SENATE OF THE FEDERAL REPUBLIC OF NIGERIA

VOTES AND PROCEEDINGS

Tuesday, 19th February, 2013

1. The Senate met at 10:50 a.m. The Deputy Senate President read prayers.

2. **Votes and Proceedings:**
The Senate examined the Votes and Proceedings of Thursday, 14th February, 2013.

Question was put and the Votes and Proceedings were approved by unanimous consent.

3. **Messages from Mr President:**
The Deputy Senate President announced that he had received two letters from Mr President, Commander-in-Chief of the Armed Forces of the Federation, which he read as follows:
(a) Customs, Excise Tariff (Amendment) Bill:

PRESIDENT,
FEDERAL REPUBLIC OF NIGERIA

February, 14, 2013

Distinguished Senator David Mark, GCON
President of the Senate,
Senate Chambers,
National Assembly Complex,
Abuja.

Your Excellency,

A BILL FOR AN ACT TO AMEND THE CUSTOMS, EXCISE TARIFF, ETC (CONSOLIDATION) (AMENDMENT) BILL, 2012.

I forward herewith, for your kind consideration and passage into law, the above mentioned Bill.

It is my hope that the Distinguished Senators would consider and pass the Bill in your usual expeditious manner.

Please accept, Mr. President and Distinguished Senators, the assurances of my highest consideration.

Yours Sincerely,
(Signed)
GOODLUCK EBELE JONATHAN

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(b) Nigerian Independent Warehouses Bill:

PRESIDENT,
FEDERAL REPUBLIC OF NIGERIA

February 14, 2013

Distinguished Senator David Mark, GCON
President of the Senate,
Senate Chambers,
National Assembly Complex,
Abuja .

Your Excellency,

A BILL FOR AN ACT TO ESTABLISH THE NIGERIAN INDEPENDENT WAREHOUSES REGULATORY AGENCY AND OTHER RELATED MATTERS

I forward herewith, for your kind consideration and passage into law, the above mentioned Bill.

It is my hope that the Distinguished Senators would consider and pass the Bill in your usual expeditious manner.

Please accept, Mr. President and Distinguished Senators, the assurances of my highest consideration.

Yours Sincerely,
(Signed)
GOODLUCK EBELE JONATHAN

4. Announcements:

(a) Burial Ceremonies:

The Deputy Senate President read a letter from Senator Victor Ndoma-Egba (*Cross River Central*) as follows:

SENATOR VICTOR NDOMA-EGBA OFR, SAN
SENATE LEADER
SENATE OF THE FEDERAL REPUBLIC OF NIGERIA

February 14, 2013

His Excellency
The President of the Senate
National Assembly
Abuja.

Your Excellency,

ANNOUNCEMENT

As part of the burial ceremonies of the Honourable Justice (Elder) Emmnauel Takon Ndoma-Egba, OFR, JCA (rtd), there will be the following activities.

Sunday 17 Feb	-	*Wednesday 20 February, 2013-02-14 Visitation of families, kindred, groups, Functionaries and organizations at Akparabong, Ikom*

Thursday 21, Feb 2013-Night of Tributes, Cultural Centre, Calabar 6pm -8pm

Friday, 22 February 2013 - 10 am	*Valedictory Court Session, Court of Appeal, (Sitting temporarily at the State High Court Complex) Calabar,* • *Body leaves for Ikom* • *Lying in state at his Residence Dr. Bassey Ndoma- Egba Hills, Ikom* • *Lying in State and All Night Vigil at Akparabong, Ikom*
Saturday, 23 February, 2013 10 am	*Funeral Church Service and interment at Akparabong, Ikom*
Sunday 24, February, 2013 10 a.m.	*Thanksgiving Service, Presbyterian Church, Akparabong, Ikom*

Distinguished Senators should kindly indicate which aspects of the programme they will be attending so that proper arrangements can be made for them.

Arik and Aero Contractors have scheduled flights to Calabar but there will be a Chartered flight departing Abuja for Calabar on Saturday 23rd February, 2013 at 7am to return to Abuja at 7pm. The flight on 23 February is without cost to Senators.

I truly appreciate the support and encouragement I have received from you and my colleagues during this period. The Almighty will reward each and every one of you.

Yours faithfully,
(Signed)
Senator Victor Ndoma-Egba OFR, CON, SAN
Senate Leader

(b) Technical Briefing:
The Deputy Senate President read a letter from Senator Abdul A. Ningi (*Bauchi Central*) as follows:

ANNOUNCEMENT

There will be a Technical Briefing of Distinguished Senators by the Honourable Minister of Petroleum Resources on the Petroleum Industry Bill Today 19, February 2013 at 2pm. The venue is the Senate Conference Room New Senate Building.

Distinguished Senators should endeavour to attend punctually.

(Signed)
Senator Abdul Ningi CON
Deputy Senate Leader

(c) ***Acknowledgment:***
The Deputy Senate President acknowledged the presence of the Staff and Students of Redema International School, Gwazunu, FCT, Abuja who were in the gallery to observe Senate Proceedings.

5. Committee on Establishment and Public Services:
Report on the screening of nominees:
Motion made: That the Senate do receive the Report of the Committee on Establishment and Public Services, on the screening of the following nominees for appointment as Members of the Federal Civil Service Commission (FCSC):

S/NO	NAME	STATE	REPRESENTING
(i)	Dr. Mrs. Ngozi Agatha Etolue	Anambra	Anambra/Ebonyi/Enugu
(ii)	Hon. Hope Odhuluma Ikiriko	Rivers	Bayelsa/Rivers/Delta
(iii)	Prof. Aminu Diyo Sheidu	Kogi	Kogi/Kwara
(iv)	Mr. Emmanuel Chimezie Ihedioha	Abia	Imo/Abia
(v)	Mr. Joseph Olufemi Akande	Osun	Osun/Oyo

(Senator Aloysius A. Etok — Akwa Ibom North-West).

Question put and agreed to.

Report Laid.

6. Committee on Federal Character and Inter-Governmental Affairs:
Report on the State of Nation's Address Bill 2013 (SB. 224):
Motion made: That the Senate do receive the Report of the Committee on Federal Character and Inter-Governmental Affairs on the State of the Nation's Address Bill 2013 (*Senator Dahiru A. Kuta — Niger East*).

Question put and agreed to.

Report Laid.

7. Motion:
Development of Solid Minerals Sector as a Panacea to the Bankruptcy of States of the Federation and Creation of Jobs in Nigeria:
Motion made: That the Senate recalls its Resolution that new sources of revenue be developed for the States and Federal Government;

notes that Nigeria's solid minerals survey indicates the presence of over 32 strategic minerals deposits in commercial quantities spread in all the States of the Federation (see list attached). For example, in Nigeria today, there are 22 coal deposits spread across 13 States with proven reserve of 639 million tonnes and inferred reserve of 2,750 million tonnes. Coal used to be the source of energy requirement for the industrial sector and can generate up to 7,000 magawatts of electricity for the Nation. This is the benefit of one natural resources;

aware that the Ministry of Solid Minerals is undertaking to develop one solid mineral in each Local Government Area of the Federation in order to develop cottage industries based on the Solid Mineral Resources in the Local Government Areas;

notes that the exploration and extraction of solid minerals resources will generate revenue to the States and provide jobs;

worried that overdependence on oil resources in the country has created great want, widespread poverty, unemployment, social decay, infrastructural distortions and general insecurity in many parts of this country;

worried also that the oil reserves in Nigeria may not last more than 40 years;

further notes that the diversification of government revenue away from oil is a key focus and that solid minerals sector has the potential to play a major role in providing substantial revenue to government and generally grow the economy;

worried however, that the solid minerals sector is inadequately funded. For example, capital budgetary allocations for the 2011, 2012, and proposed for 2013 are: ₦2.9b, ₦3.2b and ₦1b respectively. These provisions are highly inadequate;

unhappy that the solid minerals sector is not generating revenue to the government resulting in non- attraction of investors coupled with the menace of illegal mining;

further observes that there is an absence of Solid Minerals Development Fund as provided under Nigeria Minerals and Mining Act, 2007, which stipulates special fund for developing the sector;

further observes that the Natural Resources fund which is 1.68% of the Federation account which is supposed to fund the solid minerals sector has never been used to fund the sector. It is reported that this year over 250billion of the funds have been withdrawn and utilised elsewhere;

aggrieved that the Solid Mineral Sector has not benefitted from the Natural Resources Fund and that the Fund accrued into it is being utilised in secrecy; and

notes that the 13% derivation formula as provided by the constitution has never applied to the solid minerals sector.

Accordingly resolved to:

(*i*) mandate the Committee on Solid Minerals to;

(*a*) embark on holistic assessment of solid minerals development in Nigeria; and

(*b*) investigate in collaboration with Public Accounts; and National Planning, Economic Affairs and Poverty Alleviation Committees, the Natural Resources Development Fund since its inception and recommend measures to ensure compliance to objective of the fund.

(*ii*) urge the President to see to the immediate implementation of 13% derivation formula to solid mineral producing states as it applies to Oil sector (*Senator Abu Ibrahim —Katsina South*).

Annexure I

Mineral Resources of the States of the Federal Republic of Nigeria

No.	State	Mineral Resources Available in the State
1.	Abia	Clay, Lignite, Limestone, Phosphate rock.
2.	Adamawa	Banjte, Cassiterite, Clay, Feldspar, Graphite, Limestone, Magnesite, Trona, Lead - Zinc Ore.
3.	Akwa Ibom	Bentonite, Clay, Limestone, Silica Sand, Kaolin.
4.	Anambra	Clay, Iron Ore, Kaolin, Lignite (Coal) Silica Sand.

5.	Bauchi	Amethyst, Bervl, Cassiterite, Clay, Lead/Zinc Ore, Columbite, Feldspar, Graphite, Ilmenite, Topaz, Copper, Corrumdum, Garnet, Kaolin, Tantilite, Wolframite, Zircon.
6.	Bayelsa	Kaolin, Zircon, Sand and Clay.
7.	Benue	Barfte, Bentonite, Brine, Clay, Galena, Gypsum, Kaolin, Limestone, Rock Salt, Coal.
8.	Borno	Bentonite, Clay, Garnet, Gypsum, Kaolin, Sapphire, Zircon, Feldspar.
9.	Cross River	Baryte, Bentonite, Dimension Stone, Kaolin, Limestone, Manganese, Mica, Quartz, Tourmaline, Uranium
10.	Delta	Clay, Lignite, Silica Sand.
11.	Ebonyi	Brine, Coal, Galena, Lead/Zinc Ore, Limestone, Limonite, Dimension Stone.
12.	Edo	Bentonite, Clay(Bentonitic), Clay(Montmolonite), Dimension Stone, Glass Sand, Gold, Gypsum, Marble, Phosphate, Silica Sand, Kaolin.
13.	Ekiti	Bauxite, Cassiterite, Clay, Columbiie, Feldspar, Kaolin, Lepidolite, Marble, Tantalite, Tourmaline
14.	Enugu	Bitumen, Coal, Glass Sand, Gypsum, Iron Ore, Kaolin, Limestone, Clay.
15.	Gombe	Bentonite, Brine, Calcite, Chalcopyrite, Clay, Kaolin, Lignite, Lime Stone, Quartz, Trona, Barite, Diatomite, Feldspar, Gypsum, Coal.
16.	Imo	Clay, Glass Sand, Kaolin, Lignite, Marcasite
17.	Jigawa	Cassiterite, Columbite, Dimension Stone, Feldspar, Gemstone, Glass Sand, Graphite, Kaolin, Limestone, Marl, Silica Sand, Brine, Clay, Trona, Uranium.
18.	Kaduna	Amethyst, Aquamarine, Cassiterite, Clay, Columbite, Diamond, Dimension Stone, Feldspar, Gold, Graphite, Iron Ore, Kyanite, Rutile, Sillimanite, Talc, Tantalite, Wolframite, Manganese, Sapphire, Tourmaline.
19.	Kano	Amethyst, Beryl, Calcite, Cassiterite, Clay, Columbite, Feldspar, Glass Sand, Gold, Kaolin, Lead/Zinc Ore, Marl, Pyrite, Pyrochlore, Quartz, Silica Sand, Mica.
20.	Katsina	Cassiterite, Clay, Diamond, Feldspar, Kaolin, Quartz, Iron Ore, Sand.
21.	Kebbi	Aquamarine, Beryl, Brine, Clay, Gold, Iron Ore, Kaoline, Lime Stone, Manganese, Mica, Quartz, Talc, Amethyst, Topaz.
22.	Kogi	Beryl, Cassiterite, Clay, Coal, Columbite, Feldspar, Fire Clay, Garnet, Gold, Aaron are, Kaolin, Magnetile, Marble, Muscovite, Quartz, Talc, Tourmaline, Tantalite.
23.	Kwara	Beryl, Clay, Columbite, Dimension Stone, Feldspar, Gold, Kaolin, Marble, Tantalite, Ira are, Tourmaline, Wolframite.
24.	Lagos	Clay, Silica Sand.
25.	Plateau	Clay, Columbite, Feldspar, Garmet, Limelite, Kaolin, Lead/Zinc are, Mica, Quartz, Sphalerite, Tin are, Topaz, Tourmarine, Zircon, Ilmenite.
26.	Rivers	Clay, Glass Sand, Silica Sand.
27.	Sokoto	Gypsum, Limestone, Phosphate, Diamond.
28.	Taraba	Baryte, Berft, Calcite" Clay, Graphite, Limelite, Lead/Zinc are, Limestone, Rhodolite, Wolframite, Agate, Bauxite, Brine, Columbite, Fireclay, Iron Ore, Gypsum, Limestone.

29.	Nasarawa	Aquamarine, Barite, Bervl, Brine, Coal, Columbite, Emerald, Gatena, Silver, Tantalite.
30.	Niger	Gold, Kaolin, Kyanite, Marble, Talc, Tantalite, Tourmarine, Clay.
31.	Ogun	Clay, Dimension Stone, Feldspar, Ferruginised, Gold, Gypsum, Kaolin, Limestone, Phosphate, Sillimanite, Tar Sand.
32.	Oyo	Amethyst, Aquarmarine, Clay, Dimension Stone, Garmet, Kaolin, Marble, Sapphire, Sillimanite, Talc, Tantalite, Topaz, Tourmaline.
33.	Ondo	Clay, Kaolin, Tar Sand, Silica Sand.
34.	Osun	Aquarmarine, Benjl, Columbite, Gold, Talc, Tantalite, Tourmarine, Dimension Stone, Kaolin.
35.	Yobe	Brine, Clay, Diatomite, Gypsum, Limestone, Trona, Iron Ore, Kaolin.
36.	Zamjara	Berfl, Bonjte, Chramite, Clay, Columbite, Feldspar, Garnet, Gold, Iron are, Lead/Zinc are, Marble, Tantalite, Wolframite
37	FCT	Cassiterite, Clay, Dimension Stone, Feldspar, Galena, Gold, Kyanite, Marble, Muscovite, Quartz, Tantalite, Zircon

Debate:

Proposed Resolution (i):

Question: That the Senate do mandate the Committee on Solid Minerals to:

(*a*) embark on holistic assessment of solid minerals development in Nigeria — *Agreed to.*

(*b*) investigate in collaboration with Public Accounts; and National Planning, Economic Affairs and Poverty Alleviation Committees, the Natural Resources Development Fund since its inception and recommend measures to ensure compliance to objective of the fund — *Negatived.*

Proposed Resolution (ii):

Question: That the Senate do urge the President to see to the immediate implementation of 13% derivation formula to solid mineral producing states as it applies to Oil sector — *Negatived.*

Resolved:

That the Senate do mandate the Committee on Solid Minerals to embark on holistic assessment of solid minerals development in Nigeria ***(S/Res/036/02/13)***.

8. Conference Committee:
Report on the Terrorism Act 2011 (Amendment) Bill 2013 (SB. 207):

Consideration of Report deferred to next Legislative Day.

9. National Assembly Service Commission Act Cap N7 2011(Repeal and Re-enactment) Bill 2013 (SB. 245):

Consideration of Bill deferred to another Legislative Day.

10. Border Communities Development Agency Bill 2013 (SB.143):

Consideration of Bill deferred to another Legislative Day.

11. **Federal Fire Service Act CAP F29 Laws of Federation of Nigeria 2004 (Repeal and Re-enactment) Bill 2013 (SB.200):**

Consideration of Bill deferred to another Legislative Day.

12. **Chartered Institute of Logistics and Transport of Nigeria Bill 2013 (SB. 153):**

Consideration of Bill deferred to another Legislative Day.

13. **Quarantine Act CAP Q2 LFN 2011 (Repeal and Re-enactment) Bill 2013 (SB.210):**

Consideration of Bill deferred to another Legislative Day.

14. **Adjournment:**
Motion made: That the Senate do now adjourn till Wednesday, 20th February, 2013 at 10.00 a.m. (*Deputy Senate Leader*).

Adjourned accordingly at 1:32 *p.m.*

Ike Ekweremadu, CFR
Deputy Senate President,
Senate of the Federal Republic of Nigeria.