SENATE OF THE FEDERAL REPUBLIC OF NIGERIA ORDER PAPER

Tuesday, 15th November, 2016

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

PRESENTATION OF BILLS

1. Trademarks Act CAP T13 LFN 2004 (Repeal and Re-enactment) Bill, 2016 (SB. 357) - *First Reading*
   Sen. Umaru Kurfi *(Katsina Central).*

2. Constituency Projects (Budgetary Provision) Bill, 2016 (SB. 321) - *First Reading*
   Sen. Stella Oduah *(Anambra North).*

3. Armed Forces (Restriction on use on certain internal security operations, etc) Bill, 2016 (SB. 341) - *First Reading*
   Sen. David Umaru *(Niger East).*

PRESENTATION OF REPORTS

1. Report of the Committee on Communications
   Screening of Governing Board of the Nigerian Communications Commission
   Sen. Gilbert Nnaji *(Enugu East)*
   -That the Senate do receive the Report of the Committee on Communications on the Screening of Governing Board of the Nigerian Communications Commission - *To be laid.*

2. Report of the Committee on Niger Delta
   Screening of Mr. Igo Weli as a Member of the Governing Board of the Niger Delta Development Commission (NDDC)
   Sen. Peter Nwaoboshi *(Delta North)*
   -That the Senate do receive the Report of the Committee on Screening of Igo Weli as a member of the Governing Board of the Niger Delta Development Commission (NDDC) - *To be laid.*

ORDERS OF THE DAY

CONSIDERATION OF A REPORT

1. Report of the Committee on Foreign Affairs
   Screening of 47 Career Ambassadorial Nominees
   Sen. Monsurat Sunmonu *(Oyo Central)*

-That the Senate do consider the Report of the Committee on Foreign Affairs on the screening of the following persons as Career Ambassadors of the Federal Republic of Nigeria.

NO.	NAMES	STATE
1.	Obinna Chukwuemeka A.	Abia
2.	Salisu Umaru	Adamawa
3.	Inyan Udoh-Iyang	Akwa Ibom
4.	Okeke Vivian Nwunaku	Anambra
5.	Liman Munir	Bauchi
6.	Ndem Jane Ada	Benue
7.	Mohammed Hassan Hassan	Borno
8.	Martin Nyong Cobham	Cross River
9.	Janet Omoleegbo Olisa	Delta
10.	Itegboje S. Sunday	Edo
11.	Olatunde Adesesan	Ekiti
12.	Lilian Ijekwu Onoh	Enugu
13.	Manaja Tulah Isah	Gombe
14.	Ngozi Ukaeje	Imo
15.	Bello Kazaure Husseini	Jigawa
16.	Enoch Pear Ducci	Kaduna
17.	Garba Baba	Kano
18.	Usman Bakori Aliyu	Katsina
19.	Umar Zainab Salisu	Kebbi
20.	Momoh Seidu Omeiza	Kogi
21.	Kadiri A. Audu	Kwara
22.	Balogun Hakeem	Lagos
23.	Inusa Ahmed	Nasarawa
24.	Ibrahim Isah	Niger
25.	Bankole Adegboyega Adeoye	Ogun
26.	Ibidapo Obe Oluwasegun	Osun
27.	Ogundero Sakirat	Oyo
28.	Eric A. Bell-Gam	Rivers
29.	Attahiru Halliru	Sokoto
30.	Rahmatu A. Dunama	Taraba
31.	Musa S. Mamman	Yobe
32.	Kabiru Bala	Zamfara
33.	Adamu O. Shuaibu	FCT
34.	D. A. Agev	Benue
35.	T. K. Gongulong	Borno
36.	Ibrahim Hamza	Katsina
37.	K. C. Nwachukwu	Imo
38.	Q. I. Worlu	Edo
39.	E. K. Oguntuase	Ekiti
40.	A. I. Paragalda	Adamawa
41.	L. A Gasharga	Borno
42.	Olufemi Abikoye	Kwara
43.	Habu Abubakar G. Ibrahim	Gombe
44.	Rabiu Akawu	Kano
45.	Nonye Udo	Anambra
46.	Odeka Janet Bisong	Cross River
47.	Sonaike Odekunbi Abibat	Ogun

MOTIONS

1. Provision of Medical Attention for Critical Condition Victims.

Sen. Monsurat Sunmonu *(Oyo Central)*

The Senate:

Notes the unnecessary loss of life across Nigeria due to the refusal of hospitals to attend to gunshot victims who do not produce police reports;

Believes that timely medical attention can save the lives of those who have been involved in such incidents, therefore treatment of critical condition victims should not be conditioned on the completion of legal formalities;

Aware that the provisions of Section 33(1) of the 1999 Constitution that "Every person has a right to life, and no one shall be deprived intentionally of his life, save in execution of the sentence of a court in respect of a criminal offence of which he has been found guilty in Nigeria";

Further believes that it is an abdication of responsibility for any hospital to leave critical condition victims unattended to due to lack of police report; and, a refusal to give appropriate medical attention to gunshot victims amounts to an intentional deprivation of life by omission;

Further aware that members of the public who render voluntary help to persons injured with gunshot wounds are often questioned and detained at police stations;

Recognizes the need to build confidence in the public for helping innocent gunshot victims;

Believes that even if the gunshot victim is a criminal, keeping him alive will aid investigation so as to apprehend the accomplices,

Accordingly resolves to:

i. Implore all public hospitals in Nigeria with the professional obligation to extend immediate medical services to gunshot victims in order to save lives, while simultaneously contacting the police for investigation;

ii. Encourage healthcare agencies not to neglect, deny or delay critical care to gunshot victims; and

iii. Urge Nigeria Police to ensure police personnel on duty either in police stations or in the hospitals are trained to deal with gunshot victims and to obtain the necessary documents and information to ascertain what happened in a polite and non-accusatory manner.

2. Urgent need to end the Illicit Trade in Freshly Minted Naira Notes.

Sen. Mao Ohuabunwa *(Abia North)*

THE SENATE:

NOTES THAT every country's currency is a national treasure deserving of a level of dignity, and Nigeria Naira is not an exception. Yet throughout the Country - from Lagos to Sokoto, Kano, Enugu, Port Harcourt and even the FCT, a huge illicit industry has been built around trading on freshly minted Naira notes by certain individuals who engage in the touting and hawking of the nation's treasure and legal tender;

OBSERVES that at popular motor parks like Ojota Park along Lagos-Ikorodu expressway and bus stops like the Dei-Dei pedestrian bridge in Abuja and many similar sports in the nation, new naira note peddlers are seen boldly hawking their wares as if these were ordinary goods. While some of these illicit money sellers attract people by the road sides, others sit beneath umbrellas with bags full of crispy naira notes at their feet, where customers gather to transact within the confines of their vehicles, just like in any other consumer goods;

OBSERVES that these illicit naira peddlers also lurk around weddings and other social events where they showcase well bound naira notes which they sell to individuals to fuel a culture of extravagance and disgrace of our naira treasure – through spraying of same on friends and well-wishers-an act that further subjects the naira to other forms of abuse such as mutilation, folding and other forms of unwarranted misuse;

AWARE that the hawkers dealing on the illicit trade in naira, focus on the denominations of N5, N10, N20, N50 and N100 notes, and through that encourage the persistent scarcity of new notes in these denominations, while making huge spreads of above N250 on every N1000 naira notes sold;

WHEREAS these afore-mentioned illicit activities constitute a violation of Section 21(4) of the Central Bank of Nigeria Act, 2007, which state inter-alia:
"It shall also be an offence punishable under sub-suction (1) of this section for any person to hawk, sell or otherwise trade in Naira notes, coins or any other note issued by the Bank";

AMAZED that security agencies continue to look elsewhere while the illicit trade on Naira notes go on, and these new notes which are scarce in the banking halls readily get into the hands of illegal hawkers, even as Money Deposit Bank and Automated Teller Machines (ATMs) continue to dispense dirty and mutilated Naira notes to legitimate account holders. These acts certainly cast the activities of the CBN and the money deposit Banks in bad light – as the illegal sources of the naira notes in this illegal trade;

OBSERVES that in addition to undermining of the national pride and treasure of the nation through illegal trading on the naira, the circulation of the mutilated and dirty notes arising from this illegal trade, also create health hazards for many Nigerians;

OBSERVES FURTHER that this situation calls to question the integrity of the overall system of the Apex Bank, especially on the procedures it deploys in the dispensing of new naira note and the mopping up of old currencies;

CONCERNED THAT this illegal and criminal acts in the transaction of new naira notes, which has gone on for many decades in the nation, has negative impact on both the integrity of the custodians of our national treasure, as well as on our monetary and fiscal policies,

ACCORDINGLY RESOLVES TO:

1. *Condemn* the act of hawking, selling and otherwise illegally trading in new Naira notes, coins or any notes issued by the Central Bank of Nigeria;

2. *Urge* the Central Bank of Nigeria as a matter of urgency, to enforce compliance with the provisions of Section
21 of the CBN Act, 2007;

3. *Mandate* the Central Bank of Nigeria to strengthen its system that audits the process of collation, processing and disposing of defaced and mutilated notes; and

4. *Urge* the CBN to investigate the allegation that commercial Bank officials do in fact sell new Naira notes to illegal peddlers.

3. Urgent need to Investigate Special Funds that Accrued to the Federation as provided by the Revenue Allocation Act 2004.

Senator Malam Ali Wakili *(Bauchi South)*

The Senate:

Aware that the Revenue Allocation Act, Laws of the Federation of Nigeria, 2004 provides for special funds items to be kept in trust by the Federal Government on behalf of the Federation;

Cognizance that the items listed in the Act and percentage of funds from the Federation Account allocates (1%) Ecology, (1.68%) Development of Natural Resources, (1%) Stabilization Fund and (0.5%) Federal Capital Territory;

Observes that the 0.5% allocation for the FCT is meant for the development of the Federal Capital Territory, while 1.68% allocation for development of Natural resources is to exploit other mineral resources in abundance throughout the country in order to maximize revenue base of the Federation Account;

Further observes that while the Stabilization Fund is to be kept for a rainy day, the allocation for general ecology is to enable the Government respond to natural or artificial ecological challenges in part of the country;

Concerned that while the Allocation of Revenue Act, 2004 spells out percentage of allocation for each item, concomitantly, there is no legal framework that regulates how expenditure from the FCT, Development of Natural Resources, Stabilization and General Ecology Funds are executed;

Worried that although the Act stipulates the conditions upon which resources from the Stabilization Fund could be drawn, it is not known whether such resources are being kept or used in accordance with provisions of the Law;

Disturbed that the status and operational guidelines of Ecological Fund Office in the Office of the Secretary to Government of the Federation is unknown to determine the extent to which such funds are judiciously utilized or otherwise,

Accordingly resolves to:

i. *Urge* the Senate to direct its Committees on Finance, Special Duties, Environment and FCT to investigate relevant Agencies of Government charged with the responsibility of administering such funds; and

ii. *Direct* such Committees to make appropriate recommendations in furtherance of judicious public expenditure management in administering such funds; so as to enthrone the principles of good governance, probity, transparency and accountability.

4. Urgent need to examine the Operations of the Nigeria Customs Service Revenue Drive.

Sponsor: Sen. Isaac Mohammed Alfa *(Kogi East)*

Co-Sponsors: Sen. Ben Uwajumogu *(Imo North)*
Sen. Osuola Adeyeye *(Osun Central)*
Sen. Mallam Ali Wakili *(Bauchi South)*
Sen. Obinna Ogba *(Ebonyi Central)*
Sen. Ahmed S. Ogembe *(Kogi Central)*
Sen. Clifford Ordia *(Edo Central)*
Sen. Samuel Anyanwu *(Imo East)*
Sen. Dino Melaye *(Kogi West)*
Sen. Gilbert Nnaji *(Enugu East)*
Sen. Abdullahi Gumel *(Jigawa North-West)*
Sen. Ovie Omo-Agege *(Delta Central)*
Sen. Nelson Efiong *(Akwa-Ibom South)*

The Senate:

Notes that the Nigeria Customs Service was established to among other things;

(a) Collect and account for revenue from customs duties, excise duties, other fees and excise laws;
(b) Administer any aspect of trade and fiscal policy that the government of the federation may mandate it to administer;
(c) Promote trade facilitation;
(d) Protect Nigeria against smuggling, customs fraud and all other violations of customs and excise laws and laws of Nigeria subject to Customs Jurisdiction;

Notes with serious concern that the revenue projections and targets of the Nigeria Customs Service are currently not being met, despite multiple strategies and policy initiatives to improve revenue collection;

Notes further that one of the key functions of the Nigeria Customs Service (NCS) is to generate revenue for the Federal Government;

Observes that Nigeria Customs Service (NCS) recorded a revenue shortfall of N230 billion by the last quarter of 2015;

Observes also that in the first quarter of 2016, the Tin can Island and Apapa Command recorded a revenue shortfall of 2.7 and 2 billion Naira respectively compared with the corresponding period in 2015;

Aware that the revenue shortfall is as a result of unwholesome fraudulent trade malpractices, under declaration, abuse of fiscal policies concealment, over and under invoicing, false declaration of value and wrong classification;

Aware also of the Federal Government's resolve to diversify the economy and enthrone multiple revenue sources in order to augment the dwindling oil revenue;

Determined to utilize legislative action to create an enabling environment that sees the NCS thrive and in effect dramatically increase the revenue accruable to the country and realistically become a major driver in the funding of the nation's budget;

Further aware that the NCS is currently operating a regime that through a directive from the Federal Ministry of Finance, bars the NCS from collecting excise revenue as enunciated in the Mandatory Excise List and Community List in clear contravention of ECOWAS tariff harmonization directive;

Aware that Nigeria continues to loose massive revenue to neighbouring ports in foreign countries whose trade imports are predictably targeted at the Nigerian Market and such imported goods end up being smuggled into the country through our porous borders;

Worried that the Border posts are not properly equipped with cargo handling and security scanning capabilities which have consequently rendered our borders porous and arguably accounts for proliferation of small arms and other cross border crimes;

Further worried that the key function of facilitating trade in the country is consistently being compromised and negated by the arbitrary interruptions in the process of goods clearance through multiple alerts that stall the free flow of goods clearance;

Alarmed that the procedure for handling of Over Time Cargo, Detained Cargo and Impounded Cargo is in utter violation of the provisions of the CEMA Act and as such occasions massive revenue losses while inflicting severe pains on importers;

Desirous of the need to undertake a thorough and methodical review of this priority revenue agency with a view to understanding the strides achieved, quantum of revenue loss, envisaged/actual human capacity developed, quantum of technology transferred, bottlenecks encountered and processes that should reviewed in order to deliver on the stated goals and other derivative values of the Nigerian Customs Service,

Accordingly resolves to:

i. *Mandate* the Committee on Customs, Excise and Tariff to carry out a holistic investigation into the activities of the Nigeria Customs Service with a view to identifying the leakages and irregularities as well as the causes of the declining revenue profile of the Service and come up with recommendation that will reinvigorate the revenue profile of the Nigeria Customs Service.

5. The Total State of Disrepair and Collapse of the Ekpoma – Benin Federal Highway.

Sponsor: Senator Clifford Ordia *(Edo Central)*

The Senate:

Notes with serious concern the dilapidated state and total collapse of the Ekpoma – Benin Federal Highway thereby making journey on it very traumatic and tragic;

Notes also that under normal circumstance, it takes approximately an hour to drive from Ekpoma – Benin, but at the moment, it takes over three tortuous hours;

Notes further that the road is of great economic importance to all Nigerians. It links Edo State to other parts of the country;

Worried that the condition of the road has exposed many users to unprecedented hazard with many fallen victims of armed robbery attacks leading to loss of lives and also loss of property resulting from accidents;

Worried also that the collapse of this road has virtually cut off the State from other parts of the federation, with its attendant negative impact on trade and commerce;

Observes that the collapse and total state of disrepair has led to a decline in agricultural and economic activities, adversely affecting the movement of agricultural produce and construction materials within and outside the states resulting in a slide in the overall economic output of the country;

Observes also that the life cycle of this road has expired and the heavy vehicular movement on the road coupled with years of neglect have accelerated the state of disrepair and collapse of the road;

Aware that the highway is also part of the on-going dualization of Okene-Benin Federal Highway but the project has been abandoned by the contractor handling it for lack of funds;

Convinced that with the current state of affairs of this important road, urgent steps must be taken to arrest the dangerous situation which the people have found themselves as disconnection from other parts of the country,

Accordingly resolves to:

i. *Urge* the Federal Government to as a matter of urgency release funds to the Contractor handling the Dualization project of the road; and

ii. *Mandate* the Committee on Works to ascertain the level of disrepair with a view to making recommendations to the Senate.

6. Urgent need for Declaration of Emergency over the Security Situation in the Southern Kaduna.

Sponsor: Sen. Danjuma La'ah *(Kaduna South)*
Co-sponsor: Sen. Jonah Jang *(Plateau North)*

The Senate:

Notes that since 2011 various communities in Southern Kaduna Senatorial District of Kaduna State have been consistently attacked by Herdsmen resulting in deaths, injuries, loss of properties and displacements of the communities;

Further notes that Southern Kaduna Senatorial district is a zone of peaceful communities that accommodate all Nigerians and foreigners alike and are not hostile to any one or groups;

Further notes that Southern Kaduna Senatorial District is substantially agrarian with large arable and fertile lands and excellent weather conditions which promote cultivation of virtually all crops;

Further notes that Kaduna South Senatorial District is also rich in solid minerals natural endowment yet to be tapped for national development;

Aware that there has been regular attack by armed Herdsmen, the latest being the 15th and 16th October, 2016 in Godo-godo community in Jama'a Local Government Area as well as other communities in Kaura, Sanga

and Kauru Local Government Areas resulting in several deaths, injuries, and wanton destruction of properties worth billions of naira;

Observes that subsequent to attacks these herdsmen have virtually occupied the displaced communities in Godogodo District with their sophisticated weapons, and are grazing their cattle freely;

Observes also that the attacks on the communities indicate a pattern of deliberate desire to annihilate such communities, decimate their population, occupy their lands and generally create an atmosphere of terror, conquest and domination;

Aware that the Federal Government had declared a security emergency in Zamfara State in the wake of similar terrorists attacks that were aimed at cattle rustling, a lesser security threat, and set up a Military Strike Force there to contain the situation;

Aware also that there is a general atmosphere of insecurity in the Southern Kaduna Senatorial District of Kaduna State at the moment and local inhabitants cannot access their farm holdings and crops which are ripe for harvest;

Further aware that some time past there was a resolution to set up a military battalion/base in a radius of 20km away from Kafanchan in the Southern Kaduna Senatorial District, but the resolution is yet to be implemented;

Notes that the recent attacks are coming on the heels of previous ones and with the presence of some security personnel on ground, yet no persons, as usual, have been apprehended for the attacks;

Aware of efforts by the Kaduna State Government and Federal Government to restore peace in the area, but apparently, the efforts are neither adequate enough nor effective to prevent more attacks,

Accordingly resolves to:

i. *Observe* a minute silence for the repose of the souls of the deceased victims of the attacks;

ii. *Call* on the Federal Government to declare a security emergency in Southern Kaduna Senatorial District of Kaduna State;

iii. *Call* on the Federal Government to actualise the resolve to set up a Military Battalion/Base in Kafanchan or such other place in Southern Kaduna Senatorial District of Kaduna State;

iv. *Call* on the Federal Government to set up a Military Strike Force in the Southern Kaduna Senatorial District of Kaduna State as an interim measure;

v. *Urge* the Security agencies to intensify efforts to apprehend and bring to justice all persons involved in these attacks; and

vi. *Urge* the Senate to include Southern Kaduna as a beneficiary of the 3% Federal Government Value Added Tax (VAT) remittance for a period of ten years to be given to the North East Development Commission as provided in the North East Development Commission (Est, etc) Bill, 2016 recently passed by the Senate considering the huge damage and devastation Southern Kaduna has suffered during the period.

7. Need to Increase the Funding of Uncompleted Dams across Nigeria for optimum Performance and Service Delivery.

Sen. Chukwuka Utazi *(Enugu North)*

THIS SENATE:

NOTES that Dams and Reservoirs are used for irrigation, water supply, hydro-electric power generation or some combination of two or more of such uses;

NOTES that the importance of Water to life on earth cannot be quantified;

OBSERVES that across the country, there are Dams and Reservoirs that are leveraged towards service delivery to the people of the catchment area;

INFORMED that the South-East geo-political zone of Nigeria is in acute shortage of water supply as a result of inadequacy of facilities, such as Dams that could be leveraged for the provision of water supply, irrigation or for purposes of hydro-electric generation;

INFORMED that this acute water scarcity is nowhere more biting than in Enugu North Senatorial District comprising the whole of Nsukka Zone consisting of a population of more than five (5) million people who have no access to safe drinking water;

INFORMED that the Adada River Dam Project located in the District, which when completed is expected to generate and hold about 1.3million cubic metres of water all-year round and would ameliorate the burden of water scarcity in the area has however been beset by underfunding by the government;

INFORMED that the ground water level in and around the Nsukka area, which make up the Senatorial District, is deep, sometimes averaging 1000 metres to found sustainable water supply;

OBSERVES that this natural depth of water level in the area makes it extremely difficult for the populace to have access to safe drinking water as boreholes are burdensome to dig;

OBSERVES that UNESCO has specified that 50-100 litres of water per person, per day are needed to ensure that most basic needs are met and few health concerns addressed;

RECOGNISES that of the three basic needs of man, viz, water, food and shelter, water is by far the most important and it has been shown that human life can survive even in the absence of the other two, but cannot, for any length of time, in the absence of water,

Accordingly resolves to:

i. *Mandate* the Senate Committee on Water Resources to carry out an inventory of ongoing Water Dams and Reservoirs projects across the Country with a view to ascertaining their levels of completion and ensure increased allocations to them in the 2017 budget cycle;

ii. *URGE* the Federal Government to appreciate the existential importance of Water and ensure that the Nigerian populace have access to safe drinking water as a matter of priority; and

iii. *URGE* the Federal Government to take particular note of the acute water shortage in Enugu North Senatorial District and intervene to ameliorate the suffering of the people.

COMMITTEE MEETINGS

No.	Committee	Date	Time	Venue
1.	Employment, Labour & Productivity	Monday, 14th November, 2016	10.00am	Committee Room 117 Senate New Building
2.	Information & National Orientation	Tuesday, 15th November, 2016 (Oversight)	1.00pm	Senate Front Entrance
3.	Petroleum Resources (Upstream)	Tuesday, 15th November, 2016 (Oversight)	1.00pm	
4.	Health	Tuesday, 15th November, 2016 (Oversight)	12.30pm	Senate Front Entrance

5.	National Identity Card & National Population Commission	Tuesday, 15th November, 2016 (Screening Exercise)	10.00am	Committee Room 120 Senate New Building
6.	Customs, Excise& Tariff	Tuesday, 15th November, 2016	1.00pm	Committee Room 120 Senate New Building
7.	Aviation	Tuesday, 15th November, 2016	2.00pm	Committee Room 323 Senate New Building
8.	Airforce	Tuesday, 15th November, 2016	2.00pm	Committee Room 305 Senate New Building
9.	National Planning	Tuesday, 15th November, 2016 (Oversight)	1.30pm	Senate Front Entrance
10.	Drugs & Narcotics	Wednesday, 16th November, 2016	2.00pm	Committee Room 327 Senate New Building
11.	Science and Tecnology & Judiciary	Wednesday, 16th November, 2016	2.00pm	Committee Room 117 Senate New Building
12.	Works	Thursday, 17th November, 2016	2.00pm	Committee Room 117 Senate New Building
13.	Banking, Insurance & other Financial Institutions	Thursday, 17th November, 2016	1.00pm	Committee Room 107 Senate New Building
14.	Defence	Thu. 17th – Fri. 18th November, 2016 (Oversight)		
15.	Marine Transport	Monday, 21st November, 2016 (Public Hearing)	10.00am	Conference Room 022 Senate New Building

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