



# SENATE OF THE FEDERAL REPUBLIC OF NIGERIA ORDER PAPER

Monday 9th February, 2009

Tuesday, 10th February, 2009

1. **Motion on Unauthorized Expenditure and Misapplication of Funds from the Development of Natural Resources Fund:**

**Sen. George T. Sekibo (*Rivers East*)**

***Co-sponsors:***

**Sen. John Shagaya**  
**Sen. Anyim Ude**  
**Sen. Ikechukwu J. Obiora**  
**Sen. Otaru S. Ohize**  
**Sen. Adefemi Kila**  
**Sen. Hassan Gusau**  
**Sen. Aloysius A. Etok**  
**Sen. Wilson A. Ake**  
**Sen. Joseph Akaagerger**  
**Sen. Osita B. Izunaso**  
**Sen. Gyang Dantog**  
**Sen. Zaynab A. Kure**  
**Sen. Enyinnaya H. Abaribe**  
**Sen. Grace F. Bent**  
**Sen. Annie Okonkwo**

**Sen. Ibrahim M. Ida**  
**Sen. Ayogu Eze**  
**Sen. Caleb Zagi**  
**Sen. Munirudeen A. Muse**  
**Sen. Patricia N. Akwashiki**  
**Sen. Bala Mohammed**  
**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. Uche Chukwumerije**  
**Sen. Tawar U. Wada**  
**Sen. Mohammed A. Bello**  
**Sen. Ganiyu O. Solomon**  
**Sen. Iyabo Obasanjo-Bello**  
**Sen. Nkechi Nwaogu**  
**Sen. Olorunimbe A. Mamora**  
**Sen. Mohammed K. Jibril**  
**Sen. James Manager**  
**Sen. Nicholas Y. Ugbane**  
**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 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.
2. 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*)  
Senator Umaru Dahiru (*Sokoto South*)
  3. 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*)
  4. Report of the Committee on Aviation, on the Investigative Public hearing 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*)  
Senator Anyim Ude (*Ebonyi South*)
  5. A Bill for an Act to Establish the **Institute of Registered Safety Professionals of Nigeria (IRSPON)**, 2008 (SB. 142) – *Second Reading*  
Senator Tawar U. Wada (*Gombe South*)
  6. A **BILL** for an Act to **AMEND** the **ECONOMIC AND FINANCIAL CRIMES COMMISSION ACT, BILL, 2009** (SB. 205) – *Second Reading*  
Senator Sola Akinyede (*Ekiti South*)

Wednesday, 11th February, 2009

1. A Bill for an Act to the Establish the **National Transport Commission Bill, 2009** (SB. 111) – *Second Reading*  
Senator Gbemi Saraki (*Kwara Central*)
2. A **BILL** for an Act to Provide for the **ESTABLISHMENT** of the **NATIONAL FISHERIES COMMISSION** to Among Other Things Provide Sustainable Management of Nigeria's Fisheries Resources and Coordinate Series of Programmes for the Development of Fishing Potentials of Nigerians. 2009 (SB. 70) – *Second Reading*  
Senator Umar A. T. Argungu (*Kebbi South*)

Thursday, 12th February, 2009

1. Report of the Committee on National Security and Intelligence, on **Private Detectives and Investigators Bill, 2009** (SB. 63) (*Consideration*)  
Senator Nuhu Aliyu (*Niger North*)

2. A Bill for an Act to Amend the National Drug Law Enforcement Agency Act CAP. No.30 Laws of the Federation of Nigeria, 2009 (SB. 204) – *Second Reading*  
**Senator Sola Akinyede (Ekiti South)**
  3. A Bill for an Act to Establish the Chartered Institute of Commerce of Nigeria to Provide and Foster the Professional Capabilities of persons Involved in Commercial Administration in the Federation, and for Other Purposes connected therewith, 2009 (SB. 124) – *Second Reading*  
**Senator Mohammed Bello (Kano Central)**
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Tuesday, 17th February, 2009

1. A **BILL** for an Act to **ESTABLISH** the **NATIONAL COUNCIL** for **OCCUPATIONAL SAFETY** and **HEALTH** and for Related Issues and to make further Provision of Securing the Safety, Health and Welfare of Persons at Work, 2009 (SB. 130) – *Second Reading*  
**Senator Chris N.D. Anyanwu (Imo East)**
  2. Report of the Committee on Federal Character and Governmental Affairs on the State of the Nation Address Bill 2009 (SB. 57) (*Consideration*)  
**Senator Smart Adeyemi (Kogi West)**
  3. Institute of Certified Public Accountants Bill, 2009 (SB. 155) – *Second Reading*  
**Senator Idris A. Umar (Gombe Central)**
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#### COMMITTEE MEETINGS

- | <i>Committee</i>                                                                               | <i>Date</i>               | <i>Time</i> | <i>Venue</i>                              |
|------------------------------------------------------------------------------------------------|---------------------------|-------------|-------------------------------------------|
| 1. <b>Joint Meeting</b><br>Banking, Insurance &<br>Other Financial Institutions<br>and Finance | Monday, 9th January, 2009 | 11.00 a.m   | Committee Room 204<br>Senate New Building |