



**MINUTES OF THE 13TH MEETING OF THE NIGERIA
GOVERNORS' FORUM IN 2012**

HELD ON

27th NOVEMBER, 2012

AT THE

**RIVERS STATE GOVERNOR'S LODGE, ASOKORO,
ABUJA**

ATTENDANCE

S/N	NAME	STATE	DESIGNATION
1	Rt. Hon. Chibuike Rotimi Amaechi	Rivers	Governor/Chairman
2	Mr. Peter Obi	Anambra	Governor/Vice Chairman
3	Vice Admiral Murtala H. Nyako (Rtd.)	Adamawa	Governor
4	Mallam Isa Yuguda	Bauchi	Governor
5	Owelle Rochas Okorochoa	Imo	Governor
6	Alhaji (Dr.) Sule Lamido	Jigawa	Governor
7	Engr. Rabiu M. Kwankwaso	Kano	Governor
8	Capt. Idris I. Wada	Kogi	Governor
9	Dr. Muazu Babangida Aliyu CON.	Niger	Governor
10	Dr Olusegun Mimiko	Ondo	Governor
11	Alhaji (Dr) M. Wamakko	Sokoto	Governor
12	Chief Emeka Ananaba	Abia	Deputy Governor
13	Mr. Sunday C. Onyebuchi	Enugu	Acting Governor
14	Alhaji Mukhtar Ramalan Yero	Kaduna	Deputy Governor
15	Alhaji Ibrahim K. Aliyu	Kebbi	Deputy Governor
16	Elder Peter S. Kisira	Kwara	Deputy Governor
17	Hon. Dameshi B. Luka	Nasarawa	Deputy Governor
18	Hon. Moses Alake Adeyemo	Oyo	Deputy Governor
19	Alhaji Garba Umaru	Taraba	Acting Governor

APOLOGIES

S/N	NAME	STATE	DESIGNATION
1	Dr Godswill Akpabio	Akwa Ibom	Governor
2	Hon. Seriake Dickson	Bayelsa	Governor
3	Mr Gabriel T. Suswam Esq.	Benue	Governor
4	Hon. Kashim Shettima	Borno	Governor
5	Senator Liyel Imoke	Cross River	Governor
6	Dr E. E. Uduaghan	Delta	Governor
7	Chief Martin Elechi	Ebonyi	Governor
8	Comrade Adams A. Oshiomhole	Edo	Governor
9	Dr. Kayode Fayemi	Ekiti	Governor
10	Alhaji Ibrahim Hassan Dankwambo	Gombe	Governor
11	Dr Ibrahim Shewu Shema	Katsina	Governor
12	Mr. Babatunde Fashola (SAN)	Lagos	Governor
13	Senator Ibikunle Amosun	Ogun	Governor
14	Engr. Rauf Aregbesola	Osun	Governor
15	Air Commodore Jonathan D. Jang (Rtd.)	Plateau	Governor
16	Alhaji Ibrahim Gaidam	Yobe	Governor
17	Alhaji Abdul-Aziz Yari Abubakar	Zamfara	Governor

S/N	NOTES/RESOLUTIONS	ACTION BY
1.0	<p>Commencement</p> <p>The meeting started at 11:13 am with an opening prayer by the Governor of Anambra State.</p>	
2.0	<p>Minutes of the Last NGF Meeting</p>	
2.1	<p>Minutes for the last meeting held on the 31st of October, 2012 were reviewed and the following amendments were made:</p> <p>a. The word 'be' should be inserted to item f(i) on page 10 so that it reads, "Due to the financial constraints of the states, financial autonomy of speakers would be impossible"</p> <p>b. In future, attribution of statements made by individual members of the House should be less specific. Rather, minutes should simply attribute statements to "a member of the house".</p>	<p>Secretariat</p>
2.2	<p>Motion for adoption of the Minutes was moved by Sokoto State Governor, and seconded by the Kogi State Governor.</p>	
3.0	<p>Chairman's Brief</p>	
3.1	<p>The Chairman welcomed all to the meeting and briefed the House on the committee meetings that held since the last Forum meeting in October.</p>	
3.2	<p>On the Good Governance and Peer Review Committee, the Chairman said that the committee was scheduled to meet on Monday 19th November, but due to poor turnout with Kano, Rivers and Adamawa only, the meeting was postponed pending a re-schedule. It was also agreed that a team of governors would be constituted to undertake peer review visits to the States.</p>	
3.3	<p>The Chairman also informed the House that the constitution amendment Committee met twice on Monday the 19th of November and again on Monday the 26th of November 2012. The Chairman noted that a few members were absent from both meetings without apologies and encouraged all members to participate in future.</p>	
4.0	<p>Feedback from Constitution Amendment Committee Meeting</p>	
4.1	<p>The Chairman stated that agreement had been reached on most items on the Exclusive Legislative List (ELL) as detailed in Annex 4, while it was agreed that some would be referred to the General Forum for further consideration.</p>	

4.2	<p>Reading through the list of items, the Chairman noted in particular that:</p> <ul style="list-style-type: none"> a. Item 1: The Chairman said that an amendment to the wording was required, highlighting that the proposed wording as detailed in Annex 4, should reflect the separation between officers of the federation and officers of the Federal Government. b. Item 3: Aviation – To remain on the ELL but wording to be modified to read, <i>“Aviation regulation, safety of aircraft, carriage of passengers and goods...but shall not extend to building, construction and management of airports”</i>. This he said was important to enable States to Build, operate and maintain their own airports. c. Item 22: Election to the Offices of President, Vice-President or Governor – Chairman noted that the committee felt there should be no change but upon deliberation by the House, it was agreed that this should be modified so that all elections from the gubernatorial elections to the grass roots should be conducted by individual states. d. Item 34 - Labour: It was agreed that the Constitution be altered to reflect and include the following: (i)”prescribing a minimum wage for the Federal Government of Nigeria as passed by the National Assembly; (ii) prescribing a minimum wage for the States as passed by the States’ Houses of Assembly of the states of the Federal Republic of Nigeria. “ e. Item 39: Mines and minerals, including oil fields, oil mining, geological surveys, and natural gas – The Chairman noted that the committee did not reach a decision on this item, and it was agreed that it should be referred to the House for further discussion. He said that three models were proposed: <ul style="list-style-type: none"> i. Return to the 1960 constitution where each state would mine its own resources and contribute an agreed proportion to the centre ii. The German model, where though each state mines its own resources, a national benchmark for monthly revenue would be set so that any state falling below the bench mark could be supplemented by richer states. iii. No change to current status. 	
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	<p>After much deliberation, it was agreed that option (iii) should remain for now, but this could be revisited in future.</p> <p>f. Item 59: Taxation of incomes, profits, and capital gains – The Chairman noted that this was set aside pending Expert advice. The Niger state Governor however noted that upon further consideration of the potential effect on poorer states, it would be better to leave this as it is.</p>	
5.0	<p>Update on Polio Eradication Initiative</p> <p>Mr Jeff Raikes, CEO of the Bill and Melinda Gates Foundation Paid a courtesy call on the Chairman. Following extensive discussion by the Forum, it was agreed that intensive effort on engaging all stakeholders in the fight against Polio should continue.</p>	
6.0	<p>AOB</p>	
6.1	<p>The issue of engaging State Assembly members was raised, and after some deliberation it was agreed that zonal meetings with State Assembly members should be held to work out outstanding issues.</p>	
7.0	<p>Adjournment/Conclusion</p>	
7.1	<p>The meeting adjourned at 3:40pm.</p>	

Rt.Hon. Rotimi Chibuike Amaechi
Chairman, Nigeria Governors' Forum
27th November, 2012



NIGERIA GOVERNORS' FORUM

13th Meeting in 2012

Tuesday, November 27, 2012

Agenda

1. Opening Prayers;
2. Chairman's Brief;
3. Consideration and Adoption of the Minutes of the Last NGF Meeting;
4. Feedback from Committee Meetings;
5. 1999 Constitution of the Federal Republic of Nigeria - Review of Proposed Amendments;
6. Polio Eradication Initiative - Courtesy visit by Mr. Jeff Raikes - Chief Executive Officer to the Bill & Melinda Gates Foundation (BMGF);
7. Brief on the FAAC Distribution Template/Accessing the Ecological Fund - By Governor of Gombe State....Outstanding;
8. A.O.B;
9. Adjournment.

DEVOLUTION OF POWER - REVIEW OF EXCLUSIVE LEGISLATIVE LIST			
REPORT OF THE WORK OF THE NGF 1999 CONSTITUTION COMMITTEE			
SN	ITEM	COMMITTEE RESOLUTION	COMMITTEE COMMENTS/REMARKS/NEW DRAFT
1	Accounts of the Government of the Federation, and of offices, courts, and authorities thereof, including audit of those accounts	Leave in Exclusive list but modify wording in the Constitution	Amend the Constitution to read: "There shall be an Accountant General of the Federation who maintains the Federation Account, there shall be an Auditor General of the Federation who will audit the Federation Account... These offices shall be separate and appointment shall be made by the President subject to confirmation by the Senate" "There shall be a Federation Account Commission, whose members shall be nominated by the State Governors and a nominee of the Federal Government." Appointment will be made by the President on the advice of the National Council of States subject to the confirmation of the Senate. These officers shall be distinct from officers of the Federal Government. The Accountant General of the Federation and the Auditor General of the Federation are to report directly to the National Council of States. The National Assembly should still have oversight function.
2	Arms, ammunition and explosives	No change	

3	Aviation, including airports, safety of aircraft and carriage of passengers and goods by air	Leave in Exclusive list but modify wording	New wording - "Aviation regulation, including safety and carriage of passengers and goods by air only" ALTERNATE WORDING: "Aviation regulation, safety of aircraft, carriage of passengers and goods...but shall not extend to building, construction and management of airports" Expunge "...including airports" and to remain on Exclusive List.
4	Awards of national titles of honour, decorations and other dignities	No change	
5	Bankruptcy and insolvency	No change	
6	Banks, banking, bills of exchange and promissory notes	No change	
7	Borrowing of moneys within or outside Nigeria for the purposes of the Federation or of any State.	No change	
8	Census, including the establishment and maintenance of machinery for continuous and universal registration of births and deaths throughout Nigeria	No change	
9	Citizenship, naturalisation and aliens	No change	
10	Commercial and industrial monopolies, combines and trusts	No change	
11	Construction, alteration and maintenance of such roads as may be declared by the National Assembly to be Federal trunk roads	No change	

12	Control of capital issues	No change	
13	Copyright	No change	
14	Creation of States	No change	
15	Currency, coinage and legal tender	No change	
16	Customs and excise duties	No change	
17	Defence	No change	
18	Deportation of persons who are not citizens of Nigeria	No change	
19	Designation of securities in which trust funds may be invested	No change	
20	Diplomatic, consular and trade representation	No change	
21	Drugs and poisons	Move to Concurrent List	
22	Election to the offices of President and Vice-President or Governor and Deputy Governor and any other office to which a person may be elected under this Constitution, excluding election to a local government council or any office in such council	Leave Presidential elections in Exclusive list, but move others to concurrent list.	In line with other federal systems world wide, each state should conduct all state elections from the gubernatorial elections to elections at the grass roots.
23	Evidence	Move to Concurrent List	
24	Exchange control	No change	
25	Export duties	No change	
26	External affairs	No change	
27	Extradition	No change	

28	Fingerprints identification and criminal records	Move to Concurrent List	
29	Fishing and fisheries other than fishing and fisheries in rivers, lakes, waterways, ponds and other inland waters within Nigeria	No change	
30	Immigration into and emigration from Nigeria	No change	
31	Implementation into treaties relating to matters on this list	No change	
32	Incorporation, regulation and winding up of bodies corporate, other than co-operative societies, local government councils and bodies corporate established directly by any Law enacted by a House of Assembly of a State	No change	
33	Insurance	No change	
34	Labour, including trade unions, industrial relations; conditions, safety and welfare of labour; industrial disputes; prescribing a national minimum wage for the Federation or any part thereof; and industrial arbitration.	Move to Concurrent list and modify wording	<p>Constitution be altered to reflect new wording: (i)”prescribing a minimum wage for the Federal Government of Nigeria as passed by the National Assembly;</p> <p>(ii) Prescribing a minimum wage for the States as passed by the States’ Houses of Assembly of the states of the Federal Republic of Nigeria.</p> <p>“New wording - "Labour, including trade unions, industrial relations; conditions, safety and welfare of labour; industrial disputes; prescribing a minimum wage for the Federation or any part thereof; and industrial arbitration."</p>

35	Legal proceedings between Governments of States or between the Government of the Federation and Government of any State or any other authority or person	Should be deleted/expunged	
36	Maritime shipping and navigation, including -		
	(a) shipping and navigation on tidal waters;	No change	
	(b) shipping and navigation on the River Niger and its affluents and on any such other inland waterway as may be designated by the National Assembly to be an international waterway or to be an inter-State waterway;	No change	
	(c) lighthouses, lightships, beacons and other provisions for the safety of shipping and navigation;	No change	
	(d) such ports as may be declared by the National Assembly to be Federal ports (including the constitution and powers of port authorities for Federal ports).	No change	
37	Meteorology	Move to Concurrent List	
38	Military (Army, Navy and Air Force) including any other branch of the armed forces of the Federation	No change	
39	Mines and minerals, including oil fields, oil mining, geological surveys and natural gas	To be addressed later	Three (3) models/options suggested for deliberation by the full house: (1) Leave as is; (2) Create a national benchmark for monthly revenue and States 'receipts above this threshold contribute to States that fall below

			(German Model); (3) States are allowed to internally derive revenue from their natural resources and contribute a minimum to the center (1960 Constitution model). Case made that the most vital asset of a State is its human resources (not its natural resources - mines or minerals, etc)
40	National parks being such areas in a State as may, with the consent of the Government of that State, be designated by the National Assembly as national parks	No change	
41	Nuclear energy	No change	
42	Passports and visas	No change	
43	Patents, trademarks, trade or business names, industrial designs and merchandise marks	No change	
44	Pensions, gratuities and other-like benefit payable out of the Consolidated Revenue Fund or any other public funds of the Federation	Move to Concurrent list	
45	Police and other government security services established by law	To be addressed later	Two (2) Committee members to discuss with stakeholders further
46	Posts, telegraphs and telephones	No change	
47	Powers of the National Assembly, and the privileges and immunities of its members	No change	
48	Prisons	Move to Concurrent list	
49	Professional occupations as may be designated by the National Assembly	No change	

50	Public debt of the Federation	No change	
51	Public holidays	No change	Need to clarify distinction between Public Holidays and Work free days
52	Public relations of the Federation	No change	
53	Public service of the Federation including the settlement of disputes between the Federation and officers of such service	No change	
54	Quarantine	No change	
55	Railways	Move to Concurrent list	
56	Regulations of political parties	No change	
57	Service and execution in a State of the civil and criminal processes, judgements, decrees, orders and other decisions of any court of law outside Nigeria or any court of law in Nigeria other than a court of law established by the House of Assembly of that State	No change	
58	Stamp duties	Move to Concurrent list	
59	Taxation of incomes, profits and capital gains, except as otherwise prescribed by this Constitution	No Change	
60	The establishment and regulation of authorities for the Federation or any part thereof -		
	(a) To promote and enforce the observance of the Fundamental Objectives and Directive Principles contained in this Constitution;	No change	

	(b) To identify, collect, preserve or generally look after ancient and historical monuments and records and archaeological sites and remains declared by the National Assembly to be of national significance or national importance;	No change	
	(c) To administer museums and libraries other than museums and libraries established by the Government of a state;	No change	
	(d) To regulate tourist traffic; and	Should be deleted/expunged	
	(e) To prescribe minimum standards of education at all levels.	No change	
61	The formation, annulment and dissolution of marriages other than marriages under Islamic law and Customary law including matrimonial causes relating thereto.	No change	
62	Trade and commerce, and in particular -		
	(a) trade and commerce between Nigeria and other countries including import of commodities into and export of commodities from Nigeria, and trade and commerce between the states;	No change	
	(b) establishment of a purchasing authority with power to acquire for export or sale in world markets such agricultural produce as may be designated by the National Assembly;	Move to Concurrent list	

	(c) inspection of produce to be exported from Nigeria and the enforcement of grades and standards of quality in respect of produce so inspected;	Move to Concurrent list	
	(d) establishment of a body to prescribe and enforce standards of goods and commodities offered for sale;	No change	
	(e) control of the prices of goods and commodities designated by the National Assembly as essential goods or commodities; and	Should be deleted/expunged	
	(f) Registration of business names.	Move to Concurrent list	
63	Traffic on Federal trunk roads	No change	
64	Water from such sources as may be declared by the National Assembly to be sources affecting more than one state	Leave in Exclusive list but modify wording	New wording - "Water from such sources as may be declared by the National Assembly to be sources affecting more than one state except part of that water used for intra-state transport"
65	Weights and measures.	No change	
66	Wireless, broadcasting and television other than broadcasting and television provided by the Government of a state; allocation of wave-lengths for wireless, broadcasting and television transmission.	Leave in Exclusive list but modify wording	New wording - " Wireless, broadcasting and television other than broadcasting and television provided by the Government of a state; allocation of wave-lengths for wireless, broadcasting, except the installation of transmitting infrastructure"
67	Any other matter with respect to which the National Assembly has power to make laws in accordance with the provisions of this Constitution	Should be deleted/expunged	Delete/New verbiage should be inserted...no suggestion made.

68	Any matter incidental or supplementary to any matter mentioned elsewhere in this list.	Should be deleted/expunged	
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