



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

Tuesday, 6th December, 2016

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

1. Chartered Polymer Institute (Establishment, etc) Bill, 2016 (SB. 396) - *First Reading*
Sen. Chukwuka Utazi (*Enugu North*)
 2. Adeyemi Federal University of Education Akure (Establishment, etc) Bill, 2016 (SB. 399) - *First Reading*
Sen. Alasoadura Omotayo (*Ondo Central*)
 3. National Youth Development Commission (Establishment, etc) Bill, 2016 (SB. 385) - *First Reading*
Sen. Obinna Ogba (*Ebonyi Central*)
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PRESENTATION OF REPORTS

1. Conference Committee Report
Sen. Robert Boroffice (*Ondo North*)
-That the Senate do receive the Conference Committee Report on the Defence Space Agency (Establishment, etc.) Bill, 2016. (SB. 166) - *To be Laid.*
 2. Conference Committee Report
Sen Danjuma Goje (*Gombe Central*)
-That the Senate do receive the Conference Committee Report on the Virement of Funds appropriated for Special Intervention (Recurrent) and Special Intervention (Capital) for funding of critical Recurrent and Capital items - *To be Laid.*
 3. Conference Committee Report
Sen. Oluremi Tinubu (*Lagos Central*)
-That the Senate do receive the Conference Committee Report on the Forestry Research Institute of Nigeria (Establishment, etc) Bill, 2016. (SB. 14) - *To be Laid.*
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**ORDERS OF THE DAY
CONSIDERATION OF REPORTS**

1. Report of the Committee on INEC
INEC Act No. 6 2010 (Amendment) Bill, 2016. (SB. 231 & SB. 234).
Sen. Abubakar Kyari (*Borno North*)

- That the Senate do consider the report of the Committee on INEC on the INEC Act (Amendment) Bill, 2016. (SB. 231 & SB. 234) - *Adjourned Consideration, Thursday 1st December, 2016.*
2. 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 consider the report of the Committee on Culture and Tourism on the 2016 Budget of the Nigerian Tourism Development Corporation (NTDC).
 3. Report of the Committee on Information and National Orientation
Sen. Suleiman Adokwe (*Nasarawa South*)
-That the Senate do consider 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).
 4. Report of the Committee on Environment
2016 Budget of the National Environmental Standards and Regulations Enforcement Agency
Sen. Oluremi Tinubu (*Lagos Central*)
-That the Senate do consider the report of the Committee on Environment on the 2016 Budget of the National Environmental Standards and Regulations Enforcement Agency.
 5. Report of the Joint Committee on Petroleum Downstream, Petroleum Upstream and Gas
2016 Budget of the Nigerian National Petroleum Corporation (NNPC)
Sen. Kabiru Marafa (*Zamfara Central*), Sen. Bassey Albert (*A/Ibom N/E*) and Sen. Tayo Alaosadura (*Ondo Central*)
-That the Senate do consider the report of the Committee on Petroleum Downstream on the 2016 Budget of the Nigerian National Petroleum Corporation (NNPC).
 6. Report of the Committee on Education (Basic Secondary)
2016 Budget of the National Business and Technical Education Board
Sen. Aliyu Wamakko (*Sokoto North*)
-That the Senate do consider the report of the Committee on Education (Basic Secondary) on the 2016 Budget of the National Business and Technical Education Board.
 7. Report of the Committee on Capital Market
2016 Budget of the Securities and Exchange Commission (SEC)
Sen. Isiaka Adeleke (*Osun West*)
-That the Senate do consider the report of the Committee on Capital Market on the 2016 Budget of the Securities and Exchange Commission (SEC).
 8. Report of the Committee on Science and Technology
Sen. Ajayi Boroffice (*Ondo North*)
-That the Senate do consider the reports of the Committee on Science and Technology on the 2016 Budget of the following Agencies:
 - a. National Agency for Science and Engineering Infrastructure; and
 - b. Raw Material Research and Development Council.
 9. Report of the Committee on Health
2016 Budget of the National Agency for Food and Drug Administration and Control (NAFDAC)
Sen. Lanre Tejuoso (*Ogun Central*)
-That the Senate do consider the report of the Committee on Health on the 2016 Budget of the National Agency for Food and Drug Administration and Control (NAFDAC).
 10. Report of the Committee on Interior
2016 Budget of the Nigeria Immigration Service (NIS)
Sen. Bayero Nafada (*Gombe North*)

-That the Senate do consider the report of the Committee on Interior on the 2016 Budget of the Nigeria Immigration Service (NIS).

11. Report of the Committee on Housing

Sen. Barnabas Gemade (*Benue North East*)

-That the Senate do consider the reports of the Committee on Housing on the 2016 Budget of the following Agencies:

- a. Federal Housing Authority; and
- b. Federal Mortgage Bank.

12. Report of the Committee on Banking, Insurance and other Financial Institutions

Sen. Rafiu Adebayo (*Kwara South*)

-That the Senate do consider the reports of the Committee on Banking, Insurance and other Financial Institutions on the 2016 Budget of the following Agencies:

- a. National Insurance Commission;
- b. Central Bank of Nigeria; and
- c. Nigerian Deposit Insurance Corporation.

MOTIONS

1. The need to oversight Bailout Funds disbursed to benefitting States in Nigeria relying on the provisions of Section 88 of the 1999 Constitution as Ammended.

Senator Abdullahi A. Gumel (*Jigawa North-West*)

The Senate:

Notes that revenues accruing to the Federation Account have been dwindling over a period of time due to various factors including drop in the volume of oil production and price;

Aware that as a result, there has been low allocation of Funds to States and Local Government across the country;

Aware also that many States in Nigeria do not generate enough Internal Revenue to pay their wage Bills and other obligations;

Recalls that the Federal Government released over N405 billion as Bailout funds to 30 States for the specific purpose of payment of Salary backlogs;

Notes that despite the huge sum granted to the States to settle outstanding Wage Bills, many States that benefited from such bailout have not settled the outstanding Salaries of their workers;

Worried that there has been doubts by concerned Nigerians as to whether the money received was actually utilized for the purpose of payment of backlog of salaries or diverted;

Relying on Section 88(1) of the 1999 Constitution as amended, thus "each House of the National Assembly shall have power by resolution published in its journal and in the Gazette of the Government of the Federation to direct or cause to be directed an investigation into":- 88(1b) "the conduct of affairs of any person, authority, Ministry or Government Department charged, or intended to be charged, with the duty of or responsibility for:- (ii) "disbursing of administering moneys appropriated or to be appropriated by the National Assembly",

Accordingly resolves to:

Mandate the Senate Committee on States and Local Government Administration to visit the various Bailout benefiting States on oversight to find out the true position of things and report back to the Senate.

2. 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 increase 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 Revenue Allocation 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 administered or utilized;

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

Sen. Mao Oluabunwa (*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.
4. Deplorable State of the National Stadium, Surulere, Lagos

Senator Obinna Ogba (*Ebonyi Central*)

The Senate:

Notes that many years ago, after football ceased to be a mere novelty exercise in Nigeria the Federal Government decided to build a National Stadium in Lagos. The goal principally, was to help improve the standard of the game and peradventure stimulate private participation in the sponsorship of football matches and other sporting events in the long run as it is done worldwide to achieve the aforesaid goals. Therefore, when the stadium was built in 1972, to among other things, host the *All African Games* in 1973, it had a capacity of 55,000, which was then reduced to 45,000 in 1999. It recorded the highest attendance of 85,000 during the final match of the African Cup of Nations in 1980 between Nigeria and Algeria, which Nigeria won and it was the first time ever that the country won the African Cup of Nations;

Notes also that the National Stadium, Surulere, Lagos was at a time in this country, a national monument and a symbol of national pride, which has played host to several national, continental and international competitions, including the *All African Games* in 1973, *Africa Cup of Nations* in 1980, the *FIFA Under-20 World Youth Championship* in 1999 and the 2000 *Africa Cup of Nations* co-hosted by Nigeria and Ghana, etc;

Worried that this once iconic stadium and pride of the nation has become a shadow of itself where you can only see dead electronic scoreboards, non-functioning floodlights and the pitch in total disrepair. The last major competition that was held there was the final of the 2000 *Africa Cup of Nations*, jointly hosted by Nigeria and Ghana, where the rusty billboard, advertising a television station as the host broadcaster of the tournament is still seen in the premises of the stadium as a testament of its state of neglect;

Worried also that the stadium now serves as a parking lot for the smaller Teslim Balogun Stadium, which is located opposite it. At nights, under the cover of darkness, without functioning floodlights, it becomes home to shady characters and miscreants who loiter around its premises to carry out nefarious activities. Other indoor sporting facilities in the stadium are not any better; from the dirty-algae-infested swimming pool which has not been used for years and the worn-out tartan tracks, to the boxing gym, all are in need of urgent renovation and rehabilitation;

Observes that if all the national stadia along with all their facilities are maintained and updated with state of the art equipment, Nigeria will not be wasting colossal amount of money on overseas' trainings for our sportsmen and women. Also, it will afford the country the opportunity of not expending huge sums of money for the purpose of maintenance or construction of new stadia when the country is to host continental or international sporting events in the future;

Further Observes that the National Stadium Abuja is also in terrible state of disrepair due to the inability of the Federal Government to meet up its financial obligations with Julius Berger, the company hitherto responsible for the day-to-day maintenance of the stadium,

Accordingly resolves to:

- i. Urge the Federal Government to as a matter of urgency, renovate and rehabilitate the national stadium Surulere, Lagos with a view to revamping it to meet international standard for effective and efficient use so that such a monument that huge amount of money was spent to put to together, will not be lying waste;
- ii. Urge the Federal Government to empower the Federal Ministry of Youths and Sports through its department on Stadia and Facilities Management with adequate budgetary provisions for regular, routine and turnaround maintenance, refurbishment and rehabilitation of all national stadia in the country;
- iii. Urge the Senate Committee on Sports and Social Development to, from time to time and as part of their mandate, embark on inspection/tour of all national stadia across the country as part of its legislative oversight responsibilities to ensure that the stadia are adequately maintained and rehabilitated by the relevant authority; and
- iv. Mandate the Federal Government to as a matter of National interest hand over the management and maintenance of the stadium back to Julius Berger.

5. Cancer Treatment Infrastructure Crisis.

Senator Duro Fasayi (*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 as 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 taken 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.
6. Need to give Recognition to Enugu, Kogi and Anambra States as Oil Producing States, forestall further Hostilities between the warring Communities in Anambra, Enugu and Kogi States by resolving the controversy surrounding the ownership of the Acreage Area of OPL 915, 916 & 917.

Sponsor: Senator Princess Stella Oduah (*Anambra North*)

Co-Sponsors: Sen. Chukwuka Utazi (*Enugu North*) Senator Isaac Alfa (*Kogi East*)

The Senate:

Informed that the Federal Government granted Oil Prospecting licences 915, 916 & 917 to Orient Petroleum Resources to explore and exploit the natural oil resources located in an area historically owned by the Igala-speaking communities located in Uzo-Uwani Local Government Area of Enugu State, viz, Igga, Ojor and Ogurugu; Odeke and Echenwo communities in Ibaji LGA of Kogi State, and a lay-over towards Aguleri Otu in Anambra State;

Further informed that the whole acreage area of OPL915, 916 & 917 has been the farmland and pot-marked by the numerous fishing ponds belonging to Igga, Ojor, Ogurugu communities in Uzo-Uwani LGA and Odeke and Echenwo Communities in Ibaji Local Government of Kogi State, and a lay-over to Aguleri Otu in Anambra State with each community knowing its boundaries as indicated in the tripartite point at Ajiogbe, gazetted in 1954 Legal Notice, Number 54;

Notes that since the granting of the prospecting licence to Orient Petroleum, there has been increased tension between and among the communities which have any direct or tangential contiguity with the location of the Oil Wells, sometimes leading to loss of lives and properties;

Further Notes that President Goodluck Jonathan, had, while commissioning the Orient Petroleum Resources Refinery located in Nsugbe, Anambra State on August 30, 2012, proclaimed Anambra State an oil producing State. When the attention of the then President was drawn to the contending claims of the various claimants, he on October 31, 2012, convened a round-table on the issue at the Presidential Villa with Governors Peter Obi of Anambra, Idris Wada of Kogi and Deputy Governor Sunday Onyebuchi of Enugu, as well as the Chairmen of the relevant Local Governments Areas, vis, Ibaji LGA in Kogi State, Anambra East LGA in Anambra State and Uzo-Uwani LGA in Enugu State and after each claimant had made submissions, he directed the National Boundary Commission to determine the boundaries of the oil field as due to the communities;

Informed that Igga, Ojor, Ogurugu, the Igala-speaking parts of Uzo-Uwani LGA in Enugu State and their language kinsmen in communities in Ibaji LGA Kogi State and Anambra State have always peacefully exercised ownership and possessory rights over the whole acreage area. Indeed, there is a plethora of customary and colonial court decisions and administrative determinations, plus physical (including educational) and cultural relics specifying the boundaries of the area, as between the communities;

Notes that the physical proximity of these Communities to the location of the oil wells bears no illusions as to the authentic claims of ownership;

Worried that several peace meetings held between and among the leaders and traditional rulers of the warring communities as well as the resolutions reached between the Governors of the three states whose communities are laying claim of ownership over the area have not stemmed the escalating level of violence in the area;

Worried that the NBC's delay in determining the boundaries of the contending communities have not helped in calming frayed nerves and resolution of the crisis,

Accordingly resolve to:

- i.* *URGE* the Federal Government to direct the National Boundary Commission and the Office of the Surveyor General of the Federation to immediately release its report on the determination of the boundaries of the communities contiguous to OPLs 915, 916 & 917;
- ii.* *Urge* the contending Communities in Ibaji, Uzo-Uwani and Anambra-East Local Government Areas in Kogi, Enugu and Anambra States respectively to allow peace to reign in the area while the NBC determines the correct boundaries;
- iii.* *Urge* the Federal Government to declare Anambra, Enugu and Kogi States as Oil Producing States with all benefits and privileges shared among the three States as determined by the Revenue Mobilization and Fiscal Allocation Committee (RMFAC);
- iv.* *Urge* the Federal Government to ensure that displaced communities in the States are allowed to return to their ancestral lands and to compensate communities that have lost lives, livelihood and properties in the crisis; and
- v.* *Direct* the Senate Committees on Petroleum (Upstream), Gas, National Security and Intelligence, and Interior to ensure compliance with prayers 1 - 4 above.

7. Need for the Re-construction and Dualization of the Makurdi-9th Mile Trunk "A" Federal Highway.

Senator Chukwuka Utazi (*Enugu North*)

The Senate:

Notes that road infrastructure is critical for economic and commercial development and is one of the most visible signs of government responsiveness;

Further Notes that the Makurdi-Otukpo-Otukpa-Obollo Afor-Opai (Nsukka)-Ninth Mile Federal Trunk "A" Highway is a 252-kilometre road that connects Benue State, in the North Central region to Enugu State in the South East;

Observes that the Highway, constructed in 1978, is the only major highway that connects the South-East to the Northern part of Nigeria. The road bifurcates at Ninth Mile Corner and feeds the dual carriage ways, with one linking up to Onitsha and from thence to Benin and Lagos, and the other linking Enugu and from thence to Aba and Port-Harcourt. With the passage of time, the Federal Government felt sufficiently concerned about the volume of traffic and decided to expand, into dual carriage ways, the Ninth Mile to Onitsha and Ninth Mile to Port-Harcourt roads;

Concerned that it is anomalous that the two roads that receive traffic from the Makurdi/Ninth Mile road have been dualized, yet the road that feeds them still wallow in the status of a single lane road;

Informed that the road is arguably the only Trunk "A" highway of such importance and volume of traffic that has remained a single lane. The sheer volume of traffic on the two dual carriage roads that this single lane road feeds is a pointer to the kind of burden this long-suffering single-lane road has borne over the years;

Worried that large sections of the road, especially at Ugbokolo, Orokam, Amalla, Obollo-Afor, Orba, Opii, Ogbede, Affa, Ebe, Ukannah, Egede and around Ama Breweries in Ninth Mile have become dangerous craters that cannot be called a road. It is unimaginable that a Federal Trunk "A" road is in such a deplorable state. Charred carcasses of vehicles are a common sight on the road;

Concerned that the high level of road crashes and the carnage that happen on the road on a daily basis should be a source of constant worry to the government;

Informed that during festive periods, FERMA, the Federal Road Maintenance Agency would scrap and re-surface specific segments of the road but even that recourse can no longer work as large segments of the road have totally collapsed, making the road impassable;

Concerned that travel time between Makurdi and Ninth Mile used to be 194 minutes, (about three hours) but with the total collapse of the road, travel time now averages nine (9) long hours;

Disturbed that armed robbers, taking advantage of the totally deplorable state of the road, have become a law unto themselves, ambushing, robbing, dispossessing and killing commuters at will. On September 29, 2016, a gang of armed robbers attacked some passengers on the road and raped some female passengers to coma;

Notes that the state of the road requires immediate reconstruction and dualization to reduce the unacceptable level of accidents and robbery on the road;

Notes that the importance of the road lies not only that it is the gateway from the North to the Eastern part of Nigeria, but also that commercial and other economic activities, especially the evacuation of agricultural and industrial produce is seriously threatened. For instance, the conveyance of cattle, the evacuation of yams, beans, onions, tomatoes, etc from the North to the South; and the haulage of petroleum products, palm oil,

motor spare parts, other products and other resources from the large markets in Onitsha and Aba, that move from the South to the North are gradually grounding to a stop because of the total state of disrepair of that road;

Concerned that while Nigeria makes efforts to attract the much-needed investments to stimulate the weak economy and create jobs, the state of the infrastructure is a prime consideration for investors and therefore the state of this road directly discourages investors from the area. For instance, Ama Breweries is the largest and most modern Brewery in Nigeria and its location not only should bring associated investments, but should also attract other investments into a cluster, but unfortunately, the major road for the evacuation of the products of the Brewery is in total disrepair thereby causing economic lockjaw in the area,

Accordingly resolves to:

- i. URGE the Federal Ministry of Works to designate the road for immediate dualization;
- ii. URGE THE Federal Government to allocate adequate funds in the 2017 budget, currently being prepared, for the reconstruction and dualization of the Makurdi-Otukpo-Obollo Afor-Opii (Nsukka)-9th Mile Federal Trunk A Highway;
- iii. MANDATE the Senate Committee on Works to ascertain the level of disrepair of the road with a view to making recommendations to the Senate; and
- iv. URGE the Police and Other Security Agencies to increase their surveillance on the road to protect innocent commuters from the marauding activities of armed robbers and other criminal elements.

8. Urgent need to Re-organise Pension Transitional Arrangements Directorate (PTAD).

Senator Gbolahan Dada (Ogun West)

The Senate:

Notes that Section 42 of the Pensions Reforms Act 2014 established an Extra Ministerial Department called Pension Transitional Arrangements Directorate (PTAD);

Further notes that the said PTAD is a Department under Federal Ministry of Finance and the Minister of Finance is responsible for the appointment of management team of PTAD by virtue of the provisions of the said Pensions Reforms Act 2014;

Aware that one of the functions of PTAD as provided under Section 45(b) of Pensions Reforms Act 2014 is to prepare and submit the monthly payroll of pensioners to the Office of the Accountant General of the Federation for direct payment from the budgetary allocation maintained with the Central Bank of Nigeria to Pensioners' bank accounts;

Further aware that the Director General of PTAD named Nellie Mayshak was suspended by Minister of Finance sometime in March 2016 over alleged fraud and the said Director General is yet to be replaced or recalled from suspension up till date;

Informed that some of the responsibilities of PTAD includes addressing pensioners' complaints bothering on non-payments of monthly pension, short payment of pension and gratuities, removal of names on pension payment vouchers, non-payment of harmonised pension arrears, irregular payment of federal pensions and non-receipt of pension after retirement among others;

Further informed that after the suspension of the said Director General of PTAD, the agonies of Pensioners in the Country increased and Pensioners are presently going through untold hardships leading to sudden death and illness of some hapless Pensioners who queued endlessly waiting for their entitlements to be paid after serving their fatherland;

Worried that if nothing urgent is done to arrest the situation and reorganise PTAD in view of prevailing circumstances, Pensioners will continue to suffer endlessly before getting their monthly pension from the appropriate authority;

Further worried that if Pensioners continue to experience difficulties in getting their monthly pension, public service will no longer be attractive to young and vibrant Nigerians and those already in the system may be tempted to believe they would suffer the same fate as the current Pensioners upon retirement and begin to engage in nefarious activities with a view of escaping the present trauma of today's Pensioners,

Accordingly Resolves to:

- (a) Urge Federal Government to re-organise Pension Transitional Arrangements Directorate (PTAD) in view of prevailing circumstances; and
- (b) Direct Joint Committee on Finance and Establishment & Public Service to invite the Minister of Finance to explain to the the Joint Senate Committee on steps taken to re-organise Pension Transitional Arrangements Directorate (PTAD) in view of the suspension of the Director General and the Ministry's plans towards alleviating the sufferings of pensioners and report back to Senate.

9. 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 Part I, 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.*

10. Amnesty International Report on the Killing of 150 Indigenous People of Biafra (IPOB) Members.

Sponsor:	Sen. Enyinnaya Abaribe (Abia South)	
Co-Sponsors:	Sen. Ike Ekweremadu (Enugu West)	Sen. Hope Uzodinma (Imo West)
	Sen. Andy Uba (Anambra South)	Sen. Sunny Ogbuoji (Ebonyi South)
	Sen. Gilbert Nnaji (Enugu East)	Sen. Mao Oluabunwa (Abia North)
	Sen. Theodore Orji (Abia Central)	Sen. Samuel Anyanwu (Imo East)
	Sen. Stella Oduah (Anambra North)	Sen. Benjamin Uwajumogu (Imo North)
	Sen. Chukwuma Utazi (Enugu North)	Sen. Sam Egwu (Ebonyi North)
	Sen. Obinna Ogbu (Ebonyi Central)	

The Senate:

Notes with great sense of loss reports by the highly authoritative Amnesty International (AI) released last Wednesday wherein the group alleged that no fewer than 150 persons said to be pro-Biafra protesters in the South East were killed by the Nigerian Security forces led by the Military;

Further notes that the international group lamented that despite the overwhelming evidence that the Nigeria security forces committed gross human rights violation, allegedly including extra-judicial execution and tortures, no investigations have been carried out by the authorities;

However notes that section 14 (2(b) of the 1999 Constitution of the Federal Republic of Nigeria as amended states specifically that: *"the security and welfare of the people shall be the primary purpose of Government"*;

Also notes that section 33 (1) of the constitution state 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 guilty in Nigeria"*;

Equally the constitution in Section 34 (1) provides that; *"Every individual is entitled to respect for the dignity of his person and accordingly (1.a)" no person shall be subjected to torture or to inhuman or degrading treatment"*;

Further notes; that Section 42 (1) states; that; *"A citizen of Nigeria of a particular community, ethnic group, place of origin, sex, religion or political opinion shall not by reason only that he is such a person:*

- (a) *Be subjected either expressly by or on the practical application of, any law in force in Nigeria or any executive or administrative actions, of the government to disabilities or restrictions to which citizens of Nigeria of other communities, ethnic groups, place of origin, circumstance of birth, sex, religious or political opinion are not made subject or;*

Recall that the so called indigenous people of Biafra (IPOB) merely embarked on a peaceful protest in agitation to actualize their political opinion;

Observes that peaceful protest by any group in Nigeria falls within their fundamental human rights as enshrined in chapter 4 Sections 39, 40, 41 and 42 of the constitution of the Federal Republic of Nigeria as amended;

Especially Section 40, which provides that *"Every person shall be entitled to assemble freely and associate with other persons, and in particular he may form or belong to any political party, trade union or any other associations for the protection of these interests"*,

Accordingly resolves to:

- i. Urge the Federal Government to set up a judicial panel of inquiry to investigate the killings as contained in the Amnesty International (AI) report within two weeks; and
- ii. Urge the Federal Government to restrain its law enforcement agents from applying extreme force in the containment of peaceful protest.

11. The Need to Kick-start the construction of Greenfield Refineries sited in Kogi, Bayelsa and Lagos States.

Sen. Isaac M. Alfa (*Kogi East*)

The Senate:

Recalls that on May 13 2010, the Federal Government of Nigeria signed a Memorandum of Understanding (MOU) with the China State Construction Engineering Corporation (CSCEC) for the construction of Greenfield refineries in Kogi, Bayelsa and Lagos States at the cost of \$23b within a 5 year period;

Recalls further that based on the terms, 80% of the cost would be funded through a loan provided by the China Export Credit Insurance Corporation and a Consortium of Banks, while the Nigerian National Petroleum Corporation (NNPC) would provide 20% of the funding as equity contribution;

Notes that the NNPC feasibility study confirmed that all three refineries were economically feasible at the respective capacity of 100,000 bpd for Kogi, 100,000 bpd for Bayelsa and 200,000 bpd for Lagos;

Aware that following the signing of the MOU, the Kogi State Government approved a certificate -of-occupancy covering about 458 hectares of land in Itobe, Ofu local government area in Kogi State to the NNPC to enable the CSCEC build the refinery;

Regrets that this noble project is yet to commence six years into the signing of the MOU;

Notes that the idea of a Greenfield Refinery project is laudable for the following reasons:

- a. construction will have minimum impact on the environment as necessary structures are already in place;
- b. project when implemented will end the perennial crisis of petroleum products experienced by Nigerians;
- c. it has the capacity to create over 20,000 jobs over the periods of construction and operation; and
- d. it will reduce the Country's import dependency as well as its import bill Etc.

Notes further that these refineries are sited in close proximity to oil wells. For example, the Kogi refinery is sited less than 100km from the Ibaji oil fields thereby reducing cost of crude supply;

Notes with concern that Nigeria is in desperate need of new refineries that would meet the demands of its domestic consumption,

Accordingly resolves to:

- i. *Call* on the Federal Government to give a new lease of life to the May 13, 2010 MOU; and
- ii. *Direct* the Committee on Petroleum Resources (upstream) to investigate the circumstances surrounding the delay in implementing the MOU and recommend measures which would ensure that the proposed Greenfield refineries in Kogi, Bayelsa and Lagos States are constructed and report back to the Senate within 6 weeks.

COMMITTEE MEETINGS

No.	Committee	Date	Time	Venue
1.	Trade and Investment	Tue. 6 th – Wed. 7 th December, 2016 (Oversight)	10.00am	
2.	Joint Committee on Finance, National Planning, Local & Foreign Debt and Appropriations	Tuesday, 6 th December, 2016 (Consultative Meeting)	1.00pm	Conference Room 120 Senate New Building
3.	Petroleum Downstream	Tuesday, 6 th December, 2016	11.00am	Conference Room 324 Senate New Building
4.	Communications	Tuesday, 6 th December, 2016	2.00pm	Committee Room 117 Senate New Building
5.	Cooperation, Integration in Africa and NEPAD	Wednesday, 7 th December, 2016	1.00pm	Committee Room 224 Senate New Building
6.	Marine Transport	Wednesday, 7 th December, 2016	1.00pm	Committee Room 431 Senate New Building
7.	Joint Committee on Petroleum Industry Governance Bill	Wed. 7 th – Fri. 9 th December, 2016 (Public Hearing)	10.00am	Conference Room 022 Senate New Building
8.	Judiciary, Human Rights & Legal Matters	Thursday, 7 th December, 2016 (Public Hearing)	11.00am	Conference Room 231 Senate New Building

9. Health

Friday, 9th December, 2016
(Medical Law Summit)

9.00am-5:00pm Shehu Ya'adua Centre
Abuja.

