



**SENATE OF THE
FEDERAL REPUBLIC OF NIGERIA
ORDER PAPER**

Tuesday, 22nd November, 2016

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

PRESENTATION OF BILLS

1. Presidential Inauguration Bill, 2016 (SB. 379) - *First Reading*
Sen. Ike Ekweremadu (*Enugu West*).
 2. National Institute for Hospitality and Tourism (Establishment, etc) Bill, 2016 (SB. 380) - *First Reading*
Sen. Matthew Urhoghide (*Edo South*).
 3. National Commission for Internally Displaced Persons, Refugees and Migrant Bill, 2016 (SB. 335) - *First Reading*
Sen. Ubale Shittu (*Jigawa North East*).
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PRESENTATION OF REPORTS

1. Report of the Committee on Culture and Tourism
2016 Budget of the Nigerian Tourism Development Corporation (NTDC)
Sen. Matthew Urhoghide (*Edo South*)
-That the Senate do receive the report of the Committee on Culture and Tourism on the 2016 Budget of the Nigerian Tourism Development Corporation (NTDC) - *To be Laid*.
 2. Report of the Committee on Information and National Orientation
Sen. Suleiman Adokwe (*Nasarawa South*)
-That the Senate do receive the reports of the Committee on Information and National Orientation on the 2016 Budget of the following Agencies:
 - a. National Broadcasting Commission (NBC);
 - b. News Agency of Nigeria (NAN);
 - c. Federal Radio Corporation of Nigeria (FRCN); and
 - d. Nigerian Television Authority (NTA) - *To be Laid*.
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ORDERS OF THE DAY

CONSIDERATION OF REPORTS

1. Report of the Committee on Ethics, Privileges and Public Petitions
Non- payment of Compensation for Lands

Sen. Samuel Anyanwu (*Imo East*)

-That the Senate do consider the report of the Committee on Ethics, Privileges and Public Petitions in respect of a Petition from Mohammed Yamah and Co. on behalf of Nine Communities of the Niger Delta Region Against the Federal Republic of Nigeria and the Ministry of Niger Delta Affairs for Non- payment of Compensation for Lands Compulsorily Acquired.

2. Report of the Committee on Ethics, Privileges and Public Petitions
Alleged Double Allocation of Plot No. 2022

Sen. Samuel Anyanwu (*Imo East*)

-That the Senate do consider the report of the Committee on Ethics, Privileges and Public Petitions in respect of a Petition from Uche Ugoagwu Esq. on behalf of Barr. Uche Pascal Obilor and Mrs. Omu Obilor against Abuja Geographic Information System (AGIS) FCT Administration over Alleged Double Allocation of Plot No. 2022.

CONSIDERATION OF BILLS (*Clause by Clause*)

1. Official Secrets Act CAP O3 LFN 2004 (Amendment) Bill, 2016 (HB. 317 & 426) - *Committee of the whole*
Senate Leader.
2. National Film and Video Censor Board Act CAP N40 LFN 2004 (Amendment) Bill, 2016 (HB. 224)
- *Committee of the whole*
Senate Leader.
3. Pension Rights of Judges Act CAP P5 LFN 2004 (Amendment) Bill, 2016 (HB. 6) - *Committee of the whole*
Senate Leader.
4. Federal Capital Territory District Courts (Establishment, etc) Bill, 2016 (HB. 7) - *Committee of the whole*
Senate Leader.
5. Mortgage Institutions Act CAP M19 LFN 2004 (Amendment) Bill, 2016 (HB. 253) - *Committee of the whole*
Senate Leader.
6. Oaths Act CAP O1 LFN 2004 (Amendment) Bill, 2016 (HB. 169) - *Committee of the whole*
Senate Leader.
7. Dangerous Drugs Act CAP D1 LFN 2004 (Amendment) Bill, 2016 (HB. 292) - *Committee of the whole*
Senate Leader.

MOTIONS

1. Condemning the rising cases of Jungle Justice in the country.

Sponsor: Sen. Gbenga Ashafa

Co-Sponsor: Sen. Ali Ndume

The Senate:

DISTRESSED by the rising cases of Jungle Justice by mobs that have arrogated to themselves the power to condemn others to death and execute judgment without recourse to the law courts in different parts of Nigeria;

WORRIED about this trend, especially the case of a young man recently lynched in the Orile area of Lagos State for stealing;

HORRIFIED that these rising barbaric acts are in most cases, perpetrated with a crowd of people watching unperturbed is most disheartening and frightening as each act dehumanizes us as a race;

FURIOUS that this is happening and continues to become more alarming everyday in these considerable hard conditions our people are passing through;

DISGUSTED that this is not the first time in the country that mobs have engaged in jungle justice. Some of the instances of Jungle justice still fresh in our memories are as follows:

- i. We can never forget when four young boys, Ugonna Obuzor, Toku Lloyd, Chiadika Biringa, and Tekena Elkanah, all students of the University of Port Harcourt were lynched in 2012 after they were falsely accused of being thieves in Aluu, a community in Port Harcourt, Rivers state.
- ii. Sometime in October, 2016 it was reported that a young man trying to steal a flat screen TV from a football viewing centre in Uyo, Akwa Ibom State had his arm chopped off by an irate mob on suspicion of stealing.
- iii. On October 19, photos of a suspected burglar tied up like bush meat surfaced online. He was said to have been caught red-handed after breaking into a house and trying to steal some valuables in Sokponba in Benin city, Edo state. He was beaten blue and black, tied up like bush meat and later handed over to the police.
- iv. In February, 2016, one Akinifessi was reported to have been beaten to death by a mob in Ondo State for engaging in Homosexuality.

FURTHER DISGUSTED at the growing culture of extreme hate and disregard to human life, coupled with the institutional lethargy against prosecution by some state Attorney Generals, with the recent case of Mrs. Bridget Agbahime, who was killed in July, 2016 by an angry mob in Kano for having a different opinion from those of her attackers;

OBSERVES that the current social disinterestedness to move against this behaviour that has led to Nigeria being tagged as one of the countries with the worse rate of jungle justice in the world, yet a religious country;

FURTHER OBSERVES that we should strive to be our brothers keeper in view of the economic situation we both face as families and as a society;

REITERATES that the growing culture of citizens or anyone in particular taken the law into their own hands and meting out justice as they deem fit is most reprehensible;

OBSERVES that Section 33 of the Nigerian Constitution guarantees the right to life and that no Nigerian life should be taken except in accordance with the rule of law;

RESTATES the need for all citizens not to submit to this evil act because in doing so we'll lose our humanity;

ACKNOWLEDGE that mob justice is the trait of a people with long deprivation of justice; it shows a fault lines in our legal/justice system;

ACCORDINGLY RESOLVES TO:

- i. Condemn in totality these abhorrent acts of barbarism;
- ii. Urge the Nigerian Police to immediately confirm or deny the occurrence of the recent purported mob action in Lagos State and other States;
- iii. Urge the Nigerian Police to immediately ensure that they fish out all the perpetrators of this barbarism and make sure they are brought to book;
- iv. Urge the Police and other Security Agencies to live up their responsibilities to protect our younger ones;
- v. Urge the Senate to urgently accelerate the passage of the Anti-Jungle Justice Bill before it; and
- vi. Urge Attorney General of the Federation, the States Attorney Generals and the Police to show greater sense of duty in the diligent apprehension and prosecution of this kind of offenders. and

2. Urgent need to declare State of Emergency on the total collapse of Three Bridges along Oyo-Ogbomosho-Ilorin Trunk 'A' Federal Highway and Igbeti-Ilorin Federal Highway viz. Oolo to Masifa Bridge, Elega to Asani Bridge and Mooro Bridge.

Sponsor: Sen. Abdulfatai Buhari (*Oyo North*)

Co-sponsor: Sen. Monsurat Jumoke Sunmonu (*Oyo Central*)

The Senate:

Notes with deep concern the total collapse of the Two Bridges (i.e Oolo to Masifa and Elega) to Asani along Oyo-Ogbomosho-Ilorin Trunk 'A' Federal Highway thereby making movement along the road so pathetic and harrowing;

Notes also with serious concern the non-passable state of Mooro Bridge along Igbeti-Ilorin Federal Highway which is actually the only Bridge that connects Oyo North Senatorial District (Oke-Ogun People) and Kwara Central Senatorial District. In other words, the Mooro Bridge is the only Bridge that connects Northern part of Oyo State with Northern part of the country through Kwara State;

Notes further that the Oyo-Ogbomosho-Ilorin Trunk 'A' Federal Highway is the only available road for the commuters moving between Northern Nigeria and Southwestern Nigeria since the dual carriageway of Oyo-Ogbomosho under age long construction is yet to be completed;

Disturbed that the drive between Oyo, an ancient commercial city in Southwest, and Ogbomosho, another commercial hub in Southwest, which is not supposed to take more than forty-five minutes under normal circumstances, now takes avoidable and unwarranted stress of seven hours and thirty minutes or even more;

Disturbed further that the total collapse of another Bridge i.e Mooro Bridge, has seriously paralyzed the movement of goods and persons in the zone because Mooro River is a big river that is not negotiable without a navigation Bridge so the commuters don't have option than to use bush paths which often subject them to armed robbery attacks;

Worried that the collapse of these Three Bridges is seriously affecting the transportation of agricultural produce and finished goods between Northern Nigeria and Southwestern Nigeria therefore having serious downward resultant effects on trade and commerce of the country;

Concerned that the life cycle of these Three Bridges has expired because they were actually constructed for temporary use as far back as the 2nd Republic, but unfortunately because Oyo-Ogbomosho-Ilorin Trunk 'A' Federal Road is the only available route for the heavy lorries and tankers shuttling between the Northern and the Southwestern Nigeria, and Igbeti-Ilorin Federal Highway is also the only route connecting the Northern part of Oyo State and the Northern part of Nigeria through Kwara State which has contributed in no small measure to the unavoidable total collapse of these roads;

Aware that the Federal Roads Maintenance Agency recently made efforts to find temporary solution to Elega-Asani Bridge but it has since collapsed again simply because there is no concerted effort to overhaul the rehabilitation of the road. In fact, commuters now wait indefinitely whenever it rains for the rain to stop before they can continue their journey due to the adverse effect of the gully erosion on the road;

Aware further that the commuters plying the Mooro Bridge particularly the National Union of Road Transport Workers of both Oyo state and Kwara State contributed resources for the construction of a bamboo-made temporary bridge which has collapsed. Hence, the intervention needed here is a standard and durable Bridge;

Convinced that the current pathetic condition of these three important Bridges requires urgent attention of the Federal Government in order to address the needless harrowing experience that commuters currently suffer,

Accordingly resolves to:

- I. Urge the Ministry of Power, Works & Housing, and the Federal Roads Maintenance Agency to ascertain the level of damage in order to salvage the situation;
- II. Urge the Federal Government to begin immediate rehabilitation of these three bridges; and

III. *Call on the Federal Government to fund and complete the dual carriageway between Ogbomosho and Oyo to ease the suffering of commuters and save lives.*

3. The need for a detailed explanation of the \$15 Billion proposed MOU with Indian Government and over \$80 Billion MOU signed by Minister of State for Petroleum Resources with Chinese Firms.

Sen. Clifford Ordia (*Edo Central*)

The Senate:

Aware that the Minister of State for Petroleum negotiated a \$15 billion investment with India where the Indian Government would make an upfront payment to Nigeria for Crude Oil purchases;

Further aware that the two countries have agreed to sign an (MoU) to facilitate investments by India in the Nigerian Oil and Gas Sector and specifically in areas such as Refining, Oil and Gas Marketing, Upstream Ventures, the development of gas infrastructure and in the training of oil and gas personnel in Nigeria;

Notes that the Minister of State for Petroleum Resources also carried out a roadshow in China where Memorandum of Understanding (MOUs) worth over \$80 billion to be spent on investments in Oil and Gas Infrastructure, Pipelines, Refineries, Power, Facility Refurbishments and Upstream Financing spanning five years were signed with Chinese companies;

Further notes that some of the Chinese Companies involved in the MOU include China North Industries Corporation (NORINCO Group), China Cinda Asset Management Company Limited (CINDA), China National Offshore Oil Corporation (CNOOC), China Petroleum & Chemical Corporation/Addax Petroleum (SINOPEC/ADDAX), and International Chamber of Commerce/ China's National Development and Reform Commission (ICC-NDRC);

Observes that outside these (MOUs for \$80 billion investments), the two largest Oil Companies in China, Sinopec and CNOOC, signed investment MOUs with the Minister of State for Petroleum Resources committing the companies to further investments in Nigeria's Upstream Oil Sub-sector to the tune of \$20 billion,

Accordingly resolves to:

- i. *Invite the Minister of State for Petroleum Resources to appear before Senate Committees on Petroleum Upstream, Gas and Foreign Affairs to give a detailed explanation of the subject matter of each Memorandum of Understanding signed in China and the proposed MOU with India and its anticipated impact on the Nigerian economy.*
4. Need for Intensified Sensitization on Climate Change Mitigation and Adaptation in the Nigerian Agricultural Sector.

Sen. Gershom Bassey

NOTES that President Muhammadu Buhari was in the Marrakech Climate Change Conference in Morocco to see how best to tackle Nigeria's ecological problems;

FURTHER NOTES that the Intergovernmental Panel on Climate Change (IPCC), did identify Nigeria as a climate change "hot spot" likely to see major shifts in weather in the twenty-first century;

AWARE that the United States Institute of peace Special Report shows that Nigeria's climate is likely to see growing shifts in temperature, rainfall, storms, and sea levels throughout the twenty-first century;

FURTHER AWARE that according to the Ministry of Environment, between 1997 to 2012, about 10% of Nigeria's total forest cover has been deforested by climate change;

OBSERVES that in 2010, the National Emergency Management Agency (NEMA) reported that over 250,000 Nigerians were displaced by flood disasters that ravaged many communities across the country;

FURTHER OBSERVES that in developing countries like Nigeria, the impact of climate change on agriculture induces new challenges in the campaign against extreme poverty and disease;

ACKNOWLEDGES that the challenge of climate change on agriculture will make it difficult to achieve the targets set out in Nigeria Vision 20:2020 and the Sustainable Development Goals (SDGs) as these challenges somewhat threaten the progress already made in the fight against extreme poverty and disease;

CONCERNED that Nigeria has almost 70% of her work force engaged in Agriculture and 42% of her entire GDP is from Agriculture;

EQUALLY CONCERNED that the agricultural sector of the Nigerian economy has manifested vulnerability to climate change owing to ecosystem degradation, reduced availability of water and flood;

WORRIED that poor response to climate change creates shortages of resources such as land, water and these fuel violent conflict, hunger and sickness;

FURTHER WORRIED that the consequence of climate change is more severe on peasant farmers so there is need to strengthen the most vulnerable group in agricultural production with requisite knowledge and information necessary for climate change mitigation and adaptation;

CONSCIOUS that adequate sensitization of farmers on climate change will create a calendar that will help farmers achieve their optimal goal of boosting production,

Accordingly resolves to:

- i. Urge the Federal government to put machinery in place to educate and sensitize farmers to see the wisdom in adjusting their farming programs periodically so as to avert the effects of climate change; and
- ii. Urge the Federal government to carry out public awareness campaigns on climate change so as to educate Nigerians on their expectations especially in the areas of adaptation and mitigation.

5. Need for the Establishment of Dry and Inland Ports at Onitsha, Enugu and other Land-Locked States.

Sen. Stella Oduah (*Anambra North*)

The Senate:

Notes that inland water transport, dry ports and inland container terminals, provides an efficient mode of transportation of persons, goods and services;

Further notes that the development of dry port and inland water transport in Onitsha, Enugu, Aba and other Land-locked areas as a result of the geo-physical features in those locations will facilitate commercial and industrial activities in the export and import of raw materials, machineries and equipment as a major component;

Observes that existing Maritime Ports in Lagos, Port Harcourt and Calabar are being over stretched and that the congestion of these ports constitute serious security threat to lives and property, especially now that there is heightened security concern at crowded locations;

Regrets that due to congestion in the existing Maritime Ports and the bureaucracy associated with the clearing of goods, a lot of precious time which would otherwise have been committed to other productive economic engagements is often wasted;

Worried that there have been causes of avoidable loss of lives and destruction of goods due to movement by road of containers and heavy equipment carrying trucks, above all is stagnation of economic growth and lack of access to global market;

Acknowledges that creation of these alternative ports will enhance trade, industries, export, and import within these zones. Bottom-up economic growth which will give rise to global access and job creation. For the first time, rural communities will have access to global market and dominate regional market;

Further acknowledges that inland water transport, Dry Port and Inland Container Terminals generate revenues for the Federal and State Government, which revenue is channeled towards the development of other sectors, including health and education infrastructure and the creation of employment and job opportunities for Nigerians, thereby ensuring engagement of workers and reduction of social problems induced by unemployment,

Accordingly resolves to:

- i.* Urge the Federal Government to direct the Nigerian Shippers Council to carryout appropriate feasibility studies for the purpose of establishing inland ports in Onitsha, Enugu and other Land-locked states;
- ii.* Urge the Federal Government based on the feasibility study to establish inland ports in Onitsha, Enugu and other Land-locked states; and
- iii.* Mandate the Committees on Transport and works to ensure full compliance with prayer (i) and (ii) above.

6. Unfair charges by FAAN at the Airports across the Country.

Sen. Olanrewaju Tejuoso

The Senate:

Notes that with the current recession affecting the Country, Nigerians cannot afford to be spending money unwisely;

Further notes with serious concern, the unfairness of having to pay before you can use a trolley to move your luggage at our local and international airports;

Convinced that the citizenry deserves all the protection from any financial exploitation at this time of economic hardship in particular;

Observes that the authorities of the Federal Airport Authority of Nigeria (FAAN) collects service charge from passengers, ranging from one thousand naira (N1,000) for local travels to twenty thousand naira (N20,000) for international travels;

Observes further that FAAN contracted the management of the trolleys to different companies at our various airports, collecting the sum of four hundred naira (N400) per trolley use;

Aware that other countries like the United States, the United Kingdom (except Luton and Bristol) and even in Ghana trolleys are offered to passengers at their airports for free. If charges are made, it would be refundable when the trolleys are returned by the passengers;

Aware also that the few Countries that charge for trolley use, DO NOT SUBJECT THEIR PASSENGERS TO SERVICE CHARGES;

Further Aware that due to the prevailing negative economic situation of Nigerians at this time, travelers avoid using trolleys to save money and so resort to pulling their luggage's, whilst carrying children etc with great discomfort;

Convinced that this unfairness cum extortion of monies from innocent travelers must be stopped, considering the fact that service charge has already been collected by FAAN;

Aware that in the recent past, use of trolleys at our various airports were free of charge and sponsored by various corporate bodies that branded the trolleys,

Accordingly resolves to:

- i. Urge* the Federal Government to order the authorities of FAAN to stop this illegality immediately;
 - ii. Mandate* Committee on Aviation to investigate why the corporate sponsorship of trolleys was discontinued by FAAN; and
 - iii. Mandate* the Committee on Aviation also to investigate the application of the huge service charges accruing to FAAN daily with particular reference to the poor services rendered to Nigerians at our various airports.
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 inadequate 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 find 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
- i. *URGE* the Federal Government to take particular note of the acute water shortage in Enugu North Senatorial District and intervene to ameliorate the sufferings of the people.

8. Recruitment into the Nigerian Police Force; the need to adhere to Federal Character Guiding Principles.

Senator Samuel N. Anyanwu (*Imo East*)

The Senate:

Notes with interest the ongoing recruitment exercise into the Nigerian Police force;

Aware that the recruitment will strengthen the manpower needs of the force as well as reduce the unemployment rate already posing a challenge to the Nigerian society;

Notes with concern the neglect of the Nigerian police force to the normal criteria for recruitment into the federal public service as enshrined in the constitution of the Federal Republic of Nigeria;

Aware that in Part1, paragraph 4(1)(a) and (b) of the Federal Character Act, and paragraph 8(1)(a) and (b) of section c, part 1, Third Schedule to the constitution of the Federal Republic of Nigeria, the Federal Character Commission is mandated to;

"Work out an equitable formula, subject to the approval of the National Assembly for distribution of all cadres of posts in the civil and public services of the federation and of the states, the armed forces of the federation, the Nigerian Police Force and other governmental security agencies and government owned companies/parastatals of the state and to promote, monitor, and enforce compliance with the principles of proportional sharing of all bureaucratic, economic, media and political posts at all levels of government";

Notes also that paragraph 5 of the Federal Character Guiding Principles for recruitment into the Federal public service provides that the mode of selection for recruitment should be on state basis and not on local government basis that the police want to adopt in the on-going recruitment exercise;

Notes further that section 4(1)(e) of the Federal Character Commission Act empowers the commission to intervene in any recruitment process where the provision of the Act has been, is being or likely to be contravened by any Agency;

Aware that the guiding principle and formula for the distribution of posts provides inter alia;

"Each State of the Federation shall be equitably represented in all national institutions, public enterprises and organizations and each state required to produce 2.75 percent of the total workforce in any federal establishment while the federal capital territory shall produce 1 percent for the indigenes of the federal capital territory",

Accordingly resolves to:

- i. *Stop* the police force and its recruitment agencies from carrying out the recruitment exercise based on Local Government formula and adhere strictly to the provisions of the Federal character recruitment procedure which prescribes state to State formula; and

- ii. Mandate the Committee on Federal Character to rise to its duties by ensuring that the Police Force and other agencies of government do not go contrary to the strict provisions of the law.*

9. 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 parts 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.*

10. Urgent need to revisit the issue of Corporate Tax Incentives which is turning into a huge drain on Nigerian Economy.

Sen. Mao Ohuabunwa (*Abia North*)

THE SENATE:

CONSCIOUS that corporate tax incentives have become one of the readily applicable fiscal provisions that focus on attracting investment flow in most developing countries. Such incentives being tailored to reduce corporate tax rates or full holiday so that investing companies do not pay taxes on their profits than normal, or benefit from reduced taxes on services such as water, electricity or land;

NOTES that the belief which remains strong that corporate tax incentives must be used by governments to effectively attract foreign direct investment (FDI) into countries that also require to drive technology, develop local capacity, build infrastructure and create jobs, - have remained as false hopes;

OBSERVES with dismay, the actual downside scenario where governments offer huge tax breaks or incentives to potential investors in the name of encouraging FDI, while the same investors are actually busy exploiting such tax loopholes to siphon their profits out of the host economy;

WORSE STILL, is that such activities of some foreign investors has become a form of sabotage to the national economy when they employ various guises to continue to enjoy tax breaks, including bogus change of investors or brand names to obtain new tax incentives, while having the same Board of Directors in place through the name change process;

AWARE of the enormity of the erroneous assumptions that granting corporate tax incentives would lower tax burdens, give investors higher rates of return and thus provide additional resources for reinvestment in the country;

NOTES that in real investment strategies of companies, tax incentives are rarely considered by entrepreneurs as the key factor driving the decision to invest in any country, instead other key variables play more important roles;

ACKNOWLEDGES that our nation despite the continuing attractions attached to corporate tax incentive assumptions, has in no way benefitted in comparable measures to justify the continued granting of some of the many tax incentives existing in our economic books and investment system;

CONCERNED that the sustained granting of tax incentives have become counterproductive, especially as it has negative impact on the development of local industries through giving unnecessary advantages to large multinational corporations, indirectly killing small scale industries, especially where such incentives have now come to include companies operating in the free trade zone areas initiatives;

WORRIED that despite years of granting generous incentives to investors, the objectives of increased job creation and new employment opportunities remain a mirage and have not been realized. And while foreign direct investments may have marginally increased, such increases are not in the sectors that create most jobs, such as manufacturing and agriculture. Even where such investments have occurred, they have not per se been the results of corporate tax incentives, but rather derive from opportunities offered by the existence of our natural resources and our national expansive markets;

BOTHERED that tax incentives have also not been properly accounted for, and in most instances have been less transparent. This result to losses in revenue and deepen the reduced accountability of governments to citizens, especially as parliamentary approvals have never been sought for the granting of tax incentives to corporate investors;

DISAPPOINTED that recent analysis shows that Nigeria loses about 0.5 per cent of its GDP to corporate income tax incentives granted to companies with pioneer status alone, which adds up to \$2.6 billion a year; and is in addition to further loss of about \$327 million a year on import duty exemptions;

OBSERVES WITH DISMAY that the above \$2.927 billion lost from both corporate tax incentives and import duty exemptions, which is an equivalent of about N812 billion - is more than double the Federal Government's budget allocations to the health and education sectors;

NOTES that it has now become very obvious that the assumptions upon which tax incentives are granted as an investment growth strategy, are not only flawed, but equally misguided, unnecessary, excessive and unproductive to our national economy;

CONVINCED that quality infrastructure, low administrative costs of setting up and running businesses, political stability, predictable macro-economic policy, transparency, simplicity, stability and certainty in the application of national tax laws - and administration of such taxes - are the other critical factors that attract FDI and these can be achieved without excessive loss of income to the nation. It becomes imperative to conclude that while our governments clearly need to provide a conducive tax and investment friendly environment that are attractive to investors, these must come together with other policies. Particularly, there

is a need to strike a balance between adopting a general policy of "competitive tax environment" as against the simple focus on "direct corporate tax incentives". This balance can be the ideal key driver to improving corporate business activities in our national economy,

ACCORDINGLY RESOLVES TO:

1. *Direct* the Committee on Finance to propose, and or review all existing tax incentives granted to corporate investors; assess tax expenditures to determine the amount of taxes for-gone from incentives, ensure that incentives where they should apply - are targeted to achieving results commensurate with expected benefits, and report back their findings to the Senate within 4 weeks; and
2. *Mandate* the Committee on Finance to propose and or review all tax laws that would ensure that all phases of new investments incentives must require parliamentary approvals in line with verifiable benefits, and follow this to mean in the long run - the effective end of discretionary corporate tax incentives in our Nation.

11. Cancer Treatment Infrastructure Crisis.

Senator Duro Fasseyi (*Ekiti North*)

THE SENATE:

NOTES with serious concern the collapse of cancer treatment infrastructure and other support services in the designated cancer management health centres which was further confirmed by experts during the recent event commemorating Cancer Day in Nigeria;

AWARE that out of the seven cancer designated hospitals in the country, cancer treatment equipment are not functioning in four of them namely; Lagos University Teaching Hospital (LUTH), Idi-Araba, Lagos; University College Hospital, UCH, Ibadan; University of Nigeria Teaching Hospital, Nsukka (UNTH), Enugu and University of Benin Teaching Hospital, UBTH, Benin City;

FURTHER AWARE that the National Hospital, Abuja, Usman Dan - Fodio University Teaching Hospital, Sokoto and Eko Hospital, Lagos, which are the only three currently functional health centres for the treatment of cancer, are not running optimally, even as they are under pressure by patients who travel long distances to these centres in order to be placed on the long queues for treatment;

WORRIED that the collapse of cancer treatment infrastructure in most of the designated hospitals has denied well over 80 percent of the patients access to radiotherapy and chemotherapy - basic means of cancer treatment;

AWARE that due to the prevailing situation, there is an alarming death ratio of 4 out of every 5 cancer patient and out of an estimated 100, 000 new cases diagnosed annually, at least, 80, 000 patients die, representing 240 deaths on daily basis and 10 deaths every hour;

FURTHER AWARE that because of the dismal state of cancer treatment machines in Nigeria, many patients are compelled to travel outside the country in search of better health services at high cost, invariably constituting a huge drain on our foreign exchange reserve, which is inimical to the economy;

OBSERVES and as affirmed by the World Health Organization (WHO) that cancer is one of the leading causes of death in Nigeria and that over 2 million Nigerians have some form of invasive cancer;

FURTHER OBSERVES that, the last time cancer treatment machines were procured by the Federal Government for the designated health centres was 8 years ago and more so, the machines were almost obsolete at the time of procurement;

FURTHER WORRIED that, if urgent and radical steps are not taking by Government to confront this situation, Nigeria faces a huge risk of recording many cancer induced deaths; this has adverse implications on the social and economic life of the country,

ACCORDINGLY RESOLVES TO:

- I. CONDEMN in the strongest terms the deplorable state of cancer treatment arising from the collapse of cancer treatment infrastructure in the designated hospitals;
- II. MANDATE the Senate Committee on Health to invite the Permanent Secretary of the Federal Ministry of Health and the Heads of the seven designated health centres for the treatment of cancer, for explanations and clarifications as a measure towards grappling with this challenge;
- III. Urge the executive to declare a state of emergency in the management of cancer cases, as well as embark on prompt repair of the collapsed equipment while also taking urgent steps to procure modern machines (at least two in each of the designated health centres) and re-training the relevant personnel; and
- IV. Urge the executive to establish integrated and comprehensive cancer treatment centres in each state of the Federation and the Federal Capital Territory (FCT) equipped with the latest cancer treatment technology for enhanced value and cost-effectiveness.

COMMITTEE MEETINGS

No.	Committee	Date	Time	Venue
1.	Rules and Business	Tuesday 22 nd November, 2016	2.00pm	Senate Leader Conference Room
2.	Banking, Insurance & other Financial Institutions	Tuesday 22 nd November, 2016 (Investigative)	12.00noon	Committee Room 107 Senate New Building
3.	Water Resources	Tuesday, 22 nd November, 2016	10.00am	Committee Room 224 Senate New Building
4.	Agriculture and Rural Development	Tuesday, 22 nd November, 2016	1.00pm	Committee Room 211 Senate New Building
5.	Ad-hoc Committee on Humanitarian Crisis (N/E)	Tuesday, 22 nd November, 2016	1.00pm	Committee Room 120 Senate New Building
6.	Health	Tuesday, 22 nd November, 2016	2.30pm	Committee Room 117 Senate New Building
7.	Land Transport	Tuesday, 22 nd November, 2016	2.00pm	Committee Room 305 Senate New Building
8.	Army	Tuesday, 22 nd November, 2016	2.00pm	Committee Room 431 Senate New Building
9.	Defence	Tuesday, 22 nd November, 2016 (Oversight)	1.30pm	
10.	Employment, Labour & Productivity	Wednesday, 23 rd November, 2016	2.00pm	Committee Room 324 Senate New Building
11.	Banking, Insurance & other Financial Institutions	Wednesday, 23 rd November, 2016 (Investigative)	12.00noon	Committee Room 107 Senate New Building
12.	Ethics, Privileges & Public Petitions	Wednesday, 23 rd November, 2016	3.00pm	Committee Room 120 Senate New Building

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| 13. | Employment, Labour & Productivity | Thursday, 24 th November, 2016 | 2.00pm | Committee Room 327
Senate New Building |
| 14. | Ad-hoc Committee on Local Content Development Fund | Tuesday, 29 th November, 2016 | 1.00pm | Conference Room 0.22
Senate New Building |