



NO. 179

343

SENATE OF THE FEDERAL REPUBLIC OF NIGERIA

ORDER PAPER

Thursday, 10th May, 2007

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

ORDERS OF THE DAY PRESENTATION AND

CONSIDERATION OF REPORTS

- I. Report of the Committee on Niger-Delta:
Screening of Nominees: Senator Patrick E. Osakwe: - (Delta North)

"That the Senate do receive and consider the Report of the Committee on Niger-Delta, on the screening of the following Persons as the Managing Director and Members of the Governing Board, Niger Delta Development Commission (NDDC) and approve the recommendations".

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|-------|--------------------------|-------------------|-------------------|
| (i) | Mr. Ndotimi Alaibe | (Bayelsa State) | Managing Director |
| (ii) | Chief Bassey Dan-Abia | (Akwa Ibom State) | Member |
| (iii) | Mr. Aloysius C. Nwagboso | (Abia State) | Member |

Recommendations:

"That the Senate do confirm the nominations of Mr. Ndotimi Alaibe (Bayelsa State), Chief Bassey Dan-Abia (Akwa Ibom State) and Mr. Aloysius C. Nwagboso (Abia State) as the Managing Director and Members of the Governing Board, Niger Delta Development Commission (NDDC)".

2. *Report of the Review Committee on the Ad-hoc Committee on Petroleum Technology Development Fund (PTDF) and Other Related Matters: Senator Umaru I. Tsauro: - (Katsina Central)*

"That the Senate do consider the Report of the Review Committee on the Adhoc Committee on the Petroleum Technology Development Fund (PTDF) and Other Related Matters and approve the recommendations".

Recommendations:

"That the Senate do approve and adopt the Report of the Review Committee on the Ad-hoc Committee on Petroleum Technology Development Fund (PTDF) and Other Related Matters as contained therein".

- (i) The Committee recommends that in the case of deposits that were placed in Trans International Bank (ITB) and Equatorial Trust Bank (ETB), the circumstantial coincidence that existed between the deposits and the loans could not be used to link PTDF money with the companies that were granted loans. If there are any irregularities, it is the responsibility of the Central Bank of Nigeria (CBN) to sanction the bank;
- ii)
 - a) In respect of the approvals of \$125 million on 25th April, 2003 and the subsequent placements of \$115 million in Equatorial Trust Bank (ETB) and \$10 million in Trans International Bank (TIB), the Committee is satisfied that due process was followed. The subsequent investment was within the contemplation of section 1 (c) of the PTDF Act and section 23 of the Finance (Management and Control) Act;
 - b) However, in the case of the additional \$20 million for which the then Executive Secretary, Hamisu Abubakar misrepresented the facts and wrongfully approval of the Vice President. The Committee recommends that EFCC which is presently investigating the matter should continue and prosecute him for any offence disclosed;
- (iii) Hussaini Jalo, a former Executive Secretary of the PTDF from July 2005 to November, 2005 is under investigation by EFCC and the sum of N49 million and 6 nos vehicles have so far been recovered from him. The Committee recommends that EFCC which is presently investigating the matter should continue and prosecutes him for any offence disclosed;
- (iv) With regards to the approval which the Vice President gave in respect of the \$20 million on 14th October, 2003, without the authority of Mr. President, (See annexure 4 and 5) the Committee views the approval of the Vice President as illegal and therefore recommends that the Vice President, Alhaji Atiku Abubakar be referred to the Code of Conduct Bureau for further action;
- (v) In respect of some projects commenced by PTDF in 2006 viz:
 - (a) Incorporation of Galaxy Backbone
 - (b) Purchase of Computers for Civil Servants under the Computer for all Nigerians Initiative
 - (c) Defence Industry Corporation of Nigeria (DICON) Rehabilitation

For which Mr. President gave approval and later got them ratified retroactively, the Committee views the action of the President, C-in-C, Chief Olusegun Obasanjo, as illegal and therefore refers Mr. President Chief Olusegun Obasanjo to the Code of Conduct Bureau for further action.

The Committee also recommends that:

- (vi) In respect of the progress report on Obasanjo Administration and Photographs for State House Library, for which the former Executive Secretary approved N4.5 million, the Committee views the project as outside the mandate of the PTDF Act. The Committee recommends that the Executive Secretary, Alhaji Adamu Maina Waziri should be referred to the Independent Corrupt Practices (ICPC) for further action;
- (vii) The Committee sustains recommendation No. viii of the Ad-hoc Committee that all projects approved for the PTDF from 2003 till date should be verified and evaluated by the relevant Committees of the Senate, that is:
 - a) Committee on Petroleum Resources (Upstream) and
 - b) Committee on Public Accounts; or alternatively
 - c) Ad-Hoc Committee for this purpose
- (viii) the Committee sustains recommendation No. xii of the Ad-Hoc Committee that all accounts in the name of PTDF within and outside Nigeria should be established by the Senate Committees on Petroleum Resources (Upstream), Public Accounts; or alternatively an Ad-Hoc Committee for this purpose;

- (ix) The Committee sustains recommendation No. xv of the Ad-Hoc Committee that the Agencies like the Central Bank of Nigeria, Ministry of Finance, Office of the Accountant-General of the Federation, Department of Petroleum Resources and the Office of **the** Auditor-General of the Federation that have direct bearing with the Fund should play their roles as expected to aid the Fund in meeting the objectives for which it was established;
- (x) The maintenance of four different accounts by the Accountant General of the Federation with the CBN in the name of PTDF, namely: Reserve Account, Inspectorate Accounts, Bank Operations Account and Independent Revenue Account pursuant to the approval of the letter initiated by the then Special Adviser to Mr. President on Petroleum and Energy Engr. Funsho Kupoloku (see appendix 2) for which approval was given by Mr. President putting a restriction of PTDF funding, the Committee states that the approval was illegal and a contravention of Section 1 of the PTDF Act. In this regard both Mr. President and Engr. Funsho Kupoloku are culpable;

The Committee therefore recommends that a strict compliance with Section be of the PTDF Act should enforced;

- (xi) (xii) The Committee recommends that all accounts opened in contravention of section 1 (c) of the PTDF Act should be closed forthwith;

That the Petroleum Technology Development Fund Act should be amended to accommodate the current realities in the oil and gas industry as well as the Solid Mineral sector.

Report of the Committee on Establishment and Public Service:

Public Procurement Bill, 2007 (SB. 151) Senator Felix O. Ibru: -
(Delta Central)

"That the Senate do resume the consideration of the Report of the Committee on Establishment and Public Service, on the Public Procurement Bill, 2007 (SB. 151) (*Adjourned debate - 9th May, 2007*)".

Report of the Committee on Finance:

Petroleum Profit Act (Amendment) Bill, 2007 (SB. 177)

Senator Effiong D. Bob: - (Akwa Ibom North East)

"That the Senate do consider the Report of the Committee on Finance, on the Petroleum Profit Act (Amendment) Bill, 2007 (SB. 177)".

CONSIDERATION OF A BILL

National Inland Waterways Authority Act (Repeal and Re-enactment) Bill 2007 (SB. 358) - *Second Reading*
Senator Dalhatu S. Tafida: - (Kaduna North)

COMMITTEE MEETINGS

Committee	Date	Time	Venue
Rules and Business	Thursday, 10th May, 2007	2. 00 p.m.	Committee Room 15 Assembly Complex
Foreign Affairs	Thursday, 10th May, 2007	2. 00 p.m.	Committee Room 03 Assembly Complex
<i>Adhoc Committee:</i> (Nigeria Content Bill)	Thursday, 10th May, 2007	1. 00 p.m.	Committee Room 07 Assembly Complex
1NEC: (Screening of Nominee)	Thursday, 10th May, 2007	12. 00 noon.	Committee Room 03 Assembly Complex
Education	Thursday, 10th May, 2007	00 p.m.	Committee Room 08 Assembly Complex