



HOUSE OF REPRESENTATIVES FEDERAL REPUBLIC OF NIGERIA NOTICE PAPER

Monday, 7 May, 2018

NOTICE OF MOTIONS

**1. Need to Probe the Withheld N2.8 Billion Meant for Fire Service:
Hon. Ayeola Abayomi Abdul-Kabir**

The House:

Notes that the Nigeria fire fighting Service is in a terrible situation, being poorly equipped, and thus cannot respond to the challenges facing it;

Aware that the service was established under the Fire Service Act, 2004 with mandate is to respond to fire disaster. However it is weighed down, because it does not have enough equipment to discharge its duty;

Also aware that in 2011, the sum of 2.8 billion was appropriated for the Fire service to purchase trucks and equipment but till today, the money has not been released and hence the need to probe the whereabouts of the said N2.8 billion.

Further aware that 15 out of the 36 states of the Federation has functioning fire service, which exposes citizens of the 21 states to the consequences of the fire inferno;

Recalls that fire disaster has hit many public places in that in November 2017, the Ogbete main market Enugu was gutted by fire which consumed 35 shops as well as the Sabon gari market, Kano in 2016, whose 3,800 shops were razed down by fire. Again recalls that the National Association of Nigerian Traders stated that in the last 17 years traders lost about the sum of 5.3 billion to fire;

Disturbed that people do and sometimes not give the right of way to the truck to pass in the cause of putting off the fire; buildings have been arbitrarily erected in streets which make it difficult for fire truck to get close to the building on fire.

Resolves to:

Mandate the Committee on Interior to probe the non-release of the sum of 2.8 billion appropriated for the fire service in 2011 budget.

2. Need for the Central Bank of Nigeria to Comply with Section 50(1) of the Central Bank of Nigeria (Establishment) Act:

Hon. O.K. Chinda:

The House:

Aware that the Central Bank of Nigeria is established under the Central Bank of Nigeria (Establishment) Act, Cap. C4, Laws of the Federation of Nigeria, 2004.

Also aware that S.50(1) of the CBN Act provides that "the Bank shall, within two months after the close of each financial year, transmit to the National Assembly and the President a copy of its annual accounts certified by the Auditor".

Further aware that the Central Bank of Nigeria (CBN) has not been complying with the above provision and thereby rendering the Law nugatory and of no effect;

Notes with concern, the need by the Central Bank of Nigeria (CBN) to comply with Section 50(1) of the Central Bank of Nigeria (Establishment) Act, Cap. C4, Laws of the Federation of Nigeria, 2004.

Concerned that non-compliance by the CBN with the above provision has greatly undermined the image, reputation and effectiveness of the Bank and as well undermine the oversight function of the National Assembly;

Further aware of the apparent breach of the CBN Act which constitutes an illegality and should not be allowed to stand;

Worried that unless this illegality or anomaly by the CBN is immediately and/ or urgently addressed, the whole essence of the said section of the Act would be defeated and/ or rendered useless and nugatory.

Resolves to:

- (i) Urge the Central Bank of Nigeria to comply with Section 50(I) of the CBN Act and ensure that it transmits to the National Assembly a copy of its annual Accounts certified by the Auditor.
- (ii) Mandate the Committees on Banking and Currency and Legislative compliance to ensure compliance with the above resolution.
- (iii) Transmit the Resolution of the House to the Senate for concurrence.

3. Need to Investigate the Alleged Extra Budgetary Spending by Integrated Logistics Limited (INTELS) and Other Financial Improprieties on the Recovery of Debts and Revenue due to the Nigeria Ports Authority:

Hon. Henry Nwauwuba:

The House:

Notes that Nigeria as a Democratic Country is governed by laws where individuals, Corporate Organizations and governments are required to observe and obey all laws of the Land;

Also notes that the Nigerian Ports Authority was established by an Act of the National Assembly as a body Corporate with the rights and obligations to enter into agreements and carry out contracts with individuals and corporate organizations;

Aware that the Nigerian Ports Authority had entered several agreements, covenants and contracts with 'Legal Persons' such as Terminal Operators, Service providers, Commissioned Agents, etc.;

Also aware that these agreements were entered with the aim of not only encouraging the growth and efficiency of the Nigerian Ports Authority in attaining set targets but also in growing the Nigerian economy;

Concerned that most of these agreements were entered into by the NPA before an identifiable and legally established Economic Regulator as in many other climes is established, to protect all parties to these agreements;

Disturbed by allegations that the Integrated Logistics Nigeria Limited, (INTELS) and some other service providers have been in contention with the NPA with respect to the observance of the relevant agreements; with several claims and counter claims between the parties;

Further disturbed that INTELS and other Service Providers are alleged to have being engaged in illegal and extra budgetary withholding of revenues due to the Authority, incurring unapproved expenses on behalf of NPA and Government, and spending 'collected government revenue' on such illegal expenses, in clear breach of extant laws and agreements and without any due process and budgetary provisions;

Worried that INTELS and some other Service Providers are alleged to be illegally withholding hundreds of millions of dollars due to NPA and illegally using same in paying itself and for some unapproved exaggerated expenses it allegedly accumulated on behalf of the NPA in breach of clear Constitutional and budgetary laws of the land and / or getting any credit notes from the NPA as required by law,

Further worried that INTELS and some other Service Providers and Revenue/Commissioned Agents engaged by NPA are also alleged to be owing the Authority large sums of naira, despite collecting such monies from Service Users real time, and engaging in other unwholesome practices including collecting obnoxiously higher commission than duly approved rates and or surcharging the Authority interest on loans on bank loans which the NPA was not part of the negotiation or spending, and acting as Double Agents to both the Authority and its facility users which are both unethical and criminal;

Alarmed that despite repeated efforts by Authority and Government to ensure that these service providers observe the laws and covenants in their agreements, the providers including but not limited to INTELS have continued to hold the Authority and by extension Nigeria to ransom by their alleged 'sharp practices';

Resolves to:

Mandates the Committee on Ports, Harbours and Waterways:

- (i) to carry out a comprehensive forensic investigation of INTELS and other NPA-engaged agents, service providers etc., vis-a-vis how much monies were collected, in

- (ii) ensure that no further fund is appropriated in favour of any of the Service Providers until all government revenues illegally withheld by them are remitted to NPA in full and ensure the Providers observe all laws and agreements signed with the Authority, and report to the House within 12 weeks for further legislative action.

4. Urgent Need To Stop The Sale Of The Nigerian Liquefied Natural Gas Limited (NLNG):

Hon. Randolph Iwo Oruene Brown:

The House:

Notes that there is a proposal by the Federal Government to sell the multi-billion dollar Nigerian liquefied Natural Gas Limited (NLNG) to raise funds to reflate the Nigerian economy;

Further notes that the proposal was as a result of the recommendation of a Ministerial Retreat in 2016 for an ambitious fiscal stimulus plan involving the generation and injection of massive foreign capital, estimated at between \$10 and \$15 billion (about N 4.72 trillion) into the economy to help the recession recovery process;

Aware that the Minister of Budget and Planning, Udoma Udo Udoma, stated that one of the ways to fund the plan would be through the sale of some national assets and the proceeds reinvested in the economy to raise the needed capital for infrastructure development;

Further aware that the NLNG is one of the most successful ventures that Nigeria has embarked upon with its starting from train one through to the sixth train and now the seventh train in the offing;

Worried that the Revenue Mobilization Allocation and Fiscal Commission (RMAFC) and the Nigerian Labour union, among other organizations, have seriously frowned at this move and warned the Federal Government against the proposed sale of national assets, especially the NLNG;

Cognizant that resuscitating the Nigerian economy from the recession is the actual reason for the proposed sale of the NLNG even though there are other options the government may adopt to resuscitate the economy;

Also Cognizant that the Government has the option of borrowing on long term against the dividends in the NLNG, convert her joint venture holdings in some multinational oil corporations into incorporated joint venture companies, encourage wealthy Nigerians who can afford to buy and therefore rooting for the sale of national assets, to invest in the economy, or to set up their own LNG projects, considering the huge reserves of natural gas in the country;

Further Cognizant that Nigerian workers will be at the receiving end if the sale is allowed to go unchallenged;

Concerned that it is not in any conventional economic reality for any nation to resort to selling off its assets during challenging times, as this exhibits leadership laxity and policy myopia;

Resolves to:

Urge the federal government to suspend the proposed sale of the NLNG

5. **Alleged Extortion Of International Inbound Travellers to Nigeria:**
Hon. Obinna Chidoka:

The House:

Aware that consistent with international best practices, the Nigeria Customs Service has exempted personal and household effects, accompanying international inbound travelers to Nigeria, from import duties, subject to a value of N50,000.00;

Also Aware that the operational manual of the Nigeria Customs Service clearly provides for the modality for assessment and valuation of all items imported into Nigeria, including personal and household effects accompanying international inbound travelers to Nigeria;

Alarmed that there has been a strong expression of public disapproval, anger and outcry from international inbound travelers to Nigeria on alleged excessive and arbitrary valuation of their personal and household effects by officers and men of the Nigeria Customs Service, which they claimed, are usually reduced below the N50, 000.00 threshold, on payment of illicit sums of money to such officials;

Concerned that the foregoing strong expression of public disapproval, anger and outcry from international inbound travelers to Nigeria could foist a lasting negative impression on the entire Nigeria Customs Service, undermine its effectiveness and above all, reverse our dear nation's recent progress on the World Bank ease of doing business rating;

Convinced that in view of series of allegations of arbitrary charges, extortions, bribery, corruption and abuse of office against officers and men of the Nigeria Customs Service there is need to call for investigation, in order to restore the confidence of the Nigerian tax payers.

Resolves to:

Constitute an ad hoc Committee to investigate the outcry from international inbound travelers to Nigeria on allegations of arbitrary charges, extortions, bribery, corruption and abuse of office against officers and men of the Nigeria Customs Service, and also interface with the management of the Custom Service to review the operational manual of the Nigeria Customs Service with respect to the treatment and valuation of personal and household effects of international Inbound travelers to Nigeria and to report within two weeks for legislative action.

6. **Alleged Mismanagement of the Save Schools Initiative (SSI) Funds in the North-East Region:**
Hon. Sani Zorro:

The House:

Recalls that a global intervention named the Save Schools Initiative (SSI), under the leadership of the Hon. Gordon Brown, the former British Prime Minister, was launched after years ago in the wake of horrific abduction of students of the Government Secondary School Chibok;

Aware that an undisclosed amount of funds were collected for the purpose of enhancing physical security around vulnerable schools against further abduction of students in boarding Secondary Schools in the North East Region;

Regrets that there is no evidence that such schools in the North East Region are now secured and protected by trained Security Personnel or fortified with CCTV Cameras, high perimeter fence, heavy duty electric generators, etc., as provided for in the original concept of the Save Schools Initiative;

Further regrets that the absence of security infrastructure in the North East Zone Schools has recently led to another incident of abduction of Government Secondary School Students, Dapchi, Yobe State, which brought about embarrassment and attendant trauma on the Nigerian nation;

Resolves to:

Mandate the Committee on Internally Displaced Persons (IDPs), Refugees and Initiatives on the North-East Zone to investigate the extent of funds collected its management, custodian(s) of the funds and whether or not the funds have been applied for the purpose for which they were collected and report to the House within 8 weeks for further legislative action.

7. Curbing Infant Mortality Rate in Nigeria:

Hon. Akinwunmi Nurudeen Olaitan

Hon. Jimoh Abdulraheem Olajide:

The House;

Notes that Nigeria has the third highest infant mortality rate in the world and by the UNICEF Report of October, 2017, it was said that close to 10 percent of the mortality occurred in Nigeria;

Appreciates that the knowledge, technology and services that are required to save lives babies are obtainable but needs to be placed where they are mostly desirable;

Aware that the new-born mortality rate of 29 deaths per 1000 births, and globally Nigeria is ranked as the 11th highest on new-born deaths. In the same vein, the UNICEF Nigeria's representative, Mr. Mohammed Fall, noted that in recent multiple indicator cluster survey (MICS) conducted by Nigerian government in 2016/17, the rate of new-born death per 1000 birth is 37;

Also aware that majority of these deaths are preventable, but urgent actions needs to be taken for Nigeria to achieve one of the targets of the Sustainable Development Goals (SDG);

Observes that the high percentage of new-born deaths are due to prematurity, asphyxia (Birth asphyxia happens when a baby's brain and other organs do not get enough oxygen before, during or right after birth), complications during birth or infections such as pneumonia and sepsis (Sepsis is a life-threatening illness caused by one's body response to an infection). These deaths can be avoided with access to well-trained Midwives during antenatal and post-natal visits;

Resolves to:

- (i) Urge the Federal ministry of Health, Health Practitioners, Health Care Providers to curb infant mortality rate by recruiting, training, retaining of Doctors, Nurses and Midwives with expertise in Maternal and new-born care;

(ii) Mandate the committees on Health Institutions, Health Care Services, and Sustainable Development Goals (SDGs) to meet and come up with ways to achieve the Sustainable Development Goals on mortality rate in Nigeria.

8. Call on the Central Sank of Nigeria to Compel Undercapitalized Banks to Recapitalize in Order to Strengthen and Support the Economy:

Hon. Sergius Ose Ogun:

The House:

Notes that the availability of financial capital is a prerequisite for rapid development of the economy of any society;

Concerned about the deterioration in the country's macro- economic indicators which has exposed the banks to risks in the last 24 months, leading to the deterioration of the bank's asset quality with non- performing loans rising to 15%, far above the 5% regulatory threshold;

Aware that in September 2017, the CBN's Monetary Policy Committee stated that a financial sector stress test showed that the capital adequacy ratio for the nation's banking industry had worsened to 11.51% in June from 12.81% in April 2017 as against the regulator; minimum of 15% for banks with international licenses;

Worried that the stress test is indicative of the fact that deposit money banks are less resilient to shocks and with some of the banks having their capital eroded through non-performing loans, and the failure to recapitalize can create a systemic crisis;

Also worried that with the nation's economy just exiting recession, a systemic crisis in the banking sector will be devastating to Nigeria's fragile economy;

Cognizant that a capital raising exercise will position the banks to be sound and strong to effectively support the economy by functioning as a driver/stimulant of economic growth and sustainable development;

Informed that the deadline given by the Central Bank of Nigeria(CBN) to the banks to raise additional capital has elapsed and some banks did not meet up to the deadline;

Also informed that failure of the banks to meet up with the capital requirements as stated by the CBN is in contravention of Section 13(1) of the Banks and Other Financial Institutions Act, 2004;

Disturbed that these failings place investors and depositors funds at risk and may result in shut down of operations of these banks as stipulated in Section 13(2) of the Banks and other Financial Institutions Act, (BOFIA), 2004;

Resolves to:

(i) Urge the Central Bank of Nigeria to issue a directive to the undercapitalized banks to recapitalize immediately;

(ii) Mandate the Committee on Banking and Currency to monitor the process, ensure implementation and report back within 6weeks for further legislative action.

9. Need To Check The Presumptive Diagnosis And Treatment Of Malaria In Private And Public Health Sectors In Nigeria:

Hon. Ezekiel A. Adaji:

The House:

Notes that Nigeria is one of the highest country burdened by Malaria, with episodes of malaria attacks accounting for approximately 20% of all hospital admissions, 30% of outpatient visits and 10% of hospital deaths;

Further notes that this burden of disease strains the resources of the health system as spending on malaria treatment and prevention accounts for nearly 50% of health expenditures in Nigeria;

Observes that to effectively diagnose and treat malaria the World Health Organization (WHO) currently recommends a confirmatory blood test for all suspected cases of malaria and prescription of artemisinin based combination therapy upon confirmation of malaria positivity;

Concerned that despite polices that recommend parasitological testing before treatment for malaria and the increased availability of malaria rapid diagnostic tests to facilitate point of care diagnosis, presumptive diagnosis and treatment remains widespread in Nigeria;

Worried that nearly 60% of Nigerians seek treatment for malaria at drug shop outlets in the private health care sector and that of these vendors, the minority is composed of licensed pharmacies which are either owned or staff by formally trained pharmacists and which are mainly found in urban centers, while majority vendors who are informally trained loosely regulated proprietary and patient medicine vendors, are usually the only source of drugs in rural areas;

Resolves to:

- (i) Urge the Federal Government through the Federal Ministry of Health-to scale up parasitological diagnosis in all health care systems, through strategic awareness creation and behavioral change;
- (ii) Also urge the Federal Ministry of Health to promote awareness on the use of rapid diagnostic test in rural communities where malaria microscopy is not readily available;
- (iii) Further urge the Federal Government through Federal Ministry of Health to synergize with the patient medicine dealers who are the first contact of most rural dwellers to ensure adequate diagnosis before treatment by making them stock rapid diagnostic tests constantly and also use them when necessary before treating their patients who present with fever;
- (iv) Mandate the Committee on Heath Care Service to ensure compliance.

10. Need to Investigate the Alleged Violation of the Provisions of the Public Procurement Act and Financial Mismanagement by the National Pension Commission (PENCOM):

Hon. Zakariya'u Galadima:

The House:

Recalls that following the enactment of the Pension Reform Act 2014, the National Pension Commission (PENCOM) is required to enforce and administer the provisions of the Act, coordinate and enforce all other laws on pension and retirement benefits in Nigeria;

Also recalls that based on the provision of the Pension Reform Act (PRA) 2014, the Commission is empowered to charge and collect fees levies and penalties in the course of administering its regulatory and compliance role and in some cases to impose sanctions and fine on erring employers, Pension Fund Administrators (PFAs) and Pension Fund Custodians (PFCs);

Notes that like other Government agencies, PENCOM is required to utilize its funds prudently and efficiently and to make all payment into the Treasury Single Account (TSA) or designated accounts maintained and operate in the Central Bank of Nigeria (CBN), except otherwise expressly approved;

Further recalls that the PENCOM is authorized by the provisions of the PRA 2014 to invest its funds in order to generate income;

Worried that the PENCOM investment power in the recent past has been subjected to gross abuse without compliance with the provisions of Public Procurement Act 2007 by the Management;

Disturbed that PENCON under the guise of investing its funds deposited about one billion naira in Aso Savings and Loans Plc, Abuja, at a ridiculously low interest rate and further directed Aso Saving to lend the money to MGSL Mortgage Bank Limited, Abuja where a senior member of the Management has interests;

Worried that in the recent past the Commission in considering the award of contracts and sundry services hardly recourse to due process as evident in the following transactions.

- (i) Unilateral engagement of the consulting of Mr. Olufemi Adeagbo, the Managing Director, Comnavig who was being paid the sum of N2,300,000.00 monthly for the past two years;
- (ii) Employment of IT consultant, one Mrs Olayemi Keri who was being paid the sum of N3,000,000.00 monthly plus other allowances, a car and a driver attached which privileges are not enjoyed by the General Manager in the Commission;
- (iii) Hosted World Pension Summit in the years 2014, 2015 and 2016 respectively where it was alleged that over Two Billion was spent.

Also worried that if these alleged reckless spending, misappropriation of funds lack of adherence to due process is not addressed, the Commission may proceed with similar abuses in future that will certainly put interest of Pensioners and the Industry as whole in jeopardy;

Resolves to:

Mandate Committees on Public Procurement and on Pensions to jointly investigate these allegations and report back within six legislative weeks.

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