



HOUSE OF REPRESENTATIVES FEDERAL REPUBLIC OF NIGERIA

VOTES AND PROCEEDINGS

Thursday, 31 May, 2018

-
1. The House met at 11.08 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, 30 May, 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 *1ST U.B.E. Primary School*, Pasali, Kuje, Abuja.
4. **Petitions**
Petitions from the following persons were presented and laid by Hon. Bede Eke (*Aboh Mbaise/Ngor Okpala Federal Constituency*):
 - (i) Kingdom Human Rights Foundation International, on behalf of Concerned Youths of Oil Producing Communities of the Niger Delta, on the alleged gross breach of Procurement Act in the award of contracts by Mr Derk Mene of the Niger Delta Development Commission (NDDC); and
 - (ii) Chike Onyeali (Legal Practitioners), on behalf of Lawson Ajawo & Emmanuel Nweke on the refusal by the Nigeria Customs Service Board, to release goods auctioned to them despite subsisting court judgement in their favour.

Petitions referred to the Committee on Public Petitions.

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

(i) ***Massive Rupture and Oil Spillage from the 24inch Trans-Ramos Pipeline Owned and Operated by the Shell Petroleum Development Company (SPDC) in the Ekeremor Local Government Area of Bayelsa State:***

Hon. Frederick Yietiemone Agbedi (*Sagbama/Ekeremor 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.

Massive Rupture and Oil Spillage from the 24inch Trans-Ramos Pipeline Owned and Operated by the Shell Petroleum Development Company (SPDC) in the Ekeremor Local Government Area of Bayelsa State:

The House:

Notes that a section of the 24inch Trans-Ramos Crude Oil Pipeline runs through Aghoro I and Aghoro II, other Communities in Okun Aghoro Kingdom and several other Ramos River communities in Ekeremor Local Government Area of Bayelsa State and same has been operated by the Shell Petroleum Development Company (SPDC) since 1992;

Informed that there was a rupture on the aforesaid 24inch Trans-Ramos Pipeline at three (3) different locations as a result of which there is now a massive oil spillage on 17 May, 2018;

Also informed that the oil spillage has brought untold hardship and health hazards to the inhabitants of these communities as the river and other water sources which are the only sources of portable water have been contaminated as well as the ecosystem and the atmosphere polluted by noxious gases emitted from the spilled oil;

Concerned that even though the SPDC has reportedly began to take stock of the damaged Pipelines, it has not demonstrated any commensurate commitment to the plight of the people which is worrisome as it is spreading to communities in Burutu Local Government Area of Delta State;

Saddened that after over two weeks since the said oil spillage occurred; neither the Federal Government nor the SPDC is yet to provide any form of succor to the affected communities as they continue to suffer untold hardship, several respiratory and other health challenges but concerned only with resuscitating the Pipeline for obvious economic reasons at the detriment of the well-being of the inhabitants;

Resolves to:

- (i) sympathize with the affected communities on this unfortunate disaster and urge the Ecological Fund Office under the Presidency, the SPDC and the National Emergency Management Agency (NEMA) to provide relief materials and medical aid to them to avoid any outbreak of epidemic and starvation; and

- (ii) constitute an *Ad-hoc* Committee to investigate and ascertain the technical integrity and/or viability of the Trans-Ramos Pipeline and report back within three (3) months for further legislative action (*Hon. Frederick Yietiemone Agbedi — Sagbama/Ekeremor Federal Constituency*).

Debate.

Agreed to.

The House:

Noted that a section of the 24inch Trans-Ramos Crude Oil Pipeline runs through Aghoro I and Aghoro II, other Communities in Okun Aghoro Kingdom and several other Ramos River communities in Ekeremor Local Government Area of Bayelsa State and same has been operated by the Shell Petroleum Development Company (SPDC) since 1992;

Informed that there was a rupture on the aforesaid 24inch Trans-Ramos Pipeline at three (3) different locations as a result of which there is now a massive oil spillage on 17 May, 2018;

Also informed that the oil spillage has brought untold hardship and health hazards to the inhabitants of these communities as the river and other water sources which are the only sources of portable water have been contaminated as well as the ecosystem and the atmosphere polluted by noxious gases emitted from the spilled oil;

Concerned that even though the SPDC has reportedly begun to take stock of the damaged Pipelines, it has not demonstrated any commensurate commitment to the plight of the people which is worrisome as it is spreading to communities in Burutu Local Government Area of Delta State;

Saddened that after over two weeks since the said oil spillage occurred; neither the Federal Government nor the SPDC is yet to provide any form of succor to the affected communities as they continue to suffer untold hardship, several respiratory and other health challenges but concerned only with resuscitating the Pipeline for obvious economic reasons at the detriment of the well-being of the inhabitants;

Resolved to:

- (i) sympathize with the affected communities on this unfortunate disaster and urge the Ecological Fund Office under the Presidency, the SPDC and the National Emergency Management Agency (NEMA) to provide relief materials and medical aid to them to avoid any outbreak of epidemic and starvation; and
 - (ii) constitute an *Ad-hoc* Committee to investigate and ascertain the technical integrity and/or viability of the Trans-Ramos Pipeline and report back within three (3) months for further legislative action (**HR. 195/05/2018**).
- (ii) ***Outbreak of Cholera in Mubi North and Mubi South Local Government Areas (LGAs), Adamawa State:***
Hon. Abdulrahman Shuaibu Abubakar (Mubi North/Mubi South/Maitha 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.

Outbreak of Cholera in Mubi North and Mubi South Local Government Areas (LGAs), Adamawa State:

The House:

Notes that Cholera is ravaging Mubi North and Mubi South Local Government Areas of Adamawa State;

Also notes that the killer disease according to statistics from the Ministry of Health, Adamawa State have risen to 434 with 13 deaths as at 26 May, 2018, while the case fatality rate (CFR) is 3.0%: Mubi North has 211 cases and 7 deaths equivalent to 3.3% case fatality rate and Mubi South has 223 cases with 6 deaths and case fatality rate is 2.7%;

Disturbed that the killer disease may spread to neighbouring communities or other Local Government Areas, unless the Federal Government takes adequate steps to assist the Adamawa State Government to tackle it;

Resolves to:

- (i) call on the Federal Ministry of Health to detail its officials, as a matter of urgency, with relevant drugs and medical equipments especially mobile laboratory for the detection, treatment and control of the disease;
- (ii) also call on the National Emergency Management Agency (NEMA) to as a matter of urgency make available to the Local Government Areas all necessary medical requirements within their disposal; and
- (iii) urge the National Orientation Agency (NAO) to organise a sensitization programme in the North East Geopolitical Zone so as to avoid the spread of this disease to other neighbouring States (*Hon. Abdulrahman Shuaibu Abubakar — Miah/Mubi North/Mubi South Federal Constituency*).

Debate.

Agreed to.

The House:

Noted that Cholera is ravaging Mubi North and Mubi South Local Government Areas of Adamawa State;

Also noted that the killer disease according to statistics from the Ministry of Health, Adamawa State have risen to 434 with 13 deaths as at 26 May, 2018, while the case fatality rate (CFR) is 3.0%: Mubi North has 211 cases and 7 deaths equivalent to 3.3% case fatality rate and Mubi South has 223 cases with 6 deaths and case fatality rate is 2.7%;

Disturbed that the killer disease may spread to neighbouring communities or other Local Government Areas, unless the Federal Government takes adequate steps to assist the Adamawa State Government to tackle it;

Resolved to:

- (i) call on the Federal Ministry of Health to detail its officials, as a matter of urgency, with relevant drugs and medical equipments especially mobile laboratory for the detection, treatment and control of the disease;
- (ii) also call on the National Emergency Management Agency (NEMA) to as a matter of urgency make available to the Local Government Areas all necessary medical requirements within their disposal; and
- (iii) urge the National Orientation Agency (NAO) to organise a sensitization programme in the North East Geopolitical Zone so as to avoid the spread of this disease to other neighbouring States (H.R. 196/05/2018).

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) ***The Sudden Collapse of 138Kv Electricity Transmission Line Tower in Yamadawa Village along Daura to Katsina Road Plunging Daura and its Environs into Total Darkness and Putting the People under Unmitigated Hardship:***

Hon. Nasiru Sani Zangon Daura (Baure/Zango 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.

The Sudden Collapse of 138Kv Electricity Transmission Line Tower in Yamadawa Village along Daura to Katsina Road Plunging Daura and its Environs into Total Darkness and Putting the People under Unmitigated Hardship:

The House:

Notes that in line with the mandate of providing electricity to the generality of Nigerians, the Federal Government through the Transmission Company of Nigerian (TCN) installed 138kv electric transmission line tower supplying constant electricity to the good people of Daura town and its environs;

Also notes that the said 138kv electric transmission line tower supplying Daura and neighbouring towns was installed last year by the Transmission Company of Nigerian (TCN) and has been serving the catchment area;

Disturbed that for the past ten days, Daura and its neighbouring towns have been plunged into total darkness because of the sudden collapse of the newly erected 138kv electric transmission line tower as a result of the windstorm that occurred in the area;

Also disturbed that the said damage has paralyzed social and economic activities in Daura and its environs and made the on-going Ramadan fasting very burdensome to the people of Daura;

Worried that the blackout is making life difficult for the people in this Ramadan period and has invariably led to the high cost of living in Daura and its environs with increased use of generators, while a piece of ice block costing between 100 and 200 naira where available;

Also worried that unless the situation is averted and power supply restored speedily to Daura and neighbouring towns, unintended catastrophic consequence is likely to occur;

Resolves to:

- (i) urge the Federal Ministry of Power, Works and Housing, The Transmission Company of Nigeria (TCN), The Nigerian Electricity Regulatory Commission (NERC) and The Kano Electricity Distribution Company (KEDCO) to as a matter of urgency facilitate the restoration of power to the affected areas; and
- (ii) mandate the Committee on Power to liaise with those relevant authorities with a view to ensuring compliance and restoration of power to Daura and its neighbouring towns (*Hon. Nasiru Sani Zangon Daura — Zango/Baure Federal Constituency*).

Debate.

Agreed to.

The House:

Noted that in line with the mandate of providing electricity to the generality of Nigerians, the Federal Government through the Transmission Company of Nigerian (TCN) installed 138kv electric transmission line tower supplying constant electricity to the good people of Daura town and its environs;

Also noted that the said 138kv electric transmission line tower supplying Daura and neighbouring towns was installed last year by the Transmission Company of Nigerian (TCN) and has been serving the catchment area;

Disturbed that for the past ten days, Daura and its neighbouring towns have been plunged into total darkness because of the sudden collapse of the newly erected 138kv electric transmission line tower as a result of the windstorm that occurred in the area;

Also disturbed that the said damage has paralyzed social and economic activities in Daura and its environs and made the on-going Ramadan fasting very burdensome to the people of Daura;

Worried that the blackout is making life difficult for the people in this Ramadan period and has invariably led to the high cost of living in Daura and its environs with increased use of generators, while a piece of ice block costing between 100 and 200 naira where available;

Also worried that unless the situation is averted and power supply restored speedily to Daura and neighbouring towns, unintended catastrophic consequence is likely to occur;

Resolved to:

- (i) urge the Federal Ministry of Power, Works and Housing, The Transmission Company of Nigeria (TCN), The Nigerian Electricity Regulatory Commission (NERC) and The Kano Electricity Distribution Company (KEDCO) to as a matter of urgency facilitate the restoration of power to the affected areas; and
- (ii) mandate the Committee on Power to liaise with those relevant authorities with a view to ensuring compliance and restoration of power to Daura and its neighbouring towns (H.R. 197/05/2018).

6. Personal Explanation (Order Eight, Rule 5)

By the leave of the House, Hon. Istifanus Dung Gyang (*Barinkiladi/Riyom Federal Constituency*), informed the House of the deteriorating security situation and continuing serial attacks by unknown gunmen in Nding Sesut, Rambu and Nafan, Labiring, Kakurik, Jo in Fam, Rapp, Gashishi and Riyom Districts respectively, all in Barinkiladi/Riyom Federal Constituency of Plateau State. He requested the intervention of the Special Task Force (STF), Operation Save Haven in Jos to quickly come to their aid and stop the killings.

Mr Speaker noted the matter.

7. Presentation of Bills

The following Bills were read the *First Time*:

- (1) National Institute for Sports Act (Amendment) Bill, 2018 (HB. 1472).
- (2) National Directorate of Employment Act (Amendment) Bill, 2018 (HB. 1473).
- (3) Treasury Single Account and Other Centralized Accounts (Exemption from Operation) Bill, 2018 (HB. 1474).
- (4) National Security Trust Fund (Establishment) Bill, 2018 (HB. 1475).
- (5) Prevention of Crimes Act (Repeal) Bill, 2018 (HB. 1476).
- (6) Local Government (Basic Constitutional and Transitional Provisions) Act (Repeal) Bill, 2018 (HB. 1477).
- (7) Local Refineries (Licensing) Bill, 2018 (HB. 1478).
- (8) Foreign Service Commission Bill, 2018 (HB. 1479).
- (9) Health Care Facilities Minimum Standards (Establishment) Bill, 2018 (HB. 1480).
- (10) Elite Sheriff Office (Establishment) Bill, 2018 (HB. 1481).
- (11) Electoral Act (Amendment) Bill, 2018 (HB. 1482).
- (12) Federal Road Safety Commission Act (Amendment) Bill, 2018 (HB. 1483).
- (13) National Broadcasting Commission Act (Amendment) Bill, 2018 (HB. 1484).

8. Presentation of Report***Committee on Works:***

Motion made and Question proposed, "That the House do receive the Report of the Committee on Works on the Need to Investigate the Nature of the Contract and/or Concession Arrangement on the Second Niger Bridge and the Lagos -Ibadan Expressway (HR. 165/2017)" (Hon. Toby Okechukwu — Aninri/Agwu/Oji-River Federal Constituency).

Agreed to.

Report laid.

9. Consolidation of Bills:

Motion made and Question proposed, "That a Bill for an Act to Amend the Trade Disputes Act, Cap. T8, Laws of the Federation of Nigeria, 2004 to Prohibit Medical Practitioners in the Employment of Federal, State and Local Government (as Employees in the Essential Services Sector) from Embarking on Strike and to accelerate Administrative and Judicial Proceedings in the determination of Trade Disputes involving them; and for Related Matters (HB. 1202), and a Bill for an Act to Amend the Trade Disputes Act, Cap. T8, Laws of the Federation of Nigeria, 2004 to Provide an Exception for the No Work No Pay Provisions and for Related Matters (HB. 1320) be now consolidated" (Hon. Orker-Jev Emmanuel Yisa — Buruku Federal Constituency).

Agreed to.

10. A Bill for an Act to Repeal the Federal Mortgage Bank of Nigeria Act, Cap. F16, Laws of the Federation of Nigeria, 2004 and Enact the Federal Mortgage Bank of Nigeria Bill to make Comprehensive Provisions for Establishment of the Federal Mortgage Bank of Nigeria and its Board of Directors; and for Related Matters (HB. 911) — *Third Reading.*

Motion made and Question proposed, "That a Bill for an Act to Repeal the Federal Mortgage Bank of Nigeria Act, Cap. F16, Laws of the Federation of Nigeria, 2004 and Enact the Federal Mortgage Bank of Nigeria Bill to make Comprehensive Provisions for Establishment of the Federal Mortgage Bank of Nigeria and its Board of Directors; and for Related Matters (HB. 911) be now read the Third Time" (Hon. Femi Gbajabiamila — House Leader).

Question Agreed to.

Bill read the Third Time, and passed.

11. A Bill for an Act to Establish the Federal College of Education, Ikire, to Provide Full-Time Courses, Teaching Instructions and Training in Technology, Applied Science, Arts, Social Sciences, Humanities and Management; and to Provide for Appointment of the Provost and Other Officers of the College to carry out the Administration and Discipline of Students of the College; and for Related Matters (HB. 1334) — *Second Reading*

Motion made and Question proposed, "That a Bill for an Act to Establish the Federal College of Education, Ikire, to Provide Full-Time Courses, Teaching Instructions and Training in Technology, Applied Science, Arts, Social Sciences, Humanities and Management; and to Provide for Appointment of the Provost and Other Officers of the College to carry out the Administration and Discipline of Students of the College; and for Related Matters (HB. 1334) be now read a Second Time" (Hon. Ayo Omidiran — Federal Constituency).

Debate.

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

Bill read the Second Time.

Bill referred to the Committee on Tertiary Education and Services.

12. **A Bill for an Act to Amend the Copyright Act, Cap. C28, Laws of the Federation of Nigeria, 2004; and for Related Matters (HB.1333) — *Second Reading***

Motion made and Question proposed, "That a Bill for an Act to Amend the Copyright Act, Cap. C28, Laws of the Federation of Nigeria, 2004; and for Related Matters (HB.1333) be now read a Second Time" (*Hon. Ahmed Abu — Edati/Lavun/Mokwa 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. **Call for Rehabilitation of Victims of Jos Crisis**

Motion made and Question proposed:

The House:

Recalls that Plateau State has suffered series of Ethno-Religious crisis in the recent past resulting in the loss of hundreds of lives and destruction of public infrastructure and private properties worth hundreds of billions of Naira;

Notes that several efforts were made involving the Local, State and Federal Government in collaboration with spirited individuals and organisations within and outside the country to bring back lasting peace in the State;

Concerned that with the return of peace in the State, activities are yet to return to normalcy as the pains and frustrations left behind are felt by inhabitants due to lack of coordinated intervention to rehabilitate victims and rebuild communities affected by the prolonged crisis;

Also concerned that efforts to include Plateau and Kano States in the North East Development Commission and the Presidential Initiative on the North East Zone were unsuccessful due to Geographical location despite similar experiences;

Worried that the absence of a coordinated intervention and rehabilitation effort in a post crisis era has seriously affected the pace of recovery and reintegration of individuals and the rebuilding of damage infrastructure in Communities, thereby deepening the suffering and heightening frustration among inhabitants;

Resolves to:

- (i) urge the President of the Federal Republic of Nigeria to set up a Committee similar to the Presidential Committee on North East Initiative (PCNI), to intervene and rehabilitate individuals, Communities and Public Infrastructure affected by the crisis; and
- (ii) mandate the Committee on Special Duties to ensure compliance (*Hon. Johnbull Shekarau — Shendam/Mikang/Qua'an/Pan Federal Constituency*).

Agreed to.

(HR. 198/05/2018).

Motion referred to the Committee on Special Duties, pursuant to Order Eight, Rule 9 (5).

14. Need for Intervention in the Recent Flooding that Destroyed Communities in Ikpoba-Okha Local Government Area, Edo State

Motion made and Question proposed:

The House:

Notes that the recent heavy rainfall on 28 May, 2018 left a devastating effect on the residents of Aguebor Street, United Street and environs in ward 06 of Ikpoba-Okha Local Government area of Edo State, with properties worth millions of naira destroyed;

Also notes that the residents of those areas have been rendered homeless by the rampaging flood that submerged Houses, Markets and Schools, among others;

Concerned that the displaced residents, especially the aged and children, are without clothing, food, care, and are psychologically and emotionally drained as a result of the flood;

Worried that with the current raining season, more residents live in grave danger of being sacked from their homes;

Resolves to:

- (i) urge the Ecological Fund Office and the National Emergency Management Agency (NEMA) to provide relief materials to the displaced residents of Aguebor Street, United Street and environs of Ikpoba-Okha Local Government Area, Edo State;
- (ii) also urge the Federal Ministry of Environment to embark on erosion and flood control in the affected areas and other flood prone areas in Egor/Ikpoba-Okha Federal Constituency of Edo State; and
- (iii) mandate the Committee on Environment and Habitat to ensure compliance (*Hon. Agbonayinma Joonson Ehiozuwa — Egor/Ikpoba/Okha Federal Constituency*).

Agreed to.

(HR. 199/05/2018).

Motion referred to the Committee on Environment and Habitat, pursuant to Order Eight, Rule 9 (5).

15. Need to Investigate the Implementation of the \$22billion Brass Liquefied Natural Gas (LNG) Project

Motion made and Question proposed:

The House:

Notes with great concern the state of affairs surrounding the NNPC's Brass Liquefied Natural Gas project, also known as Brass LNG;

Also notes that there have been several allegations of abuse and mismanagement of funds totaling about \$22 Billion meant for take off and running of the Brass LNG project;

Aware that the Brass LNG project was originally set up in 2003 with the Nigerian National Petroleum (NNPC) owning 49% and other affiliates namely, Conoco Phillips, ENI and Chevron holding 17% each;

Also aware that the project has been stuck in the planning stages for more than a decade, with some Western partners having pulled out because of tough operating conditions and an unfavorable investment environment;

Further aware of the provisions of Section 88 (1) (a), (b) (i) and (ii) and (2) (b) of the Constitution of the Federal Republic of Nigeria, 1999 (as amended) which confers each House of the National Assembly power to conduct or carry out investigations into matter(s) such as this;

Recalls that in January 2018, the Senate raised an alarm over massive fraud in the NNPC as it relates to the Brass LNG project and voted to investigate same, but nothing happened thereafter;

Cognizant that the Federal government's investment in the Brass LNG project is too enormous to be treated with kid gloves, swept under the carpet or simply put aside with a wave of the hand;

Worried that unless the issue is urgently investigated, the essence of the fight against corruption would be defeated and the Nigerian economy and indeed teeming Nigerian masses would be worse for it;

Resolves to:

Set up an *Ad-hoc* Committee to investigate the expenditure and implementation of the \$22 Billion Brass LNG project and report back within six weeks (6) for further legislative action (*Hon. O. K. Chinda — Obio/Akpor Federal Constituency*).

Debate.

Amendment Proposed:

In the Prayer, *leave out* the words "Set up an *Ad-hoc* Committee" and *insert* the words "Mandate the Committee on Gas Resources" (*Hon. Albert Abiodun Adeogun — Ife Central/Ife East/Ife North/Ife South Federal Constituency*).

Question that the amendment be made — Negatived

Question on the Main Motion — Agreed to.

The House:

Noted with great concern the state of affairs surrounding the NNPC's Brass Liquefied Natural Gas project, also known as Brass LNG;

Also noted that there have been several allegations of abuse and mismanagement of funds totaling about \$22 Billion meant for take off and running of the Brass LNG project;

Aware that the Brass LNG project was originally set up in 2003 with the Nigerian National Petroleum (NNPC) owning 49% and other affiliates namely, Conoco Phillips, ENI and Chevron holding 17% each;

Also aware that the project has been stuck in the planning stages for more than a decade, with some Western partners having pulled out because of tough operating conditions and an unfavorable investment environment;

Further aware of the provisions of Section 88 (1) (a), (b) (i) and (ii) and (2) (b) of the Constitution of the Federal Republic of Nigeria, 1999 (as amended) which confers each House of the National Assembly power to conduct or carry out investigations into matter(s) such as this;

Recalled that in January 2018, the Senate raised an alarm over massive fraud in the NNPC as it relates to the Brass LNG project and voted to investigate same, but nothing happened thereafter;

Cognizant that the Federal government's investment in the Brass LNG project is too enormous to be treated with kid gloves, swept under the carpet or simply put aside with a wave of the hand;

Worried that unless the issue is urgently investigated, the essence of the fight against corruption would be defeated and the Nigerian economy and indeed teeming Nigerian masses would be worse for it;

Resolved to:

Set up an *Ad-hoc* Committee to investigate the expenditure and implementation of the \$22 Billion Brass LNG project and report back within six weeks (6) for further legislative action (**HR. 200/05/2018**).

16. Call on the Federal Government to Mandate the Localization of Data and Operations by Telecoms Firms in the Interest of National Security

Motion made and Question proposed:

The House:

Notes that the Nigerian Communications Commission Act of 2003 vests regulatory responsibilities over the ICT sector on the Nigerian Communications Commission (NCC), pursuant to which the NCC is mandated to ensure compliance with the obligations of service providers under the Consumer Code of Practice Regulations, 2007 in addition to the Universal Consumer Bill of Rights;

Also notes that the Nigerian Information Technology Development Agency (NITDA) Guidelines for Nigerian content development in communication and information technology requires all ICT Companies to host all government and consumer data locally within the country as obtainable in most countries which have laws that contain explicit data localization requirement;

Further notes that following revelations by Snowden and WikiLeaks of the surveillance programmes by the US National Security Agency (NSA), efforts to keep data within national borders have gained acceptance globally as many countries now pay particular attention to data privacy issues, hence governments across the world have adopted stringent measures to ensure data sovereignty;

Recalls that the Office of the Nigerian Content Development in ICT (ONC) is a Special Purpose Vehicle (SPV) established as a sustainable institutional framework to enforce compliance with the Regulatory Guidelines for Nigerian Content Development in ICT under the NITDA Act of 2007;

Also recalls that ONC hosted the 1st Annual Summit on Data Localization in Nigeria in collaboration with NITDA on the 26 January 2016 for the purpose of ensuring compliance with Article 14.1.2 of the Guidelines, which addresses data and information management and mandates Data and Information Management Firms to host government data locally, a breach of which is a crime under Sections 17 (4) and 18 of the NITDA Act of 2007;

Aware that Data nationalism can be mandated by an Act of Parliament that explicitly requires data on citizens to be stored on servers physically located within national borders as stipulated in the NITDA Act of 2007;

Also aware of the security implications of storing citizens and government data outside the Nigerian borders in view of the need to provide additional assurance of privacy protection and the need to make data available for easy access in support of law enforcement and national security objectives with particular reference to the pervasive threats of terrorism/insurgency and kidnapping in the country;

Cognizant that not only that Telecoms Operators storing data abroad is contrary to statutory provisions, some Telecoms Firms are relocating their Network Operation Centres to India, while their business activities remain in Nigeria, thereby exposing the citizens and the nation in general to security threats;

Convinced that Nigeria's data security is in danger by such a development with grave implications on national security, as the centres would be monitored by foreigners from outside the shores of Nigeria;

Resolves to:

- (i) urge the Federal Ministry of Communications to take necessary action towards addressing all undermining activities of the Telecommunication Firms operating in Nigeria by ensuring strict compliance with Data municipal laws; and
- (ii) mandate the Committee on Information Technology to ensure compliance (*Hon. Chukwuemeka Ujam — Nkanu East/Nkanu West Federal Constituency*).

Debate.

Agreed to.

The House:

Noted that the Nigerian Communications Commission Act of 2003 vests regulatory responsibilities over the ICT sector on the Nigerian Communications Commission (NCC), pursuant to which the NCC is mandated to ensure compliance with the obligations of service providers under the Consumer Code of Practice Regulations, 2007 in addition to the Universal Consumer Bill of Rights;

Also noted that the Nigerian Information Technology Development Agency (NITDA) Guidelines for Nigerian content development in communication and information technology requires all ICT Companies to host all government and consumer data locally within the country as obtainable in most countries which have laws that contain explicit data localization requirement;

Further noted that following revelations by Snowden and WikiLeaks of the surveillance programmes by the US National Security Agency (NSA), efforts to keep data within national borders have gained acceptance globally as many countries now pay particular attention to data privacy issues, hence governments across the world have adopted stringent measures to ensure data sovereignty;

Recalled that the Office of the Nigerian Content Development in ICT (ONC) is a Special Purpose Vehicle (SPV) established as a sustainable institutional framework to enforce compliance with the Regulatory Guidelines for Nigerian Content Development in ICT under the NITDA Act of 2007;

Also recalled that ONC hosted the 1st Annual Summit on Data Localization in Nigeria in collaboration with NITDA on the 26 January 2016 for the purpose of ensuring compliance with Article 14.1.2 of the Guidelines, which addresses data and information management and mandates Data and Information Management Firms to host government data locally, a breach of which is a crime under Sections 17 (4) and 18 of the NITDA Act of 2007;

Aware that Data nationalism can be mandated by an Act of Parliament that explicitly requires data on citizens to be stored on servers physically located within national borders as stipulated in the NITDA Act of 2007;

Also aware of the security implications of storing citizens and government data outside the Nigerian borders in view of the need to provide additional assurance of privacy protection and the need to make data available for easy access in support of law enforcement and national security objectives with particular reference to the pervasive threats of terrorism/insurgency and kidnapping in the country;

Cognizant that not only that Telecoms Operators storing data abroad is contrary to statutory provisions, some Telecoms Firms are relocating their Network Operation Centres to India, while their business activities remain in Nigeria, thereby exposing the citizens and the nation in general to security threats;

Convinced that Nigeria's data security is in danger by such a development with grave implications on national security, as the centres would be monitored by foreigners from outside the shores of Nigeria;

Resolved to:

- (i) urge the Federal Ministry of Communications to take necessary action towards addressing all undermining activities of the Telecommunication Firms operating in Nigeria by ensuring strict compliance with Data municipal laws; and
- (ii) mandate the Committee on Information Technology to ensure compliance (H.R. 201/05/2018).

17. Consideration of Reports

- (i) ***A Bill for an Act to Amend the Provisions of the Electoral Act, No. 6, 2010 to further Improve the Electoral Process; and for Related Matters (HB.1425) (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 Provisions of the Electoral Act, No. 6, 2010 to further Improve the Electoral Process; and for Related Matters (HB.1425) and approve the recommendations" (Hon. Aishatu Jibril Dukku — Dukku/Nafada 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 PROVISIONS OF THE
ELECTORAL ACT, NO. 6, 2010 TO FURTHER IMPROVE THE
ELECTORAL PROCESS; AND FOR RELATED MATTERS (HB. 1425)

Clause 1: Amendment of Act, No. 6, 2010.

The Electoral Act, No. 6, 2010 (in this Bill referred to as "the Principal Act") is amended as set out in this Bill (Hon. Aishatu Jibril Dukku — Dukku/Nafada Federal Constituency).

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

Clause 2: Amendment of Section 8.

Section 8 of the Principal Act is amended by inserting after subsection (4), a new subsection "(5)" —

- "(5) A person, who being a member of a political party, misrepresents himself by not disclosing his membership, affiliation, or connection to any political party in order to secure an appointment with the Commission in any capacity, commits an offence and is liable on conviction to imprisonment for a term of at least five years or a fine of at least ₦5,000,000, or both" (*Hon. Aishatu Jibril Dukku — Dukku/Nafada Federal Constituency*).

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

Clause 3: Amendment of Section 9.

Section 9 of the Principal Act is amended by —

- (a) inserting after subsection (1), a new subsection "(1A)" —

"(1A) The Commission shall keep the Register of Voters as the National Register of Voters in its National Headquarters and other locations as the Commission may determine from time to time:

Provided that the Commission shall keep the Register of Voters in —

- (a) electronic format in its central database; and
(b) manual, printed, paper-based record or hard copy format";
and

- (b) substituting for subsection (5), a new subsection "(5)" —

"(5) The registration of voters, updating and revision of the register of voters under this section shall stop not later than 30 days before any election covered by this Bill" (*Hon. Aishatu Jibril Dukku — Dukku/Nafada Federal Constituency*).

Amendments Proposed:

- (i) *Leave out* Subclause (1) (A), and *insert* a new Subclause (1) (A) as follows:
"The Commission shall keep the Register of Voters in its National Headquarters and other locations as the Commission may determine from time to time" (*Hon. Aminu Shuhu Shagari — Shagari/Yabo Federal Constituency*).

Question that the amendment be made — Agreed to.

- (ii) Also in Subclause (1) (A), immediately after the words "Headquarters", *leave out* the words "other locations" and *insert* the words "States and Local Governments Headquarters" (*Hon. Shadimu Mutiu Alao — Oshodi-Isolo I Federal Constituency*).

Question that the amendment be made — Agreed to.

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

Clause 4: Amendment of Section 15.

Section 15 of the Principal Act is amended by inserting after the word, "printed", in line 1, the words, "reproduced, copied, duplicated or saved in an electronic format" (*Hon. Aishatu Jibril Dukku — Dukku/Nafada Federal Constituency*).

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

Clause 5: Amendment of Section 18.

Section 18 of the Principal Act is amended by inserting after subsection (1), new subsections "(1A)" and "(1B)" —

"(1A) If the Electoral Officer or any other officer is satisfied as to the circumstances of the loss, destruction, defacement or damage of the voters' card, he shall issue to the voter a replacement permanent voter card.

(1B) No person shall issue a replacement to any voter on polling day or less than 30 days before polling day" (*Hon. Aishatu Jibril Dukku — Dukku/Nafada Federal Constituency*).

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

Clause 6: Amendment of Section 19.

Section 19 of the Principal Act is amended by —

(a) substituting for subsection (1), a new subsection "(1)" —

"(1) Subject to the provisions of section 9 (5) of this Bill, the Commission shall, not later than 30 days to a general election, appoint a period of seven days during which a copy of the voters' register for each Local Government, Area Council or Ward shall be displayed or published for public scrutiny at every Registration Area and on its official website or any website established by the Commission for that purpose";

(b) inserting after subsection (1), a new subsection "(1A)" —

"(1A) Upon displaying or publishing the voters' register in accordance with this section, the Commission shall accept and consider objections and complaints in relation to the names omitted or included in the voters' register or in relation to any necessary correction, within 14 days of publishing the voters' register in accordance with this section"; and

(c) inserting after subsection (3), a new subsection "(4)" —

"(4) An official or staff of the Commission who fails to display or publish the voters' register as provided under subsection (1) of this section commits an offence and is liable on conviction to imprisonment for a term of six months or a fine of ₦100,000 or both" (*Hon. Aishatu Jibril Dukku — Dukku/Nafada Federal Constituency*).

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

Clause 7: Amendment of Section 27.

Section 27 of the Principal Act is amended —

(a) in subsection (1), by substituting for paragraph (b), a new paragraph "(b)" —

"(b) the Registration Area or Ward Collation Officer at the Registration Area or Ward Collation Centre"; and

- (b). in subsection (2), by substituting for paragraph (a), a new paragraph "(a)"

"(a) Registration Area or Ward Collation Centre in the case of Councillorship election in the Federal Capital Territory" (*Hon. Aishatu Jibril Dukku — Dukku/Nafada Federal Constituency*).

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

Clause 8: Amendment of Section 30.

Section 30 (1) of the Principal Act is amended by substituting for the figures, "90", in line 1, the figures, "150" (*Hon. Aishatu Jibril Dukku — Dukku/Nafada Federal Constituency*).

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

Clause 9: Amendment of Section 31.

Section 31 of the Principal Act is amended by substituting for subsections (6)-(7), new subsections "(6)" - "(7)" —

"(6) If the Court determines that any of the information contained in the affidavit is false, the Court shall issue an order disqualifying the candidate or political party from contesting the election, if already elected, shall not be eligible to re-contest another election which shall be conducted within 90 days by the Commission.

(7) A political party which presents to the Commission the name of a candidate who does not meet the qualification stipulated in this section commits an offence and is liable on conviction to a fine of ₦1,000,000" (*Hon. Aishatu Jibril Dukku — Dukku/Nafada Federal Constituency*).

Amendments Proposed:

- (i) In Subclause (6), line 2, immediately after the word "candidate", *leave out* the words "or political party" (*Hon. Betty Apiafi — Ahoada East/Abua/Odual Federal Constituency*).

Question that the amendment be made — Agreed to.

- (ii) Also in Subclause (6), line 4, immediately after the word "re-contest", *leave out* the word "another" and *insert* the word "the" (*Hon. Pwajok Edward Gyang — Jos South/Jos East Federal Constituency*).

Question that the amendment be made — Agreed to.

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

Clause 10: Amendment of Section 33.

Section 33 of the Principal Act is amended by inserting after the word, "candidate", in line 3, a "proviso" —

"Provided that in the case of such withdrawal or death of a candidate, the political party affected shall, within 10 days of the occurrence of the event, hold a fresh primary election to produce and submit a fresh candidate to the Commission for the election concerned" (*Hon. Aishatu Jibril Dukku — Dukku/Nafada Federal Constituency*).

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

Clause 11: Amendment of Section 34.

Section 34 of the Principal Act is amended —

(a) by inserting new subsections "(2)" - "(4)" —

"(2) Any candidate who observes his name or that of his party missing on the list published in accordance with subsection (1), shall notify the Commission in writing, signed by himself and supported with an affidavit not later than 21 days to the election.

(3) Where the candidate fails to notify the Commission in accordance with subsection (2), the candidate shall be deemed to have waived his right.

(4) The Commission shall produce ballot papers for the relevant elections in accordance with the list published after corrections in conformity with subsection (2)"; and

(b) renumbering the section appropriately (*Hon. Aishatu Jibril Dukku — Dukku/Nafada Federal Constituency*).

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

Clause 12: Amendment of Section 35.

Section 35 of the Principal Act is amended by substituting for the figures, "45", in line 4, the figures, "30" (*Hon. Aishatu Jibril Dukku — Dukku/Nafada Federal Constituency*).

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

Clause 13: Amendment of Section 36.

Section 36 of the Principal Act is amended by inserting, after subsection (2), a new subsection "(3)" —

"(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), the Commission shall continue with the election, announce the final result and declare a winner" (*Hon. Aishatu Jibril Dukku — Dukku/Nafada Federal Constituency*).

Amendments Proposed:

(i) In Subclause (3) (a), immediately after the words "death", *leave out* all other words, and *insert* as follows " shall cancel the election and a fresh election be held for a period not exceeding 21 days" (*Hon. Betty Apiafi — Ahoada East/Abua/Odual Federal Constituency*).

Question that the amendment be made — Agreed to.

- (ii) In Subclause (3) (b), *leave out* the word "may" and *insert* the word "shall" (*Hon. Muhammad Musa Soba — Soba Federal Constituency*).

Question that the amendment be made — Agreed to.

- (iii) *Leave out* Subclause (3) (c), (*Hon. Orker-Jev Emmanuel Yisa — Buruku Federal Constituency*).

Question that the amendment be made — Negatived.

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

Clause 14: Amendment of Section 38.

Section 38 of the Principal Act is amended by —

- (a) inserting new subsections "(2)" - "(5)" —

"(2) Where there is a valid nomination by at least one political party, failure of a political party to validly nominate a candidate does not constitute ground for extension of time for nomination or postponement of election;

(3) Polling Agents who are in attendance at a polling unit, are entitled, before the commencement of the election, to have originals of electoral materials, including ballot papers, result sheets, ballot papers' account and verification documents and other electoral forms to be used by the Commission for the election inspected, and this process may be recorded in writing, on video or by other means by any Polling Agent, accredited observer or official of the Commission.

(4) An election conducted at any polling unit in violation of subsection (3) shall be invalid.

(5) A Presiding Officer who contravenes subsection (3), (4) or (5), commits an offence and is liable on conviction to at least a term of one year imprisonment or a fine of ₦1,000,000, or both"; and

- (b) renumbering the section appropriately (*Hon. Aishatu Jibril Dukku — Dukku/Nafada Federal Constituency*).

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

Clause 15: Amendment of Section 44.

Section 44 of the Principal Act is amended by inserting after subsection (2), new subsections "(3)" - "(5)" —

"(3) The Commission shall, not later than 20 days to an election, invite in writing, a political party that nominated a candidate in the election to inspect its identity appearing on samples of relevant electoral materials proposed for the election, and the political party shall state in writing within two days of being so invited by the Commission that it approves or disapproves of its identity as it appears on the samples.

- (4) Unless the political party disapproves of its identity under subsection (3), it shall not complain of unlawful exclusion from the election under this Bill in relation to its identity appearing on electoral materials used for the election.
- (5) A political party that fails to comply with an invitation by the Commission under subsection (3) shall be deemed to have approved its identity on samples of electoral materials proposed to be used for an election" (*Hon. Aishatu Jibril Dukku — Dukku/Nafada Federal Constituency*).

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

Clause 16: Amendment of Section 46.

Section 46 of the Principal Act is amended by inserting after subsection (1), a new subsection "(2)" —

- "(2) Documentary evidence shall be put in and may be read or taken as read by consent, such documentary evidence shall be deemed demonstrated in open court and the parties in the petition shall be entitled to address and urge argument on the content of the document, and the tribunal or court shall scrutinize or investigate the content of the documents as part of the process of ascribing probative value to the documents or otherwise" (*Hon. Aishatu Jibril Dukku — Dukku/Nafada Federal Constituency*).

Consideration deferred.

Clause 17: Amendment of Section 48.

Section 48 of the Principal Act is amended by substituting for subsection (1), a new subsection "(1)" —

- "(1) At the hour fixed for opening of the poll before the commencement of accreditation and voting, the Presiding Officer shall open the empty ballot box and show same to such persons as may lawfully be present at the Polling Unit and shall then close and seal the box in such manner as to prevent it from being opened by unauthorized persons" (*Hon. Aishatu Jibril Dukku — Dukku/Nafada Federal Constituency*).

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

Clause 18: Amendment of Section 49.

Section 49 of the Principal Act is amended by substituting for subsections (1) and (2), new subsections "(1)" and "(2)" —

- "(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, for the accreditation of voters, to verify, confirm or authenticate the particulars of the voter in the manner prescribed by the Commission" (*Hon. Aishatu Jibril Dukku — Dukku/Nafada Federal Constituency*).

Amendments Proposed:

- (i) *Leave out* Subclauses (1) and (2), and *insert* as follows:

"The Presiding officer shall use a smart card reader for accreditation of voters, to verify, confirm or authenticate the particulars of the voters" (*Hon. Kingsley Chinda — Obio/Akpor Federal Constituency*).

Question that the amendment be made — Agreed to.

- (ii) *Insert* a new Subclause (2) as follows:

"Where the smart card reader deploy for accreditation of voters failed in any unit, and fresh card reader not deployed, the election in the Unit shall be cancelled within twenty four (24) hours" (*Hon. Kingsley Chinda — Obio/Akpor Federal Constituency*).

Question that the amendment be made — Agreed to.

Question that Clause 18 as amended, stands part of the Bill — Agreed to.

Clause 19: Insertion of New Section 51A: Nullification of nomination by the Court.

Insert after section 51 of the Principal Act, a new section "51A" —

"51A. (1) Where the nomination of an elected candidate is nullified by the Court and notice of appeal against the decision is given within the stipulated period for appeal, the elected candidate shall notwithstanding the contrary decision of the court remain in office pending the determination of the appeal and if the court determines that a candidate was not validly nominated, the elected candidate shall, notwithstanding the contrary decision of the Court, remain in office within the period for which an appeal may be filed and shall not be sanctioned for the benefits he derived while in office pursuant to this section.

(2) The Presiding or Collation Officer shall, after counting or collating the votes at the polling unit or collation centre, enter the votes scored by each candidate in the form prescribed by the Commission and transmit same in a manner prescribed by the Commission" (*Hon. Aishatu Jibril Dukku — Dukku/Nafada Federal Constituency*).

Question that Clause 19 stands part of the Bill — Agreed to.

Clause 20: Amendment of Section 52.

Section 52 of the Principal Act is amended by substituting for subsection (2), a new subsection "(2)" —

"(2) The Commission shall adopt electronic voting in all elections or any other method of voting as may be determined by the Commission from time to time" (*Hon. Aishatu Jibril Dukku — Dukku/Nafada Federal Constituency*).

Amendment Proposed:

Retain the provision of the Principal Act (*Hon. Rimamnde Kwewum Shawulu — Takum/Ussa/Dunga Federal Constituency*).

Question that the amendment be made — Agreed to.

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

Clause 21: Amendment of Section 53.

Section 53 (2) of the Principal Act is amended by substituting for the word, "registered", in line 2, the word, "accredited" (*Hon. Aishatu Jibril Dukku — Dukku/Nafada Federal Constituency*).

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

Clause 22: Amendment of Section 63.

Section 63 (4) of the Principal Act is amended by deleting, after the word, "shall", the words, "count and" (*Hon. Aishatu Jibril Dukku — Dukku/Nafada Federal Constituency*).

Amendment Proposed:

Retain the provision of the Principal Act (*Hon. Abiante Awaji-Inombek Dagomie — Andoni-Opobo/Nkoro Federal Constituency*).

Question that the amendment be made — Agreed to.

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

Clause 23: Insertion of New Section 65A.

Insert after section 65 of the Principal Act, a new section "65A" —

"65A. (1) The Commission shall compile, maintain and update, on a continuous basis, a register of election results to be known as the National Electronic Register of Election Results which shall be a distinct database or repository of polling unit by polling results, including collated election results, of each election conducted by the Commission in the Federation, and the Register of Election Results shall be kept in electronic format by the Commission at its National Headquarters.

(2) Any person or political party may obtain from the Commission, on payment of such fees as may be determined by the Commission, a certified true copy of any election result kept in the National Electronic Register of Election Results for a State, Local Government, Area Council, Ward or Polling Unit, as the case may be and the certified true copy may be in printed or electronic format" (*Hon. Aishatu Jibril Dukku — Dukku/Nafada Federal Constituency*).

Amendments Proposed:**Clause 23:**

(i) In Subclause (1), line 4, immediately after the word "unit", *leave out* the words "by polling" (*Hon. Kingsley Chinda — Obio/Akpor Federal Constituency*).

Question that the amendment be made — Agreed to.

(ii) Also in Subclause (1), line 7, immediately after the word "electronic", *insert* the words "hard copy" (*Hon. Kingsley Chinda — Obio/Akpor Federal Constituency*).

Question that the amendment be made — Agreed to.

- (iii) In Subclause (2), line 6, immediately after the words "may be", *leave out* all other words (*Hon. Kingsley Chinda — Obio/Akpor Federal Constituency*).

Question that the amendment be made — Agreed to.

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

Clause 24: Substitution for Section 67: Disputed election.

Substitute for section 67 of the Principal Act, a new section "67"—

- "67.** (1) A Collation Officer or Returning Officer at an election shall collate and announce the result of an election, subject to his verification and confirmation that the —
- (a) number of accredited voters stated on the collated result are correct and consistent with the number of accredited voters recorded and transmitted directly from polling units under section 49 (2) of this Bill; and
 - (b) the votes stated on the collated result are correct and consistent with the votes or results recorded and transmitted directly from polling units under section 63 (4) of this Bill.
- (2) Subject to subsection (1), a Collation Officer or Returning Officer shall use the number of accredited voters recorded and transmitted directly from polling units under section 49 (2) of this Bill and the votes or results recorded and transmitted directly from polling units under section 63 (4) of this Bill to collate and announce the result of an election if a collated result at his or a lower level of collation is not correct.
- (3) Where during collation of results, there is a dispute regarding a collated result or the result of an election from any polling unit, the Collation Officer or Returning Officer shall use the following to determine the correctness of the disputed result —
- (a) the original of the disputed collated result or result for each polling unit where the election is disputed;
 - (b) the Smart Card Reader or other technological device used for accreditation of voters in each polling unit where the election is disputed for the purpose of obtaining accreditation data directly from the Smart Card Reader or technological device;
 - (c) data of accreditation recorded and transmitted directly from each polling unit where the election is disputed, as prescribed under section 49 (2) of this Bill; and
 - (d) the votes and result of the election recorded and transmitted directly from each polling unit where the election is disputed, as prescribed under section 63 (4) of this Bill.

- (4) If the disputed result under subsection (3) were otherwise found not to be correct, the Collation Officer or Returning Officer shall re-collate and announce a new result using the information in subsection (3) (a), (b), (c) and (d).
- (5) Where the dispute under subsection (3) arose at the final level of collation and the Returning Officer has satisfied the provision of subsection (3), the Returning Officer shall accordingly declare the winner of the election.
- (6) A Returning Officer or Collation Officer, as the case may be, commits an offence if he intentionally collated or announce false result is liable on conviction, to a term of at least five years' imprisonment, without an option of a fine" (*Hon. Aishatu Jibril Dukku — Dukku/Nafada Federal Constituency*).

Consideration deferred.

Clause 25: Substitution for Section 76: Forms for use at elections.

Substitute for section 76 of the Principal Act, a new section "76" —

- "76. (1) An election conducted at a polling unit without the prior recording in the forms prescribed by the Commission of the quantity, serial numbers and other particulars of results sheets, ballot papers and other sensitive electoral materials made available by the Commission for the conduct of the election shall be invalid.
- (2) A Presiding Officer who intentionally announces or signs any election result in violation of subsection (1) of this section, commits an offence and is liable on conviction to imprisonment for a term of at least one year without an option of fine" (*Hon. Aishatu Jibril Dukku — Dukku/Nafada Federal Constituency*).

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

Clause 26: Amendment of Section 78.

Section 78 of the Principal Act is amended by substituting for subsections (4) and (5), new subsections "(4)" and "(5)" —

- "(4) A political association that meets the conditions stipulated in the Constitution and this Bill 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) An association, its executive member or principal officers who gives false or misleading information, commit an offence and is liable on conviction, in the case of —
 - (a) the association to a fine of ₦5,000,000; and
 - (b) each executive or principal officer of the association to imprisonment for a term of at least six months or a fine of ₦1,000,000 or both" (*Hon. Aishatu Jibril Dukku — Dukku/Nafada Federal Constituency*).

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

Clause 27: Amendment of Section 82.

Section 82 of the Principal Act is amended by —

- (a) substituting for subsections (1) - (3), new subsections "(1)" - "(3)" —
 - "(1) The Commission shall keep a register of symbols and name for use at elections.
 - (2) The Commission shall register the symbol and name of a political party that requests for it if it is satisfied that —
 - (a) no other symbol and name of the same design is registered; and
 - (b) the symbol and name is distinctive from any other symbol already registered.
 - (3) The Commission shall remove a symbol or name from the register of symbols and names if the —
 - (a) political party in whose name it is registered requests the removal; or
 - (b) Commission is of the opinion that the political party in whose name the symbol is registered has ceased to exist or to use the symbol"; and
- (b) inserting after the word, "symbol", in the marginal note, the words, "and names" (*Hon. Aishatu Jibril Dukku — Dukku/Nafada Federal Constituency*).

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

Clause 28: Amendment of Section 85.

Section 85 (1) of the Principal Act is amended by inserting before the word, "electing", in line 3, the words, "merger and fusion and" (*Hon. Aishatu Jibril Dukku — Dukku/Nafada Federal Constituency*).

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

Clause 29: Substitution for Section 87: Nomination of candidate by parties.

Substitute for section 87 of the Principal Act, a new section "87" —

- "87. (1)** A political party seeking to nominate candidates for elections under this Bill shall hold direct or indirect primaries for aspirants to all elective positions, which shall be monitored by the Commission and the result of every primary to elect candidates for an election to be conducted by the Commission shall be endorsed or certified by the Commission.

- (2) A political party shall not impose nomination qualification or disqualification criteria, measures, or conditions on any aspirant or candidate for any election in its constitution, guidelines, or rules for nomination of candidates for elections, except as prescribed under sections 65, 66, 106, 107, 131, 137, 177 and 187 of the Constitution of the Federal Republic of Nigeria.
- (3) For the purpose of nomination of candidates for election, the total fees, charges, dues and any payment howsoever named imposed by a political party on an aspirant or candidate shall not exceed:
 - (a) ₦150,000 for a Ward Councillorship aspirant in the FCT;
 - (b) ₦250,000 for an Area Council Chairmanship aspirant in the FCT;
 - (c) ₦500,000 for a House of Assembly aspirant;
 - (d) ₦1,000,000 for a House of Representatives aspirant;
 - (e) ₦2,000,000 for a Senatorial aspirant;
 - (f) ₦5,000,000 for a Governorship aspirant; and
 - (g) ₦10,000,000 for a Presidential aspirant.
- (4) Any requirement, criterion, measures, or condition for the nomination of candidates for elections outside the provisions of subsections (2) or (3) shall be invalid.
- (5) Every political party shall publish the venues, dates, times, guidelines, procedures and other relevant information of its primaries, conventions or any event conveyed for the purpose of nominating candidates for the party in at least two national newspapers and, at least, ten days before the date of the event to nominate candidates for the party.
- (6) A political party that adopts the system of direct primaries for the nomination of its candidate for an election shall ensure that all aspirants are given equal opportunity of being voted for by registered members of the party and comply with the following procedure —
 - (a) in the case of nominations to the position of presidential candidate in a presidential election, a political party shall, where it intends to sponsor a candidate —
 - (i) conduct direct primaries in the registration areas in the 36 States of the Federation and the FCT where all registered members of the party are eligible to vote and may freely vote for any Presidential aspirant of their choice,

- (ii) declare the presidential aspirant with the highest number of valid votes cast during the primaries across the 36 States of the Federation and the FCT as the winner of the presidential primaries,
 - (iii) hold a National Convention where it shall present the winner of the primaries to the public as the presidential candidate of the party, and
 - (iv) forward the name of the winner of the presidential primaries to the Commission as the presidential candidate of the party in the presidential election;
- (b) in the case of nomination to the position of Governorship candidate in a Governorship election in a State, a political party shall, where it intends to sponsor a candidate —
 - (i) conduct direct primaries in the registration areas in each Local Government Area in the particular State where all registered members of the party in the State are eligible to vote and may freely vote for any Governorship aspirant of their choice,
 - (ii) declare the governorship aspirant with the highest number of valid votes cast in all Local Government Areas in the particular State as the winner of the governorship primaries in the State,
 - (iii) hold a State Congress where it shall present the winner of the governorship primaries to the public as the governorship candidate of the party in the governorship election, and
 - (iv) forward the name of the winner of the primaries to the Commission as the governorship candidate of the party in the election for the State;
- (c) in the case of nominations to the position of Senatorial candidate, House of Representatives candidate and State House of Assembly candidate for a Senatorial District, a Federal Constituency and a State House Constituency respectively, a political party shall, where it intends to sponsor candidates in elections for these elective positions —
 - (i) conduct direct primaries in the registration areas in each Local Government Area in the Senatorial District where all registered members of the party in the Senatorial District are eligible to vote and may freely vote for any Senatorial aspirant of their choice,

- (ii) conduct direct primaries in the registration areas in each Local Government Area in the Federal Constituency where all registered members of the party in the Federal Constituency are eligible to vote and may freely vote for any House of Representatives aspirant of their choice,
 - (iii) conduct direct primaries in the registration areas in each Local Government Area in the State Assembly Constituency where all registered members of the party in the State Assembly Constituency are eligible to vote and may freely vote for any State House of Assembly aspirant of their choice,
 - (iv) subject to subparagraph (i), declare the Senatorial aspirant with the highest number of valid votes cast in all Local Government Areas in the particular Senatorial District as the winner of the primaries in the Senatorial District and forward the name of the winner to the Commission as the Senatorial candidate of the party in the election for the Senatorial District,
 - (v) subject to subparagraph (ii), declare the House of Representatives aspirant with the highest number of votes in all Local Government Areas in the Federal Constituency as the winner of the primaries in the Federal Constituency and forward the name of the winner to the Commission as the House of Representatives candidate of the party in the election for the Federal Constituency, and
 - (vi) subject to subparagraph (iii), declare the State House of Assembly Aspirant with the highest number of votes in all Local Government Areas in the House of Assembly Constituency as the winner of the primaries in the House of Assembly Constituency and forward the name of the winner to the Commission as the State House of Assembly Candidate of the party in the election for the State Assembly Constituency;
- (d) in the case of the position of a Chairmanship candidate of an Area Council in the Federal Capital Territory, a political party shall, where it intends to sponsor a candidate —
 - (i) conduct direct primaries in the registration areas in the Area Council, where all registered members of the party in the Area Council are eligible to vote and may vote for any chairmanship aspirant of their choice;

(ii) declare the chairmanship aspirant with the highest number of votes in all registration areas in the Area Council as the winner of the chairmanship primaries in the Area Council and forward the name of the winner of the chairmanship primaries to the Commission as the chairmanship candidate of the party in the election for the Area Council.

- (7) A political party that adopts the system of indirect primaries for the nomination of its candidates for election shall conduct a delegates election in all registration areas in the constituency where the election is to be held and all registered members of the party in that registration area are eligible to vote for any contestant who presents himself to be a delegate of the party:

Provided that the delegates election shall be monitored by the Commission and the result of every delegates election shall be endorsed or certified by the Commission.

- (8) A political party leader or official who is not elected in his or her registration area as a delegate of his or her party under subsection (7) shall not be a voting delegate of the party and shall not vote in his party's indirect primaries but may perform his functions in a neutral manner as may be prescribed in his party's constitution in relation to indirect primaries:

Provided that in performing his functions as a party leader or official in relation to indirect primaries, the party leader or official shall not conduct himself in any manner whatsoever to impact the election in favour of any aspirant in the indirect primaries.

- (9) A party leader or official who contravenes the provisions of subsection (8) of this section commits an offence and is liable on conviction to imprisonment for a term of one year or a fine of ₦1,000,000.

- (10) All National, State, Local Government Area or Area Council and Ward executives of a party and elected officials of government mentioned in this section who are members of the party are automatic or super delegates who are eligible to vote in their party's indirect primaries —

- (a) President and former Presidents;
- (b) Vice President and former Vice Presidents;
- (c) Governors and former Governors;
- (d) Deputy Governors and former Deputy Governors;
- (e) Senators and former Senators;
- (f) Members of the House of Representatives and former Members of the House of Representatives;
- (g) Members of State Houses of Assembly;

(h) Chairmen of Local Government Areas or Area Councils;
and

(i) Councilors of Wards;

Provided that the party shall have the power to determine in its constitution or nomination guidelines and manuals, the particular indirect primaries or election to particular elective offices that automatic or super delegates shall vote.

(11) A political party that adopts the system of indirect primaries for the choice of its candidate may outline further guidelines, rules and procedures to guarantee free, fair, and credible election of delegates to vote at a convention or congress of the party, but such further guidelines, rules and procedures shall not be inconsistent with the provisions of this Bill.

(12) Where a primary election is conducted, and duly attended and certified by the Commission in compliance with this Bill, and the result is subsequently altered by a political party, the Commission shall have the power to overrule the alteration made by the political party and uphold such primaries.

(13) The Primaries of political parties shall follow the following sequence —

(a) National Assembly;

(b) State Houses of Assembly;

(c) Governorship; and

(d) Presidential.

(14) The dates for the primaries shall not be earlier than 90 days and not later than 60 days before the date of elections to the offices.

(15) Any official of the Commission who issues, endorses or certifies a false report or result in respect of a delegates election or primaries of a political party commits an offence and is liable on conviction to imprisonment for a term of one year or a fine of ₦1,000,000, or both.

(16) A political party that adopts the system of indirect primaries for the nomination of its candidates for election shall ensure that all aspirants are given equal opportunity of being voted for by delegates of the party who shall be registered members of the party.

(17) Where a political party adopts the system of indirect primaries for the nomination of its candidates for elections, the party shall adopt the following procedure —

(a) in the case of nominations to the position of presidential candidate, a political party shall, where it intends to sponsor a candidate —

- (i) hold a special presidential convention at a designated centre in the Federal Capital Territory or any other place within the Federation and on a date agreed by the National Executive Committee of the party where delegates of the party shall vote for each of the presidential aspirants of the party, and
 - (ii) the presidential aspirant with the highest number of votes at the end of voting shall be declared the winner of the Presidential primaries of the political party and the aspirant's name shall be forwarded to the Commission as the presidential candidate of the party;
- (b) in the case of nomination to the position of Governorship candidate, a political party shall, where it intends to sponsor candidates —
 - (i) hold a special congress at a designated centre in the State Capital or any other place within the State and on a date agreed by the party where delegates of the party shall vote for each of the governorship aspirant of the party, and
 - (ii) the governorship aspirant with the highest number of votes at the end of voting shall be declared the winner of the governorship primaries of the party and the party shall forward the aspirant's name to the Commission as the candidate of the party, for the particular State;
- (c) in the case of nomination to the position of a candidate to the Senate, House of Representatives and State House of Assembly, a political party shall, where it intends to sponsor candidates —
 - (i) hold special congresses in the Senatorial District, Federal Constituency and the State Assembly Constituency respectively in designated centres and on a date or dates agreed by the party where delegates of the party shall vote for each of the Senatorial, House of Representatives and House of Assembly Aspirants of the party, and
 - (ii) the Senatorial, House of Representatives and House of Assembly Aspirant with the highest number of votes at the end of voting shall be declared the winner of the primaries of the party for Senatorial District, Federal Constituency and the State Assembly Constituency respectively and the aspirant's names shall be forwarded to the Commission as the Senatorial, House of Representatives and House of Assembly candidates of the party, as the case may be; and

- (d) in the case of the position of a chairmanship candidate of an Area Council, a political party shall, where it intends to sponsor candidates —
 - (i) hold special congresses in the Area Councils, with delegates voting for each of the aspirants at designated centres on a specified date, and
 - (ii) the aspirant with the highest number of votes at the end of voting shall be declared the winner of the primaries of the party and the aspirant's name shall be forwarded to the Commission as the candidate of the party.
- (18) In the case of a councillorship candidate, the procedure for the nomination of the candidate shall be by direct primaries in the ward and the name of the candidate with the highest number of votes shall be submitted to the Commission as the candidate of the party.
- (19) Where there is only one aspirant for an elective position in a party that has adopted the direct system of primaries, such an aspirant is deemed to be unchallenged and the party shall forward the name of the aspirant to the Commission as the candidate of the party.
- (20) Where there is only one aspirant for any of the elective positions mentioned in subsection (17) (a) - (d), the party shall convene a special convention or congress, as the case may be, at a designated centre in the particular constituency on a specified date to confirm that aspirant as the candidate of the party and the party shall forward the name of the aspirant to the Commission as the candidate of the party.
- (21) A political appointee at any level of government shall not be an automatic or super delegate at the convention or congress of any political party for the purpose of nomination of candidates for any election under the indirect primaries system, except where such a political appointee is also an officer of a political party or otherwise elected as a delegate under subsection (7).
- (22) Where a political party conducts its primaries or delegates election with the Commission in attendance and the result of the primaries or delegates election is endorsed or certified by the Commission, this shall be *prima facie* proof of the result of the election or delegates election.
- (23) Nothing in this section shall prevent a political party from organising staggered primaries.
- (24) Notwithstanding the provisions of this Bill or rules of a political party, an aspirant who complains that any of the provisions of this Bill or rules of a political party has not been complied with in the nomination of a candidate of a political party for election, may apply to the Federal High Court or the High Court of a State or the FCT for redress.

- (25) Nothing in this section shall empower the Courts to stop the holding of primaries or general election or the processes under this Bill pending the determination of the suit" (*Hon. Aishatu Jibril Dukku — Dukku/Nafada Federal Constituency*).

Question that Clause 29 stands part of the Bill — Agreed to.

Clause 30: Amendment of Section 91.

Section 91 of the Principal Act is amended by substituting for subsections (1) - (7) and (9) - (10), new subsections "(1)" - "(7)" and "(9)" - "(10)" -

- "(1) Election expenses shall not exceed the sum stipulated in subsection (2) - (7).
- (2) The maximum election expenses to be incurred by a candidate at a presidential election shall be ₦5,000,000,000.00.
- (3) The maximum amount of election expenses to be incurred by a candidate in respect of governorship election shall be ₦1,000,000,000.00.
- (4) The maximum amount of election expenses to be incurred by a Candidate in respect of Senatorial and House of Representatives seat shall be ₦100,000,000.00 and ₦70,000,000.00 respectively.
- (5) In the case of State Assembly election, the maximum amount of election expenses to be incurred by a candidate shall be ₦30,000,000.00.
- (6) In the case of a chairmanship election to an Area Council, the maximum amount of election expenses to be incurred by a candidate shall be ₦30,000,000.00.
- (7) In the case of Councillorship election to an area Council, the maximum amount of election expenses to be incurred by a candidate shall be ₦5,000,000.00.
- (9) No individual or other entity shall donate to a candidate more than ₦10,000,000.00.
- (10) A candidate who knowingly acts in contravention of this section, commits an offence and is liable on conviction to a fine of 1% of the amount permitted as the limit of campaign expenditure under this Bill or imprisonment for a term not exceeding 12 months, or both" (*Hon. Aishatu Jibril Dukku — Dukku/Nafada Federal Constituency*).

Question that Clause 30 stands part of the Bill — Agreed to.

Clause 31: Amendment of Section 99.

Section 99 (1) of the Principal Act is amended by substituting for the figures, "90", in line 2, the figures, "150" (*Hon. Aishatu Jibril Dukku — Dukku/Nafada Federal Constituency*).

Question that Clause 31 stands part of the Bill — Agreed to.

Clause 32: Amendment of Section 100.

Section 100 of the Principal Act is amended by substituting for subsection (6), a new subsection "(6)" —

- "(6) Any person who contravenes subsections (3) and (4) commits an offence and is liable on conviction, in a case of —
- (a) a public media, to a fine of ₦2,000,000.00 in the first instance and to a fine of ₦5,000,000.00 for subsequent conviction; and
 - (b) principal officers and other officers of the media house to a fine of ₦2,000,000.00 or to imprisonment for a term of 12 months" (*Hon. Aishatu Jibril Dukku — Dukku/Nafada Federal Constituency*).

Question that Clause 32 stands part of the Bill — Agreed to.

Clause 33: Amendment of Section 112.

Section 112 of the Principal Act is amended by inserting after subsection (3), a new subsection "(4)" —

- "(4) 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), the Commission shall continue with the election, announce the final result and declare a winner" (*Hon. Aishatu Jibril Dukku — Dukku/Nafada Federal Constituency*).

Amendment Proposed:

Leave out the provision of Subclause (4) and *insert* as follows:

- "(4) 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, shall cancel the election and a fresh election be held for a period not exceeding 21 days;
 - (b) the political party whose candidate died shall, 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), the Commission shall continue with the election, announce the final result and declare a winner" (*Hon. Kingsley Chinda — Obio/Akpor Federal Constituency*).

Question that the amendment be made — Agreed to.

Question that Clause 33 as amended, stands part of the Bill — Agreed to.

Clause 34: Substitution for Section 138: Ground of petition.

Substitute for section 138 of the Principal Act, a new section "138"—

"138. (1) An election may be questioned on grounds that —

- (a) a person whose election is questioned was, at the time of the election, not qualified to contest the election; or
- (b) the election was invalid by reason of corrupt practices or non-compliance with the provisions of this Bill, published manuals, guidelines, regulations and or procedures issued by the Commission for the election.
- (c) that the respondent was not duly elected by majority of lawful votes cast at the election; or
- (d) that the petitioners or its candidates were validly nominated but unlawfully excluded from the election.

(2) An act or omission which may be contrary to an instruct on or directive of the Commission or of an officer appointed for the purpose of the election but which is not contrary to the provisions of this Bill and published manuals, guidelines, regulations or procedures issued by the Commission for the conduct of the election shall not of itself be a ground for questioning the election.

(3) With respect to subsection (1) (a), a person is deemed to be qualified for an elective office and his election shall not be questioned on grounds of qualification if, with respect to the particular election in question, he meets the applicable requirements of sections 65, 106, 131 or 177 of the Constitution of the Federal Republic of Nigeria, 1999 and he is not, as may be applicable, in breach of sections 66, 107, 137 or 182 of the Constitution of the Federal Republic of Nigeria, 1999" (*Hon. Aishatu Jibril Dukku — Dukku/Nafada Federal Constituency*).

Question that Clause 34 stands part of the Bill — Agreed to.

Clause 35: Amendment of Section 139.

Section 139 of the Principal Act is amended by substituting for subsection (1), a new subsection "(1)" —

"(1) An Election is not to be invalidated by reason of non-compliance with the provisions of this Bill and published manuals, guidelines, regulations, procedures or directives issued by the Commission for the conduct of the election, if it appears to the Election Tribunal or Court that the election was conducted substantially in accordance with the principles of this Bill and that the non-compliance did not affect substantially the result of the election" (*Hon. Aishatu Jibril Dukku — Dukku/Nafada Federal Constituency*).

Question that Clause 35 stands part of the Bill — Agreed to.

Clause 36: Amendment of Section 140.

Section 140 of the Principal Act is amended by inserting, after subsection (4), a new subsection "(5)" —

"(5) If, at the point of display or distribution of ballot papers by the Commission, a candidate or his agent discovers that his name or the name or logo of his party is omitted, a candidate or his agent shall notify the Commission and the Commission shall —

(a) postpone the election to rectify the omission; and

(b) appoint another date to conduct the election, not later than 90 days (*Hon. Aishatu Jibril Dukku — Dukku/Nafada Federal Constituency*).

Consideration deferred.

Clause 37: Insertion of New Section 142A: Evidence of non-compliance.

Insert after section 142 of the Principal Act, a new section "142A"—

"142. (A) It is not necessary for a petitioner who alleges non-compliance with the provisions of this Bill, the published manuals, guidelines, regulations, procedures or directives issued by the Commission for the conduct of elections to call oral evidence if originals or certified true copies of electoral documents or materials used by the Commission to conduct the election in the polling unit where the non-compliance is alleged are listed in the petition and tendered at the trial of the petition by the petitioner in proof of the non-compliance complained of" (*Hon. Aishatu Jibril Dukku — Dukku/Nafada Federal Constituency*).

Question that Clause 37 stands part of the Bill — Agreed to.

Clause 38: Amendment of Section 143.

Section 143 of the Principal Act is amended by inserting, after subsection (2), a new subsection "(3)" —

"(3) Where the election is nullified by the Court and notice of appeal against the decision is given within the stipulated period for appeal, the elected candidate shall, notwithstanding the contrary decision of the Court remain in office and enjoy all the benefits that accrued to the office pending the determination of the appeal and shall not be sanctioned for the benefits derived while in office" (*Hon. Aishatu Jibril Dukku — Dukku/Nafada Federal Constituency*).

Question that Clause 38 stands part of the Bill — Agreed to.

Clause 39: Amendment of Section 151.

Section 151 of the Principal Act is amended by inserting, after subsection (2), a new subsection "(3)" —

- “(3) Where there is a breach of an order of a court or tribunal directed at the Commission particularly, order to produce, inspect or take copies of electoral materials, such disobedience shall attract court sanctions, which shall include the committal by the Tribunal or Court of the Commission's official to whom the order is directed to summary conviction to imprisonment for a term of at least two years, without an option of fine”
(Hon. Aishatu Jibril Dukku — Dukku/Nafada Federal Constituency).

Question that Clause 39 stands part of the Bill — Agreed to.

Clause 40: Amendment of Section 156.

Section 156 of the Principal Act is amended by inserting, in alphabetical order, the following interpretations —

“candidate” means a person who has secured the nomination of a political party or independent candidate to contest an election for any elective office (Hon. Aishatu Jibril Dukku — Dukku/Nafada Federal Constituency).

Question that the meaning of the word “candidate” be as defined in the interpretation to this Bill — Agreed to.

“electronic format” means an electronic version of the Register of Voters or National Electronic Register of Election Results, as the case may be, created, recorded, transmitted or stored in digital form or in other intangible form by electronic, magnetic or optical means or by any other means that has capabilities for creation, recording, transmission or storage similar to those means and which may be converted to or reproduced in a paper document (Hon. Aishatu Jibril Dukku — Dukku/Nafada Federal Constituency).

Question that the meaning of the words “electronic format” be as defined in the interpretation to this Bill — Agreed to.

“fusion” means a process by which a political party fuses with another political party by dropping its name and symbol and become subsumed in another political party, thereby cease to exist (Hon. Aishatu Jibril Dukku — Dukku/Nafada Federal Constituency).

Question that the meaning of the word “fusion” be as defined in the interpretation to this Bill — Agreed to.

“number of unaccredited voters” as used in section 49 (1) of this Bill, means number of intending voters not accredited to vote in a polling unit under section 49 (1) of this Bill (Hon. Aishatu Jibril Dukku — Dukku/Nafada Federal Constituency).

Question that the meaning of the words “number of unaccredited voters” be as defined in the interpretation to this Bill — Agreed to.

“Presiding Officer” means a person appointed by the Commission to be in charge of the conduct of election in a polling unit or polling station, and this shall include persons who may be under different titles but who are charged by the Commission with the same responsibilities at a polling unit or polling station as a Presiding Officer (Hon. Aishatu Jibril Dukku — Dukku/Nafada Federal Constituency).

Question that the meaning of the words “Presiding Officer” be as defined in the interpretation to this Bill — Agreed to.

"published manuals, guidelines, regulations, procedures or directives issued by the Commission for the conduct of the election" means that which is made public by the Commission at least seven days before the date of general elections; and (*Hon. Aishatu Jibril Dukku — Dukku/Nafada Federal Constituency*).

Question that the meaning of the words "published manuals, guidelines, regulations, procedures or directives issued by the Commission for the conduct of the election" be as defined in the interpretation to this Bill — Agreed to.

"Returning Officer" means a person appointed by the Commission to be in charge of the conduct of election in a constituency, and this includes persons who may be under different titles but who are charged by the Commission with the same responsibilities in a constituency as a Returning Officer (*Hon. Aishatu Jibril Dukku — Dukku/Nafada Federal Constituency*).

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

Question that Clause 40 stands part of the Bill — Agreed to.

Clause 41: Citation.

This Bill may be cited as the Electoral Act (Amendment) Bill, 2018 (*Hon. Aishatu Jibril Dukku — Dukku/Nafada Federal Constituency*).

Agreed to.

Explanatory Memorandum:

This Bill seeks to amend the Electoral Act, No. 6, 2010 to restrict the qualification for elective office to relevant provisions of the Constitution of the Federal Republic of Nigeria, 1999, recognise the use of Smart Card Readers and other technological devices in elections, further regulate political party primaries, 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. Aishatu Jibril Dukku — Dukku/Nafada Federal Constituency*).

Agreed to.

Long Title:

A Bill for an Act to Amend the Provisions of the Electoral Act, No. 6, 2010 to Further Improve the Electoral Process; and for Related Matters (HB. 1425) (*Hon. Aishatu Jibril Dukku — Dukku/Nafada Federal Constituency*).

Agreed to.

Chairman to report progress.

(HOUSE IN PLENARY)

Mr Deputy Speaker in the Chair, reported that the House in Committee of the Whole considered Report on a Bill for an Act to Amend the Provisions of the Electoral Act, No. 6, 2010 to further Improve the Electoral Process; and for Related Matters (HB.1425) and approved Clauses 1 - 2, approved Clause 3 as amended, approved Clauses 4 - 8, approved Clause 9 as amended, approved Clauses 10 - 12, approved Clause 13 as amended, approved Clauses 14 - 15, deferred Clause 16, approved Clause 17, approved Clause 18 as amended, approved Clause 19, approved Clause 20 as amended, approved Clause 21, approved Clauses 22 - 23 as amended, deferred Clause 24, approved Clauses 25 - 32, approved Clause 33 as amended, approved Clauses 34 - 35, deferred Clause 36, approved Clauses 37 - 41, 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.

18. Items 10 - 14 on the **Order Paper** deferred to another legislative day, pursuant to Order Eight, Rule 6 (3).

Agreed to.

19. **Adjournment**

That the House do adjourn till Tuesday, 5 June, 2018 at 11.00 a.m. (Hon. Nasiru Ali Ahmed — Nasarawa Federal Constituency).

The House adjourned accordingly at 3.40 p.m.

Yakubu Dogara
Speaker