8TH NATIONAL ASSEMBLY
FIRST SESSION
NO. 8

SENATE OF THE FEDERAL REPUBLIC OF NIGERIA

VOTES AND PROCEEDINGS

Thursday, 30th July, 2015

1. The Senate met at 10:44 a.m. The Senate President read prayers.

2. **Votes and Proceedings:**
The Senate examined the Votes and Proceedings of Wednesday, 29th July, 2015.

Question was put and the Votes and Proceedings were approved.

3. **Announcements:**

(i) ***2015 Hajj:***
The Senate President announced that the preparation for the 2015 Hajj would close on Tuesday, 4th August, 2015. Interested Senators are advised to urgently contact the Clerk, Senate Committee on Foreign Affairs in Room 4.1, Fourth Floor, White House, National Assembly Complex.

(ii) ***Acknowledgement:***
The Senate President acknowledged the presence of the Staff and Students of Evangel (ACE) School, Gombe, Gombe State who were in the gallery to observe Senate Proceedings.

4. **Privileges; and Complaint against Newspaper, Book, etc:**
Rising on Rules 14 and 18, Senator Mohammed A. Ndume *(Borno South)* drew the attention of the Senate to The Nation Newspaper Publication of Thursday, 30th July, 2015, front page, captioned "Motion:- 22 APC Northern Senators working against Buhari". He felt that the publication has impugned on his privilege as a Senator of the Federal Republic of Nigeria and therefore urged the Senate to look into the matter.

Newspaper publication accordingly laid.

Matter referred to the Committee on Ethics, Code of Conduct and Public Petitions to report within one(1) week.

5. **Privileges:** Rising on Rule 14, Senator George T. Sekibo *(Rivers East)* drew the attention of the Senate to CAP A20, section 18, of the Law of the Federation of Nigeria of 2004 and 2010. Both laws and sections were supposed to be one and the same, but he observed that they were deferent in content. As a law maker, his privilege has been impugned by the change(s) without amendment by the National Assembly. He urged the Senate to look into the matter.

Matter referred to the Committee on Judiciary, Human Right and Legal Matter when constituted.

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6. Motions:

(a) ***Indiscriminate Use and Abuse of Waivers for Rice Importation:***

Motion made: That the Senate notes the Federal Government has a policy to encourage agriculture and agriculture business as a deliberate policy to diversify the economy;

observes, that this policy especially relating to agriculture has become significantly eroded and gradually made nonsense of, by the indiscriminate abusive grant of waivers, concessions and grants especially on rice importation;

observes, that the flagrant abuse of the waiver scheme has severely eroded the Federal Government's Rice Production Policy by importing huge quantities of the commodity in excess of their approved quota;

notes, that during the past recess and during an interactive session with the Central Bank of Nigeria (CBN), the CBN had revealed to the Senate how these importers have overshot their quota and now owe the Federal Government duties running into billions of naira;

observes, that these importers ordinarily should be paying in addition to the duty on the commodity, a fine of 70 per cent of duties and levies to the Federal Government, the government has failed to implement this directive and denied our people legitimate revenue into the Federal Government coffers;

observes, that some of the defaulting companies had notwithstanding their default been awarded fresh waivers to import more within the last few days of the previous administration;

observes, that the Customs Service, which ought to be enforcing compliance to duty and other revenue at the borders, has failed to carry out its mandate and enforce compliance from these defaulters;

acknowledges, that the Federal Government loses annually, ₦71billion on duty waivers especially to importers of rice, palm oil, energy equipment, steel and vegetable oil;

observes, that in 2011, government gave import duty waivers to 10 rice and palm oil importing companies alone amounting to ₦150 billion;

also notes, that to lose this vast amount of revenue at a time when Nigeria's main source of revenue-oil, has plunged to record lows impacting on the fiscal stability of the country is reckless and does not show that we are serious about driving our economic revival; and

observes, that these tax incentives offered to encourage Foreign Direct Investments (FDI) into the country is now doing more harm than good to the economy as monies which could have been invested in public schools, hospitals, roads and other social infrastructure are lost mindlessly without consequences.

Accordingly Resolves:

(*i*) to urge the Federal Government to stop all waivers on rice importation for now and mandate CBN Governor and the Comptroller-General of Customs to ensure that all duty due to government is recovered;

(*ii*) constitute an ad-hoc Committee of the Senate to look into this policy regime and carry out a holistic review to determine the full recovery of all government revenue related to this policy;

(*iii*) invite the Comptroller-General of Customs and the CBN Governor to brief the Senate on this matter and their plan of action to recover all outstanding revenues of government; and

(*iv*) urge government to ensure that all defaulting and indicted importers pay back the determined import duty to government (*Senator Rafiu A. Ibrahim — Kwara South*).

Debate:

Proposed Resolution (i):
Question: That the Senate do urge the Federal Government to stop all waivers on rice importation for now and mandate CBN Governor and the Comptroller-General of Customs to ensure that all duty due to government is recovered.

Amendment Proposed:
Leave out the provision in Proposed Resolution (i) and *insert* the following instead thereof:
"Urge the Federal Government to stop all waivers and issuing of waivers on importation of rice and other agricultural products" (*Senator Mao A. Ohuabunwa — Abia North)*.

Question that the amendment be made, put and agreed to.

Proposed Resolution (ii):
Question: That the Senate do constitute an ad-hoc Committee of the Senate to look into this policy regime and carry out a holistic review to determine the full recovery of all government revenue related to this policy.

Amendment Proposed:
Leave out the provision in Proposed Resolution (ii) and *insert* the following instead thereof:
"Constitute an ad-hoc Committee of the Senate to look into all waivers, concessions and grants and carry out a holistic review to determine the full recovery of all Government revenue related to these policies" (*Senator Sabo Mohammed — Jigawa South-West)*.

Question that the amendment be made, put and agreed to.

Proposed Resolution (iii):
Question: That the Senate do invite the Comptroller-General of Customs and the CBN Governor to brief the Senate on this matter and their plan of action to recover all outstanding revenues of government — *Negatived.*

Proposed Resolution (iv):
Question: That the Senate do urge government to ensure that all defaulting and indicted importers pay back the determined import duty to government — *Negatived*

Resolved:
That the Senate do:
(*i*) urge the Federal Government to stop all waivers and issuing of waivers on importation of rice and other agricultural products; and

(*ii*) constitute an ad-hoc Committee of the Senate to look into all waivers, concessions and grants and carry out a holistic review to determine the full recovery of all Government revenue related to these policies ***(S/Res/009/01/15)***.

1.	Sen. Muhammad A. Adamu	—	Chairman
2.	Sen. Donald O. Alasoadura	—	Member
3.	Sen. Bareehu O. Ashafa	—	Member
4.	Sen. Gershom O. Bassey	—	Member
5.	Sen. Owan J. Enoh	—	Member
6.	Sen. Isa H. Misau	—	Member
7.	Sen. Rafiu A. Ibrahim	—	Member
8.	Sen. Sabo Mohammed	—	Member
9.	Sen. Danjuma Laah	—	Member
10.	Sen. Samuel O. Egwu	—	Member
11.	Sen. Stella A. Oduah	—	Member
12.	Sen. Danladi S. Abubakar	—	Member

8. Adjournment:

Motion made: That the Senate do now adjourn till Tuesday, 4th August, 2015 at 10.00 a.m. (*Senate Leader*).

Adjourned accordingly at 12:58 *p.m.*

Abubakar Olubukola Saraki, CON
President,
Senate of the Federal Republic of Nigeria.