



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

Wednesday, 22<sup>nd</sup> June, 2022

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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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**BUSINESS OF THE DAY  
PRESENTATION OF BILLS**

1. **Business Facilitation (Miscellaneous Provisions) Bill, 2022 (SB. 1028) - *First Reading***  
Senate Leader.
  2. **National Social Investment Programmes (Establishment) Bill, 2022 (HB. 1153) - *First Reading***  
Senate Leader.
  3. **Armed Forces Act (Amendment) Bill, 2022 (SB. 1014) - *First Reading***  
Sen. Kalu, Orji Uzor (*Abia North*).
  4. **National Automotive Council Act (Amendment) Bill, 2022 (SB. 1025) - *First Reading***  
Sen. Musa, Mohammed Sani (*Niger East*).
  5. **Trustee Investment Act (Amendment) Bill, 2022 (SB. 1027) - *First Reading***  
Sen. Sani, Uba (*Kaduna Central*).
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**ORDERS OF THE DAY  
EXECUTIVE COMMUNICATIONS**

1. **Executive Communication**  
*Confirmation of the Nomination of Joe Aniku Michael Ohiani for Appointment as Substantive Director-General/CEO for the Infrastructure Concession Regulatory Commission*  
Senate Leader  
-That the Senate do consider the request of Mr. President C-in-C on the confirmation of the nomination of Joe Aniku Michael Ohiani for appointment as Substantive Director-General/CEO for the Infrastructure Concession Regulatory Commission in accordance with the provision of Section 21(1)(a) of the Infrastructure Concession Regulatory Commission (Establishment) Act, 2005.
2. **Executive Communication**  
*Confirmation of the Nomination of Umar Yahaya for Appointment as Co-Chairman of the Governing Council of Unclaimed Funds*  
Senate Leader  
-That the Senate do consider the request of Mr. President C-in-C on the confirmation of the nomination of Umar

Yahaya for appointment as Co-Chairman of the Governing Council of Unclaimed Funds in accordance with Section 77(5) of the Finance Act, 2020.

### MOTION FOR RE-COMMITAL OF BILLS

#### 1. Re-Committal of Bills to the Committee of the Whole.

*The Senate:*

*Recalls* that the following Bills were passed by the Senate and the House of Representatives and were transmitted to the Clerk of the National Assembly for onward transmission to the President C-in-C for Assent;

The Bills are:

1. Federal Medical Centre Mubi Adamawa State (Establishment) Bill 2022; and
2. National Dermatology Specialist Hospital, Garkida, Adamawa State (Establishment) Bill, 2022.

*Observes* that some fundamental issues which require fresh legislative action by both Chambers of the National Assembly emerged after a critical analysis of the Bills by Mr. President C - in - C;

*Aware* that a Technical Committee of the Senate and House of Representatives and Directorate of Legal Services met and worked on the Bills;

*Relying* on order 1(b) and order 52(6) of Senate Standing Order, 2022 as amended.

*Accordingly resolves to:*

*Rescind* its decision on the Bills as passed and re-commit same to the Committee of the Whole for re-consideration and passage.

### PRESENTATION AND CONSIDERATION OF REPORTS

#### 1. Committee on Electoral Matters

*Confirmation of the Nomination of Dr. Hale Gabriel Longpet for Appointment as Resident Electoral Commissioner for Independent National Electoral Commission (INEC)*

Sen. Gaya, Kabiru Ibrahim (Kano South)

-That the Senate do receive and consider the report of the Committee on Electoral Matters on the confirmation of the nomination of Dr. Hale Gabriel Longpet for Appointment as Resident Electoral Commissioner for Independent National Electoral Commission (INEC).

#### 2. Report of the Committee on Establishment and Public Service

*Chartered Institute of Electrical and Electronic Engineering of Nigeria (Establishment) Bill, 2022 (SB. 741)*

Sen. Shekarau, Ibrahim (Kano Central)

-That the Senate do receive and consider the Report of the Committee on Establishment and Public Service on the Chartered Institute of Electrical and Electronic Engineering of Nigeria (Establishment) Bill, 2022 (SB. 741).

#### 3. Report of the Committee on Works

*Public Private Partnership Regulatory Commission Bill, 2022 (SB. 823)*

Sen. Adamu, Muhammad Aliero (Kebbi Central)

-That the Senate do receive and consider the Report of the Committee on Works on the Public Private Partnership Regulatory Commission Bill, 2022 (SB. 823).

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CONSIDERATION OF BILLS

1. A Bill for an Act for the Regulations of in-vitro fertilization, to prohibit certain practices in connection with in-vitro fertilization to establish an in-vitro fertilization authority to make provision in relation of children born of in-vitro fertilization process and for connected purposes, 2022 (SB. 841) - *Second Reading*  
Sen. Barau I. Jibrin (*Kano North*).
  2. A Bill for an Act to provide for the Establishment of the National Commission on Child Destitution in Nigeria and for other connected purposes, 2022 (SB. 42) - *Second Reading*  
Sen. Aliyu Magatakarda Wamakko (*Sokoto North*).
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MOTION

1. Non Payment of the sum of \$200, 000, 000 accruals from Oil Mining Lease (OML), by Shell Petroleum Development Company of Nigeria Limited under the SPDC/NNPC Joint Venture Agreement and, illegal and unlawful renewal of Oil Mining Leases by the Ministry of Petroleum Resources/Department of Petroleum Resources (DPR) contrary to the provision of Paragraph 10 of the First Schedule to the Petroleum Act 1969 (now Section 86(1) and 86(6) of the Petroleum Industry Act 2022.

Sponsor: Sen. Sekibo, George Thompson (*Rivers East*)

*The Senate:*

*Notes* that one of the major sources of revenue for the nation is through Oil exploration and exploitation business, which was founded and established in 1957;

*Understands* that since the Oil exploration and exploitation is a specialized business venture, the Nigerian National Petroleum Corporation on behalf of the Federal Government initiated several Joint Venture (JV) agreements with the International Oil Companies (IOCs) operating in Nigeria;

*Aware* that the joint venture agreements include: (a) Oil Exploration Licenses (b) Oil Prospecting licenses (c) Oil Mining Leases and (d) Assignments;

*Cognizant* that the First Schedule to the Petroleum Act 1969 gave a term of 20 years for any Oil Mining Lease and subject to renewal for another term of 20 years as enshrined in Paragraph 10 of the Petroleum Act 1969 as given below:

10. The term of an Oil Mining Lease shall not exceed twenty (20) years, but may be renewed in accordance with this Act”;

*Further cognizant* that the Petroleum Industry Act 2022 recently assented to law by the President is also explicit in Section 86 (1) and 86(6);

*Observes* that the SPDC/NNPC Joint Venture (JV) agreement, in contravention of the provisions of the Petroleum Act 1969, by the defunct Department of Petroleum Resources (DPR) and the Ministry of Petroleum Resources, spuriously granted to the SPDC/NNPC a 30-year Oil Mining Lease from 1959 to 1989 thereby illegally extending the Oil Mining Lease by 10 years in the first instance instead of the prescribed term of 20 years without recourse to the provisions of the Petroleum Act 1969 in paragraph 10 of the First Schedule as given above;

*Observes further* that upon the expiration of the initial Oil Mining Lease in 1989, SPDC/NNPC JV, was granted another 30-year Oil Mining Lease again from 1st July 1989 to 30<sup>th</sup> June, 2019, by the Ministry of Petroleum Resource/DPR instead of the 20 years lease period prescribed by the Petroleum Act, which is contrary to paragraph 10 of the First Schedule to the said Act;

*Concerned* that in the initial additional 10 years Oil Mining Lease of 1969 to 1989, illegally granted to the SPDC/NNPC JV by the Ministry of Petroleum Resources/DPR, the Federal Government lost from fees, taxes, rents and royalties the sum of \$120, 000, 000 while in the second instance of the extra 10 years the Federal Government also lost a further sum of \$80,000,000, making a total of \$200, 000 ,000;

*Regrets* that a loss of \$200,000,000 which is equivalent to N83, 130, 000, 000 is a colossal loss of money that could have been of great value to the economy of the nation;

*Notes* that this illegal action by the Ministry of Petroleum Resources/DPR as regards the SPDC/NNPC JV may not be the only non-compliant grant as details of other Joint Venture agreements with: Chevron Nigeria limited, ENI Joint Venture, EXXON Mobil Upstream JV, Total E & P Nigeria Limited JV, need to be ascertained through a thorough investigation to verify compliance with the provisions of the extant law;

*Notes further* that the trend of illegal extension of Joint Venture (JV) period from 20 years to 30 years lease period without recourse to the Petroleum Act may have also applied to the above-mentioned Joint Ventures agreements with the IOCs and needs to be investigated;

*Informed* that SPDC went to Court on the clarity of the lease period and the judgment was not in their favour as regards the additional 10 years lease period in the two instances. Regrettably, the court failed to order the SPDC to pay the arrears the 20 years lease period to the tune of \$200,000,000 to the Federal Government for the illegal extensions;

*Further informed* that a whistle blower, has petitioned the EFCC on the need to recover the sum of \$200,000,000 from SPDC for these illegal extensions by the Ministry of Petroleum Resources/DPR and to further investigate all other Joint Venture agreements that involved the aforementioned IOCs;

*Cognizant* that the power to make laws for the Federation as vested in the National Assembly by the Constitution also encompasses the power to make laws for the promotion of national prosperity and a dynamic self-reliant economy as provided in section 16(1)(a) of the 1999 Constitution of the Federal Republic of Nigeria as amended:

*Cognizant also* that the same Constitution gives power to each House of the National Assembly to carry out appropriate investigation on observed misapplication of the laws enacted by the National Assembly, as provided in section 88 of the Constitution while section 89 of the same Constitution provides the process on how such investigation should be carried out;

*Believes* that both the Petroleum Act of 1969 and the Petroleum Industry Act of 2022 are laws enacted by the National Assembly for the purpose of harnessing the resources of the nation effectively to promote national prosperity and create an efficient, dynamic and self-reliant economy; thus any misapplication of any section of the Petroleum Act 1969 or the Petroleum Industry Act 2022 could be investigated to achieve the constitutional injunction of exposing corruption, inefficiency or waste in the execution or administration of laws within the purview of the National Assembly's legislative jurisdiction, especially with respect to the disbursement or administration of funds; and

*Understands* that the opening paragraph of Section 88 (1) provides that this Senate is empowered to direct or cause to be directed investigation into any matter on which it has the power to make laws while Section 88(2)(b) emphasises that such investigation should be geared towards exposing corruption, inefficiency or waste in the execution or administration of laws within its legislative competence and in the disbursement or administration of funds appropriated by it, which is the subject matter of this motion.

*Accordingly resolves to:*

- i. Urge* the EFCC to investigate the Oil Mining Lease granted to SPDC between 1959 to 1989 and 1989 to 2019 under the SPDC/NNPC JV agreement and compel SPDC to refund to the Federal Government the sum of \$200,000,000 or any amount short of what was paid under the said lease agreements;

- ii. *Urge* the EFCC to investigate the separate Joint Venture agreements between the NNPC and the following IOCs: Chevron Nigeria limited, ENI Joint Venture, EXXON Mobil Upstream JV and Total E & P Nigeria Limited JV;
- iii. *Urge* EFCC to recover any sum short of what the IOCs ought to have paid to cover up the period under review; and
- iv. *Mandate* the Senate Committee on Anti-Corruption and Financial Crimes to follow up on the implementation of the above prayers and regularly brief the Senate of progress made accordingly at four weeks intervals.

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#### BILLS FOR CONCURRENCE

1. Orthopaedic Hospitals Management Board Act (Amendment) Bill, 2022 (HB. 1322) - *Concurrence*  
Senate Leader.
2. Chartered Institute of Social Work Practitioners (Establishment) Bill, 2022 (HB. 358) - *Concurrence*  
Senate Leader.
3. Nigerian Council for Social Work (Establishment) Bill, 2022 (HB. 655) - *Concurrence*  
Senate Leader.
4. Chartered Institute of Professional Secretarial of Nigeria (Establishment) Bill, 2022 (HB. 350) - *Concurrence*  
Senate Leader.
5. Institute of Mortgage Brokers and Lenders of Nigeria Bill, 2022 (HB. 88) - *Concurrence*  
Senate Leader.

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#### COMMITTEE MEETINGS

No.	Committee	Date	Time	Venue
1.	Ad-hoc Committee to Investigate the Application of \$3.5 Billion Petroleum Subsidy By the Nigerian National Petroleum Corporation (NNPC) and Subsidy Recovery Application	Wednesday, 22 <sup>nd</sup> June, 2022 (Public Hearings)	2.00pm	Senate Hearing Room 4 White House Complex National Assembly
2.	Education (Basic & Secondary)	Wednesday, 22 <sup>nd</sup> June, 2022 Public Hearing)	2.00pm	Conference Room 231 Senate New Building
3.	Ad-hoc Committee to Investigate the Application of \$3.5 Billion Petroleum Subsidy By the Nigerian National Petroleum Corporation (NNPC) and Subsidy Recovery Application	Wednesday, 22 <sup>nd</sup> June, 2022 (Public Hearings)	1.00pm	Senate Hearing Room 4 White House Complex National Assembly
4.	Federal Character and Inter-Governmental Affairs	Wednesday, 22 <sup>nd</sup> June, 2022	2.00pm	Committee Room 224 Senate New Building
5.	Ecology and Climate Change	Monday, 27 <sup>th</sup> June, 2022	9.00am	Conference Room 301 Senate New Building
6.	Ethics, Privileges and	Tuesday, 28 <sup>th</sup> June, 2022	3.00pm	Committee Room 120

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