SENATE OF THE FEDERAL REPUBLIC OF NIGERIA

VOTES AND PROCEEDINGS

Thursday, 2nd June, 2016

1. The Senate met at 10:58 a.m. The Senate President read Prayers.

2. **Votes and Proceedings:**
The Senate examined the Votes and Proceedings of Wednesday, 1st June, 2016.

Question was put and the Votes and Proceedings were approved.

3. **Announcements:**
(a) Senate Calenders:
The Senate President read a letter from Senator Ibrahim A. Gobir (*Sokoto East*) as follows:

THE SENATE
FEDERAL REPUBLIC OF NIGERIA
COMMITTEE ON SENATE SERVICES
National Assembly Complex

The President of the Senate
National Assembly
Abuja

ANNOUNCEMENT

This is to inform all Distinguished Senators that the Senate Store has taken delivery of 2016 Senate calendars.

Accordingly, we will like to invite all Distinguished Senators to authorize their Secretaries/Personal Assistants to collect the calendars from the Senate Store.

Kindly note that those coming for this purpose are expected to present letters of authority and photocopy of their ID Cards to the Senate Store Keeper.

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The Senate Store is located in the basement of the Senate New Building.

Thank you.

(Signed)
Senator Ibrahim A. Gobir, PhD
Chairman, Senate Services Committee
02/06/2016

(b) Stakeholders' Forum:

The Senate President read a letter from Senator Isiaka A. Adeleke (*Osun West*) as follows:

SENATE OF THE FEDERAL REPUBLIC OF NIGERIA
COMMITTEE ON CAPITAL MARKET
National Assembly Complex

2nd June, 2016

Dr. Bukola Saraki, CON,
President of the Senate,
Federal Republic of Nigeria,
National Assembly Complex,
Abuja.

ANNOUNCEMENT

The Senate and House of Representatives Committees on Capital Market in conjunction with the major stakeholders in the Nigerian Capital Market cordially invite all Distinguished Members of the Senate to a Two Day Stakeholders' Forum on "Realizing the full Potentials of the Nigerian Economy through Proactive Capital Market Legislation".

The event is scheduled to hold as follows:
Date: *Monday, 6th and Tuesday, 7h June, 2016*
Venue: *NAF Conference Centre and Suits, Plot 496, Ahmadu Bello Way, Kado, Abuja.*
Time: *9:00 a.m. each day*

Thank you.

(Signed)
SENATOR ISIAKA A. ADELEKE
CHAIRMAN

(c) Electoral Reform:

The Senate President read a letter from Senator Abubakar Kyari (*Borno North*) as follows:

THE SENATE
FEDERAL REPUBLIC OF NIGERIA
Committee on Independent National Electoral Commission (INEC)
National Assembly Complex

Federal Republic of Nigeria.

Dear Sir,

ANNOUNCEMENT

The Senate Committee on Independent National Electoral Commission (INEC) wishes to invite all Distinguished Senators to a National Summit on Elections themed "Legislating for Electoral Reform".

The event is scheduled as follows:
Date: *June 6, 2016*
Venue: *Conference Room 231, Senate New Wing, National Assembly*
Time: *12:00 noon*

Looking forward to your warm presence and participation.

(Signed)
Senator Abubakar Kyari
Chairman.

(c) ***Acknowledgement:***
The Senate President acknowledged the presence of the following who were in the gallery to observe Senate Proceedings:

(*i*) Staff and Students of Baptist High School, Garki, Abuja;

(*ii*) Staff and Students of Christ Chosen Group of Schools, Gwarinpa, Abuja; and

(*iii*) Staff and Students of Jethrone Eagle Academy, Kubwa, Abuja;

4. Personal Explanation:
Rising on Rule 43, Senator Joseph G. Dada *(Ogun West)* drew the attention of the Senate to the demise of His Royal Highness, Oba Moshood Alani Oyede, the Olota of Ota. He urged the Senate to observe a minute silence in his honour and also send a delegation to commiserate with the family, people and Government of Ogun State.

One minute silence accordingly observed in honour of the deceased.

5. Motions:

(a) ***The Urgent need for the Senate to look into the Nigeria Extractive Industry Transparency Initiative (NEITI) 2013 Oil, Gas and Solid Minerals Audit Report:***
Motion made: That the Senate notes that NEITI was created by an Act of the National Assembly in 2007 to among other objectives:

(i) ensure due process and transparency in the payments made by all extractive industry companies to the Federal Government;

(ii) monitor and ensure accountability in the revenue receipts of the Federal Government from extractive industry companies; and

(iii) eliminate all forms of corrupt practices in the determination, payments receipts and posting of revenue accruing to Federal Government from extractive industry companies;

notes also that one of the key statutory functions of NEITI is to conduct regular audits of the extractive sector as provided in section 4 of the extant Act;

aware that details from the 2013 audit and financial report of activities in Nigeria's oil and gas industry which was conducted by (NEITI) has shown that Nigeria made $58.07 billion from its hydrocarbons industry in that year;

further aware that the federation realised ₦33.86 billion from solid minerals sector in 2013 as contained in the 2013 solid minerals audit report of NEITI;

worried that the sum of $3.8billion and ₦358.3billion stands as outstanding revenues from the NNPC and its subsidiaries in 2013. These outstanding payments were dues from unpaid consideration from divested Oil Mining Leases from NNPC to NPDC and cash call refunds by the National Petroleum Investment and Management Services (NAPIMS);

disturbed that between 2005-2013 the sum of $12.9 billion paid by the Nigerian Liquidified Natural Gas (NLNG) to NNPC was not remitted to the federation account;

worried further that the NEITI report showed that the country lost $5.966 billion and ₦20.4 billion in the sector from the operation of Offshore Processing Agreements (OPA) by State oil firm, the Nigerian National Petroleum Corporation (NNPC), crude oil swap and theft etc;

further disturbed that the sum of $599.98 million was reported in the audit as underpayments to the federation from petroleum profit taxes and royalties by oil and gas companies, as a result of the use of different pricing methodology by the government;

concerned that the federation is not fully taking advantage of its solid minerals endowment on account of unclear legal and taxation regime, inaccuracy of production data and non-transfer of accruable revenues to States and Local Government Areas;

further concerned that in spite of several similar reports of fraudulent activities in our Oil and Gas Industry, Government over the years has not come out with any clearly defined action to recover such squandered monies and avert the trend.

Accordingly resolves to:
invite the Executive Secretary of NEITI to brief the Senate on the missing funds and the cause of such leakages (*Senator Tijjani Y. Kaura — Zamfara North*).

Debate:

Proposed Resolution:
Question: That the Senate do invite the Executive Secretary of NEITI to brief the Senate on the missing funds — *Agreed to.*

Resolved:
That the Senate do invite the Executive Secretary of NEITI to brief the Senate on the missing funds ***(S/Res/147/01/16)***.

shocked at the survey results of the Federal Ministry of Health confirming that of all 149 children under 5 years of age tested for lead, 80% had > 45 mcg/dL (the threshold above which chelation is indicated in a clean environment);

worried that environmental testing of residential buildings during the same survey indicated severe contamination of the environment;

notes that a complete environmental assessment recently conducted in the two villages calls for urgent remediation;

aware that a preliminary remediation plan and budget have been developed by experts and awaits funding by the Federal Government;

observes that early childhood exposure to lead has been linked to violent criminal behavior later in early adult life. In addition, it is estimated that childhood lead exposure is costing developing countries $992 billion annually due to reductions in IQs and earning potential, according to a new study published recently;

notes with keen interest that Africa's economy is harmed the most, with annual economic losses estimated at $137.7 billion or 4 percent of its gross domestic product - a number that represents a country's economic output and financial health;

commends Medecins Sans Frontieres (Doctors Without Borders - MSF), Kagara General Hospital, Connected Development (CODE) and other organizations who have been on ground to advocate, manage and help in the lead poisoning cases; and

convinced that given the potential of lead poisoning to irrevocably inflict long term neurocognitive deficits on generations, there is need to urgently address this issue of national import.

Accordingly resolves to:

(*i*) call upon the Federal Government (Ministries of Health; Solid Minerals; and Environment) to urgently remediate the environment, treat all cases and promote safer mining programmes for artisanal miners;

(*ii*) urge the Federal Government to urgently approve and release the needed intervention funds from the Ecological Funds for urgent remediation to help save Shikira; and

(*iii*) urge the Committee on Solid Minerals to review the 2007 Mining Act to reflect present realities in the sector as it affects local communities and artisanal miners (*Senator David Umaru — Niger East*).

Debate:

Proposed Resolution (i):

Question: That the Senate do call upon the Federal Government (Ministries of Health; Solid Minerals; and Environment) to urgently remediate the environment, treat all cases and promote safer mining programmes for artisanal miners — *Agreed to.*

Proposed Resolution (ii):
Question: That the Senate do urge the Federal Government to urgently approve and release the needed intervention funds from the Ecological Funds for urgent remediation to help save Shikira.

Amendment Proposed:
Immediately after the word "Shikira" in line 3, *insert* the words "and other communities affected by lead poisoning" *(Senator Mohammed A. Aliero — Kebbi Central).*

Question that the amendment be made put and agreed to.

Proposed Resolution (iii):
Question: That the Senate do urge the Committee on Solid Minerals to review the 2007 Mining Act to reflect present realities in the sector as it affects local communities and artisanal miners — *Agreed to.*

Resolved:
That the Senate do:

(*i*) call upon the Federal Government (Ministries of Health; Solid Minerals; and Environment) to urgently remediate the environment, treat all cases and promote safer mining programmes for artisanal miners;

(*ii*) urge the Federal Government to urgently approve and release the needed intervention funds from the Ecological Funds for urgent remediation to help save Shikira and other communities affected by lead poisoning; and

(*iii*) urge the Committee on Solid Minerals to review the 2007 Mining Act to reflect present realities in the sector as it affects local communities and artisanal miners ***(S/Res/148/01/16)***.

(c) Fire Incident involving victims of insurgency from Nigeria in Gagamari Refugee Camp, Diffa State, Niger Republic:
Motion made: That the Senate is aware that the current insurgency in the North-East has led to massive dislocation of the populace who are in several Internally Displaced Persons' (IDPs) camps nationwide and refugee camps in Niger Republic, Chad and Cameroon since 2009;

recall that attacks by Boko Haram insurgents increased dramatically from mid 2014 causing an unprecedented displacement of over 3 million people who were forced to flee to other parts of the country and at least another 150,000 have taken refuge in neighbouring Chad, Niger and Cameroon as refugees;

saddened that the refugees, majority of whom are women and children are faced with a range of threats to their physical safety and restrictions on their freedom of movement. Their homes, businesses and farms have been destroyed with nowhere to go, causing them to live and scramble for the limited resources with the host community;

aware that the effort of the Federal Government to contain the insurgency has been largely successful, as the Internally Displaced Persons have started going back to their areas of abode;

saddened that on Monday, 25th April, 2016 at about 4:00 pm, there was a fire incident that razed the whole Gagamari Refugee Camp, Diffa State, Niger Republic where over 4,000 Nigerians were further displaced, living without shelter, food, water, etc.;

Accordingly resolves to:

(*i*) urge the Federal Government to provide immediate relief materials such as food, shelter, clothing, water, etc. to the affected Nigerians in Gagamari refugee camp;

(*ii*) urge the Federal Government to galvanise the public and private sector to relocate the refugees back to their homes in Nigeria; and

(*iii*) urge the Federal Government to sustain the tempo to bring an end to the Boko Haram insurgency (*Senator Abubakar Kyari — Borno North*).

Debate:

Proposed Resolution (i):
Question: That the Senate do urge the Federal Government to provide immediate relief materials such as food, shelter, clothing, water, etc. to the affected Nigerians in Gagamari refugee camp — *Agreed to.*

Proposed Resolution (ii):
Question: That the Senate do urge the Federal Government to galvanise the public and private sector to relocate the refugees back to their homes in Nigeria — *Agreed to.*

Proposed Resolution (iii):
Question: That the Senate do urge the Federal Government to sustain the tempo to bring an end to the Boko Haram insurgency — *Agreed to.*

Resolved:
That the Senate do:

(*i*) urge the Federal Government to provide immediate relief materials such as food, shelter, clothing, water, etc. to the affected Nigerians in Gagamari refugee camp;

(*ii*) urge the Federal Government to galvanise the public and private sector to relocate the refugees back to their homes in Nigeria; and

(*iii*) urge the Federal Government to sustain the tempo to bring an end to the Boko Haram insurgency ***(S/Res/149/01/16)***.

(d) Need to give recognition to Anambra and Kogi as oil producing states and to forestall further hostilities between the warring communities of Odeke Echeno in Ibaji Local Government Area of Kogi State and Enugu-Otu Aguleri and Eziagulu-Otu Communitites in Anambra East Local Government Area of Anambra State:

Consideration of Motion deferred to another Legislative Day.

6. Postgraduate Physiotherapy College of Nigeria (Establishment, etc.) Bill, 2016 (SB. 204):

Consideration of Bill deferred to another Legislative Day.

7. Chartered Institute of Facilities Management (Establishment, etc.) Bill, 2016 (SB.193):

Consideration of Bill deferred to another Legislative Day.

8. Adjournment:
Motion made: That the Senate do now adjourn till Tuesday, 7th June, 2016 at 10:00 a.m. (*Deputy Senate Leader*).

Adjourned accordingly at 12:03 *p.m.*

Abubakar Olubukola Saraki, CON
President,
Senate of the Federal Republic of Nigeria.