8TH NATIONAL ASSEMBLY
FIRST SESSION
NO. 86

SENATE OF THE FEDERAL REPUBLIC OF NIGERIA

ORDER PAPER

Thursday, 10th December, 2015

1. **Prayers**
2. **Approval of the Votes and Proceedings**
3. **Oaths**
4. **Announcements (if any)**
5. **Petitions**

ORDERS OF THE DAY

CONSIDERATION OF REPORTS

1. *Report of the Committee on Ethics, Privileges and Public Petitions*
   Sen. Samuel N. Anyanwu *(Imo East)*
   "That the Senate do consider the Report of the Committee on Ethics, Privileges and Public Petitions on a Petition from Mrs Esther M. Amuta against the National Agency for Food, Drug Administration and Control (NAFDAC) for alleged Gross Injustice against her".

2. *Report of the Committee on Ethics, Privileges and Public Petitions*
   Sen. Samuel N. Anyanwu *(Imo East)*
   "That the Senate do consider the Report of the Committee on Ethics, Privileges and Public Petitions on a Petition from Corporal Abdullahi Tanko against the Nigeria Police Force for alleged dismissal from the Force".

3. *Report of the Committee on Ethics, Privileges and Public Petitions*
   Sen. Samuel N. Anyanwu *(Imo East)*
   "That the Senate do consider the Report of the Committee on Ethics, Privileges and Public Petitions on a Petition from Sergeant Amos Olaniyan against the Nigeria Police Force, for alleged suspension for twenty-one (21) years".

CONSIDERATION OF BILLS

1. A Bill for an Act to Repeal Section 59-69 of the Police Act CAP 359 LFN 2004, to enact the Traffic Warden Service and for other related matters, 2015 (SB. 100) – *Second Reading.*
   Sen. Buhari Abdulfatai *(Oyo North)*

2. An Act to Amend the Counterfeit and Fake Drugs and Unwholesome Processed Foods (Miscellaneous Provisions) Act CAP C34 Laws of the Federation and for other matters connected therewith, 2015 (SB. 55) – *Second Reading.*
   Sen. Biodun Olujimi *(Ekiti South)*

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MOTIONS

1. Abandonment of Projects: A Menace to Development in Nigeria.
Sen. Suleiman Nazif *(Bauchi North)*

The Senate;

NOTES, that there are Eleven Thousand Eight Hundred and Eighty-Six (11,886) abandoned projects that will cost an estimated N 7.78 trillion to complete.

OBSERVES, that public infrastructures account for most of the abandoned projects and that those projects are generally awarded based on considerations given to friends even when they do not possess any technical knowledge of the project.

OBSERVES, that the repeated practice in Nigeria is that once new people are in office the policies or programmes of the previous administration are abandoned, this unwillingness to ensure policy continuity is the root cause of abandonment of projects.

ALSO OBSERVES, that life transforming projects have been abandoned to the detriment of the teeming population.

NOTES, that previous government embarks on weekly charade of awarding new contracts or re-awarding old ones at higher prices during its weekly Federal Executive Council meetings.

OBSERVES, that the desire for ego credit taking, rather than genuine service delivery was behind the drive for new projects and abandoning of old ones.

OBSERVES, that abandoned projects fuel corruption and reduce public confidence and trust in governance.

NOTES, that section 16 (1) (b) of the Public Procurement Act 2007, states plainly that all procurement shall be based only on procurement plans supported by prior budgeting appropriations, and
no procurement proceedings shall be formalized until the procurement entity has ensured that funds are available to meet the obligations and has obtained a certificate of "NO objection" to contract award from the Bureau.

OBSERVES, that factors such as poor planning, inadequate budgeting, delay in releasing project funds, which lead to project executing delay, increased contract cost variation and contract splitting in order to give jobs to friends are the major reasons for project abandonment.

OBSERVES, that project abandonment has made it very difficult if not impossible for many Nigerians to access quality education, health, transportation, food products and other vital services.

ACKNOWLEDGES that waste of money and time is the price society pays for abandoning projects.

Accordingly Resolves to:

i. Urge the government to set up a project performance and monitoring taskforce to severely punish contractors who collect mobilization funds and disappear, this will help check unbridled wastage and corruption in abandoned projects, and by extension serve as a deterrent to others.

ii. Urge the government to establish a registry of projects for all ongoing and completed projects detailing the location, cost and purpose of each project and means of identification, the project commencement data and the agreed or projected date of completion.

iii. Urge the registry to also include information on budgetary and funding sources of the project, the contract amount disbursed and expended for completion, and any other information or details pertaining to the implementation of the project.

iv.. Set up an ad-hoc committee of the Senate to critically look into the executive and legislative powers of appropriation towards ensuring that new projects are not started without completing ongoing ones, except in cases of actual emergency or urgent National importance.

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v. Invite the Head or Director-General of the Budget Monitoring and Price Intelligence Unit to brief the Senate on the causes of the frequent negligence of the due process and certification mechanism, and by extension, mandate due process unit to put a stop to policy discontinuities and cravings of contractors to have unfettered discretion in awarding contracts.

2. Demise of His Royal Majesty, Orchivirigh, Alfred Akawe Tokula, Tor Tiv IV, the paramount Ruler of the Tiv Nation.
Sen. George Akume *(Benue North West)* and Sen. Barnabas Gemade*(Benue North East)*

The Senate;

Notes with sadness and a great sense of loss, but with total submission to the will of God, the demise of the paramount ruler of the Tiv Nation and a very illustrious son of Nigeria, His Royal Majesty;

Orchivirigh (Dr.) Alfred Akawe Torkula, Begha U Tiv (The Lion of the Tiv Nation), Tor Tiv IV, on Saturday November 21st at the age of 71;

Notes also that Begha u Tiv, HRM Dr. Alfred Akawe Torkula was born on the 10th of July 1944 at Tse Torkula in Mbadwem District of Guma Local Government Area of Benue State in North-Central Nigeria;

Further Notes that His Royal Majesty Dr. Akawe Torkula attended the then Tiv Native Authority Elementary School, Gboko, from 1953 to 1958 and St. Theresa's Catholic Primary School, Naka, in 1959. On completion of his Secondary education, he proceeded to the Ahmadu Bello University (ABU), Zaria, where he obtained a B.A (Hons), and proceeded to Besancon in France, where he obtained a Masters Degree specializing in French language;

Aware that HRM Orchivirigh (Dr) Alfred Akawe Torkula was a diligent public/Civil servant who served his State of Benue and country Nigeria in various capacities and held positions such as, Permanent Secretary and Director – General; he was appointed commissioner for Agriculture and became a member of the Benue State Executive Council; In 1991, he went through the relevant traditional processes and was crowned Tor Tiv the IV on the 21st of April of that year, becoming the
fourth paramount ruler of the universal Tiv race and chairman of the Benue State Council of Traditional rulers till date;

Also aware that HRM Orchivirigh Alfred Akawe Torkula made tremendous and immeasurable contributions to the peace, unity and development of not just the Tiv Nation and Benue State but Nigeria as a whole:- He was a Co-Chairman of the Northern Traditional Rulers Peace Committee;

Notes too that his HRM Orchivirigh Alfred Akawe Torkula's fatherly roles, patriotism, wealth of experience, genuine love and concern for humanity would be greatly missed;

Further aware that HRM Dr. Akawe Torkula also expanded the frontiers of knowledge by authoring several books including: Presidential Democracy in Nigeria: Grassroots experience; Death and Burial Customs of the Tiv People of Central Nigeria; The Cosmology of Tiv World view and The Tiv Woman: Challenges & Prospects;

Cognizant too that Dr. Torkula also made immense contributions to Nigeria's educational system having served as the Pro-Chancellor of the University of Ibadan and, until his death, the pro-chancellor of the University of Agriculture, Umudike;

Accordingly resolves to:

i. Observe one minute's silence in honour of the late Tor Tiv, HRM, Orchivirigh Dr. Alfred Akawe Torkula, Begha U Tiv, (The Lion of the Tiv Nation).

ii. Send a high powered delegation to condole with the family, the Tiv Nation and the people and Government of Benue State.

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iii. Urge the Federal Government of Nigeria and Benue State Government to immortalize this great achiever, peace lover and great departed citizen of the world by naming a National and State monument after him as a mark of honour.

3. Gas Flaring in Nigeria Particularly in the Niger-Delta Region
Sen. Ighoyota Amori, (JP) *(Delta Central)*

The Senate;

Aware that Gas flaring is the burning of natural gas that is associated with crude oil when it is pumped up from the ground; and in petroleum-producing areas where insufficient investment was made in infrastructure to utilize natural gas, thus, flaring is employed to dispose of this associated gas;

Observes that Nigeria flares 17.2 billion m^3 of natural gas per year in conjunction with the exploration of crude oil in the Niger Delta and this high level of gas flaring is equal to approximately one quarter of the current power consumption of the African continent;

Observes also that Gas flaring is currently illegal in most countries of the world, but gas flaring may only occur in certain circumstances such as emergency shutdowns, non-planned maintenance, or disruption to the processing system;

Aware that Gas flaring has been condemned severally in different countries of the world but the practice is still obtainable in some countries including Nigeria;

Aware also that the Federal Government of Nigeria imposed fines on defaulting companies so as to deter them but the practice still continues;

Worried however, that the Nigerian government has not enforced environmental regulations effectively because of the overlapping and conflicting jurisdiction of separate governmental agencies governing petroleum and the environment as well as because of non-transparent governance mechanisms;

Worried that neither the National Environmental Standard Regulatory Enforcement Agency (NESREA) nor the Department of Petroleum Resources (DPR) has implemented anti-flaring policies for natural gas waste from oil production, nor have they monitored the emissions to ensure compliance with laid down regulations;

Worried further that the NESREA has had the authority to issue standards for water, air and land pollution and has had the authority to make regulations for oil industry. However, in some cases their regulations conflict with the Department of Petroleum Resources (DPR)'s regulations started in 1991 for oil exploration;

Much worried that the Oil companies in Nigeria find it more economically expedient to flare the natural gas and pay the insignificant fine than to re-inject the gas back into the oil wells. Additionally, because there is an insufficient energy market especially in rural areas and the oil companies do not see an economic incentive to collect the gas;

Saddened that the continuous gas flaring in our country has adverse environmental, climatic, health, economic and other terrific effects on the people;

Saddened also that the people of the Niger Delta suffer from huge climatic change following the continuous gas flaring and this amongst others include:

- Warming up the environment (global warming) due to burning of gas (greenhouse gases), emission of carbon dioxide, release of methane;

- Contamination of water/rain through acid rains linked to the activities of gas flaring causing corrugated roofs in the Delta region to be corroded by the composition of the rain that falls as a result of flaring. {The primary causes of acid rain are emissions of sulphur dioxide (SO_2) and nitrogen oxides (NO) which combine with atmospheric moisture to form sulfuric acid and nitric acid respectively};

- Damage to vegetation, lakes and streams caused by acid rain.. In addition, acid rain accelerates the decay of building materials and paints. Prior to falling to the earth, SO_2 and NO_2 gases and their particulate matter derivatives, sulfates and nitrates, contribute to visibility degradation and harm public health;

Observes that each day the total energy wasted in Nigeria by this flaring equals all the daily power usage of the entire African Continent (World Bank, 2004);

Worried that gas flaring contains heat toxins and other adverse health implications including cancer, neurological, reproductive and developmental effects; deformities in children, lung damage and skin problems, amongst others;

Worried further that gas flaring has haematological effects such that, hydrocarbon compounds, known to cause some adverse changes in hematological parameters, affect blood and blood-forming cells negatively. It is known to result to asthma, chronic bronchitis, blood disorders, and other diseases and could also give rise to anemia (aplastic), pancytopenia and leukemia;

Disturbed that so much pollution occur during drilling mud, and oil sometimes find their way to the streams, surface waters and land thus making them unfit for consumption nor habitable by man or animal – *this pollution has affected Otuoke, in Bayelsa State, which is the home town of the immediate past President of Nigeria, His Excellency, President Goodluck Ebele Jonathan where there is no portable water for several years now;*

Aware that past governments and the Legislature have set deadlines for the flaring of gas in Nigeria but have not yielded the desired result. Examples are: General Yakubu Gowon in 1969, set the first deadline that within five years of business, an operating oil company must cease flaring gas; the Associated Gas Reinjection Act in 1979 required oil companies to submit a detailed plan for utilizing all gas with an ultimate goal of ending gas flaring by 1984; Oil companies were again ordered to stop flaring in year 2005 when Nigeria's Federal High Court declared that gas flaring as a great violation of the neighboring communities' human rights; and the draft Petroleum Industry Bill (PIB) which stipulates that "natural gas shall not be flared or vented after 31st December, 2012, in any oil and gas production operation, block or field, onshore or offshore, or gas facility, except under exceptional and temporary circumstances";

Notes that Russia and Nigeria remain the only two top oil producing countries where the malaise continues as a matter of routine practice;

Notes further that the main goal of the Millennium Development Goals (MDGs) is to ensure environmental sustainability which is more a far cry from the effects of gas flaring in Nigeria both onshore and offshore;

Notes that the export of quality liquefied natural gas would earn Nigeria hard currency increasing our foreign reserve and service our foreign debit which will increase our per capital Gross Domestic Product (GDP);

Aware that Natural gas can be used for the operation of fleets of industrial equipment, plants, machineries, vehicles, and cars that use diesel and petrol for transportation at the national and international levels, it has wide application in refrigeration and air conditioner; a sure way of discontinuing with the use of chlorofluoro compounds which is contributing significantly to the depletion of the ozone layer, global warming and the resultant heat wave.

Accordingly resolves to:

i. *Urge* the Federal Government to, as a matter of urgency; take drastic action against defaulting companies not just by payment of small fines. Fines for defaulting companies should be increased;

ii. *Urge* the 8th National Assembly to consider re-visiting the Petroleum Industry Bill (PIB);

iii. *Urge* the Oil companies and other stakeholders to use alternative means of disposal such as re-injection of waste gas into the ground for potential future harvesting;

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iv. *Mandates* the Senate Committee on Gas to conduct an oversight visit to all affected states of the Federation.

COMMITTEE MEETINGS

	Committee	*Date*	*Time*	*Venue*
1.	Rules and Business	Thursday, 10th December, 2015	2.00pm	Committee Room 328 Senate New Building
2.	Special Duties	Thursday, 10th December, 2015	2.00p.m	Committee Room 438 Senate New Building
3.	Employment, Labour and Productivity	Thursday, 10th December, 2015	2.00pm	Committee Room 327 Senate New Building
4.	Land Transport	Thursday, 10th December, 2015	1.00p.m	Committee Room 327 Senate New Building
5.	Banking, Insurance and other Financial Institutions	Thursday, 10th December, 2015	1.00pm	Committee Room 117 Senate New Building
6.	Solid Minerals *(Interactive)*	Thursday, 10th December, 2015	11.00am	Committee Room 312 Senate New Building
7.	Local and Foreign Debts	Thursday, 10th December, 2015	2.00pm	Committee Room 431 Senate New Building
8.	Gas	Thursday, 10th December, 2015	2.00p.m	Committee Room 224 Senate New Building
9.	States and Local Government Administration	Thursday, 10th December, 2015	2.00pm	Committee Room 117 Senate New Building
10.	Primary Health Care and Communicable Disease	Thursday, 10th December, 2015	2.00pm	Committee Room 324 Senate New Building
11.	Public Procurement	Thursday, 10th December, 2015	12.00noon	Committee Room 313 Senate New Building
12.	Finance, National Planning and Economic Affairs	Thursday, 10th December, 2015 *(Joint Committee)*	12.00noon	Committee Room 204 Senate New Building
13.	Defence	Monday, 14th December, 2015	12.00noon	Committee Room 244 Senate New Building
14.	Employment, Labour and Productivity	Monday, 14th December, 2015	12.00noon	Committee Room 327 Senate New Building
15.	Employment, Labour and Productivity	Tuesday, 15th December, 2015	2.00pm	Committee Room 327 Senate New Building
16.	Drugs and Narcotics	Tuesday, 15th December, 2015	2.00pm	Committee Room 327 Senate New Building
17.	Establishment and Public Service	Tuesday, 15th December, 2015	2.00pm	Committee Room 221 Senate New Building
18.	Power, Steel Dev. and Metallurgy	Tuesday, 15th December, 2015	1.00pm	Committee Room 204 Senate New Building

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