



HOUSE OF REPRESENTATIVES FEDERAL REPUBLIC OF NIGERIA

ORDER PAPER

Wednesday, 9 December, 2009

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

MOTIONS

1. **\$300 Million Loan from the World Bank:**
Hon. Dino Melaye:
The House:

Notes that the Federal Executive Council in their meeting of 11 November, 2009 ratified the loan of \$300m (USD) from International Development Association, an organ of World Bank;

Further notes that the project implementation period of the said loan is 5 years commencing from 24 November to 23 November, 2014 and the loan has a moratorium of 10 years and repayment period of 40 years;

Worried that the President and indeed the Federal Executive Council has resolved that the Minister of Finance should go ahead and implement the Financial agreement with World Bank;

Further worried that the Debt Management Act as passed by the National Assembly clearly stipulated that all loans by the Federal Government must be ratified by the National Assembly;

Concerned that the meeting in World Bank Office in both Washington DC and Abuja had in attendance Ministers of Finance, Justice, Power, and representative of the Debt Management Office and the Power Holding Company Nigeria;

Disturbed that the approval of the National Assembly was neither sought nor obtained as required by the Debt Management Office (Establishment) Act;

Resolves to:

- (i) declare the \$300 million (USD) loan as null and void;
- (ii) Urge Mr President to follow due process if Nigeria is still interested in taking the loan.

2. Recruitment Drive by the Federal Ministry of Education to Send Qualified Mathematics and Science Teachers to South Africa:

Hon. Sani Minjibir

Hon. Obot S. Sandy

Hon. Olu Osibote

Hon. Lanre Agoro

Hon. A. A. Sule L. M.

Hon. Idris Alhaji I.

Hon. Ibrahim Umar Ballah

Hon. Kayode Idowu

Hon. Abdullahi Yari A.

Hon. Sabo Jama'ar

Hon. Femi Gbajamiabila

Hon. Samaila Mohammed

Hon. Danladi Hamza

Hon. Abdul Ningi

Hon. Ifeanyi Ugwuanyi

Hon. Leo Ogor

Hon. Austin Nwanchukwu

Hon. Gbede Waheed Aderemi

Hon. Ralph Okeke

Hon. Adewusi Rasak

Hon. Jerry S. Manwe

Hon. Sadiq A. Mohamed

Hon. Kamil Akinlabi M.

Hon. Stanley Ohajuruka

Hon. Samson Osagie

The House:

Notes the recent headline of "Business Day" of Wednesday, 21 October, 2009 titled: FG PROMOTES BRAIN DRAIN and an advertorial by the Federal Ministry of Education, Abuja in the 'Daily Trust' Newspapers of 22 October, 2009. Titled: *Recruitment drive by the Federal Ministry of Education to send qualified mathematics and science teachers to South Africa;*

Concerned that the headline story centres on how the Federal Ministry of Education has been commissioned to recruit Mathematics and Science Teachers to teach in South Africa;

Worried that such move will have a negative effect on the quality of Science Education in Nigeria;

Further worried that such a move at this time when we do not have enough of such Science Education and Mathematics Teachers in our own schools, will contribute to the falling standard in the Education Sector;

Resolves to:

Mandate the Committee on Education to investigate this matter in all its ramification and report back to the House within 7 Legislative Days.

3. Need to Stop the Indiscriminate Siting of Petroleum Tank Farms near the Nation's Ports, Army Barracks, Oil Terminals and Residential Areas:

Hon. Beni Lar:

The House:

Notes that the Federal Government as part of its deregulation policy in the Petroleum Sector, allowed some oil companies to import petroleum products,

Aware that many of these Oil Companies have constructed Petroleum Tank Farms in order to store petroleum products;

Concerned that some of these Petroleum Tank Farms are indiscriminately sited near the Nation's Port, Army/Police Barracks, Oil Terminals and Residential areas;

Disturbed that some of these Oil Companies violated specific rules and regulations regarding erection of Petroleum Tanks Farms, thereby making the nearby structures highly vulnerable to fire outbreaks;

Regrets that some regulatory bodies and agencies have compromised the stringent standards for the setting up of these Petroleum Tank Farms;

Further concerned that Nigeria and the Nation's vital installations may be at the risk of environmental time bomb as a result of the indiscriminate siting of Petroleum Tank Farms by Oil Companies;

Resolves to:

(i) urge the Federal Ministries of Petroleum and Environment to ensure that due process is followed in the siting of Petroleum Tank Farms taking into consideration residential and sensitive locations;

(ii) mandate the Committee on Petroleum Resources (Downstream) to investigate and/or inspect Petroleum Tank Farms indiscriminately sited near residential and sensitive areas in Nigeria and make recommendations to the House.

BILL

4. A Bill for an Act to Establish the Nigerians in Diaspora Commission, Provide for the Engagement of Nigerians in Diaspora in the Policies, Projects and Participation in the Development of Nigeria and for the Purpose of Utilising the Human, Capital and Material Resources of Nigerians in Diaspora towards the overall Socioeconomic, Cultural and Political Development of Nigeria; and for Matters Related Thereto, 2009 (HB. 294) — *Second Reading*.
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CONSIDERATION OF REPORTS**5. Committee on Finance:**

Hon. John Owan Enoh:

"That this House do consider the Report of the House Committee on Finance on the Investigation into Revenue Generation and Non-Remittance by Government Ministries, Department and Agencies and Statutory Corporations into the Federation Account and approve the Recommendations therein" (*Laid: 5/3/2009*).

Recommendations:

- (i) That the different Statutes that create funds and make financial provisions should be amended to comply with Section 162 (1) of the Constitution.
- (ii) That in the short term, Ministries, Departments and Agencies (MDAs) with such enabling laws should be compelled to immediately submit before the National Assembly quarterly reports of their revenues and remittances.

Operating Surplus.

- (iii) That estimates of yearly revenue must be based on scientific facts and information, i.e. there must be specific basis for arriving at revenue estimates and assessments and this must be easily verifiable.
- (iv) That all expenditures incurred by Agencies of Government must be appropriated and under no circumstances whatsoever must any Government Agency spend its internally generated revenues without appropriation from the National Assembly.

Unappropriated Expenditure.

- (v) That the Committee recommends sanctions for revenue diversion, failure to remit collections, delayed remittance and revenue consumption without appropriation. There should also be sanction for low revenue collection without justification and budgetary allocation should henceforth be tied to revenue performance.
- (vi) That the budgeting process must be strengthened to be all-inclusive and timely, particularly in the release of allocation. Social services like hospitals and educational institutions cannot deliver in the absence of secured budgetary provisions.

Unremitted Tax.

- (vii) That the Committee recommends that Federal Inland Revenue Service (FIRS) be mandated to urgently recover the ₦5.37 billion arrears of Withholding Tax (WHT), VAT and PAYE and that FIRS should develop a mechanism for tracking down unremitted taxes by ensuring that the Ministries, Departments and Agencies (MDAs) pay these taxes as at when due.

Accountant-General of the Federation (OAGF).

- (viii) That the office of the Accountant General of the Federation (OAGF) should be authorised to deduct at source all outstanding arrears of Withholding Tax (WHT), VAT and PAYE standing in the name of any Agency of Government.
- (ix) That the office of the Accountant General of the Federation (OAGF) should be empowered to extend its revenue monitoring machinery to include other high income yielding Agencies not presently covered, e.g. Nigerian National Petroleum Corporation (NNPC), Central Bank of Nigeria (CBN), etc.
- (xi) That revenue accounts should be non-chequing while arrangement should be reached with commercial banks to mop up all Ministries, Departments and Agencies (MDAs) current account balances into the Consolidated Revenue Fund (CRF). The mopping up should be done monthly for revenue accounts;

- (xii) That Ministries, Departments and Agencies (MDAs) should be mandated to make proposals to the Budget Office on how they can increase revenue from their existing sources as well as how they can raise new sources of revenue;
- (xiii) That the office of the Accountant General of the Federation (OAGF) should be authorised to deduct at source revenue collected by a Ministries, Department and Agency (MDA) which is not remitted on time. Authority should similarly be given to the office of the Accountant General of the Federation (OAGF) to request Central Bank of Nigeria (CBN) to debit the account of any collecting bank that failed to remit monies collected by it on behalf of government.

Concessions and Collectables

- (xiv) That previous executive grant of exemptions on duty should be reviewed and the process made more transparent in future. It is also recommended that every future grant must be for a definite period.

Unlegislated Ministries, Departments and Agencies (MDAs).

- (xv) That urgent steps be taken to pass enabling laws for those Ministries, Departments and Agencies (MDAs) which are currently operating without legal backing.

Outstanding Debts.

- (xvi) That all Government agencies with substantial public debt be mandated to urgently recover these debts and that they additionally be compelled to draw up a recovery plan and submit quarterly reports to the National Assembly on the progress made.

Nigerian National Petroleum Corporation (NNPC), payments to Federation Account/Confirmation of crude oil Exports.

- (xvii) That the Nigerian National Petroleum Corporation (NNPC) should be compelled to firstly remit the totality of revenues arising from its crude oil take without the usual deduction of subsidy at source since the only agency statutorily charged with the responsibility for determining and payment of subsidies for the purpose of transparency in the Administration of the Petroleum Support Fund (PSF) is the Petroleum Product Pricing and Regulatory Agency (PPPRA).

- (xviii) That the House Committee on Customs should be mandated to ensure that the Nigeria Customs Service (NCS) fully discharges one of its primary mandate of independently recording the quantity of crude oil that is exported from the different terminals.

Nigerian Ports Authority (NPA) and Port Concessioning.

- (xix) That the House Committee on Marine Transport should be mandated to undertake a study of the number and nature of port concession agreements as to determine Nigerian Ports Authority (NPA) remaining financial responsibilities in the country's Ports.

6. Joint Committee on Rules and Business and Justice:

Hon. Ita Enang:

"That this House do consider the Report of the Joint Committee on Rules and Business and Justice on a Bill for an Act to make it Mandatory for the National Assembly to Scrutinize and approve Statutory Instrument before it becomes enforceable and to Provide for Matters Connected Incidental Thereto, 2008 (HB. 119) and approve the Recommendations therein" (*Laid: 30/7/2009*).

- 7. A Bill for an Act to Provide for the Establishment of the Federal Capital Territory Agency of Mass Education and Other Matters Connected Therewith, 2009 (HB. 255) — *Committee of Whole: 21/7/2009.*

COMMITTEE MEETINGS

	<i>Committee</i>	<i>Date</i>	<i>Time</i>	<i>Venue</i>
1.	Rules and Business	Wednesday, 9 December, 2009	10.00 a.m.	Committee Room 06 Assembly Complex
2.	Interior	Wednesday, 9 December, 2009	11.00 a.m.	Committee Room 14 Assembly Complex
3.	Agriculture	Wednesday, 9 December, 2009	9.00 a.m.	Committee Room 02 Assembly Complex
4.	Public Procurement	Wednesday, 9 December, 2009	12.00 p.m.	Committee Room 07 Assembly Complex

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| 5. | Communications
(Public Hearing) | Wednesday, 9 December, 2009 | 10.00 a.m. | Committee Room 231
New Building (House)
Assembly Complex |
| 6. | FCT Area Councils and
Ancillary Matters | Wednesday, 9 December, 2009 | 11.00 a.m. | Committee Room 426
New Building (House)
Assembly Complex |
| 7. | Drugs, Narcotics and Financial
Crimes | Wednesday, 9 December, 2009 | 11.00 a.m. | Committee Room 305
New Building (House)
Assembly Complex |
| 8. | Petroleum Resources (Upstream)
(Budget defence with Ministry of
Petroleum Resources, DPR,
NNRA, PTI) | Wednesday, 9 December, 2009 | 10.00 a.m. | Committee Room 440
New Building (House)
Assembly Complex |
| 9. | Gas Resources | Wednesday, 9 December, 2009 | 11.00 a.m. | Committee Room 120
New Building (House)
Assembly Complex |