap. T15, LFN, 2004;

Concerned that following the activities of the Panel, the Attorney General of the Federation has received several complaints from the general public on the need to take an in-depth look at the law viz-a viz the various anti-corruption agencies that are now established, particularly the Code of Conduct Bureau and the Code of Conduct Tribunal;

Aware that Section 153 of the 1999 Constitution captures the Code of Conduct Bureau as a Federal Executive body and that the 5th Schedule to the 1999 Constitution provides greater details of the act amounting to a breach of the code of conduct of public officers and established the Code of Conduct Tribunal. Part II of the Schedule defined a public officer in the context of the constitutional provision;

Also aware that the Public Property (Special Provision) Act codified as Cap. R4, LFN, 2004 predates the Code of Conduct and Tribunal Act, Cap. T15, LFN, 2004, whereas the Act commenced on 31st December, 1983, the Code of Conduct Bureau and Tribunal Act commenced on 1st January, 1991 (8 years later).

Further aware that the Public Property (Special Provision) Act, Cap. R4, LFN, 2004 is a spent law by virtue of the Code of Conduct Bureau and Tribunal Act, Cap. T15, LFN, 2004, the functions specified by the Act to be performed through panels established by the President are now performed by the Code of Conduct Tribunal which serves as a special court headed by a qualified Judge of a superior court of record in Nigeria to try the offences regarding the

breach of the Code of the conduct of public officers. Besides the Code of Conduct Act being a newer law on the subject matter, has made specific provisions on the matter;

Cognizant that it is a trite law that the court would construe a later act as repealing an earlier one if the two provisions cannot stand together or if they both make the same provisions dealing with a similar subject matter as established in *Trade Bank Plc vs Lagos Island Local Government* (2003) FWLR (Pt 161) 1734;

Deeply concerned that there cannot be two parallel agencies of government no matter the manner of operation undertaking the same functions in whatever guise or form, more so where the functions are so similar that the public is meant to go through repeated processes and procedures which may infringe on their rights and give rise to series of litigation and the consequential loss of revenue both in overheads and the execution of awards in the damages;

Also concerned that Special Presidential Investigation Panel (SPIP) ought not to have been set up in view of the existence of such institutions as the EFCC, ICPC and especially the Code of Conduct Bureau and the Code of Conduct Tribunal both created by law and supported by the 1999 Constitution;

Mindful that the Code of Conduct Tribunal is a special court whose Chairman is a qualified Judge of a superior court of record dealing with matters related to the subject, whereas the Public Property (Special Provision) Act, Cap. R4, LFN, 2004 gives jurisdiction to the Federal High Court under Section 2 (2) (b) which is not only inconsistent with the Code of Conduct Bureau and Tribunal Act but inconsistent with section 251 of the Constitution of the Federal Republic of Nigeria which did not include the code of conduct matters under the jurisdiction of the Federal High Court - *Trade Bank Plc vs Lagos Island Local Government* (2003);

Viewed with concern the consequential economic implication of setting up multiple agencies with its ravaging effect on the revenue of government;

Resolved to:

Set up an *Ad-hoc* Committee to fully investigate the modus operandi and legality of the Special Presidential Investigation Panel (SPIP) to ensure that it is in tandem with the law and that it conforms to best practices and report back within four (4) weeks (**HR. 121/03/2018**).

Ad-hoc Committee on the Legality of the Operations of the Special Presidential Investigation Panel for the Recovery of Public Property:

Pursuant to the Resolution of the House (HR. 121/03/2018), Mr Speaker announced the membership of the above Ad-hoc Committee as follows:

- | | | | |
|-----|--------------------------------|---|-----------------|
| (1) | Hon. Ahman-Pategi Aliyu Bahago | — | <i>Chairman</i> |
| (2) | Hon. Aliyu Sani Madaki | — | <i>Member</i> |
| (3) | Hon. Toby Okechukwu | — | <i>Member</i> |
| (4) | Hon. Chinda Kingsley Ogundu | — | <i>Member</i> |
| (5) | Hon. Odebunmi Olusegun | — | <i>Member</i> |
| (6) | Hon. Kamale Adamu | — | <i>Member</i> |
| (7) | Hon. Orker-Jev Emmanuel Yisa | — | <i>Member</i> |
| (8) | Hon. Talatu Solomon | — | <i>Member</i> |
| (9) | Hon. Adekola Segun Alexander | — | <i>Member</i> |

Motion made and Question proposed, "That the House do suspend Order Eight, Rule 4 (4) to enable it take more than 2 matters of urgent public importance" (*Hon. Orker-Jev Emmanuel Yisa — Buruku Federal Constituency*).

Agreed to.

(iii) ***Need for Increased Political Commitment to End Tuberculosis (TB) in Nigeria:***
Hon. David Emmanuel Ombugadu (*Akwanga/Wamba/Nasarawa Eggon 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 for Increased Political Commitment to End Tuberculosis (TB) in Nigeria:

The House:

Notes that 24 March of every year is the World TB Day and is commemorated globally to re-assess the efforts of stakeholders to end TB as One-fourth of the world's population is infected with TB, which is now the number one infectious disease in the world, with an estimated 10.4 million people having been infected in 2016, and 1.7 million TB-related deaths recorded worldwide and that the disease is the leading killer of people living with HIV;

Also notes that Nigeria is classified among the 14 high burden countries for TB, TB/HIV and MDR-TB; that the 2017 incidence index of all forms of TB is 219 per 100,000 population, which implies that among every 1,000 Nigerians, 2 are likely to have TB, and alarming figure as one TB patient can infect 10 to 20 uninfected persons, who can also infect the same number of persons each in a vicious cycle;

Worried that Nigeria contributed 8% to the global 4.1 million TB cases in 2016, as the country only recorded 100,433 out of an estimated 407,000 new TB cases that occurred in that year, amounting to about 25% of TB cases detected, which means that about 75% is still undetected;

Concerned that only about 7,200 (20%) out of the over 36,000 Health Institutions in Nigeria have facilities for TB diagnostic services, and that about 80% of all types of Health Institutions in Nigeria do not have any form of TB service being rendered currently, because funding for the control of TB in Nigeria over the years has been largely donor dependent due to poor health financing from public sector.

Also concerned that Abuja declaration of 2000 that mandated all African countries to allocate 15% of their annual GDP to health is yet to be implemented in Nigeria, and that of the \$336 million needed for TB control in Nigeria in the year 2017, only 36% (9% domestic and 27% donor funds) was available to all the implementers of TB control activities in the country, even though domestic funding was mainly in the form of healthcare workers' salaries and emoluments as well as funds spent on the purchase of drug resistant TB medications by the Federal Government of Nigeria;

Resolves to:

- (i) enact appropriate health legislation and legal frameworks for improved TB control including case detection, notification and treatment of Multi-drug Resistant TB in order to militate against further spread of TB especially the MDR- TB;.

- (ii) facilitate the review and achievement of the provisions of the Nigerian Strategic TB Plan 2010-2015 of ensuring that TB effort in Nigeria is 50% government financed, which entails increasing allocations and releases to TB control at the Federal and State levels, appropriating adequate finances for the National and State Health Insurance Schemes while ensuring inclusion of TB services into the benefit package of NHIS and State Health Insurance Schemes, based on its qualification as a disease of high burden and public health concern;
- (iii) urge the Executive Arm of Government to establish mechanisms to monitor progress of TB control efforts with process, output and outcome level indicators, ensure the review and implementation of health laws to include TB, whereby Ministries, Departments and Agencies (MDAs) complied with policy mechanisms for scaling up TB control, including the inclusion of TB in the minimum primary health care service package, and other priority interventions;
- (iv) establish a performance framework to track legislative efforts at ending TB in Nigeria at national State and Local Government levels, provide oversight on TB related policy reform, including domestic resource mobilization for TB, TB inclusion and provision in NHIS and State Health Insurance Schemes, TB inclusion in the primary health care minimum service package, performance-based financing and other priority interventions, open access to information for improved transparency and accountability of TB and health expenditure through effective oversight functions (*Hon. David Emmanuel Ombugadu — Akwanga/Nasarawa Eggon/Wamba Federal Constituency*).

Debate.

Agreed to.

The House:

Noted that 24 March of every year is the World TB Day and is commemorated globally to re-assess the efforts of stakeholders to end TB as One-fourth of the world's population is infected with TB, which is now the number one infectious disease in the world, with an estimated 10.4 million people having been infected in 2016, and 1.7 million TB-related deaths recorded worldwide and that the disease is the leading killer of people living with HIV;

Also noted that Nigeria is classified among the 14 high burden countries for TB, TB/HIV and MDR-TB; that the 2017 incidence index of all forms of TB is 219 per 100,000 population, which implies that among every 1,000 Nigerians, 2 are likely to have TB, and alarming figure as one TB patient can infect 10 to 20 uninfected persons, who can also infect the same number of persons each in a vicious cycle;

Worried that Nigeria contributed 8% to the global 4.1 million TB cases in 2016, as the country only recorded 100,433 out of an estimated 407,000 new TB cases that occurred in that year, amounting to about 25% of TB cases detected, which means that about 75% is still undetected;

Concerned that only about 7,200 (20%) out of the over 36,000 Health Institutions in Nigeria have facilities for TB diagnostic services, and that about 80% of all types of Health Institutions in Nigeria do not have any form of TB service being rendered currently, because funding for the control of TB in Nigeria over the years has been largely donor dependent due to poor health financing from public sector.

Also concerned that Abuja declaration of 2000 that mandated all African countries to allocate 15% of their annual GDP to health is yet to be implemented in Nigeria, and that of the \$336 million needed for TB control in Nigeria in the year 2017, only 36% (9% domestic and 27% donor funds) was available to all the implementers of TB control activities in the country, even though domestic funding was mainly in the form of healthcare workers' salaries and emoluments as well as funds spent on the purchase of drug resistant TB medications by the Federal Government of Nigeria;

Resolved to:

- (i) enact appropriate health legislation and legal frameworks for improved TB control including case detection, notification and treatment of Multi-drug Resistant TB in order to militate against further spread of TB especially the MDR- TB;.
- (ii) facilitate the review and achievement of the provisions of the Nigerian Strategic TB Plan 2010-2015 of ensuring that TB effort in Nigeria is 50% government financed, which entails increasing allocations and releases to TB control at the Federal and State levels, appropriating adequate finances for the National and State Health Insurance Schemes while ensuring inclusion of TB services into the benefit package of NHIS and State Health Insurance Schemes, based on its qualification as a disease of high burden and public health concern;
- (iii) urge the Executive Arm of Government to establish mechanisms to monitor progress of TB control efforts with process, output and outcome level indicators, ensure the review and implementation of health laws to include TB, whereby Ministries, Departments and Agencies (MDAs) complied with policy mechanisms for scaling up TB control, including the inclusion of TB in the minimum primary health care service package, and other priority interventions;
- (iv) establish a performance framework to track legislative efforts at ending TB in Nigeria at national State and Local Government levels, provide oversight on TB related policy reform, including domestic resource mobilization for TB, TB inclusion and provision in NHIS and State Health Insurance Schemes, TB inclusion in the primary health care minimum service package, performance-based financing and other priority interventions, open access to information for improved transparency and accountability of TB and health expenditure through effective oversight functions (HR. 122/03/2018).

6. Privilege (Order Six, Rules 1 and 2)

Hon. Rasaq Atunwa (*Ilorin West/Asa Federal Constituency*), called the attention of the House to a court injunction granted recently by Justice A. I. Chikere of the Federal High Court, Abuja, restraining the Committees on Justice, and Judiciary and indeed the House of Representatives, from proceeding with the investigative hearing into a matter regarding the allegation that Ms Amasa Firdaus a Law School graduate was denied her call to Bar for wearing a hijab, by the Nigerian Council of Legal Education (Law School). He stressed the sanctity of democracy and the institution of the legislature, and underscored the doctrine of separation of powers whereby no arm of Government has power to gag another. He viewed the injunction granted by Hon. Justice Chikere as an interference in the powers of the legislature and so a breach of his privilege and that of the House. He therefore sought the leave of the House to move a motion to that effect.

Leave granted.

Judicial Interference in the Constitutional Role of the House of Representatives:

The House:

Notes that on Tuesday, 19 December, 2017, the House considered a motion on the *Need to Intervene in the Hijab Controversy Between the Nigerian Law School and Amasa Firdaus (a Law School Graduate)* and resolved among other things to “*Mandate the Committees on Justice, and Judiciary to investigate and make appropriate recommendations which may include the ultimate recognition of and compliance with the rule of law above any tradition or practice and report back within two (2) weeks for further legislative action (HR. 195/2017);*

Also notes that the Committee had commenced work on the referral and had called for memoranda from identified stakeholders, including the Body of Benchers, Nigerian Law School, Attorney-General of the Federation (AGF), and the Nigerian Bar Association (NBA) and that it had received memoranda from over 87 stakeholders;

Aware that the investigative hearing was fixed for Tuesday, 6 February, 2018 through a Newspaper advertisement made on Monday, 22 January, 2018;

Also aware that the Committees received a memo from the Body of Benchers stating that the Benchers had fixed a meeting for Thursday, 8 February, 2018, to deliberate on the issue for which reason the Committee postponed the hearing hoping that the result of the Benchers meeting would impact positively on its investigation, and another publication in the national dailies was made for the postponement on Tuesday, 6 February, 2018;

Concerned that the Body of Benchers did not communicate the Committee on the outcome of its meeting of February 2018, and that the Committee had to reschedule the hearing for Wednesday, 14 March, 2018, and again despatched letters to stakeholders to that effect;

Also concerned that at about 3.10 p.m., on Tuesday, 13 March, 2018, the Committee was informed that an injunction had been granted by Justice A. I. Chikere sitting in the Federal High Court, Abuja;

Disturbed that such an injunction could undermine the three cardinal principles of constitutional democracy which are the sovereignty of Parliament, Rule of Law, and Separation of Powers, and that this antithetical to the development of democracy as it hampers the working of the legislature;

Worried that the provision of Section 88 of the Constitution of the Federal Republic of Nigeria, 1999 (as amended) empowers the House to conduct the investigation and that the action of the judge is indeed a contempt of parliament as it violates the doctrine of separation of powers, the legislative Houses (Powers and Privileges) Act, 2017 which provides in Section 21, the procedure for taking a course of action, against a legislative House.

Resolves to:

- (i) write a strong letter to the Chief Justice of Nigeria to take immediate steps to ensure judges respect and preserve the sanctity and sovereignty of Parliament; and
- (ii) set up an *Ad-hoc* Committee headed by the Leader of the House to take this issue up with the Chief Justice of Nigeria.

Debate.

Agreed to.

The House:

Noted that on Tuesday, 19 December, 2017, the House considered a motion on the *Need to Intervene in the Hijab Controversy Between the Nigerian Law School and Amasa Firdaus (a Law School Graduate)* and resolved among other things to “*Mandate the Committees on Justice, and Judiciary to investigate and make appropriate recommendations which may include the ultimate recognition of and compliance with the rule of law above any tradition or practice and report back within two (2) weeks for further legislative action (HR. 195/2017);*”

Also noted that the Committee had commenced work on the referral and had called for memoranda from identified stakeholders, including the Body of Benchers, Nigerian Law School, Attorney-General of the Federation (AGF), and the Nigerian Bar Association (NBA) and that it had received memoranda from over 87 stakeholders;

Aware that the investigative hearing was fixed for Tuesday, 6 February, 2018 through a Newspaper advertisement made on Monday, 22 January, 2018;

Also aware that the Committees received a memo from the Body of Benchers stating that the Benchers had fixed a meeting for Thursday, 8 February, 2018, to deliberate on the issue for which reason the Committee postponed the hearing hoping that the result of the Benchers meeting would impact positively on its investigation, and another publication in the national dailies was made for the postponement on Tuesday, 6 February, 2018;

Concerned that the Body of Benchers did not communicate the Committee on the outcome of its meeting of February 2018, and that the Committee had to reschedule the hearing for Wednesday, 14 March, 2018, and again despatched letters to stakeholders to that effect;

Also concerned that at about 3.10 p.m., on Tuesday, 13 March, 2018, the Committee was informed that an injunction had been granted by Justice A. I. Chikere sitting in the Federal High Court, Abuja;

Disturbed that such an injunction could undermine the three cardinal principles of constitutional democracy which are the sovereignty of Parliament, Rule of Law, and Separation of Powers, and that this antithetical to the development of democracy as it hampers the working of the legislature;

Worried that the provision of Section 88 of the Constitution of the Federal Republic of Nigeria, 1999 (as amended) empowers the House to conduct the investigation and that the action of the judge is indeed a contempt of parliament as it violates the doctrine of separation of powers, the legislative Houses (Powers and Privileges) Act, 2017 which provides in Section 21, the procedure for taking a course of action, against a legislative House.

Resolved to:

- (i) write a strong letter to the Chief Justice of Nigeria to take immediate steps to ensure judges respect and preserve the sanctity and sovereignty of Parliament; and
- (ii) set up an Ad-hoc Committee headed by the Leader of the House to take this issue up with the Chief Justice of Nigeria (**HR. 123/03/2018**).

7. **Personal Explanation (Order Eight, Rule 5)**

Hon. Agbonayinma Johnson Ehiozuwa (*Egor/Ikpoba/Okha Federal Constituency*) recalled the matter of privilege raised on the floor of the House on Wednesday, 21 March, 2018, wherein he was said to have made statements in the media that tended to undermine the House and the institution of democracy. He explained that he had no deliberate intention to denigrate the House and that he remained committed to the high values and sanctity of the legislature. He therefore offered an unreserved apology to the Hon. Speaker and Hon. Members and officially retracted the said comments made to the media.

By leave of the House, Hon. Orker-Jev Emmanuel Yisa, Chairman, Committee on Rules and Business noted that the House had concluded action on the matter and referred it to the Committee on Ethics and Privileges. He stated that for the House to revisit the matter, it has to comply with the provision of Order Nine, Rule 6 and Order Eight, Rule 9. He therefore sought the leave of the House to suspend Order Nine, Rule 6, to reconsider the matter; and Order Eight, Rule 9 to enable the House take a motion without notice on the matter.

Leave granted.

Rescission of Referral Order to the Committee on Ethics and Privileges:

The House:

Recalls that on Wednesday, 21 March, 2018, it considered a matter of privilege on an interview granted to the media by Hon. Agbonayinma Johnson Ehiozuwa wherein he made disparaging comments amounting to a breach of the privilege of the House of Representatives;

Notes its Resolution to refer the matter to the Committee on Ethics and Privileges pursuant to Order Six, Rule 2;

Aware that Hon. Agbonayinma has expressed regret for the comments in the media and has retracted same and offered unreserved apology to the House.

Resolves to:

Rescind its decision of Wednesday, 21 March, 2018 on the matter, and discharge the Committee on Ethics and Privileges of the referral (Hon. Orker-Jev Emmanuel Yisa — Buruku Federal Constituency).

Agreed to.

8. Presentation of Bills

The following Bills were read the *First Time*:

- (1) Federal Polytechnics Act (Amendment) Bill, 2018 (HB. 1378).
- (2) National Agency for Science and Engineering Infrastructure Act (Amendment) Bill, 2018 (HB. 1379).
- (3) Secondary School Certificate Examinations Standard (Regulation) Board Bill, 2018 (HB. 1380).
- (4) Nigerian Cashew Crop Promotion Agency Bill, 2018 (HB. 1381).
- (5) Trustee Investments Act (Amendment) Bill, 2018 (HB. 1382).
- (6) Nigeria Natural Medicine Development Agency (Establishment) Bill, 2018 (HB. 1383).

9. Presentation of Reports

- (i) **Report of the Conference Committee on Constitution Alteration Bills, 2017:**
Motion made and Question proposed, "That the House do receive the Report of the Conference Committee on Constitution Alteration Bills, 2017" (Hon. Sulaimon Lasun Yussuff — Irepodun/Olorunda/Osogbo/Orolu Federal Constituency).

Agreed to.

Report laid.

- (ii) ***Ad-hoc Committee on the Need to Investigate the Disappearance, and subsequent Reinstatement and Promotion of Abdulrasheed Maina, the former Chairman of the Presidential Task Force on Pension Reform:***

Motion made and Question proposed, "That the House do receive the Report of the Ad-hoc Committee on the Need to Investigate the Disappearance, and Subsequent Reinstatement and Promotion of Abdulrasheed Maina, the former Chairman of the Presidential Task Force on Pension Reform (HR. 128/2017)" (Hon. Aliyu Sani Madaki — Dala Federal Constituency).

Agreed to.

Report laid.

10. **A Bill for an Act to Provide for the Ajaokuta Steel Company Completion Fund for the speedy Completion of the Project; and for Related Matters (HB. 1371) — Second Reading**

Motion made and Question proposed, "That a Bill for an Act to Provide for the Ajaokuta Steel Company Completion Fund for the speedy Completion of the Project; and for Related Matters (HB. 1371) be now read a Second Time" (Hon. Uzoma Nkem-Abonta — Ukwu East/Ukwu West Federal Constituency and 300 others).

Debate.

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

Bill read the Second Time.

Bill referred to the Committee of the Whole.

11. **A Bill for an Act to Amend the Industrial Development (Income Tax Relief) Act, Cap. I17, Laws of the Federation of Nigeria, 2004 to Increase the Capital Expenditure for Companies applying for Pioneer Status under the Provisions of this Bill; and for Related Matters (HB. 1369) — Second Reading**

Motion made and Question proposed, "That a Bill for an Act to Amend the Industrial Development (Income Tax Relief) Act, Cap. I17, Laws of the Federation of Nigeria, 2004 to Increase the Capital Expenditure for Companies applying for Pioneer Status under the Provisions of this Bill; and for Related Matters (HB. 1369) be now read a Second Time" (Hon. Henry Nwawuba — Mbaitoli/Ikeduru Federal Constituency).

Debate.

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

Bill read the Second Time.

Bill referred to the Committee of the Whole.

12. **A Bill for an Act to Amend the Nigerian Institute of Advanced Legal Studies Act, Cap. N112, Laws of the Federation of Nigeria, 2004; and for Related Matters (HB. 1125) — Second Reading**

Motion made and Question proposed, "That a Bill for an Act to Amend the Nigerian Institute of Advanced Legal Studies Act, Cap. N112, Laws of the Federation of Nigeria, 2004; and for Related Matters (HB. 1125) be now read a Second Time" (Hon. Aminu Shehu Shagari — Yabo/Shagari 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 Justice.

13. **A Bill for an Act to Establish the Nigerian Institute of Leather and Science Technology (NILEST); and for Related Matters (HB. 1347) — Second Reading**
Motion made and Question proposed, “That a Bill for an Act to Establish the Nigerian Institute of Leather and Science Technology (NILEST); and for Related Matters (HB. 1347) be now read a Second Time” (Hon. Garba Datti Muhammad — Sabon Gari 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 Science and Technology.

14. **A Bill for an Act to Establish Federal Polytechnic, Owaza-Asa, Abia State to Provide for Equity and Access to Tertiary Education in the Country, make Comprehensive Provisions for its due Management and Administration; and for Related Matters (HB. 1257) — Second Reading**
Motion made and Question proposed, “That a Bill for an Act to Establish Federal Polytechnic, Owaza-Asa, Abia State to Provide for Equity and Access to Tertiary Education in the Country, make Comprehensive Provisions for its due Management and Administration; and for Related Matters (HB. 1257) be now read a Second Time” (Hon. Uzoma Nkem-Abonta — Ukwa East/Ukwa West 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.

15. **A Bill for an Act to Amend the Public Enterprises (Privatization and Commercialization) Act, Cap. P38, Laws of the Federation of Nigeria, 2004 to Review the List of Enterprises to be Privatized; and for Related Matters (HB. 1372) — Second Reading**
Motion made and Question proposed, “That a Bill for an Act to Amend the Public Enterprises (Privatization and Commercialization) Act, Cap. P38, Laws of the Federation of Nigeria, 2004 to Review the List of Enterprises to be Privatized; and for Related Matters (HB. 1372) be now read a Second Time” (Hon. Uzoma Nkem-Abonta — Ukwa East/Ukwa West Federal Constituency and 300 others).

Debate.

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

Bill read the Second Time.

Bill referred to the Committee of the Whole.

16. Need to Reconstruct some Federal Roads in the Southern Part of Nigeria

Motion made and Question proposed:

The House:

Notes the deplorable conditions of some Federal roads in the Southern part of Nigeria and the danger they pose to Nigerians who travel on those roads;

Aware that the bad roads include Okene-Edo-Benin Road, Benin-Asaba Expressway, Enugu-Onitsha Expressway, Enugu-Port Harcourt Expressway, Ife-Ibadan Expressway, Owerri-Port Harcourt Expressway, Lagos-Badagry Expressway among others;

Worried that the condition of those roads often results in fatal accidents on daily basis;

Also aware that the condition of those roads has forced transporters to search for alternative routes through surrounding villages in order to maneuver their way to the various States, thus causing those village roads to easily dilapidate within a short time as they were not built to accommodate high traffic and extremely heavy vehicles like trailers and tankers that ply the roads;

Informed that the bad state of the road has resulted in damage to vehicles, high consumption of fuel due to more hours spent on the road, and consequent increase in transportation fares;

Desirous of the need for reconstruction of those roads to stave off the hardships being encountered by commuters, reduce accidents, and enhance commercial and economic activities between the adjoining States;

Resolves to:

- (i) call on the Federal Ministry of Power, Works and Housing to initiate the process of reconstructing the dilapidated Federal Roads in the Southern part of the country; and
- (ii) mandate the Committees on Works, and Appropriations to include the reconstruction of those Roads in the 2018 budget estimates (*Hon. Francis Charles Uduyok — Ikot Abasi/Mkpat Enin/Eastern Obolo Federal Constituency*).

Agreed to.

(HR. 124/03/2018).

Motion referred to the Committees on Works, and Appropriations, pursuant to Order Eight, Rule 9 (5).

17. Need for Nigerians to be Cautious of Illegal Banks

Motion made and Question proposed:

The House:

Notes that it is the Constitutional responsibility of the Federal Government to ensure the security, safety and welfare of its citizens;

Aware that the activities of some illegal financial institutions, also known as wonder Banks have become alarming as they defraud depositors who are often enticed by promises of unusually high returns on investment;

Determined to take pro-active steps to stop the unwholesome practices by illegal Banks and other financial institutions in Nigeria;

Resolves to:

- (i) urge the Central Bank of Nigeria to publish a list of certified financial institutions as well as ensure the implementation of strong regulatory and monitoring laws of Nigeria; and
- (ii) mandate the Committee on Banking and Currency to investigate the unwholesome practices of those Banks with a view to getting statistical analysis of such banks and their promoters and bring the defaulters to book and report back within four (4) weeks for further legislative action (*Hon. Joseph Edionwele — Esan Central/Esan West/Igubeben Federal Constituency*).

Debate.

Agreed to.

The House:

Noted that it is the Constitutional responsibility of the Federal Government to ensure the security, safety and welfare of its citizens;

Aware that the activities of some illegal financial institutions, also known as wonder Banks have become alarming as they defraud depositors who are often enticed by promises of unusually high returns on investment;

Determined to take pro-active steps to stop the unwholesome practices by illegal Banks and other financial institutions in Nigeria;

Resolved to:

- (i) urge the Central Bank of Nigeria to publish a list of certified financial institutions as well as ensure the implementation of strong regulatory and monitoring laws of Nigeria; and
- (ii) mandate the Committee on Banking and Currency to investigate the unwholesome practices of those Banks with a view to getting statistical analysis of such banks and their promoters and bring the defaulters to book and report back within four (4) weeks for further legislative action (**HR. 125/03/2018**).

18. Need to Curb the Rising Number of Out-of-School Children in Nigeria

Motion made and Question proposed:

The House:

Notes that according to reports, Nigeria is one of the 10 countries in the world where majority of children are deprived access to education;

Also notes that according to BBC news of 25 July, 2017, Nigeria has an estimated 10.5 million children who are out of school;

Concerned that cultural factors, insurgency in the North Eastern part Nigeria, recent herdsmen/farmers clashes and inadequate provision for public funded schools in general are the major factors responsible for the incidence of children not being in school;

Also concerned that this problem has increased crime rate, worsen the economy, and exacerbate security issues;

Worried that the unprecedented level of insecurity in the country has further increased the rate of out-of-school whose future are jeopardized thus making them vulnerable as they become targets of Militia groups and insurgents;

Cognizant that provision of adequate funding for education will result in ensuring a more secured country and improved economy;

Resolves to:

- (i) urge the Federal Government to invest more in teachers' training, improve on student/teacher ratio and prioritize education in budgets; and
- (ii) mandate the Committee on Basic Education and Services to investigate the matter with a view to recommending lasting solutions to the problem of out of school children and report back within six (6) weeks for further legislative action (*Hon. Akinwunmi Nurudeen Olaitan — Ifako Ijaye Federal Constituency and 1 other*).

Debate.

Amendment Proposed:

Leave out all the words in Prayer (ii), and *insert* as follows:

“Urge the Federal Government to make education at the primary and secondary levels free and compulsory” (*Hon. Abubakar Hussani Fulata — Birninwa/Guri/Kiri-Kasamma Federal Constituency*).

Question that the amendment be made — Agreed to.

Question on the Motion as amended — Agreed to.

The House:

Noted that according to reports, Nigeria is one of the 10 countries in the world where majority of children are deprived access to education;

Also noted that according to BBC news of 25 July, 2017, Nigeria has an estimated 10.5 million children who are out of school;

Concerned that cultural factors, insurgency in the North Eastern part Nigeria, recent herdsmen/farmers clashes and inadequate provision for public funded schools in general are the major factors responsible for the incidence of children not being in school;

Also concerned that this problem has increased crime rate, worsen the economy, and exacerbate security issues;

Worried that the unprecedented level of insecurity in the country has further increased the rate of out-of-school whose future are jeopardized thus making them vulnerable as they become targets of Militia groups and insurgents;

Cognizant that provision of adequate funding for education will result in ensuring a more secured country and improved economy;

Resolved to:

- (i) urge the Federal Government to invest more in teachers' training, improve on student/teacher ratio and prioritize education in budgets; and

- (ii) also urge the Federal Government to make education at the primary and secondary levels free and compulsory (HR. 126/03/2018).

19. **Consideration of Report**

A Bill for an Act to make Comprehensive Provisions for the Confiscation, Forfeiture and Management of Properties Derived from unlawful activities; and for Related Matters (HB. 872):

Order read; deferred by leave of the House.

20. **Adjournment**

That the House do adjourn till Tuesday, 27 February, 2018 at 11.00 a.m. (Hon. Orker-Jev Emmanuel Yisa— Buruku Federal Constituency).

The House adjourned accordingly at 2.57 p.m.

Yakubu Dogara
Speaker