



SENATE OF THE FEDERAL REPUBLIC OF NIGERIA

VOTES AND PROCEEDINGS

Tuesday, 11th July, 2023

1. The Senate met at 11:16 a.m. The President of the Senate read prayers.

2. **Votes and Proceedings:**

The Senate examined the Votes and Proceedings of Thursday, 6th July, 2023.

Question was put and the Votes and Proceedings were approved.

3. **Message from Mr. President:**

The President of the Senate announced that he had received a letter from Mr. President, Commander-in-Chief of the Armed Forces of the Federation, which he read as follows:



**PRESIDENT,
FEDERAL REPUBLIC OF NIGERIA**

*Distinguished Senator Godswill O. Akpabio
President of the Senate,
Senate Chambers,
National Assembly Complex,
Three Arms Zone,
Abuja.*

5th July, 2023

APPOINTMENT OF CHIEF OF DEFENCE STAFF AND SERVICE CHIEFS

In compliance with the provisions of Section 18(1) of the Armed Forces Act, Cap. A20, Laws of the Federation of Nigeria, 2004, I am pleased to present, for confirmation by the Senate, the four nominees listed below as Chief of Defence Staff and Service Chiefs of the Armed Forces of the Federal Republic of Nigeria.

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|----|------------------------|---|--|
| 1. | Chief of Defence Staff | - | Major General C.G. Musa |
| 2. | Chief of Army Staff | - | Major General T.A. Lagbaja |
| 3. | Chief of Naval Staff | - | Rear Admiral Emmanuel Ikechukwu Ogalla |
| 4. | Chief of Air Staff | - | AVM H.B. Abubakar |

The Senate is invited to note the current security situation of our country, which requires concerted efforts of both the legislature and the executive to ensure a well-protected Nation.

This informed the review of our Defence Architecture and appointment of new leaders to work in synergy with one another to achieve the level of optimal performance expected of the Military.

While I hope that the request will receive the expeditious consideration and confirmation of the Senate, please accept, Distinguished Senate President, the assurances of my highest consideration.

*Yours Sincerely,
(Signed)
Bola Ahmed Tinubu*

Motion made: Pursuant to Order 39(2), that the Senate do refer the request of Mr. President to the Committee of the Whole (Senate Leader).

Question put and agreed to.

Request accordingly referred to the Committee of the Whole.

4. Announcements:

(a) Constitution of Special Committees:

Following the successful inauguration of the 10th Senate and the election of the Principal Officers of the Senate and in line with Orders 95(A), 1(a), 1(b) of the Senate Standing Orders 2022 (As Amended), I hereby announce the composition of Special Committees of the Senate as follows:

(1) SELECTION COMMITTEE

(1)	Senator Godswill Akpabio, CON	-	Chairman
(2)	Senator Jibril Barau, CON	-	Vice Chairman
(3)	Senator Opeyemi M. Bamidele	-	Member
(4)	Senator Mohammed A. Ndume	-	Member
(5)	Senator Nweze D. Umahi	-	Member
(6)	Senator Oyelola Yisa Ashiru	-	Member
(7)	Senator Simon Davou Mwadkwom	-	Member
(8)	Senator Oyewunmi Kamarudeen Olalere-	-	Member
(9)	Senator Darlington Nwokocha	-	Member
(10)	Senator Rufai Sani Hanga	-	Member

(2) COMMITTEE ON RULES AND BUSINESS

(1)	Senator Titus Tartenger Zam	-	Chairman
(2)	Senator Opeyemi M. Bamidele	-	Vice Chairman

(3) COMMITTEE ON SENATE SERVICES

(1)	Senator Sunday Steve Karimi	-	Chairman
(2)	Senator Williams Eteng Jonah	-	Vice Chairman

(4) COMMITTEE ON ETHICS, CODE OF CONDUCT AND PUBLIC PETITIONS

(1)	Senator Okechukwu Ezea	-	Chairman
(2)	Senator Khalid Ibrahim Mustapha	-	Vice Chairman

(5) COMMITTEE ON PUBLIC ACCOUNTS

(1)	Senator Aliyu Wadada Ahmed	-	Chairman
(2)	Senator Onyeka Peter Nwebonyi	-	Vice Chairman

- (6) **COMMITTEE ON NATIONAL SECURITY AND INTELLIGENCE**
(1) Senator Shehu Buba Umar - Chairman
(2) Senator Asuquo Ekpenyong - Vice Chairman
- (7) **COMMITTEE ON LEGISLATIVE COMPLIANCE**
(1) Senator Garba Musa Maidoki - Chairman
(2) Senator Ede Dafinone Omueya - Vice Chairman
- (8) **COMMITTEE ON MEDIA AND PUBLIC AFFAIRS**
(1) Senator Adaramodu Adeyemi Raphael - Chairman
(2) Senator Salisu Shuaibu Afolabi - Vice Chairman

In accordance with Order 96(4) of Senate Standing Orders, 2022 (As Amended), under sundry matters and in anticipation of the Supplementary Budget that may be received soon, the Selection Committee has resolved to also set up the -

- (9) **COMMITTEE ON APPROPRIATIONS**
(1) Senator Adeola Solomon Olamilekan - Chairman
(2) Senator Mohammed Ali Ndume - Vice Chairman

(Signed)
President of the Senate
Federal Republic of Nigeria

- (b) **Committees Membership Preference:**
The President of Senate read a letter from Senator Michael Opeyemi Bamidele — (Ekiti Central) as follows:



Dr. Michael Opeyemi Bamidele, CON
BA (Hons), LL.B (Hons); BL; LL.M; FCI Arb.
Ekiti Central Senatorial District
SENATE MAJORITY LEADER

TO: ALL DISTINGUISHED SENATORS
SUBJECT: 10TH SENATE COMMITTEE MEMBERSHIP PREFERENCE
DATE: Tuesday, 11th July, 2023

Dear Distinguished Colleagues.

You are to pick up a form at the Sergeant-At-Arms Desk at the Entrance of the Chamber to indicate interest in membership of Senate Committees.

The duly completed forms are to be submitted to the Office of the Senate Majority Leader at Suite 4.20 before the close of work on Wednesday, 12th July, 2023.

Kindly ensure compliance, please.

(Signed)
Senator Michael Opeyemi Bamidele
Senate Majority Leader

(c) Meeting:

The President of the Senate read a letter from Senator Abdul A. Ningi (*Bauchi Central*) as follows:



AD-HOC COMMITTEE ON EAST-WEST ROAD

July 11, 2023

*The President of the Senate,
Federal Republic of Nigeria,
National Assembly Complex,
Three Arms Zone, Abuja.*

Mr. President,

MEETING

This is to inform all members of the Ad Hoc Committee on East-West Road that the meeting of the Committee is scheduled as follows:

*Date: 11th July, 2023
Venue: Room 3.19
Time: 2.00 p.m.*

(Signed)

*Senator Abdul A. Ningi
Chairman*

(d) Issuance of Identity Cards:

The President of the Senate read a letter from the Clerk of the Senate as follows:



OFFICE OF THE CLERK OF SENATE

President of the Senate,

NOTICE TO DISTINGUISHED SENATORS ON THE ISSUANCE OF IDENTITY CARDS:

Distinguished Senators are hereby informed that the management of the National Assembly has scheduled capturing of Distinguished Senators for issuance of identity cards. The exercise will hold as follows:

*Dates: Tuesday, 11th and Wednesday 12th July, 2023;
Venue: Hearing Room 1, White House Complex;
Time: 9 am daily.*

Distinguished Senators are requested to come along with valid means of identification and a photocopy of their Certificates of Return.

*Chinedu Francis Akubueze
Clerk of Senate.*

5. **Matter of Urgent Public Importance:**

Rising on Orders 41 and 51, Senator Ezenwa F. Onyewuchi (*Imo East*) drew the attention of the Senate to the low level of awareness and preparedness to prevent the outbreak of anthrax in Nigeria.

Consideration of motion deferred to the next Legislative Day.

6. **Motions:**

(a) ***Urgent Need to Investigate the Delay in the Completion of Umuahia-Umudike-Ikot Ekpene, Aba-Ikot Ekpene, and Aba-Ossisioma to Port Harcourt Roads:***

Motion made: That the Senate notes that the Aba-Ossisioma-Port Harcourt, Umuahia-Umudike-Ikot Ekpene, and Aba to Ikot Ekpene, roads are critical national assets and Federal Government Category A interstate roads, traversing and connecting the South-East, South-South, South-West and Northern geo-political zones of the country;

also notes that the roads, which are central to the economic and social nerves of the cities of Aba, Umuahia, Uyo, Ikot-Ekpene, and Port-Harcourt, and serve as the arteries of the Nigeria National Petroleum Corporation Limited (NNPC-Limited) operations, providing the company an alternative channel for the distribution of Petroleum Products, as well as important Agricultural Produce Nationwide, has continued to dilapidate due to unaccountable delays in the completion of the projects;

further notes that the roads absolve heavy-duty vehicles and serve as the major alternative routes for the movement of essential goods and passengers across the contiguous States of the South East, South-South, Western, and Northern States of the country with access to important national economic establishments like the Export Zones, Cement Factories, and large-Scale Manufacturing Concerns;

aware that the Federal Government awarded the Umuahia-Umudike-Ikot Ekpene, Aba-Ikot Ekpene, and Aba-Ossisioma-Port-Harcourt roads to Messrs. CGCC Global Project Nigeria Limited, Heartland & Raycon Construction Company Limited, and China Civil Engineering Construction Company (CCECC) respectively and funded by the NNPC-Limited pursuant to the Presidential Executive Order 007 signed in 2019 under the Road Infrastructure Tax Credit Scheme designed to boost Nigeria's National Roads Asset and marginally reduce critical infrastructure deficit in the country;

recalls that on Tuesday, December 22, 2021, the Nigerian National Petroleum Corporation (NNPC), through its Chief Finance Officer, Mr. Umar Ajiya publicly handed over a symbolic cheque of ₦621.24 billion for the reconstruction/rehabilitation of 21 critical roads across the country, including the Aba-Ikot Ekpene and Umuahia-Umudike Ikot-Ekpene Roads to the Federal Government of Nigeria;

disturbed that despite expending in excess of ₦15Billion since inception on these critical roads, the Umuahia-Ikot Ekepene Road had only attained 6% completion as of April 2023, while the Aba-Ikot Ekpene and Aba-Port Harcourt roads continued deplorable states have led to the economic stagnation of the former boisterous commercial city of Aba with more than 1000 businesses closing down, and associated negative impact on the standard of living of households, youth unemployment, government revenues, and general productivity; and if not expeditiously addressed would worsen the devastating economic woes and threats to lives and property posed by the failed sections of the roads;

also disturbed that the land-locked situation and deprivation of economic means created by the unending deplorable state of the roads have significantly contributed to the escalating insecurity activities in the South-East and the loss of several precious human lives on the affected sections of roads over time; and

cognizant that the National Assembly has the constitutional mandate to conduct oversight over government policies, programs, and projects to ensure value for money, promotion of economic prosperity, protection of lives and property, and enhancement of sustainable national development of the country and every part thereof.

The Senate accordingly resolves to:

- (i) urge the Federal Ministry of Works and Housing and the Federal Roads Maintenance Agency (FERMA) to urgently intervene and include the repair of the failed portions of the roads especially in the Aba-Ossisioma to Port-Harcourt, Umuahia-Ikot Ekpene and Aba to Ikot Ekepene axis in the planned nationwide Federal Roads Repair during this rainy season as palliative measure while ensuring that a full and permanent solution is devised to urgently complete the projects; and
- (ii) mandate the Senate Committee on Works (when constituted) to investigate the award of the contracts for the reconstruction/rehabilitation of Aba-Ossisioma to Port-Harcourt, Umuahia-Ikot Ekpene, and Aba-Ikot Ekpene Roads, level of funds released, and utilization, the level of work completed and factors contributing to the unaccounted delays in the execution of the projects and report to the Senate within four (4) weeks for further legislative action (*Senator Nwokocha, Darlington — Abia Central*)

Debate:

Proposed Resolution (i):

Question: That the Senate do urge the Federal Ministry of Works and Housing and the Federal Roads Maintenance Agency (FERMA) to urgently intervene and include the repair of the failed portions of the roads especially in the Aba-Ossisioma to Port Harcourt, Umuahia-Ikot Ekpene and Aba to Ikot Ekepene axis in the planned nationwide Federal Roads Repair during this rainy season as palliative measure while ensuring that a full and permanent solution is devised to urgently complete the projects — *Agreed to.*

Proposed Resolution (ii):

Question: That the Senate do mandate the Senate Committee on Works (when constituted) to investigate the award of the contracts for the reconstruction/rehabilitation of Aba-Ossisioma to Port Harcourt, Umuahia-Ikot-Ekpene, and Aba-Ikot-Ekpene Roads, level of funds released, and utilization, the level of work completed and factors contributing to the unaccounted delays in the execution of the projects and report to the Senate within four (4) weeks for further legislative action — *Agreed to.*

Additional Proposed Resolutions:

Insert Additional Proposed Resolutions as follows:

- (i) “That the Senate do urge the Federal Ministry of Finance, Budget and National Planning to provide adequate information on fund releases on quarterly basis on all national roads-network projects” (*Senator Ohere S. Abubakar — Kogi Central*).
- (ii) “That the Senate do invite the Permanent Secretary, Federal Ministry of Works to brief the Senate on the status of the road” (*Senator Mohammed Ali Ndume — Borno South*).

Question that the amendments be made, put and agreed to.

Resolved:

That the Senate do:

- (i) urge the Federal Ministry Works and Housing and the Federal Roads Maintenance Agency (FERMA) to urgently intervene and include the repair of the failed portions of the roads especially in the Aba-Ossisioma to Port-Harcourt, Umuahia-Ikot Ekpene and Aba to Ikot Ekepene axis in the planned nationwide Federal Roads Repair during this rainy season as palliative measure while ensuring that a full and permanent solution is devised to urgently complete the projects; and
- (ii) mandate the Senate Committee on Works (when constituted) to investigate the award of the contracts for the reconstruction/rehabilitation of Aba-Ossisiorna to Port-Harcourt, Umuahia-Ikot Ekpene, and Aba-Ikot Ekpene Roads, level of funds released, and utilization, the level of work completed and factors contributing to the unaccounted delays in the execution of the projects and report to the Senate within four (4) weeks for further legislative action;
- (iii) urge the Federal Ministry of Finance, Budget and National Planning to provide adequate information on fund releases on quarterly basis on all national roads network projects; and
- (iv) invite the Permanent Secretary, Federal Ministry of Works to brief the Senate on the status of the road (*S/Res/011/01/23*).

(b) ***Need to Investigate the Controversial Huge Expenditure on Premium Motor Spirit (PMS) under the Subsidy/Under Recovery Regime by the Nigerian National Petroleum Company Limited (NNPCL):***

Motion made: That the Senate notes that the Federal Government, in its fight against corruption and in order to plug the presumed highly proliferated leakages, wastages and slippages surrounding the fuel subsidy as well as in an attempt to end the controversial subsidy regime, on May 11, 2016, announced increase in fuel pump price from ₦87 to between ₦135 and ₦145 per litre;

aware that at the inauguration of the present Government on May 29, 2023, the President took a bold step to announce the total removal of "fuel subsidy," noting that the scheme has "increasingly favoured the rich more than the poor";

recognizes that the Federal Government's interest in exiting the subsidy regime was in line with its policy to reduce cost of governance, and desire to eliminate corrupt practices surrounding the Scheme through diversion and smuggling of the products into border countries as well as introduce fair competition in the Downstream Sector;

informed that NNPCL within the period of subsidy exit attempt, substituted the term "subsidy" with "under recovery" without any recourse to the National Assembly or supervision by any other arm of the government;

observes that while NNPCL within 10 years, 2006 and 2015, claimed about ₦170 billion as under recovery, the same NNPCL within 13 months, January 2018 to January 2019 claimed a whopping sum of ₦843.121 billion as under recovery;

concerned that the then Petroleum Product Pricing Regulatory Agency (PPPRA) published in its website, figures that contradicted NNPCL's daily under recovery claims within the same period;

also concerned that the Federal Government appropriated ₦1.42 trillion and ₦4.3 trillion for petrol subsidy in 2021 and 2022 respectively while ₦3.6 trillion was appropriated for petrol subsidy for 6 months ending in June, 2023;

worried that the NNPC's arbitrary and unsupervised direct deductions from the country's crude oil revenue without recourse to any enabling law contravenes Section 89 (1)(c) and (1)(d) of the 1999 Constitution (as amended) and does not speak well of the good intentions of the Federal Government, especially in its fight against corruption; and

also worried that the uninvestigated and alarming cost of under recovery/direct deductions by NNPC without necessary checks, has led to great misunderstanding of the Government's good intension on subsidy removal,

The Senate accordingly resolves to:

- (i) constitute an Ad hoc Committee to holistically investigate all controversies surrounding "subsidy and under recovery regime";
- (ii) mandate the Committee on Downstream Petroleum Sector (when constituted) to constantly monitor, scrutinize and approve Midstream and Downstream spending of the NNPC; and
- (iii) urge the NNPC, in conjunction with some major International Oil Companies (IOCs) in Nigeria, to form three different consortium and build three refineries, one each to stabilize our oil market, give value to our currency and stabilize our economy (*Senator Ndubueze Chiwuba Patrick — Imo North*).

Debate:

Amendment Proposed:

Leave out the provision (i) and *insert* the following instead thereof:

"That the Senate do mandate the Committees on Downstream Petroleum Sector; Petroleum Resources (Upstream) and Finance (when constituted) to holistically investigate all controversies surrounding "subsidy and under recovery regime" (*Senator Ndubueze Chiwuba Patrick — Imo North*)

Question that the amendment be made, put and agreed to.

Resolved:

That the Senate do:

- (i) mandate the Committees on Downstream Petroleum Sector; Petroleum Resources (Upstream) and Finance (when constituted) to holistically investigate all controversies surrounding "subsidy and under recovery regime";
 - (ii) mandate the Committee on Downstream Petroleum Sector (when constituted) to constantly monitor, scrutinize and approve Midstream and Downstream spending of the NNPC; and
 - (iii) urge the NNPC, in conjunction with some major International Oil Companies (IOCs) in Nigeria, to form three different consortium and build three refineries, one each to stabilize our oil market, give value to our currency and stabilize our economy
- (c) ***Urgent Need to expeditiously Complete the ongoing 166 kilometer Abuja-Kaduna Expressway Construction and to increase the presence of Security Surveillance through Deployment of more Personnel and Use of Unmanned Aerial Vehicles (UAVs) such as Drones, Radars and Scanners on and around the Highway.***
Motion made: That the Senate notes that the Abuja/Kaduna phase of the Abuja/Kaduna/Kano Expressway needs urgent attention;

also notes that it is one of the most important Trunk 'A' Roads that lead into the North West, parts of the North Central and the North East geopolitical regions of the country. The road is not only a link into the Federal Capital Territory (FCT), but connects Nigerians from the North to the South and is an extremely important business route for supply of goods and services from the South to the North and vice versa;

worried that as a result of the state of the road, travellers experience the trauma of driving through bandit infested areas and it also cause damage to their vehicles as a result of accidents or hitting deep pot holes etc, not to mention the goods they carry;

recalls that previous Administrations had contracted the services of Julius Berger Plc to reconstruct the road and during the first term of the immediate past administration, the sum of ₦275 billion was released to the company for the reconstruction; and

concerned that the delay in the completion of the road is worrisome to road users which has hindered socio-economic activities between the South, the FCT and various parts of the country.

The Senate accordingly resolves to:

- (i) mandate the Senate Committee on Works (when constituted) to engage the Federal Ministry of Works, Federal Ministry of Finance and Federal Road Management Agency (FERMA) to investigate all funds released for this important project from the award date to the present with the aim of finding out the reason for the delay in completing the project;
- (ii) urge on the contractor to quickly mobilize to the site to ensure completion in the shortest time frame;
- (iii) urge the Security Agencies to deploy personnel and equipment on the highway in order to curb the menace of criminalities along the expressway and its environs; and
- (iv) mandate the Senate Committee on Legislative Compliance (when constituted) to ensure compliance (*Senator Usman Lawal Adamu — Kaduna Central*).

Debate:

Proposed Resolution (i):

Question: That the Senate do mandate the Senate Committee on Works (when constituted) to engage the Federal Ministry of Works, Federal Ministry of Finance and FERMA to investigate all funds released for this important project from the award date to the present with the aim of finding out the reason for the delay in completing the project — *Agreed to.*

Proposed Resolution (ii):

Question: That the Senate do call on the contractor to quickly mobilize to the site to ensure completion in the shortest time frame — *Agreed to.*

Proposed Resolution (iii):

Question: That the Senate do also call on the Security Agencies to deploy personnel and equipment on the highway in order to curb the menace of criminalities along the expressway and its environs — *Agreed to.*

Proposed Resolution (iv):

Question: That the Senate do mandate the Senate Committee on legislative Compliance (when constituted) to ensure compliance — *Agreed to.*

Additional Proposed Resolutions:

Insert Additional Proposed Resolutions as follows:

- (i) "That the Senate do mandate the Committee on Works (when constituted) to accord similar attention to all other National Roads Network suffering from the same poor attention" (*Senator Ohere S. Abubakar — Kogi Central*).
- (ii) "That the Senate do urge the Federal Ministry of Works and Housing to utilise the provision for palliative works to attend to the bad portions of the road while construction continues" (*Senator Babangida Hussaini U. — Jigawa North-West*).

Resolved:

That the Senate do:

- (i) mandate the Senate Committee on Works (when constituted) to engage the Federal Ministry of Works, Federal Ministry of Finance and Federal Road Management Agency (FERMA) to investigate all funds released for this important project from the award date to the present with the aim of finding out the reason for the delay in completing the project;
- (ii) urge on the contractor to quickly mobilize to the site to ensure completion in the shortest time frame;
- (iii) urge the security agencies to deploy personnel and equipment on the highway in order to curb the menace of criminalities along the expressway and its environs;
- (iv) mandate the Committee on legislative Compliance (when constituted) to ensure compliance;
- (v) mandate the Committee on Works (when constituted) to accord similar attention to all other National Roads Network suffering from the same poor attention; and
- (vi) urge the Federal Ministry of Works and Housing to utilise the provision for palliative works to attend to the bad portions of the road while construction continues (*S/Res/012/01/23*).

7. Adjournment:

Motion made: That the Senate do now adjourn till Wednesday, 12th July, 2023 at 10.00 a.m. (*Senate Leader*).

Question put and agreed to.

Adjourned accordingly at 1:35 p.m.

Godswill Obot Akpabio, CON
President,
Senate of the Federal Republic of Nigeria.