



SENATE OF THE FEDERAL REPUBLIC OF NIGERIA ORDER PAPER

Tuesday 10th February, 2009

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

PRESENTATION OF REPORTS

1. Report of the Committee on Judiciary, Human Rights and Legal Matters:
Screening of Nominees
Senator Umaru Dahiru (*Sokoto South*)
"That the SENATE do RECEIVE the Report of the COMMITTEE on JUDICIARY, HUMAN RIGHTS and LEGAL MATTERS on the SCREENING of HON. JUSTICE JOHN AFOLABI FABIYI (*North Central*) and HON. JUSTICE OLUFUNLOLA OYELOLA ADEKEYE (*South West*) as HON. JUSTICES of the SUPREME COURT OF NIGERIA" (*To be laid*).
2. Report of the Committee on Judiciary, Human Rights and Legal Matters:
Screening of Nominees
Senator Umaru Dahiru (*Sokoto South*)
"That the SENATE do RECEIVE the Report of the COMMITTEE on JUDICIARY, HUMAN RIGHTS and LEGAL MATTERS on the SCREENING of MR. OLUMUYIWA AKINBORO and ALHAJI MOHAMMAD BALA SHAGARI as MEMBERS of the FEDERAL CAPITAL TERRITORY JUDICIAL SERVICE COMMITTEE" (*To be laid*).

ORDERS OF THE DAY

MOTION

1. Unauthorized Expenditure and Misapplication of Funds from the Development of Natural Resources Fund:
Senator George T. Sekibo (*Rivers East*)
Co-sponsors:

Sen. John Shagaya	Sen. Ibrahim M. Ida	Sen. Uche Chukwumerije
Sen. Anyim Ude	Sen. Ayogu Eze	Sen. Tawar U. Wada
Sen. Ikechukwu J. Obiora	Sen. Caleb Zagi	Sen. Mohammed A. Bello
Sen. Otaru S. Ohize	Sen. Munirudeen A. Muse	Sen. Ganiyu O. Solomon
Sen. Adefemi Kila	Sen. Patricia N. Akwashiki	Sen. Iyabo Obasanjo-Bello
Sen. Hassan Gusau	Sen. Bala Mohammed	Sen. Nkechi Nwaogu

Sen. Aloysius A. Etok
 Sen. Wilson A. Ake
 Sen. Joseph Akaagerger
 Sen. Osita B. Izunaso
 Sen. Gyang Dantog
 Sen. Zaynab A. Kure
 Sen. Enyinaya H. Abaribe
 Sen. Grace F. Bent
 Sen. Annie Okonkwo

Sen. Julius A. Ucha
 Sen. Smart Adeyemi
 Sen. Ahmed Lawan
 Sen. Lee L. Maeba
 Sen. Dahiru Kuta
 Sen. Ayodele S. Arise
 Sen. Andrew A. Babalola
 Sen. Heineken Lokpobiri
 Sen. Bassey Ewa-Henshaw

Sen. Olorunimbe A. Mamora
 Sen. Mohammed K. Jibril
 Sen. James Manager
 Sen. Nicholas Y. Ughane
 Sen. George A. Manzo
 Sen. Chris N. Anyanwu
 Sen. Abubakar A.T. Argungu
 Sen. Emmanuel Paulker
 Sen. Satty D. Gogwim

The Senate,

Notes that the Federal Government has been deducting and paying 3.0% of the Federation Account from May 29, 1999 to December 2003 and 1.68% from January 2004 till date into a fund named "*Development of Natural Resources Fund*".

Confirmed that the creation of this fund was sequel to a modification order on the "Allocation of Revenue" (Federation Account, etc) Act issued by the former President Olusegun Obasanjo, precisely Modification Order 2002, but has its commencement back dated to May 29, 1999.

Further Confirmed that "Natural Resources" in this context refers to Solid Minerals development.

Notes that the sum of ₦231,346,341,400.98 had accrued into this Fund between July 2002 and June 2008.

Worried that the Fund has been depleted drastically without notable improvement in the Solid Minerals Sector.

Confirms that no request has been made to the Senate and indeed the National Assembly with respect to expenditure of this fund as provided for by Section 80 (3) of the 1999 Constitution of the Federal Republic of Nigeria which states inter-alia "*No money shall be withdrawn from any public fund of the Federation other than the Consolidated Revenue fund of the Federation, unless the issue of those moneys has been authorized by an Act of the National Assembly*".

Further confirms that the Senate and indeed the National Assembly has not in any manner prescribed the expenditure of this Fund as provided for by Section 80 (4) of the 1999 Constitution of the Federal Republic of Nigeria which states inter-alia. "*No moneys shall be withdrawn from the Consolidated Revenue Fund or any other public fund of the Federation, except in the manner prescribed by the National Assembly*".

Notes that out of this fund the sum of N80 billion was expended for the importation of rice in 2008 without recourse to due processes and adherence to the provisions of the Constitution.

Further notes that most of this fund has been spent in areas other than the development of the Natural Resources contemplated by the Modification Order (Solid Minerals).

Accordingly resolves to:

- (i) Urge the Ministry of Finance to stop further expenditure from this fund without strict compliance to the provisions of Section 80 (3) and (4) of the 1999 Constitution of the Federal Republic of Nigeria.
- (ii) Direct its Committee on Finance to carry out a comprehensive investigation on the status of this fund and report to the Senate within four weeks.

CONSIDERATION OF A REPORT

1. Report of the Committee on Aviation:

Investigation into the Disbursement and Utilisation of the N19.5 Billion:

Senator Anyim Ude (Ebonyi South)

"That the Senate do CONSIDER the Report of the COMMITTEE on AVIATION, on the INVESTIGATION INTO THE DISBURSEMENT AND UTILISATION of the N19.5 Billion INTERVENTION FUND Released by the Federal Government in 2006 for the REHABILITATION and DEVELOPMENT of INFRASTRUCTURE in the AVIATION INDUSTRY".

CONSIDERATION OF A BILL

1. **A BILL** for an Act to **REPEAL** the **TOBACCO (CONTROL) ACT CAP 1990 T.6** Laws of the Federation and to **ENACT** the **NATIONAL TOBACCO CONTROL BILL, 2009** to provide for the **REGULATION** or **CONTROL** of **PRODUCTION, MANUFACTURE, SALE, ADVERTISING, PROMOTION** and **SPONSORSHIP** of Tobacco or Tobacco Products in Nigeria and for Other Related Matters, 2009 (SB. 221)
Second Reading
 Senator Adeleke O. Mamora (*Lagos East*)

COMMITTEE MEETINGS

	<i>Committee</i>	<i>Date</i>	<i>Time</i>	<i>Venue</i>
1.	Joint Meeting Banking, Insurance & Other Financial Institutions and Finance	Monday, 9th February, 2009	11.00 a.m	Committee Room 204 Senate New Building
2.	Employment, Labour and Productivity	Tuesday, 10th February, 2009	2.00 p.m	Committee Room 427 Senate New Building
3.	Housing and Urban Development	Tuesday, 10th February, 2009	2.00 p.m	Committee Room 117 Senate New Building
4.	MDGs	Tuesday, 10th February, 2009	2.30 p.m	Committee Room 221 Senate New Building
5.	Industries	Tuesday, 10th February, 2009	2.00 p.m	Committee Room 107 Senate New Building
6.	Finance	Tuesday, 10th February, 2009	2.00 p.m	Committee Room 204 Senate New Building
7.	Privatization	Thursday, 12th February, 2009	2.00 p.m	Committee Room 324 Senate New Building