



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

Tuesday, 3rd October, 2017

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

CONSIDERATION OF REPORTS

1. Report of the Committee on Ethics, Privileges and Public Petitions
Sen. Samuel Anyanwu (*Imo East*)
-That the Senate do consider the reports of the Committee on Ethics, Privileges and Public Petitions in respect of:
 - a. Petition from Mr. Eddy Edumoh against the Nigeria Police Force (NPF) for alleged Wrongful Dismissal from the Force;
 - b. Petition from L.A. Idu Esq. on behalf of Mr. Abdulrahman Lamina against Commodore Abimbola O. Ayuba for using Military Might to resist vacating a Private Property;
 - c. Petition from Mr. Collins Iwe and Six (6) others against the Management of Pipeline and Products Marketing Company (PPMC) for alleged Wrongful Termination of their Appointments by the Company;
 - d. Petition from Mr. Charles Uwaechie against Conoil Nigeria Plc for Non-payment of his Entitlements after a Forced Resignation;
 - e. Petition from Barrister Owette Emmanuel Chukwudi against the Independent National Electoral Commission (INEC) for his Compulsory Retirement and Non-payment of his Entitlements;
 - f. Petition from Sir Godfrey Ohuabunwa (KSC) on behalf of the association of Licensed Set Top Box (STB) Manufacturers of Nigeria against the National Broadcasting Commission (NBC) for alleged Non-payment of the Set Top Boxes manufactured and delivered;
 - g. Petition from Opiatoha K' Idoma against the Federal Character Commission and the Federal University of Agriculture, Makurdi for an alleged abuse of the Principles of federal character in the appointment of Principal Officers of the Federal University of Agriculture, Makurdi; and
 - h. Petition from Lt. Col. Thomas Edirin Arigbe against the Nigerian Army for Wrongful Retirement from the Army.

MOTIONS

1. The need to construct Captive Dams in all Communities across the country.

Sponsors: Sen. Barnabas Gemade (*Benue North East*) and Sen. Stella Oduah (*Anambra North*)

The Senate:

Observes that the level of drilling boreholes for ground water has increased tremendously in the last 10 years especially since the introduction of constituency intervention projects and the advent of the UN programme of MDGs now SDGs;

Notes that the increased exploitation of aquifers has the effect of drastically raising the level of table water in many Communities across the country;

Notes that this has the effect of also contributing to the dryness of allevia layers of the land thereby affecting the survival of vegetation during dry seasons which is also contributing to desertification;

Notes also that the free running of streams tributaries and rivers is also causing top soil erosion and degradation of the land;

Further notes that the erection of these streams tributaries and river banks is carrying with it large volumes of silt that is clogging the channels of these rivers and causing excessive flooding of lands along these rivers;

Observes that the phenomenon of building captive dams has been extensively used in other countries to recharge aquifers and to maintain good levels of ground water table even where extensive irrigation from boreholes is adapted;

Further observes that there are many other advantages of captive dams when constructed:

- a. Increasing the amount of fresh water available for human and animal use rather than letting all fresh water run to the oceans to become salt water which is expensive to process for these uses;
- b. Improving on water supply sources to our villages; etc,

Accordingly resolves to:

- i. *Encourage* the Federal Ministry of Power, Works and Housing to construct small captive dams in all communities and locations where there are about 4000 small dams per year;
- ii. *Urge* the Federal Ministry of Power, Works and Housing to work on all river crossing of the highways with capacity to capture some water without jeopardizing the road structure itself since this will allow the money spent to serve dual purposes;
- iii. *Urge* the Federal Ministry of Water Resources to carry out investigation of ground water situation in all River basins and monitor its deployment; and
- iv. *Direct* the Committee on Water Resources, Works and Agriculture and Environment to develop implementation guidelines for captive dam construction programme.

2. Urgent need to control the indiscriminate erection of speed bumps on Federal Roads Nationwide.

Sponsors: Sen. Barnabas Gemade (*Benue North East*) and Sen. Stella Oduah (*Anambra North*)

The Senate:

Observes that these bumps are indiscriminately erected in several communities, villages, hamlets, petrol filling stations, markets, road side bukas and even individual homes by who ever wanted vehicles to agonize their locations;

Aware that there is need for speed control on our high ways to avoid over speeding by motorists especially around hospitals and schools, interestingly the FRSC has introduced a speed control device to be installed in commercial vehicles which took effect two months ago;

Believes that Federal highways are meant for smooth traffic flow and there should be no constraints restricting the free flow of traffic;

Aware that these speed bumps now constitute a nuisance source other than serve any useful purpose whatsoever;

Some of the hazards to vehicle owners are accelerated wear and tear of the vehicles, loss of many hours in billions when quantified nationwide, damage to vehicle suspension systems as most of these bumps are not professionally designed;

Aware that bumps are used strictly on city streets to control crossing intersections without slowing down and not on free traffic high ways that are not crossing any other roads, while roads that cross Federal highways should have the bumps and not the highway itself;

Recalls that even in the city of Abuja when these bumps were indiscriminately applied on city streets there was an outcry and they were removed and approved only at very necessary points;

Observes that the Department of Highways in the Ministry of Power, Works and Housing is not controlling the development of structures along Federal Highways allowing illegal fixed structures to be erected less than the prescribed 45m off the roads (in some villages, shops and even houses are erected less than 2 metres from the roads);

Observes also that planning authority in the States and Federal Capital Territory (FCT) are not enforcing these regulations governing location of filling stations, markets and places of worship resulting in total closure of the highways when these places are in use,

Accordingly resolves to:

- i. Direct the Ministry of Power, Works and Housing to the remove all the speed bumps indiscriminately erected off Federal Highways nationwide;
- ii. Urge the Ministry of Power, Works and Housing to cause owners of petrol filling stations to build a service lane of not less than 50m on both sides of the stations to avoid customers turning directly to and from the Highways;
- iii. Urge the Ministry of Power, Works and Housing to enforce set back regulations for fixed structures along Highways; and
- iv. Urge Planning Authority regulations for motor parks, markets and places of worship.

3. Boundary crisis arising from non-delimitation of Nigerian internal boundaries.

Sponsor: Sen. Gershom H. Bassey (*Cross River South*)

The Senate:

Notes that Nigerian borders are afflicted by a multitude of boundary crisis that straddle villages and cause loss of lives and properties;

Aware that the core mandate of the National Boundary Commission is to define and delimitate boundaries between states, LGA's or communities in the federation and between Nigeria and her neighbors in accordance with delimitation instruments or documents established for that purpose;

Worried that despite the National Boundary Commission's mandate, close to 150 active border disputes resulting from non-delimitation of boundaries exist within and between states across the country;

Further worried that territorial disputes over possession and control of land between communities leading to loss of lives and property is on the increase in Nigeria;

Disturbed that the National Boundary Commission's intervention in the settlement of boundary crisis in Nigeria, even after judgments of the Supreme Court, is always belated and comes after loss of human lives and properties;

Recognizes that a proactive and effective delimitation of Nigerian internal boundaries by the National Boundary Commission will forestall incessant boundary disputes in Nigeria,

Accordingly resolves to:

Urge the National Boundary Commission to take immediate steps to stop the many lingering boundary disputes by clearly delineating Nigerian internal boundaries.

4. The Need to review the privatization of Public Enterprises in Nigeria.

Sponsor: Senator Umaru I. Kurfi (Katsina Central)

The Senate:

Notes that the privatization of public enterprises is a by-product of global economic recession in the 80s where Nigeria and other African countries were advised by the Bretton Woods Institutions (International Monetary Fund, (IMF) and the World Bank, (WB)) to divest from their public enterprises as one of the conditions for economic assistance;

Further notes that privatization was institutionalized as a viable economic reform policy that would help cut the inefficiencies of the public sector, provide greater scope to the private sector, attract more investments, and also revive the failing economy;

Recall that as far back as 1981, the Gamaliel Onosode led Presidential Commission on Parastatals has revealed that the problems confronting public enterprises in Nigeria include: defective capital structures resulting in heavy reliance on the national treasury for financial operations; mismanagement of funds for operations; corruption; misuse of monopoly powers; and bureaucratic bottlenecks characterized with appointment of management team based on political interference in the management of public enterprises;

Cognizance that in response to the increasing challenge of public sector failure in managing public enterprises, the Federal Government promulgated the Privatization and Commercialization Decree of 1988 which established the Technical Committee on Privatization and Commercialization (TCPC) which was repealed by the 1993 Decree that established the Bureau of Public Enterprises as replacement of the TCRC and the 1999 Act repealed the 1993 Decree and further recreated the BPE in addition to the National Council on Privatization as the main organs of the programme;

Aware that through Initial Public Offer, Sale by Competitive Bid, and Sale Through Direct Negotiation to core investors, the Federal Government had, between 1989 and 1993 privatized 111 public enterprises and commercialized 35 others with 67 in the first category comprising hotels, breweries, insurance companies and other similar light industries;

Further aware that the second category consist of 43 enterprises including oil marketing companies, the still rolling mills, Nigeria Airways, Fertilizer Companies, the Paper Mills, Sugar and Cement Companies; the third category consisted of 11 Parastatals, including the Nigerian National Petroleum Corporation (NNPC), the Nigerian Telecommunication Plc. (NITEL), and National Electric Power Authority (NEPA), later transformed to

Power Holding Company of Nigeria (PHCN) while the last category consisted of 14 other Parastatals including the Nigerian Railways, the Delta and Ajaokuta Steel Rolling Mills;

Concerned that while the objectives of privatization are noble, the exercise is not accompanied or preceded by an articulated and properly phased public sector reform in addition to several other challenges which makes the programme unable to facilitate efficient production of public goods or make any significant impact to fiscal balance;

Observed that since privatization of public enterprises is marred by varied administrative, regulatory and financial irregularities, some experts are of the view that policy makers should consider non-traditional privatization methods such as deregulation, leasing, management contracting and franchising of monopoly rights at least in the short run than relying heavily on full divestiture as the primary mode of privatization in Nigeria;

Worried that inspite of the fact that the report of the 2011 Senate Ad-hoc Committee which investigated privatization and commercialization of Public Enterprises since the return to civil rule in 1999 as contained in Senate Votes and Proceedings of Wednesday, 14th December, 2011, the exercise was a monumental failure due to corruption-inspired undervaluation of privatized enterprises, sale of the undervalued enterprises to cronies and political associates, asset stripping, clear breaches of due process, regulatory inefficiency, e.t.c, the Senate resolution in support of the laudable recommendations of the committee has not been implemented;

Disturbed that while the objectives of privatization has not been realized to stimulate economic growth or welfare of the people, the exercise seemed to make the poor poorer by increasing unemployment and reducing access of the poor to basic goods and services through increase in prices in addition to the fact that most of the privatized firms went into comatose after the privatization;

Regrets that the current economic challenges may continue to aggravate with monumental effects on human survival, welfare and development if privatization and commercialization carried out from 1999 – date is not revisited to rectify the anomalies as alternative for diversified economic reform,

Accordingly resolves to:

- i. *Direct* the Senate Committee on Privatization to have an interface with the National Council on Privatization and the Bureau of Public Enterprises to receive and examine a comprehensive report of current privatization status of Nigerian Public Enterprises;
 - ii. *Direct* the Committee to conduct a public hearing to determine the public enterprises privatized/commercialized, current status of privatized enterprises, extent of due process in the conduct of the exercise, enterprises whose privatization where reversed by the Federal Government, extent of compliance with post privatization conditions by core investors, and the impact of privatization/commercialization of public enterprises on the Nigerian economy; and
 - iii. *Make* appropriate recommendations that will ensure functionality of the privatized/commercialized enterprises to realize the objectives of the exercise which will among others reduce the impact of current economic challenges.
5. The Need to revisit the regulatory conflict between Joint Admission and Matriculation Board (JAMB) and Universities in offering admission in Nigeria.

Sponsor: Senator Umaru I. Kurfi (Katsina Central)

The Senate:

Notes that the Joint Admission Matriculation Board (JAMB) was established in 1976 and saddled with the responsibility of streamlining and co-coordinating admission practice as well as determining who is admitted into universities and other tertiary educational institutions in Nigeria;

Further Notes That the Nigerian Universities Commission (NUC) is the Federal umbrella organization which regulates and oversees the administration of University education in Nigeria, and prior to 2005 , the only criteria

needed for candidates seeking admission into tertiary institutions was for such candidate to have minimum admission requirement and possess a certain score at his or her JAMB examination;

Aware that the laudable objectives of JAMB began to suffer progressive denudation shortly after its inception as some universities admitted students outside the list sent by JAMB, and rejecting candidates with admission letters from JAMB on the ground that they had to comply with their own internal quota and catchment calculation, coupled with the issue of malpractices that plagued JAMB examinations;

Further aware that as scores of successful JAMB candidates turned out ill equipped for university education, the Federal Government, in 2005, under the leadership of President Olusegun Obasanjo , introduced the policy of Post-UME screening by Universities which made it compulsory for tertiary institutions to screen candidates after JAMB results and before offering admission;

Worried that while this new development was aimed at addressing the problem of student quality, it re-introduced and entrenched many of the problems it sought to eliminate through JAMB;

Cognizance that while the executives introduced the Post-UME policy as a remedy to the decay in educational standard in higher institutions of learning, there have been public outcry of extortion from candidates despite the rigorous test they pass through at JAMB;

Disturbed that as the integrity of the post -UME examination is open to question as the pecuniary motive of the respective institutions comes so visibly to the fore that there is little pretence about maximizing the income flows through these internal examinations;

Regrets that the introduction of the post- UME examination has to a large extent failed to remedy the problems associated with the JAMB and as such, its continued existence has posed more challenges for the Nigeria educational system,

Accordingly resolves to:

- i. *Urge* the Ministry of Education to direct JAMB to develop a strategy to ensure the efficiency and integrity in the conduct of JAMB examination;
- ii. *Urge* the Ministry of Education to scrap the Post -UME exercise in its entirety; and
- iii. *Urge* the House to make further directives as deemed expedient in the circumstances.

6. The urgent need for the Federal Government of Nigeria to fund our Foreign Missions.

Sponsor: Senator Tijjani Yahaya Kaura (*Zamfara North*)

The Senate:

Notes that Nigerian diplomatic missions are facing several challenges, including their inability to pay home based officers allowances, local staff salaries, rent for residences, chanceries and other staff official quarters, in addition to the dire lack of funds for other sundry expenses such as; visits to Nigerians in jail and provision for other consular services;

Regrets that there are threats by host countries to revoke building permits of some properties abroad belonging to Nigerian Missions, following their poor structural conditions, which constitute hazard to the

communities where such buildings are situated, and lack of routine maintenance that will bring such structures in line with the building codes of host countries;

Further Regrets that the Ministry's budget envelope is grossly inadequate to meet its expenditure requirements even at headquarters and with this situational analysis, the ministry's approved 2017 budget would hardly provide the needed impetus required of the ministry towards achieving Nigeria's foreign policy goal and objectives in pursuance of our national interest;

27

Tuesday, 3rd October, 2017

95

Consequent upon these myriad of issues and financial woes the collective and corporate image of Nigeria suffers; resulting in the loss of prestige and influence in the committee of nations;

Worried that some of these problems arise as a result of over staffing in our foreign missions; following our flagrant refusal to comply with the provisions of the presidential ceiling of the staff strength of individual missions based on the Ministry's grading,

Accordingly resolves to:

Invite the Minister of Foreign Affairs, Minister of Finance and the Governor of the Central Bank of Nigeria to brief the Senate on the urgent steps to be taken to ameliorate the situation which is causing a lot of embarrassment to the Federal Republic of Nigeria.

COMMITTEE MEETINGS

No.	Committee	Date	Time	Venue
1.	Aviation	Tuesday 3 rd October, 2017 (Meeting with Hon. Minister)	1.00pm	Conference Room 022 Senate New Building
2.	Agriculture and Rural Development	Tuesday 3 rd October, 2017	2.00pm	Committee Room 224 Senate New Building
3.	Ethics, Privileges and Public Petitions	Tuesday 3 rd October, 2017	3.00pm	Committee Room 120 Senate New Building
4.	Women Affairs and Social Development	Wednesday 4 th October, 2017	2.00pm	Committee Room 211 Senate New Building

