



[#MondayMeme](#)

General Parliamentary Terminologies (2)

(Ref.003/18/01/16)

Hello friends. We are pleased to bring you another exciting time on **#MondayMeme**. We urge you to take attention away from the embarrassing 'missing' budget saga in the National Assembly and settle in for a time of knowledge gain.

As always, this edition promises to increase and improve your knowledge and understanding of the parliament and its jargons. We started the series on Terminologies last week (you can download that edition from the website www.orderpaper.ng/mondaymeme) and learnt about **ABSENTEE/ABSTAIN/ABSENTION** and **PARLIAMENTARY IMMUNITY** in broad terms.

In today's **#MondayMeme** we shall be looking at the **POWER OF SUMMONS** by the legislature. We often hear of how persons and institutions are invited by Parliament to clarify and/or give evidence in certain inquiries and hearings. Sometimes, there are threats of arrests in cases where such invitations and **summons** are disregarded or disputed.

The **powers to summon** and/or arrest in cases of dishonored summons is granted by Section 4 of the Legislative Houses (Powers and Privileges) Act. Entitled 'Power of Committees to Order Attendance of Witnesses', the section reads: "A committee of a legislative house authorized by the standing orders thereof or by a resolution of the House to send for persons, papers and records may order any person (a) to attend

before it and to give evidence; or (b) to attend before it and to produce any paper, book, record or other document in the possession or control of such person.”

The Act prescribes how such **summons** or invitations are to be transmitted “under the hand of the Clerk of the House issued by the direction of the President or Speaker thereof,” stating details as per date, time and place of attendance as well as the papers and documents demanded from such person(s).

Section 5(4) says a “**summon** issued in accordance with this section may be served by an Officer of a Legislative House or by a Police Officer provided that the President or Speaker may, if he is satisfied that for any reason personal service of a **summons** cannot be effected, order that service be effected by forwarding the same by registered post addressed to the person to whom it is directed at his last known place of abode or business.”

In a case where a **summon** is disregarded, the Act in Section stipulates Powers to Issue Warrant to Compel Attendance thus: “If a person to whom a **summons** under section 5 of this Act is directed does not attend before the committee at the time and place mentioned therein, the President or Speaker, as the case may be, of the Legislative House, upon being satisfied that the **summons** was duly served or that the person to whom the **summons** is directed willfully avoids service, issue a warrant to apprehend him and bring him at a time and place to be stated in the warrant, before the committee.”

Part 2 of this Section is specific as to execution of a warrant when it says: “a warrant issued under this section shall be EXECUTED BY A POLICE OFFICER.”

In reality however, warrants are hardly issued. Instead, parliaments often only resort to THREATS to issue warrants which are known to work the magic of compliance from those who had attempted to disregard invitations to hearings. Issuing warrants are the last resort by parliaments to enforce their powers to compel compliance and cooperation from interested parties. If a legislative house issues warrants every now and then it may sooner lose its most potent weapon by sheer trivialization.

Recall a few instances in the 7th National Assembly where certain functionaries of government including former Petroleum Minister, Mrs. Deziani Allison Maduekwe severally dishonored **summons** by the Senate and House of Representatives. But at no time was a Warrant issued on her even though the threat to invoke the instrument was

applied although with minimal success. She was the only one public officer who also sued the National Assembly as a countermand to the various **summons** to appear in the NNPC Charter Jet probe where billions of naira in public fund was said to been incurred at her behest. The ding-dong affair between her and the Parliament continued until that assembly elapsed and the administration she served also ended.

This is the much we can take for today's **#MondayMeme**. We do hope you have learnt a thing or two and also, as always we look forward to your feedback to enable us serve you better. Till next week, do have a lovely evening.

This edition of **#MondayMeme** will be broadcast live on our Twitter handle @orderpaper today January 18, 2016. To read and download other editions of the programme, please visit www.orderpaper.ng/downloads