

of resources derived from petroleum in the provision of infrastructure that can support the growth of agriculture, technology, entertainment, education, health, etc.

Passing the bill shall promote the development of Nigerian content in the petroleum industry. It will optimise domestic gas supplies, particularly for power generation and industrial development.

Issues of Concern in the New PIB

In the new version of the bill, several issues have been raised by industry experts, commentators, members of the Legislature and non-state actors. The most salient of these issues revolve round five core issues. Examining these issues and resolving them can produce a law that when implemented shall make the petroleum industry beneficial to all Nigerians both now and in the future.

These concerns raised include the following:

1. Complementarity:The PIB should be complementary to other legislations and regulations with direct or indirect bearing on the whole process of petroleum resources exploitation. Such laws include the National Oil and Gas Policy, the Fiscal Responsibility Act, the Public Procurement Act, the Freedom of Information Act, the Mines and Minerals Act, Nigerian Content management Bill, etc.
2. International Best Practices:The transparency, accountability and confidentiality clauses in the PIB should be measured against international best practices, such that contracts and licensing and other provisions can be carried out openly. Norway has been touted as one of the world's best examples of best practice in oil industry processes and Nigeria can learn from this.
3. Host Community Fund:The proposed 10% Petroleum Host Community Fund should be situated in another bill that would cover all host communities of extractives around the country. This would give a holistic perspective to the PIB within the general regulatory frameworks that exist in the extractive industries in Nigeria.
4. Powers:The powers of the Minister of Petroleum and the discretionary powers of the President as contained in the bill should be unmistakably and distinctively clarified. The bill empowers the Minister to coordinate and supervise all activities in the petroleum industry, including powers to grant, amend, renew, extend or revoke upstream and downstream petroleum

licences and leases. The draft law stipulates that the Minister of Petroleum Resources only gets the approval of the President. If these sweeping powers are not toned down, they can be abused by future holders of the offices.

5. Jobs and Environment: There is need to look critically at the provisions as contained in the bill to ensure that they meet the hopes, needs and aspirations of the Nigerian people and not a select few. There is also the need to address the potential losses of jobs as a result of the changes that will take place in the oil and gas sector. The bill should ensure the protection of health, safety and the environment in the course of petroleum operations.

Our Call

Many Nigerians agree that the Petroleum Industry Bill has some provisions on key principles targeted at improving transparency in the petroleum industry such as the application of the Nigerian Extractive Industries Transparency Initiative (NEITI) principles, the removal of confidentiality on financial and other data, and a clear and open process for the award of petroleum rights. Nevertheless, as a result of the five core concerns raised above, it is important that all stakeholders act to realise this lofty ideal. In particular, we believe that members of the public, the media, the members of the National Assembly, and CSOs have specific roles to play.

Members of the Public

Ultimately, this bill and the law that comes from it should be useful to the average Nigerian. You can effect a positive change in the issues raised above by being an agent of change through your participation in any of the following processes:

- *Public hearings at the various venues as announced by the National Assembly.* These will be the opportunities to make submissions to the Legislators who will be meeting with Nigerians across the various zones. Monitor the newspapers and broadcast media to know when there is a public hearing near you. Aside from attending with a pen and paper, write your positions on another sheet of paper before going to the venue, as you might be asked to submit the opinion in written form.
- *Writing and addressing your opinions to your representatives at the National Assembly.* You may write to your legislator at any time, but with respect to the PIB, do this as soon as you receive this leaflet.
- *Participating in discussion forums on the PIB in the media.* Be ready to call in to radio and TV discussions on the PIB. Even if your call has to wait on the line for your opinion to be heard, that will be definitely cheaper than not to have your voice heard.
- *Writing opinion pieces for the print media.* The newspapers and magazines will always be open for your views.

- *Participating in and organising discussions in clubs, associations and places of worship on the PIB.* You may organise talks and read the opinions of this message for inputs during segments already arranged with the leadership of your clubs and associations during their meetings.

Members of the National Assembly

As representatives of the people, the National Assembly has got the responsibility to sample the interests of those they represent and reflect those views in the bill before it becomes an act.

The members of the National Assembly should do the following:

- *Monitor the international oil companies (IOCs) to ensure they do not thwart the will of the people through any corrupt practice or by subterfuge.* They should be reminded of their patriotic position to defend the interests of Nigerians and even the future generation.
- *Commit the will of the people into the final draft of the legislation.* As they receive opinions from the public, they should ensure that every opinion counts in determining the provisions of the law that will serve the best interests of Nigeria and its peoples.
- *Ensure speedy passage of the PIB:* In spite of all its shortcomings after reflecting the will of the people, the NASS should ensure the speedy passage of the PIB into an act which can be tested and modified when there is need.

The Media

As the nation's conscience, the media should be ready to set agenda for the nation. Media practitioners should give room for constant discussion of this very important issue which has the potential of changing the course of this country. The media can do the following:

- *Editorials:* Ensure that their editorials and editorial policies reflect the concerns raised at the beginning of this short message.
- *Create platforms for interaction with policymakers:* As policymakers might be inaccessible to the generality of the citizens, the media can create access to them via radio and TV programmes and allowing audience participation through phone and social media channels.

Civil Society Organisations

Civil society organisations ought to give incisive interventions that can drive the conversion for all parties. They can therefore do the following:

- *Create common positions for advocacy:* In spite of the multiplicity of positions on the PIB, CSOs should consider having a harmonised position on the bill.

- *Fiscal issues:* CSOs need to engage an expert to critically examine the fiscal issues associated with the PIB, and recommend policies that are in line with international good practices in the sector.
- *Assist NASS with reports and expertise:* In view of their specialised study of the issues, CSOs should offer their expertise to the various committees involved in finalising the PIB, as well as channelling the views of disadvantaged and otherwise inaccessible groups into the pool of opinions at the NASS.
- *Mobilise and organise:* CSOs should speak up and condemn any attempt or act to manipulate the process of making the PIB beneficial to the generality of Nigerians. They should therefore create platforms for educating the citizens to engage the PIB and also support citizens to attend the various public hearings that will be held.

Join in reclaiming the petroleum industry by giving it proper legal footing through the Petroleum Industry Bill.

For further information:

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As the debate on the Petroleum Industry Bill intensifies with the upcoming public hearings please visit www.engagingthepib.org and make your voice heard by signing the signature and participating in the online poll at: <http://www.engagingthepib.org/index.php/poll>

SIGNATURES: