



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

Tuesday, 8th May, 2018

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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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PRESENTATION OF BILLS

1. Revenue Mobilization, Allocation and Fiscal Commission Act (Amendment) Bill, 2018 (HB. 542) – *First Reading*
Sen. Ahmad Lawan (*Yobe North-Senate Leader*).
 2. Nigerian Institute of Mining and Geosciences, Jos Bill, 2018 (HB. 770) – *First Reading*
Sen. Ahmad Lawan (*Yobe North-Senate Leader*).
 3. Ajaokuta Steel Company Completion Fund Bill, 2018 (HB. 1371) – *First Reading*
Sen. Ahmad Lawan (*Yobe North-Senate Leader*).
 4. Pubic Enterprises (Privatization and Commercialization) Act (Amendment) Bill, 2018 (HB. 1372) – *First Reading*
Sen. Ahmad Lawan (*Yobe North-Senate Leader*).
 5. Federal Polytechnic Ekowe, Bayelsa State (Est, etc) Bill, 2018 (SB. 674) – *First Reading*
Sen. Emmanuel Paulker (*Bayelsa Central*).
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ORDERS OF THE DAY

MOTIONS

1. Need to address the low level of literacy amongst drivers in Nigeria.

Sen. Umaru I. Kurfi (*Katsina Central*)

Notes that a vast majority of drivers employed to drive in official capacity either in public or private sector in Nigeria do not possess the necessary qualification to consider them employable. For most of them, a primary school certificate is their highest level of qualification. It is appalling to note that to some of these drivers, the basic skill of reading and writing is a serious challenge;

Further notes that the situation mentioned above have caused untold hardships on our roads as the alarming rate of road accidents can be attributed largely to the recklessness and low level of literacy. These drivers have little or no knowledge of semiotic signs that guide the use of roads;

Worried that for some drivers, it is even a challenge to identify the various vehicle particulars assigned to their vehicle. This has given rise to forgery and fake documentation of car particulars such as insurance etc as most drivers are assigned the task of obtaining and renewing these documents as and when due;

Further notes that the high rate of road accidents caused by motor cycles popularly known as okada is not news any longer. The use of okada has become such a menace that some cities in the country have gone ahead to place a ban on this means of transportation because it has created a lot of problems. It is appalling to note that these okada riders on closer scrutiny are children, some less than 18 years of age with very little or no education on the navigation and understanding of road signs and its application;

Aware that even though employers would normally ask for the basic qualification for employment of drivers, however, due diligence is rarely carried out to ensure that they have obtained these qualifications. The thoroughness and details applied in assessing a staff for employment for a higher level of office is usually absent when employment is made for positions of this nature,

Accordingly resolves to:

- i. *Mandate* the Committee on Transport to summon the Government Establishments and other stakeholders responsible for safety on our roads to ensure that Drivers employed in any capacity at all must possess the necessary qualification in addition to being able to read, write and communicate effectively in English language;
- ii. *Make* driving schools mandatory by establishing same in every state with short term courses for every prospective driver; and
- iii. *Ensure* the enforcement of age limit for persons desiring to obtain driver's license in the country.

2. Need to check Intrusive and Unsolicited Adverts by Telecom Companies and Service Providers.

Sponsor: Senator Yahaya A. Abdullahi (*Kebbi North*)

The Senate:

Recalls with sense of nostalgia, the euphoria that attended the commencement of the Global System for Mobile communications, GSM, 17 years ago in Nigeria;

Mindful of the continued deterioration of GSM services in the country;

Regrets that though the service providers have been reaping huge revenues from their investments, Nigerians have not enjoyed commensurate quality of services;

Worried about increased incidence of dropped calls, unaccounted "disappearance" of airtime from devices, weak signals across networks and false report of unavailable call destinations;

Concerned about the issue of frequent unsolicited calls, product and programme promos, as well as instances of tricking Nigerians to subscribe to riddles and jokes, indiscriminate religious contents and caller tunes that sometimes offend subscribers' sensibilities;

Dissatisfied that even with the setting up of the "Do-Not-Disturb, (DND) opt-out application, as demanded by the Nigerian Communications Commission, NCC, the GSM operators have not done enough to educate the public on its availability and workings;

Observes that with high tariffs and an estimated 150 million subscribers in the country, the four, (4) leading operators within the industry, namely MTN, (53.4million, or 39%), Airtel, (38.3 million, or 26%), Globacom, (38.2 million, or 26%) and 9Mobile, (16.8%, or 12%), the companies are yet to fully integrate themselves into the larger Nigerian economy, in ways that could provide opportunities for Nigerians to benefit from their operations,

Accordingly resolves to:

- i. *Mandate* the Committee on Communications to invite the four, (4) leading GSM operators; MTN, Airtel, Globacom, 9Mobile; the Nigerian Communications Commissions, NCC, representatives of the Nigerian

Consumer Protection Council, and the Association of Advertising Practitioners of Nigeria, AAPN, to seek ways of addressing the situation; and

- ii. Urge the Nigerian Communications Commission, (NCC) to ensure that any person, or entity found to have abused regulatory guidelines, is sanctioned, in accordance with the extant rules and regulations.

3. Urgent call for the Speedy Resuscitation of the Osara / Ekuku Dams in Kogi Central Senatorial District.

Sponsor: Senator Ahmed Salau Ogembe (*Kogi Central*)

The Senate:

Notes that The Osara dam and Ekuku dam are both situated in Kogi Central Senatorial District. The Osara dam is the largest source of water in Kogi State and the Ekuku dam is the second largest;

Further notes that the Osara dam was first conceived in 1995 under the Ibrahim Babangida administration as part of the country's Public Irrigation Sector Schemes. The dam was meant to serve a dual purpose, firstly for irrigated crop production and secondly for safe drinking water systems;

Aware that the development of the Dam under the Greater Lokoja Project in 1995 to produce tens of millions of gallons of water per day and contracted to the Geof Construction Company at the cost of ten billion naira, with the aim of supplying portable drinking water to the whole of Kogi state and its environs;

Further aware that the Construction of the Osara dam is a strategic component in the development of Nigeria's Iron Ore and Steel projects in Itakpe and Ajaokuta as the Osara dam site is situated about 6km north of the National Iron Ore Mining Company, Itakpe (NIOMCO) and is accessible through the Lokoja-Okene highway;

Worried that the construction works and the development of the necessary infrastructure for Osara dam to effectively function as an irrigation project and water supply scheme was truncated;

Further worried that the abandonment of this laudable project impacts negatively on the socio-economic life of not just the people of Kogi Central Senatorial District, but the entire Kogi State and indeed the whole country. Kogi state being a gateway between the Northern Nigeria and the Southern Nigeria, the possibility of outbreak of diseases due to water crisis cannot be overruled;

Recognizes that Kogi State is geographically located in the heart of Nigeria. The state is well blessed with water resources being the host of the confluence, the meeting point of two great rivers, Benue and Niger. Despite this natural advantage, the lack of potable drinking water supply accurately rhymes with the anonymous sailor's distress cry: "Water, water everywhere, but not a single drop to drink". This perfectly describes the portable water supply situation in Kogi State;

Knows that the economic and social values that will accrue from the completion of the Osara dam and Ekuku dam cannot be overemphasized. The irrigation project will immensely boost the agricultural sector and Nigeria will spend less on the importation of products it can locally produce. Socially, the resuscitation of these dams will not only provide portable drinking water but will have a multiplier effect on the employment generation, creation of jobs, reduction of social vices such as kidnapping,

Accordingly resolves to:

Mandate the Senate Committee on Water Resources to liaise with the Federal Ministry of Water Resources to make budgetary provision for the completion of the Osara dam.

4. Urgent need to review the proposed Excise Tariff Increment in order to save Local Distillers of Beverages from looming extinction.

Sponsor: Sen. Benjamin Uwajumogu (*Imo North*)

Co-Sponsor: Sen. Enyinnaya H. Abaribe (*Abia South*)

Aware that the Federal Government through the Honourable Minister of Finance, recently rolled out a proposal for the upward review of excise duty on locally produced beverages;

Cognizant that the current excise duty paid by the locally produced beverages sector stands at 20% percent across board but under the approved excise duty tariff hike by the Federal Government, it is fixed at 67percent; over 300% increase;

Notes that the beverages industry which is one of the oldest surviving sectors presently employs about 250,000 Nigerians both directly with an investment portfolio exceeding N420 billion is under real threat of extinction due to the proposed astronomical tariff hike;

Observes that the proposed tariff hike as recently approved by the Federal Government was computed without consultation and or involvement of members of the beverages sector and indeed all the relevant stakeholders within the industry – called Distillers and Beverages Association of Nigeria (DIBAN), a sub-sectorial group of MAN;

Worried that if this proposed hike is not reviewed, one of the consequences will be the potential loss of at least 250,000 jobs as manufacturers within this sub-sector will be left with no option than to massively lay off workers. That the direct and indirect job losses arising from the proposed tariff hike would further worsen the deteriorating unemployment situation in the country with the attendant social consequences;

Further Worried that the contemplated/planned tariff review of excise duty on locally produced beverages will kill the fledgling industry which is presently fragile and may wreak incalculable damage on our economy: it will also lead to increase in smuggling activities, huge capital flight across borders to more investor friendly countries, with the attendant danger of increase in restiveness amongst the citizenry under enormous socio economic pressure;

Observes that the negative impact of the proposed tariff hike on our economy which is emerging from recession and the expected huge job losses, if this policy is sustained, will further destroy, degrade and imperil the chances of our economy for full recovery;

Sadden that according to the report released by the National Bureau of statistics, NBS, Nigerian 2016 unemployment report for the fourth Quarter Q4 showed that 3.67 million Nigerians became jobless, with the number of unemployed Nigerians rising from 7.51 million at the beginning of October 2015 to 11.19 million at the end of September, 2016;

Further saddened that according to the National Bureau of Statistics, between January and September 2017, 4.08 million Nigerians became unemployed, up from 11.92 million in the first quarter of the year to 13.58 million and 15.19 million in the second and third quarters respectively,

Accordingly resolves to:

- i. *Urge* the Senate to initiate a stakeholders public hearing by referring the motion to the relevant Committee for an unfettered discourse between the Federal Government and the relevant stakeholders in the beverages industry with a view to reaching a full understanding of the issues in order to assist government to take the best action in the overall interest of Nigerians affected by this policy; and
- ii. *Appeal* to the Federal Government to suspend the proposed tariff hike until the issues are exhaustively dealt with and all the gray areas cleared with all the stakeholders brought on board in the best interest of Nigeria and our economy.

5. Proliferation of Dangerous Firearms in Nigeria.

Sponsor: Sen. Suleiman O. Hunkuyi (*Kaduna North*)

The Senate:

Notes that tribal, communal, religious, and other sectarian clashes; including the farmers/herdsmen crises are now more devastating due to wrongful and easy acquisition of firearms in violation of due process as laid down

by the enabling laws and regulations, and this ugly trend has contributed to the colossal loss of lives and wanton destruction of property of Nigerian citizens. Aware that this is attributable to the inability to control the proliferation of firearms within country; as well as negligence from the departments of government entrusted with the responsibility to control how individuals, corporate entities can acquire and maintain firearms in Nigeria, but particularly the free access by hoodlums to acquire firearms easily;

Disturbed that both online, electronic and print media carry chilling reports confirming the proliferation of firearms in Nigeria. To mention a negligible instance, *The Sahara Reporters* revealed that the Inspector-General of Police, on the 24th February 2018, ordered a nation-wide mop up of illegal firearms to sanitize the country. *The Punch Newspapers* on March 11th 2018 also reported a similar story. On the *Vanguard Newspapers* of 7th March 2018, it was reported that the Commissioner of Police, Jigawa State had ordered all indigenes to surrender firearms to embrace peace. In the same vein, the *Premium Times Newspaper* of 27th March 2018, reported that the Police Commissioner for Zamfara State had given directives to all citizens in that state to drop their firearms in the interest of peace. There was a similar report, part of which could be seen in the *Authority Newspapers* of 11th April, 2018, where the Inspector-General of Police ordered his officers and men to harvest arms in Bauchi, Imo, Delta, Edo, Rivers, Zamfara, Yobe, Kano, Kaduna and others;

Worried that despite the killings in Benue, Kaduna, Kogi, Zamfara and other parts of Nigeria, (which occurred within a spate of a short period of February to April 2018!), and of course, the Boko Haram mayhem in the North-East, coupled with the daily nationally spread cases of sophisticated killings, deadly clashes, armed robberies, kidnappings, cattle rustling and other heinous crimes, where hitherto unavailable firearms are used, meaningful effort is not seen to be done on the part of the government to curtail the proliferation of firearms in Nigeria. The situation has worsen to the extent that some opinion leaders are calling on Nigerians to stand up and protect themselves. These prodding at self-defence, if not checked through action by the government, would certainly get to the extent that firearm would be secured by every household either in the name of protection or for some other purposes. From the observation of the United States experience, such a scenario will not augur well for this country;

Worried further that the spate of unrest due to illegal proliferation of firearms has negatively impacted on economic and agricultural activities to the extent that due to fear of attacks, many law abiding citizens fear going to the market as well as attend to their farms (this is Noma Haram; and very soon, we shall have Kasuwa Haram). The loss in the economy occasioned by this problem is better imagined. A closer look at the fallout of the incessant attacks by firearm bearing criminals would reveal the unprecedented devastation to our economy and agriculture. The well-known cattle and the peaceful herdsmen in parts of Zamfara, Kaduna and other areas are no longer there. Many of the guinea corn, millet, rice and yam producing areas of Borno, Yobe, Zamfara Kaduna, and Benue now lie waste due to the murderous activities of gangs carrying illegally acquired firearms;

Alarmed that if this situation is allowed to further deteriorate, unprecedented famine and diminishing economic output, as seen in nations plagued by war and crises will pervade Nigeria. As the most populous country on the African continent, the nation's GDP would certainly be affected adversely;

Regrets that the various departments of government entrusted with the responsibility of checking and regulating the influx of firearms into Nigeria have failed woefully in the discharge of this all important duty. The combined effect of sections 3 and 4 of the Firearms Act respectively, restricts the possession of firearms among persons. Section 3 of the Firearms Act specifically mentioned that no person should possess the category of firearms as seen with these heartless persons, unless that person is granted a license by the President. Section 4 of the Act gave the Inspector-General of Police the power to issue license for people with less lethal firearms. But one does not need to ask whether all the firearm bearing elements, ranging from kidnappers, armed robbers, armed herdsmen, cattle rustlers, cultists et al, got their license from these appropriate quarters, because the answer is an emphatic no. Then the question goes to the effect that why the proliferation?;

Notes further that by virtue of section 24 of the Customs and Excise Management Act, the Nigerian Customs could be directed to prohibit the importation of any specified goods. Section 8 of the Act gives Customs the power of police officers in the discharge of their duties. By implication, it is also the responsibility of the Customs to ensure that no single firearm comes into the country without due authorization. By its establishment Act, the Department of State Services Act is likewise empowered to detect and prevent any crime within Nigeria. What is obtainable on the whole is that the colossal system collapse of these organizations to live up to the minimum level of expectation in this regard is most glaring,

Accordingly resolves to:

- i. *Invite* the Inspector-General of Police, the Director-General, Department of State Services, Comptroller-General of Customs, and the Chief of Army Staff for discussion on the way out of this unfortunate situation;
 - ii. *Mandate* the Senate Committee on Intelligence and National Security to conduct a thorough investigation with a view to unravelling the remote and immediate causes of the proliferation of firearms in the country as well as proffer a lasting solution to the problem; and
 - iii. *Call* on the Federal Government to hold a special security summit with a view to unravelling the debacle and better handling of careless proliferation of weapons in our society.
6. The need to investigate the status of the Bilateral Cooperation Agreement between Nigeria and the Gambia and alleged Ill Treatment of Nigerian Judicial Officers seconded to the Gambia under the agreement.

Sponsor: Sen. David Umaru (*Niger East*)

The Senate:

Notes with dismay alleged ill treatment of judges of Nigerian origin serving in The Gambian legal sector comprising the judiciary and the Ministry of justice of The Gambia;

Aware that there is a long standing Bilateral Cooperation Agreement between Nigeria and The Gambia under which Nigeria as the donor country is required to provide suitably qualified personnel to fill cadre posts in the public service of The Gambia, the receiving Government;

Also Aware that other Nigerian lawyers have also taken advantage of this Bilateral Agreement to apply and secure contract employment with the Ministry of Justice of the Gambia as well as the Judiciary of The Gambia;

Notes that since 1965 when this Bilateral Agreement was first signed and subsequently renewed in 1980, Nigeria in keeping with her obligations under this Agreement and has made great sacrifices to support the Government and people of The Gambia by providing her citizens to serve in the legal sector, health, education, and other sectors of The Gambian economy;

Concerned that recently some of the Nigerian Judges and other legal personnel who served in The Gambian Judiciary and Ministry of Justice have been complaining of ill treatment, hatred and xenophobic treatment including the following -

- Refusal to provide working facilities to enable them discharge their official functions effectively, and underpayment of salaries and in some cases refusal to pay same as and when due;
- refusal to provide accommodation to Judicial officers seconded to the Gambia from Nigeria, eviction of some with members of their families from their rented or hotel accommodation without alternative accommodation provided;
- Arbitrary removal or dismissal from office without reasonable cause and without recourse to the neither the bilateral agreement nor The Gambian Judicial Service Commission;
- Deliberate and unfair exclusion of Nigerian judicial officers seconded to The Gambia from foreign training programs;
- Constant harassment, threat of deportation and regular issuance of short notices to Nigerian judicial officers to leave The Gambia for delivering judgments against the government of The Gambia; and
- Official intimidation, taunting and labeling Nigerian judicial officers seconded to The Gambia as "incompetent" or "mercenaries" who are working against the interest of The Gambia etc;

Particularly Notes with dismay, alleged ill treatment of one Mr. Richard N. Chenge who while serving under the Bilateral Cooperation Agreement as the Director of Public Prosecution (DPP), was declared persona non grata and ordered to leave The Gambia within 72 hours;

Concerned that these allegations cast doubts on the Commitment of The Gambian Government to genuinely reciprocate the sacrifices of Nigeria and The Gambian Government's ability to ensure/guarantee the welfare of Nigerian personnel serving in the Gambia under the Agreement;

Further concerned that the complaints of the affected judicial officers are yet to receive the deserved attention by appropriate Nigerian authorities several months after written complaints have been forwarded to appropriate quarters;

Convinced that there is an urgent need to draw the attention of the Federal Government and its relevant authorities to this unfortunate development,

According resolves to:

- i. Mandate the Senate Committees on Judiciary, Human Rights and Legal Matters and Foreign Affairs to investigate the status of the Bilateral Cooperation Agreement Between Nigeria and The Gambia, and make appropriate recommendations;
- ii. Mandate the Senate Committees on Judiciary, Human Rights and Legal Matters and Foreign Affairs to Investigate allegation of ill treatment and other xenophobic attacks on Nigerian judges and other legal personnel serving in The Gambia, and make appropriate recommendations;
- iii. Urge the Federal Government to urgently address all cases of xenophobic treatment allegedly suffered by Nigerian nationals in The Gambia and any other African country where similar Agreement exists; and
- iv. Call on the Federal Government to suspend forthwith, the secondment of Nigerian judicial officers to the legal sector of The Gambia comprising the judiciary and the Ministry of Justice until the complaints regarding the violation of the Bilateral Cooperation Agreement between the two countries are fully investigated and addressed.

CONSIDERATION OF REPORTS

1. Report of the Committee on Finance
Stamp Duties Act CAP S8 LFN 2004 (Amendment) Bill, 2018 (HB. 889)
Sen. John Owan Enoh (*Cross River Central*)
-That the Senate do consider the report of the Committee on Finance on the Stamp Duties Act CAP S8 LFN 2004 (Amendment) Bill, 2018 (HB. 889).
2. Report of the Committee on Trade and Investment
Companies and Allied Matters Act CAP C20 LFN 2004 (Repeal and Re-enactment) Bill, 2018 (SB. 355)
Sen. Sabo Mohammed N. (*Jigawa South-West*)
-That the Senate do consider the report of the Committee on Trade and Investment on the Companies and Allied Matters Act CAP C20 LFN 2004 (Repeal and Re-enactment) Bill, 2018 (SB. 355).

COMMITTEE MEETINGS

1.	Senate and House of Representatives Joint Committee to Investigate the Incident of the Senate Chamber Invasion	Tuesday, 8 th May, 2018 (Inaugural Meeting)	2.00pm	Committee Room 117 Senate New Building
2.	Joint Committee on Customs, Excise & Tariff and Marine Transport	Tue.8 th – Thu. 10 th May, 2018	12.00noon	Committee Room 324 Senate New Building
3.	ICT and Cybercrime	Tuesday, 8 th May, 2018	2.00pm	Committee Room 107 Senate New Building