FOURTH REPUBLIC
7TH NATIONAL ASSEMBLY
THIRD SESSION
NO. 95

HOUSE OF REPRESENTATIVES
FEDERAL REPUBLIC OF NIGERIA

ORDER PAPER

Thursday, 13 February, 2014

1. Prayers
2. Approval of the Votes and Proceedings
3. Oaths
4. Message from the President of the Federal Republic of Nigeria (*if any*)
5. Message from the Senate of the Federal Republic of Nigeria (*if any*)
6. Other Announcements (*if any*)
7. Petitions (*if any*)
8. Matter(s) of Urgent Public Importance
9. Personal Explanation

PRESENTATION OF REPORT

***Ad-hoc* Committee to Investigate the Alleged Shady Deal Involving the Honourable Minister of Petroleum Resources, Nigerian National Petroleum Corporation (NNPC), Nigerian Petroleum Development Company (NPDC), and Shell Petroleum Development Company (SPDC):**
Hon. Ajibola S. Muraina:
"That this House do receive the Report of the *Ad-hoc* Committee to Investigate the Alleged Shady Deal Involving the Honourable Minister of Petroleum Resources, Nigerian National Petroleum Corporation (NNPC), the Nigerian Petroleum Development Company (NPDC), Shell Petroleum Development Company (SPDC), Atlantic Energy Drilling Concept Ltd, Septa Energy Ltd and any Other Entity with Respect to the Farm-out or Allocation of Oil Mining Lease (OMLs) 4, 26, 30, 34, 38,41 and 42 and to Report Back to the House (**HR. 99/2013**)" (*Referred*: 2/5/2013).

ORDERS OF THE DAY

MOTIONS

1. **Urgent need to Rehabilitate Aduhanhan Bridge along Benin-Asaba Expressway, Uhunmwode Local Government, Edo State:**
Hon. Samson R. Osagie:

The House:

Notes that the Benin-Asaba Expressway is a Federal Highway over which the Federal Road Maintenance Agency (FERMA) has responsibility for maintenance;

Aware that the Benin-Asaba Expressway has several bridges along its route, amongst which is the Aduhanhan Bridge within Uhunmwode Local Government Area of Edo State;

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Disturbed that in the recently time the Bridge has started breaking down, with the result that several vehicles are falling into the river leading to fatal accidents that have claimed lives ;

Cognizant of the fact that the Federal Road Maintenance Agency has the statutory responsibility of maintaining Federal Highways including Bridges anywhere in the country.

Resolves to:

Urge the Federal Road Maintenance Agency (FERMA) to urgently take steps to reconstruct the ADUHANHAN Bridge along Benin-Asaba Expressway to stem incidence of frequent accidents caused by the collapsing bridge in order to reduce carnage on the road.

2. **Urgent Need to Reconstruct the Totally Collapsed Chanchanji Bridge on the Takum-Wukari Road:**
Hon. Albert T. Sam Tsokwa **Hon. Jerry S. Manwe**
Hon. Garba M. G. **Hon. Udo Ibeji:**

The House:

Notes that the Bridge located at Chanchanji on the Takum-Wukari Trunk A Federal Road was constructed during the Colonial period;

Further notes that this Colonial Bridge collapsed in the 1970's and was rehabilitated by the Nigerian Army Engineering Corps in the early 1980s;

Aware that this road is of significant economic importance as it facilitates transportation and other business transactions up to the Cameroons;

Disturbed that the Chanchanji Bridge has now completely and totally collapsed and is no longer usable;

Further disturbed that transportation of goods and services on the ever busy Takum-Wukari Road is now stalled as human movement as well as that of livestock has become difficult if not almost practically impossible;

Worried that the biggest yam Market in the North-East Geo-Political Zone is located in Chanchanji and with the total collapse of the Bridge, the yam farmers and traders who trade in farm products produced in this axis have all been subjected to harsh and unbearable economic conditions;

Further worried that the Military personnel at Takum Barracks presently have difficulty carrying out their operations as a result of the collapsed bridge;

Resolves to:

Mandate the Committees on Appropriations, and Works to ensure that adequate funds are allocated in the 2014 Budget currently before the National Assembly for the Re-construction of the Chanchaji Bridge.

BILL

3. A Bill for an Act to authorize the issue from the Consolidated Revenue Fund of the Federation the total sum of ₦4,642,960,000,000 (Four Trillion, Six Hundred and Forty-Two Billion, Nine Hundred and Sixty Million Naira) only, of which, ₦399,687,801,891 (Three Hundred and Ninety-Nine Billion, Six Hundred and Eighty-Seven Million, Eight Hundred and One Thousand, Eight Hundred and Ninety-One Naira) only, is for Statutory Transfers, ₦712,000,000,000 (Seven Hundred and Twelve Billion Naira) only, is for Debt Service, ₦2,430,665,361,597 (Two Trillion, Four Hundred and Thirty Billion, Six Hundred and Sixty-Five Million, Three Hundred and Sixty-One Thousand, Five Hundred and Ninety-Seven Naira) only, is for Recurrent (Non-Debt) Expenditure while the balance of ₦1,100,606,836,512 (One Trillion, One Hundred Billion, Six Hundred and Six Million, Eight Hundred and Thirty-Six Thousand, Five Hundred and Twelve Naira) only, is for contribution to the Development Fund for Capital Expenditure for the year ending on the 31st day of December, 2014 (*Third Allotted day*) (*Adjourned Debate*: 12/2/2014) — *Second Reading*.

CONSIDERATION OF REPORT

4. ***Ad-hoc* Committee on Malabu Oil and Gas Limited:**
Hon. Leo Ogor:
"That this House do consider the Report of the *Ad-hoc* Committee on Transaction involving the Federal Government and Shell/Agip Companies and Malabu Oil and Gas Limited in respect of Oil Block OPL 245 and approve the Recommendations therein" (**HR. 111/2012**) (*Laid*: 9/7/2013):

(*i*) That the Federal Government of Nigeria should cancel OPL 245 recently granted to Shell Nigeria Exploration and Production Company Ltd. (SNEPCO) (50%) and AGIP (50%), as it was based on a highly flawed 'Resolution Agreement' entered into between Malabu Oil and Gas, Shell Nigeria Exploration and Production Company Ltd (SNEPCO) and Nigeria Agip Exploration Ltd (NAE) with the Federal Government acting as Obligor. The 'Resolution Agreement' ceded away our National Interest and further committed Nigeria to some unacceptable Indemnities and liabilities while acting as an Obligor. Indeed, Clause 17 of the 'Resolution Agreement' commits the Federal Government of Nigeria to indemnify, and even defend Shell Nigeria Ultra Deep Ltd. (SNUD), Shell Nigeria Exploration and Production Company Ltd (SNEPCO) and Nigeria Agip Exploration Ltd (NAE) from and against "all suits, proceedings, claims, demands, losses and liability of any nature or kind, including but not limited to all litigation costs, attorney's fees, settlement payments, damages and all other related costs and expenses, based on, arising out of or in connection with" the 'Resolution Agreement' and or the issuance of the Oil Prospecting License in respect of Block 245;

(*ii*) That the Federal Government through the Ministry of Petroleum Resources and the Office of the Attorney-General of the Federation facilitates a new 'Resolution Agreement' in line with the Petroleum Act, and the Indigenous Concession Programme (ICP) of Government that guided the initial allocation of OPL 245 to Malabu Oil & Gas, as a situation where the 'Resolution Agreement' diverted 100% of the beneficial ownership to two foreign based companies is contrary to our national aspirations. Indeed the 'Resolution Agreement' should acknowledge Nigeria's National interest in the huge deposits existing in the Block;

(*iii*) That the House should direct the Committees on Petroleum Resources (Upstream), Petroleum Resources (Downstream), Gas Resources and Local Content to liaise with the Ministry of Petroleum Resources to make available a comprehensive list of similar ventures with Petroleum Sharing Agreement or contract without Nigeria National Petroleum Corporation (NNPC) participation, for necessary remediation;

(*iv*) That AGIP Nigeria Agip Exploration Ltd (NAE) be formally censured or reprimanded by the House for its role in the 'Resolution Agreement' which lacked transparency and did not meet international best business practises. The 'Resolution Agreement' was meant to resolve existing disputes between the various parties, which even by AGIP's acknowledgment they are not party to the disputes, in the process, they cornered 50% equity in Block 245;

(*v*) That Shell Nigeria Ultra Deeps (SNUD) be censured or reprimanded by the House for its lack of transparency and full disclosure in its bid to acquire OPL 245;

(*vi*) That the ownership structure of Malabu Oil and Gas Ltd flowing from our findings and the Economic and Financial Crimes Commission (EFCC)'s interim report, is as follows:

(*a*) Mohammed Sani (Abacha) (or his Successors in title) — 50%,

(*b*) Kweku Amafegha (Dan Etete) (or his Successors in title) — 30%, and

(*c*) Pecos Energy Ltd — 20%,

Consequently, the Office of the Attorney General of the Federation, the Ministry of Petroleum Resources, and the Ministry of Finance should take this into consideration in any dealings with respect to OPL 245;

(*vii*) That the Nigerian Police Force should take over the on-going investigation on the matter of forgery and alteration of documents indicting some Directors of Malabu Oil & Gas Ltd who resigned their positions or transferred their appointments or shares without authorisation, and initiate prosecution of any person indicted;

(*viii*) That in line with global best practices, accountability and transparency, individuals and financial institutions linked with and found culpable by the Economic and Financial Crimes Commission (EFCC) of receiving and transferring money unlawfully with respect to or arising out of the 'Resolution Agreement', should be charged to an appropriate court of competent jurisdiction, and any such monies unlawfully transferred should be recovered;

(*ix*) That in redrafting a new 'Resolution Agreement', Nigeria's tax laws should be respected, and consequently where applicable, the Federal Inland Revenue Service (FIRS) should take all necessary steps to impose Capital Gains Tax on Shell (Shell Nigeria Exploration and Production Company Ltd (SNEPCO) — Shell Nigeria Ultra Deep Limited (SNUD) transaction as the payment or reimbursement of $355,000,000 from Shell Nigeria Exploration and Production Company Ltd (SNEPCO) to Shell Nigeria Ultra Deep Limited (SNUD) as contained in the 'Resolution Agreement' is clear evidence of some form of alienation or transfer of interest that satisfies the requirement for tax purposes.

COMMITTEE MEETINGS

	Committee	*Date*	*Time*	*Venue*
1.	Rules and Business	Thursday, 13 February, 2014	2.00 p.m.	Committee Room 06 Assembly Complex
2.	*Ad-hoc* Committee on the Disbursement of Public Funds by the Bank of Industry	Thursday, 13 February, 2014	2.00 p.m.	Committee Room 4.65 New Building (House) Assembly Complex
3.	Special Duties	Thursday, 13 February, 2014	1.00 p.m.	Committee Room 244 New Building (House) Assembly Complex
4.	Legislative Compliance (*with Nigerian Prison Services*)	Thursday, 13 February, 2014	2.00 p.m.	Committee Room 205 New Building (House) Assembly Complex
5.	Federal Character (*with National Institute for Cultural Orientation (NICO), Abuja and Federal Neuro-psychiatric Hospital, Kaduna*)	Thursday, 13 February, 2014	1.30 p.m.	Committee Room 247 New Building (House) Assembly Complex