



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

Tuesday, 7th November, 2017

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

PRESENTATION OF A REPORT

1. Report of the Committee on Power, Steel Development and Metallurgy
Calabar Football Viewing Centre Tragedy
Sen. Enyinnaya H. Abaribe (*Abia South*)
-That the Senate do receive the report of the Committee on Power, Steel Development and Metallurgy in respect of a motion on the Calabar Football Viewing Centre Tragedy - *To be Laid.*

ORDERS OF THE DAY

EXECUTIVE COMMUNICATION

1. Executive Communication
2018 - 2020 Medium-Term Expenditure Framework and Fiscal Strategy Paper (FSP)
Senate Leader
-That the Senate do consider the Request of Mr. President C-n-C for the Approval of 2018 - 2020 Medium-Term Expenditure Framework and Fiscal Strategy Paper (FSP).

MOTIONS

1. Joint Session of the National Assembly
Sen. Ahmad Lawan (*Senate Leader*).
-That the Senate and House of Representatives do sit in a Joint Session to receive an Address by Mr. President Commander in Chief, President Muhammadu Buhari, *GCFR* on Tuesday, 7th November, 2017 at 2:00pm on the 2018 Appropriation Bill.
2. The Excess Crude Account: an Illegality and a Drain Pipe.

Sponsor: Sen. Rose O. Oko (*Cross River North*)
Co-sponsors: Sen. Buhari Abdulfatai (*Oyo North*)
Sen. Mohammed Shaába Lafiagi (*Kwara North*)
Sen. Suleiman Adokwe (*Nasarawa South*)
Sen. Suleiman O. Hunkuyi (*Kaduna North*)
Sen. Gershom H. Bassey (*Cross River South*)
Sen. Bassey A. Akpan (*Akwa Ibom North-East*)
Sen. Binta Masi Garba (*Adamawa North*)
Sen. Enyinnaya H. Abaribe (*Abia South*)
Sen. Fatimat Raji-Rasaki (*Ekiti Central*)

Sen. Barau I. Jibrin (*Kano North*)
Sen. Sam O. Egwu (*Ebonyi North*)
Sen. Umaru I. Kurfi (*Katsina Central*)
Sen. Philips Tanimu Aduda (*FCT*)
Sen. Atai Ali Aidoko (*Kogi East*)
Sen. Olugbenga Ashafa (*Lagos East*)
Sen. Sonny Ogbuoji (*Ebonyi South*)
Sen. Mathew Urhoghide (*Edo South*)
Sen. Samuel N. Anyanwu (*Imo East*)

Sen. Nelson A. Effiong (<i>Akwa Ibom South</i>)	Sen. Ogba Obinna (<i>Ebonyi Central</i>)
Sen. Godswill Akpabio (<i>Akwa Ibom North-West</i>)	Sen. Uzodinma Goodhope (<i>Imo West</i>)
Sen. Osinakachukwu Ideozu (<i>Rivers West</i>)	Sen. Shehu Sani (<i>Kaduna Central</i>)
Sen. Jang Jonah David (<i>Plateau North</i>)	Sen. Duro Samuel Faseyi (<i>Ekiti North</i>)
Sen. Babajide C. Omoworare (<i>Osun East</i>)	Sen. Biodun Olujimi (<i>Ekiti South</i>)
Sen. Binta Masi Garba (<i>Adamawa North</i>)	Sen. Rilwan A. Akanbi (<i>Oyo South</i>)
Sen. John Owan Enoh (<i>Cross River Central</i>)	Sen. Kabir Marafa (<i>Zamfara Central</i>)
Sen. Emmanuel Paulker (<i>Bayelsa Central</i>)	Sen. Joshua Lidani (<i>Gombe South</i>)
Sen. Ibrahim Abdullahi Gobir (<i>Sokoto East</i>)	Sen. Mohammed Hassan (<i>Yobe South</i>)
Sen. Murray- Bruce Ben (<i>Bayelsa East</i>)	Sen. Ajayi Boroffice (<i>Ondo North</i>)
Sen. Olanrewaju A. Tejuoso (<i>Ogun Central</i>)	Sen. Aliyu Wamakko (<i>Sokoto North</i>)
Sen. Mao A. Oluabunwa (<i>Abia North</i>)	

The Senate:

Notes that the Excess Crude Account (ECA) was set up in 2004, ostensibly to provide savings for the country and stabilization for the economy during periods of shortfalls in oil revenue;

Also notes that the accruals to the ECA was expected to be the amount above the benchmark of crude oil sales;

Concerned that the ECA is alien to the 1999 constitution as amended or any known law in the country;

Worried that the ECA is not in tandem with sections 80 (1-4) and 162 (1-3) of the 1999 Constitution, which prescribes revenue receipts and expenditure;

Alarmed that these breaches of the Constitution in setting up and operating the ECA have created room for a pool of funds from revenue accruing to the Federation being operated without legal backing and without any checks and balances, thereby providing loopholes for imprudence and financial recklessness;

Further Alarmed that a report by the National Resource Governance Institute rates Nigeria's Excess Crude Account as one of the most poorly managed around the world, where its operation is discretionary and at the whims of the Executive;

Notes that for instance, it was reported that the ECA increased from \$5.16 billion in 2005 to over \$20 billion in 2008, and decreased to less than \$4 billion by 2010 with no known tracking of its operations;

Further Notes that at various times and from several quarters in 2013, it was purported that \$5 billion was missing from the ECA, and that \$2 billion was withdrawn without authorization;

Concerned that these accusations between tiers of government portrays a financial system that is flawed and without probity;

Observes that by May 2017, Government announced a resumption of payment into the ECA of \$87 million ostensibly since May, 2015 arbitrarily;

Further observes that however, between May, 2015 and August, 2017 about US \$122.2 million had accrued and ought to have been paid to the ECA;

Deeply saddened by the continued impunity of the ECA and its discretionary operation in contravention of the 1999 Constitution, creating room for imprudence, recklessness and arbitrariness;

Very Concerned that this is one veritable source of huge revenue leakage in the country;

Notes that the on-going amendment of section 162 of the 1999 Constitution as amended is expected to cure the problem of savings for the nation that is rooted in the Constitution;

Believes that before that is done, the nation cannot continue to operate an appreciable quantum of revenue arbitrarily, outside the law with no checks and balances,

Accordingly resolves to:

- i. Request the Executive to act in conformity with sections 80 (1-4) and 162 (1-3) of the 1999 Constitution as amended, in its revenue receipt and expenditure;
- ii. Pay the amount above the oil benchmark into the Federation Account in compliance with the Constitution;
- iii. Appropriate the amount above the oil benchmark into the Nigerian Sovereign Investment Authority (NSIA) and other sectors;
- i. Suspend the Excess Crude Account (ECA); and
- ii. Mandate an Ad-hoc Committee to investigate the revenue that accrued from the amount above the oil benchmark from 2004 to date and its utilization, identifying any further infractions committed and report back within two months.

CONSIDERATION OF BILLS

1. A Bill for an Act to establish the National Youth Development Commission and for other matters connected therewith, 2017 (SB. 385) - *Second Reading*
Sen. Ogba Obinna (*Ebonyi Central*).
2. A Bill for an Act to provide for the Establishment of the Federal University of Agriculture and Technology Oke-Ogun and for other related matters thereof, 2017 (Sb. 466) - *Second Reading*
Sen. Buhari Abdulfatai (*Oyo North*).
3. 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 polytechnic and for other related matters, 2017 (SB. 407) - *Second Reading*
Sen. Jibrin Barau (*Kano North*).
4. 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 polytechnic and for other matters connected therewith, 2017 (Sb. 434) - *Second Reading*
Sen. Godswill Akpabio (*Akwa Ibom North-West*).
5. 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*).
6. 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*).
7. 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*).
8. 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*).

MOTION

1. Joint Session of the National Assembly

Sen. Ahmad Lawan (*Senate Leader*).-That the Senate do now proceed to the House of Representatives to receive an Address by Mr. President Commander in Chief, President Muhammadu Buhari, *GCFR* on the 2018 Appropriation Bill.

COMMITTEE MEETINGS

No.	Committee	Date	Time	Venue
1.	Agriculture and Rural Development	Tuesday, 7 th November, 2017 (Public Hearing)	12.00noon	Conference Room 022 Senate New Building
2.	Tertiary Institutions and TETFUND	Tuesday, 7 th November, 2017 (Public Hearing)	2.00pm	Conference Room 022 Senate New Building
3.	Joint Committee on Customs, Excise & Tariff and Marine Transport	Tuesday, 7 th November, 2017 (Public Hearing)	3.30pm	Committee Room 324 Senate New Building
4.	Ad-Hoc Committee on Alleged Mis-use, Under-Remittance and other fraudulent Activities.	Tue. 7 th - Thur. 9 th Nov, 2017	12.00noon	Committee Room 204 Senate New Building
5.	Communications	Wednesday, 8 th November, 2017	2.00pm	Committee Room 221 Senate New Building
6.	Federal Character and Inter-Governmental Affairs	Wednesday, 8 th November, 2017	2.00pm	Committee Room 438 Senate New Building
7.	Employment, Labour and Productivity	Wednesday, 8 th November, 2017	2.00pm	Committee Room 328 Senate New Building
8.	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
9.	Defence	Wednesday, 8 th November, 2017	2.30pm	Committee Room 305 Senate New Building
10.	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
11.	Banking, Insurance and Other Financial Institutions	Thursday, 9 th November, 2017 (Retreat)	9.00am	NAF Conference Centre Plot 496 Ahmadu Bello Way, Gwarimpa, Abuja