



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

Wednesday, 8th November, 2017

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

MOTIONS

1. The illegal extension of the tenure of the Board of the Niger Delta Development Commission (NDDC).

Sponsor: Sen. Emmanuel Paulker (*Bayelsa Central*)

The Senate:

Observes that the Niger Delta Development Commission (NDDC) was established to tackle developmental issues affecting the Niger Delta;

Notes that it was in response to the age-long agitation of the people of the Niger Delta that had snowballed into militancy which disrupted oil production and affected our national economic interest that the Commission was established;

Notes further that the Commission consist of a Board made up of members drawn from the States of Abia, Akwa Ibom, Bayelsa, Cross-River, Delta, Edo, Imo, Ondo and Rivers;

Observes that Section 4 of the act states that the office of the Chairman shall rotate amongst member States of the Commission in alphabetical order;

Observes that the Chairmanship of the NDDC started with Abia State and has rotated in accordance with the Act up to Cross-River state now;

Observes that the NDDC Act also states that "*where a vacancy occurs in the membership board it shall be filled by the appointment of a successor to hold office for the remainder of the term of his predecessor, so however, that the successor shall represent the same interest and shall be appointed by the President, Commander-in-Chief of the Armed Forces subject to the confirmation of the Senate in consultation with the House of Representatives*";

Observes that the Board headed by Senator Victor Ndoma Egba, SAN was appointed by the President, Commander-in-Chief of the Armed Forces to replace the one headed by Senator Bassey Henshaw;

Observes further that Section 5 (3) of the Act dictates that the Board headed by Senator Victor Ndoma Egba, SAN serves out the remainder of the term of the board chaired by Senator Bassey Henshaw will terminate in December 2017;

Notes that contrary to the clear provisions of Section 5 (3) of the NDDC Act, the tenure of the present Board of the Commission has been illegally extended to 4 years by the immediate past Acting Secretary of the Government of the Federation, Dr. Habiba Muda Lawal;

Worried that contravention of the NDDC Act portends grave danger to the relative peace we enjoy in the Niger Delta,

Accordingly resolves to:

Mandate the Committee on Niger Delta to investigate the illegal renewal of the tenure of the present Board of the Commission.

2. Monumental Fraud in the Power Sector.

Sponsor: Senator Dino Melaye (*Kogi West*)

The Senate:

Notes that sometime in July 2013, the Federal Government raised a total sum of \$1Billion through a Eurobond issue;

Aware that the sum of \$350 million was taken by the Federal Government out of the proceeds of the July 2013 Eurobond issue and released to Nigeria Electricity Bulk Trading Company(NBET) Plc as shareholder contribution to shore up its capitalization;

Further aware that NBET is a Federal Government owned public liability company that deals in electricity trading and management of associated liabilities;

Notes that the sum of \$350 million released to NBET was to demonstrate NBET's preparedness to assume its role as a government backed electricity bulk trader to provide market confidence in the privatized electricity market;

Observes that this move by the Federal Government was intended to backstop NBET's with new investors in the electricity market especially new generation companies and to provide assurance to them that NBET is a credit worthy off-taker of power with the requisite capitalization to meet its payment obligations to both greenfield and brownfields power generating companies;

Notes that as confidence building measure, this money (i.e. \$350 million) was domiciled with the Nigerian Sovereign Investment Authority (NSIA) for reinvestment in low risk investment and structured in a manner that NBET can call for funds at short notice when required;

Observes that this fund has been with NSIA since 2014 and has helped build market confidence especially among new investors in the electricity market who see NBET's positive balance sheet as a form of security that their investments are safe and that NBET has the wherewithal to meet its payment obligations;

Alarmed that there is now a desperate attempt by the Federal Ministry of Power, Works and Housing to retrieve this fund (\$ 350 million) and divert same to fund the so called Fast Power Projects which the Ministry has already spent \$35 million of public funds not appropriated by the National Assembly;

Further alarmed that since the introduction of the Fast Power Project by the Federal Ministry of Power, Works and Housing, a total sum of \$35 million has been spent by the Ministry on Afam Power Project alone to pay \$29 million to General Electric (GE) as cost for turbines and \$6million in consultancy fees to other entities respectively, all without requisite feasibility study of the projects and appropriation by the National Assembly as required by the Constitution;

Observes that a lot of questions are begging for answers as regards the \$29 million paid to General Electric and the \$6 million paid to other consultants as to -

- a. Who were the Consultants and how were they procured?

- b. Was there observance of due process in awarding the consultancy of \$6 million and in paying General Electric \$29 million for turbines?
- c. Why is the transaction cloaked in secrecy?
- d. What is the true value of Afam Fast Power?
- e. Why is the Ministry engaging in constructing new power plant while government has several idle plants that is seeking buyers for?
- f. Why is the Ministry that is supposed to be making policies, dabbling into constructing new power plants that we have all agreed is better handled by the private sector?

Concerned that the Federal Ministry of Power, Works and Housing is determined to persist in this brazen violation of the Constitution and extant laws on due process by insisting that the NSIA should release the \$350 meant to NBET on the pretext of acting under a purported presidential approval;

Convinced that there is an urgent need to bring the Ministry to order regarding its planned diversion of the sum of \$350 meant for NBET and further demand a detailed account of unappropriated public funds spent on the controversial fast power projects,

Accordingly resolves to:

- i. *Mandate* the Senate Committees on Power; Public Accounts; to invite the Minister of Power, Works and Housing to render a detailed account in terms of public funds spent on the Fast Power Projects (Afam Fast Power Project in particular); evidence of feasibility study indicating the viability of the projects, and requisite appropriation by the National Assembly as required by the Constitution; and the controversial presidential approval for the projects;
- ii. *Mandate* the Senate Committees on Power; Public Accounts; to investigate and consider summoning the Nigerian Sovereign Investment Authority(NSIA); Nigerian Electricity Bulk Trading Company (NBET) etc., to generally establish the status of the funds(\$350million) and to report back to the Senate within two (2) weeks; and
- iii. Direct the Federal Ministry of Power, Works and Housing to stop or suspend all attempts or efforts to pressurize NSIA to release the sum of \$350 million meant for NBET to the Ministry for use on the controversial fast power projects.

CONSIDERATION OF A REPORT

1. Report of the Committee on Banking, Insurance and other Financial Institutions
Unscrupulous Violation of the Foreign Exchange (Monitoring and Miscellaneous) Act by MTN
Sen. Rafiu Adebayo (Kwara South)
-That the Senate do consider the report of the Committee on Banking, Insurance and other Financial Institutions on the Unscrupulous Violation of the Foreign Exchange (Monitoring and Miscellaneous) Act by MTN.
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CONSIDERATION OF BILLS

1. A Bill for an Act to establish the Federal polytechnic Kabo to provide full-time courses in technology, applied science management and other fields of studies and to make provisions for the general administration of the polytechnics and for other related matters, 2017 (SB. 407) – *Second Reading*
Sen. Jibrin Barau (Kano North).
2. A Bill for an Act to Establish the Federal Polytechnic Ukana, Akwa Ibom State to provide full-time courses in technology, applied science management and other fields of studies and to make provisions for the general administration of such polytechnics and for other matters connector therewith, 2017 (Sb. 434) – *Second Reading*
Sen. Godswill Akpabio (Akwa Ibom North-West).

3. A Bill for an Act to Establish the Federal College of Education, Omuma, Imo State and for other matters connected therewith (SB. 480) – *Second Reading*
Sen. Hope Uzodinma (*Imo West*).
4. A Bill for an Act to provide for the establishment of the Federal Capital Territory University of Science and Technology, Abaji and for related matters, 2017 (SB. 59) – *Second Reading*
Sen. Phillip Aduda (*FCT*).
5. A Bill for an Act to provide for the regulation and effective monitoring of Metallurgical activities in the Mines and Steel Sector, Metallurgical inspection and raw materials development in Nigeria and for other related matters, 2017 (SB. 260) – *Second Reading*.
Sen. Theodore Orji (*Abia Central*).
6. A Bill for an Act to provide for the establishment of the Nigerian Council for food Science and Technology and for allied matters connected therewith, 2017 (SB. 92) – *Second Reading*
Sen. Ajayi Boroffice (*Ondo North*).
7. A Bill for an Act to provide for the Establishment of the Foreign Service Commission charged with the responsibility of ensuring Excellence and Professionalism in conducting the Foreign Affairs of the Federal Republic of Nigeria and for connected matters, 2017 (SB. 422) – *Second Reading*
Sen. Shehu Sani (*Kaduna Central*).
8. A Bill for an Act to provide for the Establishment of National Institute of Credit Administration and for other Matters Connected Therewith, 2017 (SB. 153) – *Second Reading*
Sen. Ben Murray-Bruce (*Bayelsa East*).
9. A Bill for an Act to Amend the Nigerian Institute of Management Act No14 2003 and for other matters connected thereto, 2017 (SB. 13) – *Second Reading*
Sen. Mao Oluabunwa (*Abia North*).
10. A Bill for an Act to Establish the Federal Capital Territory (FCT) Borderline Communities Development Commission charged with the responsibilities to among other things prepare, coordinate and execute a comprehensive programme of actions for housing development and for other related matters, 2017 (SB. 235) – *Second Reading*
Sen. David Umaru (*Niger East*).

COMMITTEE MEETINGS

No.	Committee	Date	Time	Venue
1.	Communications	Wednesday, 8 th November, 2017	2.00pm	Committee Room 221 Senate New Building
2.	Federal Character and Inter-Governmental Affairs	Wednesday, 8 th November, 2017	2.00pm	Committee Room 438 Senate New Building
3.	Employment, Labour and Productivity	Wednesday, 8 th November, 2017	2.00pm	Committee Room 328 Senate New Building
4.	Ad-Hoc Committee of Chairmen & Vice Chairmen of Committees on Establishment, Judiciary, Interior and Anti-Corruption	Wednesday, 8 th November, 2017	10.00am	Committee Room 224 Senate New Building
5.	Defence	Wednesday, 8 th November, 2017	2.30pm	Committee Room 305 Senate New Building
6.	Health	Wednesday, 8 th November, 2017 (Workplan/Oversight Visits)	1.00pm	Committee Room 430 Senate New Building

7.	Public Accounts	Wednesday, 8 th November, 2017	2.00pm	Committee Room 204 Senate New Building
8.	Ad-hoc Committee to Investigate the various Allegations Levelled against the Police, Inspector-General of Police and Police Service Commission	Wednesday, 8 th November, 2017 (Investigative Hearing)	2.00pm	Committee Room 117 Senate New Building
9.	Ad-Hoc Committee on Alleged Mis-use, Under-Remittance and other fraudulent Activities.	Wed. 8 th – Thur. 9 th Nov, 2017	12.00noon	Committee Room 204 Senate New Building
10.	Banking, Insurance and Other Financial Institutions	Thursday, 9 th November, 2017 (Retreat)	9.00am	NAF Conference Centre Plot 496 Ahmadu Bello Way, Gwarimpa, Abuja
11.	ICT and Cybercrime	Thursday, 9 th November, 2017 (Meeting with Stakeholders)	10.00am	Committee Room 221 Senate New Building
12.	INEC	Thur. 9 th – Sun. 12 th November, 2017 (Oversight Trip)	10.00am	Nnamdi Azikiwe International Airport