



**SENATE OF THE
FEDERAL REPUBLIC OF NIGERIA
ORDER PAPER**

Wednesday, 1st March, 2017

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

PRESENTATION OF A REPORT

1. Conference Committee Report
Agricultural Credit and Guarantee Scheme (Amendment) Bill, 2017 (SB. 17 & HB. 239)
Sen. Abdullahi Adamu (*Nasarawa West*)
-That the Senate do receive the report of the Conference Committee on Agricultural Credit and Guarantee Scheme (Amendment) Bill, 2017 (SB. 17 & HB. 239) -*To be Laid.*

ORDERS OF THE DAY

MOTIONS

1. Enhancement of the powers of the Parliament of the Economic Community of West African States (ECOWAS Parliament).

Senator Ike Ekweremadu (*Enugu West*)

The Senate:

Aware that the founding fathers of the ECOWAS spearheaded by Nigeria's former Head of State, Gen. Yakubu Gowon (Rtd), GCFR established the ECOWAS vide the Lagos Treaty in 1975, which was also reviewed in 1993, all in the effort to foster economic and political cooperation of the peoples of West Africa;

Recalls that the ECOWAS Parliament was established by Article 13 of the 1993 Revised Treaty of ECOWAS as the representatives of the peoples of West Africa, while the composition, modalities for election of Community Parliamentarians, the functions, powers, and organisation of the Community Parliament were spelt out under ECOWAS Protocol A/P2/8/94 of 1994, which came into force on March 14, 2000;

Further recalls that the ECOWAS Parliament has existed as a mere advisory body since its establishment in 2000, although ECOWAS Decision A/DEC.6/01/2006 defined and strengthened the modalities for the interaction between the Community Parliament and other Community institutions;

Notes that the New Article 13 of ECOWAS Supplementary Protocol 2006 provides that "the powers of the ECOWAS Parliament shall be progressively enhanced from advisory to co-decision making and subsequently to a law making role in areas to be defined by the Authority";

Notes that although efforts by preceding Legislatures of the Community Parliament to have the powers of the Parliament enhanced in line with the New Article 13 were unsuccessful, the 3rd Legislature of the

Parliament, under my leadership, championed a robust advocacy for the actualization of this project, including coming up with a Draft Supplementary Act on the Enhancement of the Powers of the Community Parliament to bring the institution to the international best standards as other regional parliaments like the East African Legislative Assembly and European Union, among others;

Further notes that although the Supplementary Act was adopted by the 46th Ordinary Session of the ECOWAS Authority of Heads of the State and Government in Abuja in December 2014, the 47th Ordinary Session of the Authority had failed to sign to bring it into force in Accra in May 2015, before the expiration of the 3rd Legislature, which I headed as the Speaker;

Aware that the Fourth Legislature of the Community Parliament had continued with the relentless efforts towards realizing the Enhancement of Powers of the Parliament;

Receives with immense pleasure the eventual endorsement of the ECOWAS Supplementary Act A/SA/1/12/16 relating to the Enhancement of the Powers of the ECOWAS Parliament by the 50th Ordinary Session of the Authority of Heads of State and Government in Abuja in December 2016;

Conscious of the fact that this Supplementary Act now bestows on the Community Parliament enhanced competences, namely:

- a. Involvement in the enactment of all Community Acts relating to ECOWAS Economic and Monetary integration policies or Treaty;
- b. Involvement in the adoption of the Community Budget;
- c. Exercise of Parliamentary oversight functions over the activities of programme implementing bodies of the Community and to adopt appropriate Resolution in so doing;
- d. Consideration of any matter concerning the Community, in particular issues relating to Human Rights and Fundamental Freedoms and make recommendations to the Institutions and Organs of the Community in this regard, and constitution of committees of enquiry and mediation on such matter;
- e. Consultation of the Parliament on any issues concerning the Community, except on matters relating to Internal Agreements affecting Community institutions; membership, sanction, Suspension or Exclusion of Member States by the Community; creation of Institutions; and Community defence, peace, and security policies; and
- f. Proposition, with the ECOWAS Council of Ministers and the ECOWAS Commission, model and uniform laws for the Community

Notes that Article 18 of the Supplementary Act provides for the eventual election of Community Parliamentarians by direct adult suffrage,

Accordingly resolves to:

- i. *Commend* the ECOWAS Authority of Heads of State and Government for finally enhancing the powers of the Community Parliament in line with international best practices;
- ii. *Commend* this as a major achievement towards the democratization of the governance of the sub-regional body and promotion of the fine principles of separation of powers and checks and balance;
- iii. Congratulate the Community Parliament on this milestone;
- iv. *Commend* all the organs of the ECOWAS and individuals, who championed the cause, worked tirelessly, and made personal sacrifices towards the actualization of a true Parliament for the Peoples of West Africa;

- v. *Commend* members of the international community, especially the various international organizations and development partners, which supported and committed their resources towards the achievement of this feat; and
- vi. *Calls* for the amendment of the Electoral Act of the Federal Republic of Nigeria to empower the Independent National Electoral Commission (INEC) to conduct election to fill the nation's 35 seats at the Community Parliament.

2. Discrepancies in subsidy payment and non-remittance of Funds by the NNPC to the federation account.
Sen. Dino Melaye (*Kogi West*)

The Senate:

Aware that majority of Nigerians overwhelmingly agreed to fight corruption and this informed the present administration's resolve to tackle the widespread corruption in all its ramification, inclusive of the petroleum industry;

Notes with dismay that despite the crackdown on corruption by the present government led by President Muhamadu Buhari, there has been continuous violation by the Nigerian National Petroleum Corporation NNPC as regards non-remittance of proceeds from the sale of refined products into the federation account. This practice is similar to the problems that sparked the National outrage against the last administration;

Aware that though independent marketers account for 49% of the imported petroleum product, while the Nigerian National Petroleum Corporation (NNPC) accounts for 51% of imported products but this does not justify the huge amount it has been paid as subsidy in the last 10years;

Concerned that from the records derived from the PPMC, 5 - 10 cargoes of imported crude arrives the country monthly, while about 5 cargoes are refined locally and each cargo contains 5.8 million liters of the refined crude products;

Worried that the excess products which cannot be dispensed that goes into different tank farms owned by private individuals are not properly accounted for as they are illegally sold off by the owners of these tank farms in a manner that is opaque and usually designed to rip off the public and enrich a few persons stupendously at the expense of the masses;

Disturbed that since this administration clamped down on subsidy payment, NNPC has solely been responsible for retail with companies like BOVAS and RANO paying 20 - 25 naira per liter for the sales of this product which amounts to over N2billion monthly;

Further disturbed that these monies are not accounted for and that might be the reason why we now see petrodollars buried in caskets and uncompleted buildings in remote villages in some parts of the country,

Accordingly resolves to:

Mandate the Committee on Petroleum (Downstream) to exhaustively review and investigate the NNPC over its accounts relating to fuel subsidy and the abuse of product marketing and distribution between 2006 and 2016.

3. Continued implementation of the Federal Capital Territory Statutory Appropriation Act, 2016 and for other related matters, pursuant to section 122 and 299 of the 1999 constitution of the Federal Republic of Nigeria, as amended.

Sponsor: Sen. Philip T. Aduda (*FCT*)

Co-Sponsor: Sen. Dino Melaye (*Kogi West*)

The Senate:

Notes that the FCT Appropriation 2016 was passed on 20th July, 2016;

Notes further that the Bill was assented to by the President, Commander-in-Chief of the Federal Republic of Nigeria, in August 2016;

Further concerned that the FCT Appropriation Act operated for only five (5) months before it lapsed, i.e. 31st December, 2016 as captured in the 2016 FCT Statutory Appropriation Act;

Observes that the FCT has been inundated with complaints of non-payment for infrastructural development, satellite Towns development and city cleaning services, due to budgetary constraints;

Observes also that the City has slid into environmental embarrassment, especially due to lack of constant maintenance of WUPA Sewage Plant;

Notes that Section 122 of the 1999 Constitution of the Federal Republic of Nigeria, as amended, provides as follows:

"If the Appropriation Bill in respect of any financial year has not been passed into Law by the beginning of the financial year, the Governor may authorize the withdrawal of monies from the Consolidated Revenue Fund of the State for the purpose of meeting expenditure necessary to carry on the services of the government for a period not exceeding 3 months or until the coming into operation of the Law, whichever is the earlier;

Provided that the withdrawal in respect of any such period shall not exceed the amount authorized to be withdrawn from the Consolidated Revenue Fund of the State under the provisions of the Appropriation Law passed by the House of Assembly for the corresponding period in the immediately preceding financial year, being amount proportionate to the total amount so authorized for the immediately preceding financial year."

Notes further that Section 299 (a) of the 1999 Constitution of the Federal Republic of Nigeria, as amended, provides as follows:

"The provisions of this Constitution shall apply to the Federal Capital Territory, Abuja as if it were one of the States of the Federation; and accordingly -

(a) all the legislative powers, the executive powers and the judicial powers vested in the House of Assembly, the Governor of a State and in the courts of a State shall, respectively, vest in the National Assembly, the President of the Federation and in the courts which by virtue of the foregoing provisions are courts established for the Federal Capital Territory, Abuja."

Accordingly resolves to:

Draw the attention of the Federal Capital Territory Administration to the provisions of Sections 122 and 299 of the 1999 Constitution of the Federal Republic of Nigeria, as amended, authorizing them to continue to spend money based on the previous Appropriation Act, up to six (6) months from the 31st day of December, 2016 or until a new budget is passed into law for FCT.

1. Confirmation of Nomination

Sen. Lawan Ahmad Ibrahim (*Senate Leader*)

-That the Senate do consider the request of Mr. President, C-in-C, for the confirmation of Honourable Justice Walter Onnoghen, for appointment as Chief Justice of Nigeria, in accordance with Section 231(1) of the 1999 Constitution of the Federal Republic of Nigeria as Amended (*Committee of the Whole*).

CONSIDERATION OF BILLS

1. A Bill for an Act to amend the Companies and Allied Matters Act 1990 CAP C20, LFN 2004 to provide for the incorporation of companies, registration of business names together with incorporation of trustees of certain Communities, Bodies, Associations and incidental matters, 2017 (SB. 355) – *Second Reading*
Sen. Fatima Raji-Rasaki (*Ekiti Central*).

2. A Bill for an act to amend the companies and allied matters Act CAP C20 LFN 2004 and for the establishment of State Corporate Affairs Commissions for Registration of Business names and for other matters connected therewith, 2017 (SB. 384) – *Second Reading*
Sen. Ovie Omo-Agege (*Delta Central*).
3. A Bill for an Act to provide for Secured Transactions, Registration and Regulation of Security Interest in Movable Assets and for related matters, 2017 (SB. 261) – *Second Reading*
Sen. Rafiu Adebayo Ibrahim (*Kwara South*).
4. A Bill for an Act to Amend the Investment and Securities Act 2007 and for other matters connected therewith, 2017 (SB. 394) – *Second Reading*
Sen. Hassan Mohammed (*Yobe South*).
5. A Bill for an Act to provide for the Establishment of the Federal University of Agriculture, Kabba to make comprehensive provisions for its due management and administration and other related matters, 2017 (SB. 402) – *Second Reading*
Sen. Dino Melaye (*Kogi West*).
6. A Bill for an Act to Repeal Local Government Act No. 8 of 1976 and for related matters, 2017 (SB. 365) – *Second Reading*
Sen. Peter Nwaoboshi (*Delta North*).
7. A Bill for an Act to establish a Nationwide Toll- Free Emergency Number for Reporting of Emergencies throughout the federation and for related matters, 2017 (SB. 107) – *Second Reading*
Sen. Isa Hamman Misau (*Bauchi Central*).
8. A Bill for an Act to provide for the Establishment of the Alvan Ikoku Federal University of Education, Owerri and for other matters connected therewith, 2017 (SB. 398) – *Second Reading*
Sen. Samuel Anyanwu (*Imo East*).
9. A Bill for an Act to provide for the establishment of the Federal University of Education, Kano and for other matters connected therewith, 2017 (SB. 397) – *Second Reading*
Sen. Jibrin Barau (*Kano North*).

COMMITTEE MEETINGS

No.	Committee	Date	Time	Venue
1.	Petroleum Resources (Upstream)	Wednesday, 1 st March, 2017 (Budget Defence)	1.00pm	Committee Room 221 Senate New Building
2.	Public Procurement	Wednesday, 1 st March, 2017	1.00pm	Committee Room 107 Senate New Building
3.	Joint Committee on Finance, Trade & Investment, Gas, Petroleum Upstream, Banking, Insurance & other Financial Institutions, Judiciary, Human Right and Legal Matters, Custom & Excise	Wednesday, 1 st March, 2017 (Interactive Session)	2.00pm	Committee Room 204 Senate New Building
4.	INEC	Wednesday, 1 st March, 2017	3.00pm	Committee Room 431 Senate New Building
5.	Aviation	Wednesday, 1 st March, 2017	2.00pm	Suite 3.15 Senate New Building
6.	Tertiary Institutions & TETFUND	Wednesday, 1 st March, 2017	2.30pm	Committee Room 312 Senate New Building

7.	Cooperation, Integration in Africa and NEPAD	Wednesday, 1 st March, 2017	2.00pm	Committee Room 224 Senate New Building
8.	Appropriations	Wednesday, 1 st March, 2017 (Budget Defence)	10.00am	Committee Room 224 Senate New Building
9.	Ethics, Privileges & Public Petitions	Wednesday, 1 st March, 2017	3.00pm	Committee Room 224 Senate New Building
10.	Ad-hoc Committee on NEITI	Thursday, 2 nd March, 2017	2.00pm	Committee Room 211 Senate New Building
11.	Capital Market	Tuesday, 7 th March, 2017 (Public Hearing)	11.00am	Conference Room 022 Senate New Building