Adelabu: FG to Review $2bn Siemens Deal, Targets 1,300 Rise in Transmission Capacity

●Minister says everybody to blame for power sector failure

Emmanuel Addeh, James Emejo in Abuja and **Funmi Ogundare**

The Minister of Power, Mr Bayo Adelabu, last night said the federal government was set to review the Siemens power deal with Nigeria, which would have seen the incremental rise in supply from the current 4,000mw to 25,000mw by 2025.

Speaking on Arise Television, THISDAY's broadcast arm, Adelabu argued that the prevailing conditions when the contract was signed had changed and would be requiring a review.

Continued on page 10

Towering Academic, Constitutional Lawyer, Ben Nwabueze Dies at 94... Page 8

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Tinubu: I've Implicit Confidence in My Chief of Staff, Gbajabiamila... Page 10

Atiku: I'm Not Quitting, I Will Remain in Politics as Long as I Breathe

●Says Supreme Court judgement has eroded trust in electoral system, Nigeria's democracy ●Recommends six-year rotational presidency, insists electronic voting, collation of results mandatory ●Tinubu declares former VP self-anarchist for delegitimising institutions

Deji Elumoye, Chuks Okocha and **Adedayo Akinwale** in Abuja

Expectations that former vice president and the Peoples Democratic Party (PDP) presidential candidate in the February 25 elections would announce his retirement from partisan politics were dashed yesterday, as Alhaji Atiku Abubakar announced that he was not quitting politics.

However, Atiku said the future battle should be in the hands of the younger generation of Nigerians.

Addressing a world press conference on the outcome of the Supreme

Continued on page 10

Tension in Rivers as Massive Protest Cripples Activities over Plan to Impeach Fubara

●Ehie emerges new Speaker ●Youths drum support for Fubara ●PDP, elders, Ada-George, Abe call for caution ●Clark, Ijaw National Congress warn Wike, security agencies ●Ask Tinubu to call FCT minister to order ●House of Assembly adjourns sine die

Story on page 10

PUBLIC PRESENTATION OF COMPRESSED NATURAL GAS (CNG) ENABLED BUSES BY GOVERNOR ABIODUN...

L-R: Former Deputy Governors of Ogun State, Mrs. Yetunde Onanuga and Alhaja Selimot Badru; Chairman, Ogun State Council of Obas, Oba Babatunde Ajayi; Governor Dapo Abiodun; his Deputy, Engr. Noimot Salako-Oyedele; Ogun State Chairman of the All Progressives Congress (APC), Chief Yemi Sanusi and the Chief Whip of the House of Representatives, Hon. Dewunmi Onanuga, during the unveiling and public presentation of Compressed Natural Gas (CNG) enabled buses by Abiodun at the Arcade Ground, Governor's Office, Oke-Mosan, Abeokuta... yesterday

Afreximbank's Rene Awambeng Named in Powerlist Black Excellence Awards... Page 33


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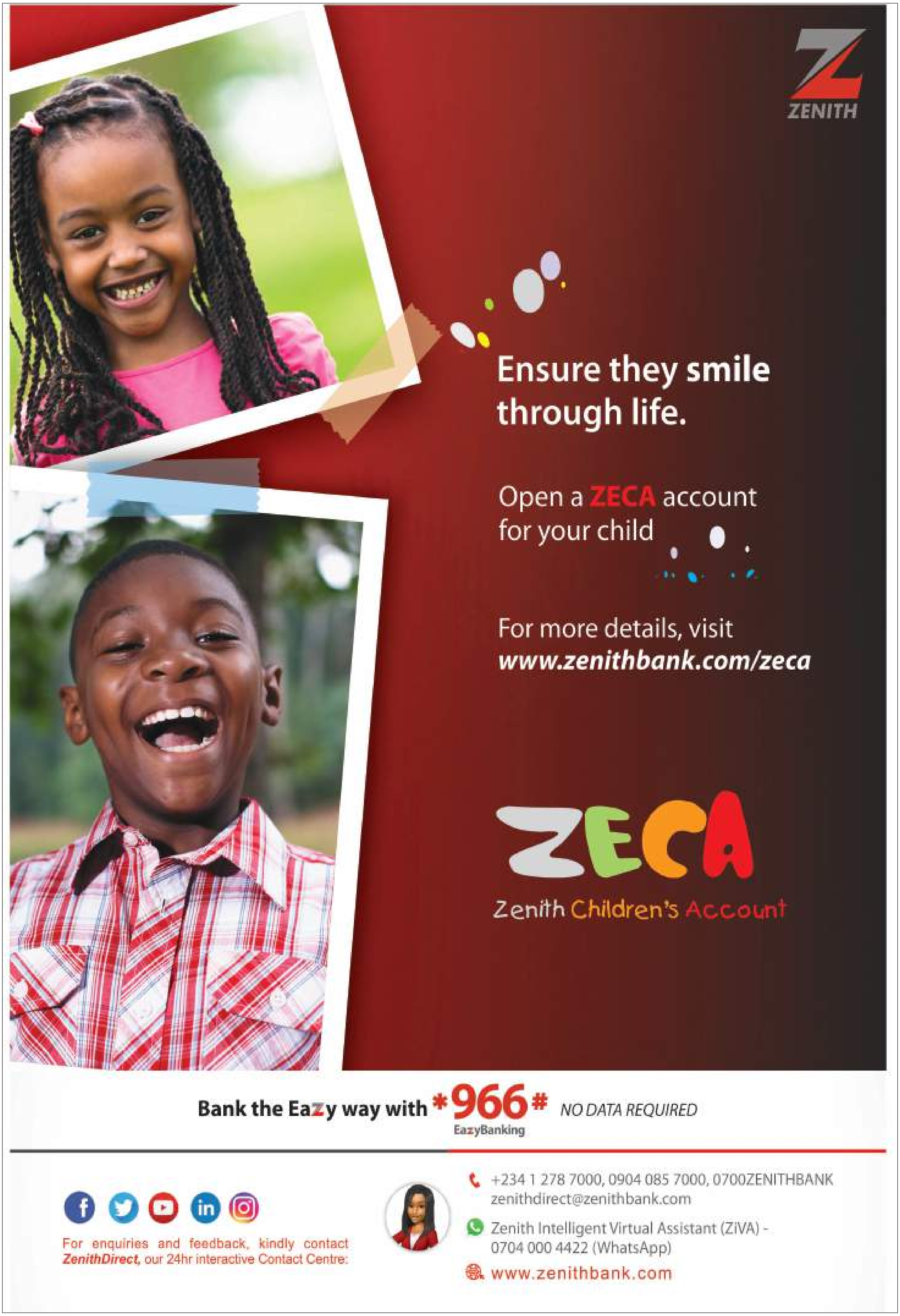
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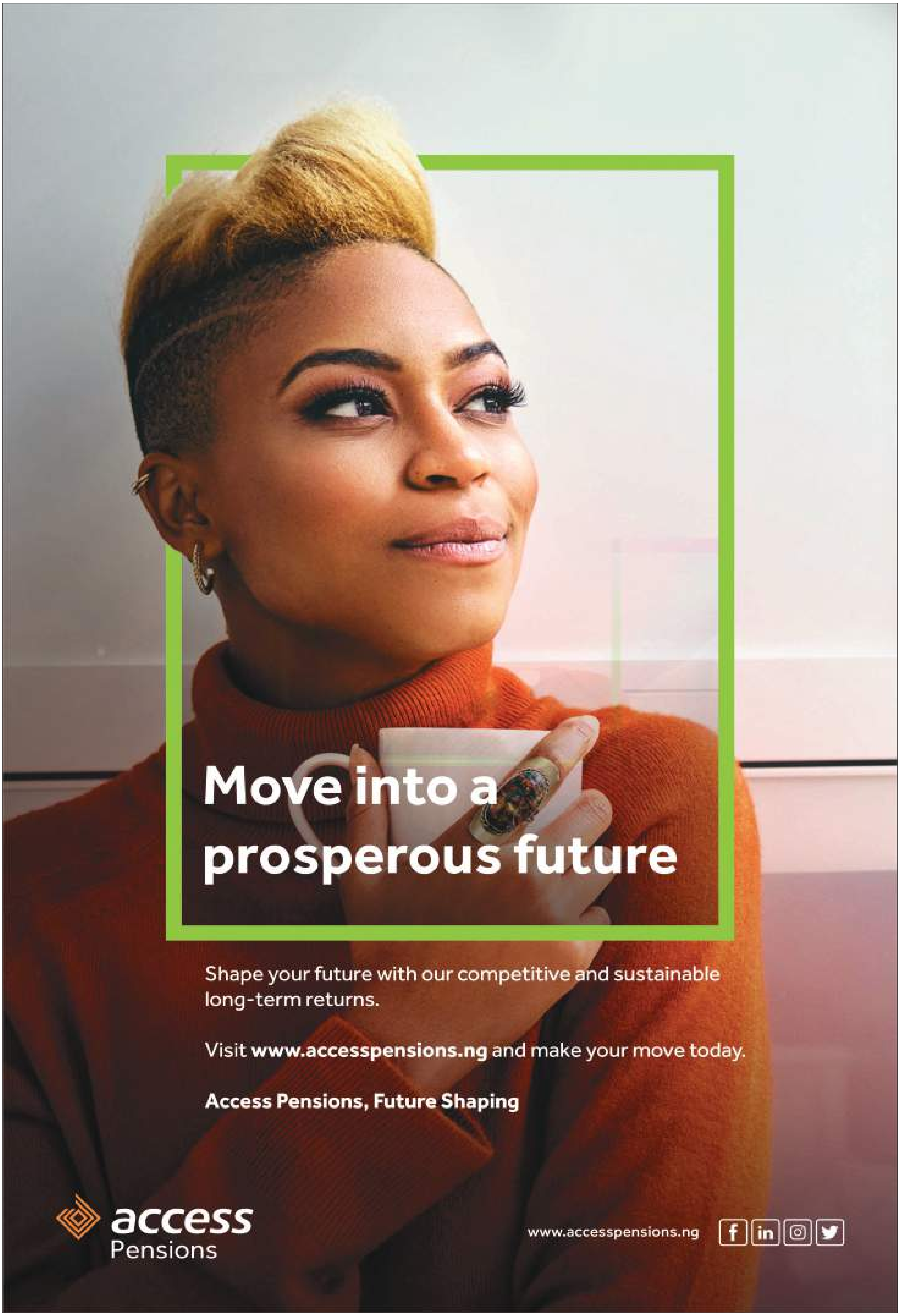
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NEWS

GLAD TO MEET YOU...

Afreximbank's Rene Awambeng who was named Global Executive Leader at the Powerlist Celebration of Black Excellence Awards 2024 (right) and King Charles III, during a hosting for Awambeng at Buckingham Palace

FEC Okays N2.1trn Supplementary Budget For 2023

●*Makes provision for defence, cash transfer, wage awards, others* ●*Approves N5.9bn for Abuja light rail access roads*
●*Gives go ahead for construction of coastal roads from Lagos to Calabar, trans-Sahara route from Enugu to Cameroun*

Deji Elumoye in Abuja

The Federal Executive Council (FEC) rose from its weekly meeting, presided by President Bola Tinubu at State House, Abuja, yesterday with an approval of N2,176,791,286, 033 as 2023 supplementary budget proposal for Ministries, Departments and Agencies (MDAs) of government.

Addressing newsmen after the FEC meeting, Minister of Budget and Economic Planning, Atiku Bagudu, said the supplementary budget estimates to be sent to the National Assembly for passage made provisions for the defence ministry, cash transfer to Nigerians, and wage awards to civil servants, among others.

According to Bagudu, "The council considered a request for supplementary appropriation, which is a second for 2023 and graciously approved the sum of N2,176,791,286,033 as supplementary budget and this supplementary budget is to fund urgent issues including: N605 billion for national defence and security. This is to sustain the gains made in security and to accelerate and these are funds that are needed by the security agencies before the year runs out.

"Equally, a sum of N300 billion was provided to repair bridges, including Eko and Third Mainland bridges as well as construction, rehabilitation and maintenance of many roads nationwide before the return of the rainy season.

"Equally, the sum of N200bn was provisioned for seed, agricultural input, supplies and agricultural implements and infrastructure in order to support expansion of production.

"Equally, the sum of N210 billion is provided for the payment of Wage Awards. In negotiation with the Nigeria Labour Congress, the federal government agreed to pay N35, 000 each to about 1.5 million employees of the federal government and that amounts from September, October, November and December 2023. And that amounts to about N210 billion, which has been approved, and also N400 billion as Cash Transfer payments.

"You may recall that the federal government secured $800 million loan from the World Bank to pay Cash Transfers of N25, 000 to 15 million households. The $800 million is for two months, October and November. The president graciously approved that an additional month should be funded by the federal government and that is what this N100 billion is for.

"Equally, N100 billion has been provided for the Federal Capital Territory in order to support them in urgent and immediate capital expenditure works that can enhance the infrastructure in the city.

"Equally, N18 billion was provided for the Independent National Electoral Commission to support them in the conduct in the Bayelsa, Kogi and Imo elections.

"The sum N5.5billion naira was provided for the funding of the takeoff of the Student Loans Board as well as N8billion for the take-off grant of new ministries. Equally, a sum of N200billion was provided as capital supplementation to deal with urgent requests that have been made to Mr. President from various parts of the country."

FEC also approved N5.9 billion for the construction of access roads for the Abuja light rail system.

Minister of the Federal Capital Territory (FCT), Nyesom Wike, told reporters that the president had set a timeline for the completion of the Abuja light rail project, emphasising the importance of addressing the roads that connect the railway.

Wike said, "Today, council approved the ward of contract for the construction of access roads for the Abuja light rail. We are aware that Mr. President has given a directive that very soon he would want to ride on the right rail. Now, that would not be possible if there are no access roads for commuters in communities around.

"Last week, council approved for a Lot 3 but this has to do with Lot 4. Lot 4 has to do with communities around the airport. If we don't create access road it will be difficult. And so to approved to Messers CCPCC at the cost of N5.5 billion."

The federal government also received a total application of over 550,000 from across the country for the first batch of its three million technical talent pool programme. Minister of Communication and Digital Economy, Dr Bosun Tijani, who disclosed this at post-FEC briefing also said the federal government was collaborating with states, such as Cross River, Kwara and Ogun, seeking ways to explore the possibility of sharing infrastructure to facilitate the delivery of the training programme to applicants.

Tijani applauded the broad distribution of applications, saying it is a significant reason for government's enthusiasm regarding the programme.

The minister further explained that in Tinubu's administration, technology had become a significant component in the way the country fulfilled its responsibilities and transformed public services. However, he said effective utilisation of technology required a skilled workforce to drive it.

The minister added, "As part of that agenda, if you've been following you will notice we've started a new project that we call the three million technical talent. This is a programme where we aim over the next four years to train three million technical talents but also find sustainable ways to put them into jobs. This programme was announced two weeks ago.

Continues online

FG Plans New FX Rules in Hopes of Naira Reaching 'Fair Price' by End of 2023

●*Nation's currency strengthens on parallel market to N1,110/$* ●*Sells one-year OMO bill at 21%*

Nume Ekeghe with agency report

Nigeria is planning to introduce new foreign exchange rules — including a crackdown on illegal currency trading — that it hopes would result in the naira closing its more-than- 45 per cent gap with the unofficial rate and reaching a "fair price" by year-end, a top official told Bloomberg.

The government plans to clear a backlog of dollar demand estimated at about $6.7 billion, bolster the naira forward market, and set transparent rules for the operations of the official market, Taiwo Oyedele, chair of the presidential committee on fiscal policy and tax reforms, said in an interview.

It also aims to expand the official market to include all legitimate transactions, while snuffing out the illicit "black market" for foreign currency, he said.

"We think all of that will happen before December, and maybe in a matter of a couple of weeks we will begin to see the results, such that before the end of the calender year, naira should find its true value, not the one that is being done currently in the parallel market," Bloomberg quoted Oyedele to have said.

The government sees a "fair price" for the dollar at N650 to N750 he said. That compares with the official exchange rate which sells around N800/$.

Nigeria allowed its currency to trade more freely against the dollar in mid-June, resulting in a devaluation of about 40 per cent. It was hoping to attract more dollar inflows and improve liquidity that had dried after years of pegging the naira against the dollar.

The divergence between the official and parallel-market rates "means you are sucking liquidity and supply from the official market to the parallel market, because everyone wants the premium," Oyedele added.

Nigeria expects to receive $10 billion of inflows in the coming weeks that will help ease liquidity and clear the backlog of overdue forward contracts weighing on the naira, the country's finance minister, Wale Edun, had said at a summit in Abuja last week.

President Bola Tinubu signed two executive orders last week, that were also aimed at reversing the flow of dollars from the official FX window into the parallel market, Edun had also said at the summit. One would enable issuance of dollar-denominated instruments aimed at locals in Nigeria who have dollars, while the second was to issue dollar-denominated bonds directed at Nigerians outside the country, as well as and foreign investors.

Both executive orders are in the process of being gazetted, according to Edun.

While the central bank had informed lenders in June that the naira's exchange rate against the dollar would be determined through supply and demand, it later appeared to have reintroduced controls to steady the currency after its 40 per cent plunge.

"There is a need for clarity on how the market operates, and that is a particular assignment that is in progress," CBN Governor, Yemi Cardoso, who was appointed in September, said at the Abuja summit.

"Once that comes out and people are very clear on what the rules are, and what the guidelines are, and they can predict, I think it will go a long way in managing this speculative activity."

Meanwhile, the naira appreciated for five consecutive days on the parallel market as it closed yesterday, at N1110/$, compared with the N1230/$ it closed last Friday.

But on the official I&E window the naira closed at N993.82/$, weaker than the N789.94/$1 it closed on Friday. However, intra-day trade from the data obtained by FMDQ showed that the highest spot rate exchanged at N998/$1 while the lowest spot rate recorded was N475/$1.

In the meantime, the country gave the clearest signal of its willingness to allow interest rates go up to match rising inflation and compensate weary investors after it sold one-year OMO bills at a record high of 21 percent.

Courts End Sittings Abruptly over Death of FHC Judge

Wale Igbintade

The announcement of the sudden death of Justice Fatun Odohi Riman of the Federal High Court, Awka Judicial Division yesterday halted proceedings at the Federal High Court in Lagos.

This was in line with the directive of the Chief Judge of the Federal High Court, Hon Justice John Tsoho.

Justice Riman died in London where he was flown to for medical treatment.

In a notice to all Federal High Court judges dated October 28, 2023, Judge Tsoho stated that the deceased passed away in England in the early hours of Saturday, October 28.

According to the notification, the late judge had been admitted to the Lister Hospital in England on September 8, 2023, before his demise. Further burial information would be communicated later by his family.

The Chief Judge expressed sadness over the loss and prayed for the peaceful repose of Justice Odohi Riman's soul. He also prayed for God to grant the deceased judge's family the fortitude to bear the great loss.

Justice Odohi Riman served diligently on the bench until his unfortunate passing. He would be fondly remembered and missed by the court.

Before his death, he was the number 32 judge in the ranking of Federal High Court Judges.

Born 24th April, 1967 in Ediba, Cross River State, the late Judge, who besides his legal profession, was also an administrator.

He was a student at University of Benin, Benin City from 1987 -1990; Nigerian Law School from 1990 – 1991; School of Basic Studies from 1985 -1987 and Edanafa Sec.Comm. School Ediba – 1980 - 1985.

He worked as a Counsel in Esu & Associates from 1993 to 1994 , Head of Chambers, Riman & Associates from 1995 – 1999 , Partner/Head of Chambers at Ndoma–Egba, Ebri & Co. from 1999 -2012 ; Judge of a Federal High Court –28/05/2012.

NEWS

FEDERAL EXECUTIVE COUNCIL MEETING...

L -R : Minister of Industry, Trade and Investment, Doris Anite; Minister of Humanitarian Affairs and Poverty Alleviation, Betta Edu and Minister of State for Labour and Employment, Nkeiruka Onyejeocha at the Federal Executive Council Meeting held at the Presidential Villa, Abuja ... yesterday PHOTO: GODWIN OMOIGUI

SBM Intelligence Report: Nigeria, 17 Others Considered Safe, Stable for Multinationals' Investments

Dike Onwuamaeze

Nigeria and 17 other African countries where ranked as safe and stable investment destinations for multinationals in terms of political risk for business.

This was contained in a recent report published by SBM Intelligence, titled "Africa Country Instability Risk Index (ACIRI).

The countries that were ranked safe were Botswana, Mauritius, South Africa, Seychelles, Cape Verde, Lesotho, Namibia and Tanzania. The report also considered the following countries: Ghana, Zambia, Liberia, Malawi, Kenya, Senegal, Republic of Benin, Gambia, Nigeria and the Sao Tome and Principe as stable for investment.

It, however, ranked Guinea Bissua, Mozambique, Camoros, Ivory Coast, Madagascar, Sierra Leone, Zimbabwe and Eswatini as countries that are vulnerable to political risk.

Nigeria was deemed a stable multi-party democracy in the report with an overall score of 39 per cent.

Its "key risk items include naira depreciation, multidimensional poverty, security challenges, and political uncertainty."

But Botswana, which was characterised as a multi-party democracy with high succession stability, was ranked the safest African country for investment with an overall score of 18 per cent.

However, the Democratic Republic of Congo got the worst ranking with 81 per cent. The country, according to the report, was characterised by "electoral violence and low succession stability" and had witnessed, "conflict outbreaks in the last two years and economic instability due to insecurity and external shocks" as well as "escalatory rhetoric with one or more neighbours."

The SBM stated in the report that, "Africa remains a continent full of opportunities, but it is currently grappling with many political, socio-economic, environmental and security challenges.

"This multifaceted resource seeks to empower to navigate the challenges posed by coups and social unrest.

"This report serves as a risk assessment framework for multinational companies operating within Africa's western, central, eastern and southern regions.

"Its output is a predictive analysis - using each country's unique factors - that will provide valuable insights to our clients for informed decision-making."

But the report hung a warning signal on Equatorial Guinea, Ethiopia, Toga, Uganda and D'jobiti.

Furthermore, Gabon, Rwanda, Cameroun, Congo Brazzaville, Angola, Eretria, Mali, Niger Republic, Somalia, Burundi and South Sudan were ranked as countries who political stability posed critical risk to investments.

However, Burkina Faso, Chad, Sudan, Central Africa Republic and Congo Democratic Republic got the worst ranking, which is red watch, as countries with the highest political risk.

According to the SBM, 47 countries in west, central, east and southern Africa were covered in the report, which were grouped by region as delineated by the African Development Bank (AfDB).

However, North Africa was exempted because of the sub-Saharan focus of the study. A paucity of data, geopolitical considerations and a cultural and economic affinity with North Africa also led to the exemption of Mauritania and Western Sahara from the report.

Four categories of macro risk indicators were used in measuring the countries that featured in the report. These categories are leadership and governance (with a weighting of 40 per cent); economy (30 per cent); geopolitics (15 per cent) and History (15 per cent). A higher score delineates a higher level of political risk to business.

The report stated that the Democratic Republic of the Congo, Central African Republic, Chad, and Sudan presented the highest risk for regime change on the continent.

Also, countries that have recently seen coups, including Burkina Faso, Gabon, Guinea and Niger, also stand at the low end of the rankings.

On the contrast, "a raft of longstanding democracies, including Botswana, Mauritius, South Africa, Seychelles and Cape Verde, presented the lowest political risk for both regime change and risk-side challenges for economic actors and entrepreneurs."

MTN Nigeria Appeals Tax Tribunal Judgment, Insists on Established Process

●MTN awards winners of 2023 MoMo hackathon with $10,000

Emma Okonji

Following the recent ruling of the Lagos State division of the Tax Appeal Tribunal, which ordered MTN Nigeria to pay the sum of $72,551,059 in tax default to the Federal Inland Revenue Services (FIRS), covering the period from 2007 to 2017, the telecommunication company has resolved to appeal the judgment of the Tribunal.

Dissatisfied with the ruling, MTN Nigeria, disclosed its resolve to appeal the judgement in a statement yesterday, that was signed by the Company Secretary, Uto Ukpanah.

It stated: "On 20 October 2023, the Tax Appeal Tribunal (TAT) upheld the principal liability of $47.8 million and set aside the interest and penalty charges of $87.9 million. Having reviewed this outcome and considering input from our tax and legal consultants, MTN Nigeria has resolved to appeal the decision of the Tribunal.

"MTN Nigeria Communications Plc hereby notifies the Nigerian Exchange Limited and the investing public that the company received the decision of the TAT sitting in Lagos.

"The decision pertains to the VAT assessment for the periods covering 2007 and 2010 – 2017, as issued by the FIRS to the company."

It pointed out that in 2018, the Attorney General of the Federation and Minister of Justice (AGF) had demanded approximately $2 billion in tax arrears from the company.

"In 2020, the AGF withdrew from the case and transferred the Form A-related transactions valued at $1.3 billion to the FIRS and the balance to the Nigerian Customs Service (NCS) to resolve the contentious issues.

"After a series of engagements, the FIRS issued an initial assessment of US$93.6 million comprising $72.6 million as principal liability and $21 million for penalties and interest on the principal amount. Following an objection by MTN Nigeria and further engagements, the FIRS issued a revised total assessment of $135.7 million, representing a principal tax liability of $47.8 million and interest and penalty of $87.9 million," the statement added.

According to the telco, "to clarify the interpretation of the VAT Act's provisions concerning the tax treatment of the transactions that led to the aforementioned assessments, MTN Nigeria filed an appeal at the Tax Appeal Tribunal (TAT).

"The transactions in question primarily involve the alleged VAT payable on offshore training services provided to employees of the company, transponder services provided by a non-resident company, and software licensing and upgrades.

"On 20 October 2023, the TAT upheld the principal liability of $47.8 million and set aside the interest and penalty charges of $87.9 million. Having reviewed this outcome and considering input from our tax and legal consultants, MTN Nigeria has resolved to appeal the decision of the Tribunal. We remain committed to meeting our tax obligations," the statement further said.

Shedding more light on the issue, the Chief Corporate Services and Sustainability Officer at MTN Nigeria, Tobechukwu Okigbo, stressed that tax disputes were normal, adding that the process of resolving the disputes, when and if they arise, was important and MTNN was just following the process.

"It is therefore important to note that MTN's argument has always been that it will follow established processes in this and any other tax dispute.

"Our robust challenge of the AG's demand at the time was premised on tax issues being outside his remit. Disputes like this and how they are resolved helps build and strengthen the system, which makes it imperative for broader push for fiscal policy reforms which will improve affordability for consumers and incentivise investments by operators," Okigbo said.

Meanwhile, MTN at the weekend, gave cash prizes totaling $10,000 to three winners of the 2023 MoMo Hackathon competition, which held in Lagos at the weekend.

Up to 20 start-ups were selected to pitch their technology solutions before seasoned judges who are experts in technology solutions. The pitch, which focused on how to integrate the MTN Mobile Money platform (MoMo) in making easy financial transactions across different payment channels in Africa, was guided by specific criteria such as scalability, clarity, comprehension and quality of solution that is commercially viable.

Floating of Naira: CBN Challenges Court's Jurisdiction, Says Falana Lacks Locus Standi

Wale Igbintade

The Central Bank of Nigeria (CBN) has questioned the legal standing of human rights lawyer, Mr. Femi Falana, for asking the Federal High Court to declare the decision to float the naira illegal.

The apex court also challenged the jurisdiction of the Federal High Court to entertain the case.

The CBN in its preliminary objection filed against Falana's suit on the falling rate of the naira and dollarisation of the economy, challenged Falana's locus standi.

Consequently, the apex bank urged the court to dismiss the suit on the ground that it was statute barred.

In his reliefs in the originating summons, Falana in the suit number: FHC/L/CS/470/23, had sought the order of the court to stop the CBN from allowing market forces to fix and determine the exchange rate of the naira vis-a-vis other currencies in line with Section 16 of the Central Bank Act.

In addition, the senior advocate prayed the court to compel the CBN to stop the dollarisation of the economy since Section 20(1) of the Act stipulates that the naira was the only legal tender in Nigeria.

The plaintiff prayed the court for a declaration that by virtue of Section 16 of the Central Bank Act, the legal tender acceptable in Nigeria was the naira and kobo and that by the combined effect of Sections 15 and 20 (1) of the Central Bank Act, the currency notes issued by the Defendant shall be legal tender in Nigeria

Falana, also prayed the court for a declaration that by virtue of Section 16 of the CBN Act, the exchange rate of the naira shall be determined, from time to time, by a suitable mechanism devised by the defendant for that purpose, as well as declaring that the defendant was not competent to allow multiple exchange rates of the naira vis-a-vis the dollars and other foreign currencies.

The plaintiff further prayed for a declaration that by virtue of Section 20(5) of the CBN Act, the defendant was under a legal obligation to prosecute any person who refuses to accept the Naira as a means of payment in Nigeria.

However, in the preliminary objections filed on behalf of the apex bank by Mr. Adeleke Agboola, the CBN contended that Falana was yet to show in any way that he stood to suffer more than other citizens of Nigeria concerning the exchange rate policy of the CBN, adding that Falana had no locus standi to institute the case and that he has not reported those who are trading in dollars in Nigeria.

Other objections included the fact that Falana has not shown that the CBN acted in bad faith and that the plaintiff had not disclosed a reasonable cause of action against the CBN.


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GERMAN-NIGERIAN BUSINESS CONFERENCE...

L-R: Commissioner for Commerce, Industry, Trade & Investment, Mrs. Folasade Ambrose-Medem; German Federal Chancellor, Mr. Olaf Scholz; Lagos State Governor represented by the Deputy Governor, Dr. Obafemi Hamzat; Commissioner for Economic Planning and Budget, Mr. Ope George and Senior Special Assistant to the Governor on Diaspora and Foreign Relations, Mr. Jermaine Sanwo-Olu, during the German-Nigerian Business Conference, at the Lagos Continental Hotel, Victoria Island... yesterday

Towering Academic, Constitutional Lawyer, Ben Nwabueze, Dies at 94

•Tinubu, Obi mourn

Louis Achi, Deji Elumoye in Abuja and **David-Chyddy Eleke** in Awka

Nigeria's foremost constitutional lawyer, towering academic, and erstwhile Secretary General of Ohanaeze Ndigbo worldwide, Professor Ben Nwabueze, is dead.

Aged 94, Nwabueze died at a period of significant socio-political crises and uncertainty both for the region, nation and continent he deeply cherished.

A press release by Eni Nwabueze, on behalf of the Nwabueze family, read: "With great sadness, we announce the passing on to celestial glory of our patriarch, Professor B. O. Nwabueze, SAN, NNOM, CON, pioneer Secretary-General of Ohanaeze Ndigbo and the Oduah Afo-na-isagba of Atani, Anambra State, on Sunday, October 29, 2023 aged 94.

"He lived an exemplary life of consequence. Burial arrangements will be announced in due course."

President Bola Tinubu condoled with the Nwabueze family and the government and people of Anambra State, on the passing of the renowned constitutional lawyer and former Minister of Education.

In a release on yesterday by his media adviser, Ajuri Ngelale, Tinubu described the death of the foremost constitutional lawyer as a profound loss, saying Nwabueze's knowledge of law was outstanding.

He stated, "Prof. B.O. Nwabueze's contribution to the precedents and principles of the nation's constitution is notable. His involvement in the drafting of the 1979 Constitution is a legacy that stands him out as well as his outstanding contributions to the legal profession at large."

Tinubu asked his family, the good people of Anambra State, and Nigerians, in general, to take solace in the worthy legacy that the deceased left behind.

The presidential candidate of Labour Party (LP) in the February 25 general election, Peter Obi, described the former minister as an uncommon patriot who was a father figure in all ramifications.

Obi, in a condolence message to the Nwabueze family and Ohanaeze Ndigbo, said Nigeria will miss the deceased lawyer's wise counsel.

He stated, "I am saddened by the death of a very revered Nigerian and a respected father figure, Foremost patriot, constitutional lawyer, and erstwhile Secretary General of Ohanaeze Ndigbo worldwide, Professor Ben Nwabueze, SAN.

"Prof Ben Nwabueze was a seasoned academician, thoroughbred administrator, and experienced politician. An uncommon jurist and scholar, Prof Nwabueze was Nigeria's first academic Senior Advocate of Nigeria.

"He was also the former Minister of Education and Youth Development."

Obi also noted, in the message signed by his media assistant, Michael Jude Nwolisa, that as a father figure, whose desire for a great Nigeria was well known, Nwabueze "remained supportive of me in my political journey".

The former Anambra State governor stated regarding Nwabueze, "Throughout my years as the then governor of Anambra State, his wise counsel and guidance added to the success my administration achieved in the state, which (was) due considerably to his wise counsel.

"I continued to enjoy his cordial relationship and wise counsel even after leaving office."

The LP presidential candidate recalled how, in 2019, when he was the vice presidential candidate of Peoples Democratic Party (PDP), Nwabueze headed the legal team at the Presidential Election Tribunal, despite his health challenges.

"He was a man who desired justice, peace, and progress in our country," Obi said.

He added, "While I mourn his irreplaceable loss, I am comforted by his immense contribution to our nation, especially in the areas of education and legal practice, especially his specialisation of constitutional law."

Obi prayed God to comfort the entire Nwabueze family and Nigerians, generally, and grant the departed eternal rest.

Nwabueze was the first academic Senior Advocate of Nigeria. Under the heft of his deep legal mind, the often contrived fog over the country's constitutional law assumed new clarity.

For Africa, he leveraged academia. For Ndigbo, he represented a strong advocate for its cause. Alongside Akanu Ibiam, M.I. Okpara, K.O. Mbadiwe, Chief Ugochukwu, P.N. Okigbo, and Udoji, Nwabueze co-founded Ohaneze Ndigbo, in 1976.

He served as the body's Secretary-General between 1978 and 2004, in which capacity he transformed it into a formidable, highly regarded non-partisan pan Igbo pressure group.

Nwabueze was born on December 22, 1932, in Atani, Ogbaru Local Government Area of Anambra State. Young Nwabueze attended CMS Central School, Atani, from 1938 to 1945 and, subsequently, C.M.S Central School, Onitsha, (formerly, African College) from 1947 to 1950.

He later attended the London School of Economics and Political Science, University of London, from 1956 to 1961, and the School of Oriental and African Studies, University of London, 1961 to 1962.

From 1962 to 1965, he was Senior Lecturer at Holborn College of Law, London, and Senior Lecturer, University of Nigeria Nsukka, between 1967 and 1970. In 1971, he was Dean, Faculty of Law, University of Zambia, and Director, Law Practice Institute, Zambia, from 1973 to 1975.

Much of his academic pursuits abroad were made possible by scholarships awarded to him for

Late Nwabueze

his academic excellence.

He earned his Doctor of Laws (LL.D) at the University of London in 1978, based on his three outstanding books – Constitutionalism, Presidentialism, and Judicialism. This remarkable achievement made him enter the record books as the second (since the death of Dr. T.O. Elias) Nigerian and African holder of a higher doctorate degree in Law by published works.

He was also the first academic lawyer to be made SAN in 1978, strictly on the basis of his published works. He was a member of Senate of the University of Lagos, as well as the universities of Dar-es-salaam, Nairobi, Haile Selassie in Ethiopia, Lesotho, Botswana and Swaziland between 1971 and 1978.

He was appointed University Assessor for Academic Appointments, Universities of Ghana, Lagos, Ife (now Obafemi Awolowo University) and Jos between 1978 and 1979.

Continues online

FG Calls for Investment in Carbon Capture Technology to Reduce Emissions

•Tasks researchers, innovators on equitable transition to clean energy

Emmanuel Addeh in Abuja

The federal government yesterday called for investment in Carbon Capture and Storage (CCS) solutions, which it said can play a significant role in reducing emissions from the upstream petroleum sector.

The government therefore called upon researchers and innovators in the country to redouble their efforts in view of their critical roles in ensuring a just and equitable transition to cleaner energy.

Minister of State, Petroleum Resources(Oil), Senator Heineken Lokpobiri made appeal at the ongoing Nigeria Institution of Petroleum Engineers(NIPetE) 2023 International Conference holding in Abuja.

"One crucial aspect of our commitment to environmental sustainability in the context of energy transition is carbon sequestration.

"We must continue to invest in research and technology to develop effective carbon capture and storage (CCS) solutions, which can play a significant role in reducing emissions from the upstream petroleum sector," he stated.

The minister, who was represented by the Director, Distribution and Utilisation of the midstream and downstream department of the ministry, Augustine Okwudiafor said that to effectively embrace the transition, government must leverage quality research, cutting-edge technology and foster innovation.

The theme of this year's conference is: "Research, Technology, and Innovation: Imperatives for Energy Transition".

He noted that technology has the potential to transform the energy sector, making it more efficient, cleaner, and environmentally friendly.

"Embracing digitalisation, artificial intelligence, and automation can optimise hydrocarbon economic recovery, improve resource management, lower operational costs, improve petroleum data gathering and reduce environmental impacts,"he said.

According to him, collaboration with research and development financiers was crucial on the path to a sustainable energy future.

"To support the development and commercialisation of innovative technologies, we must collaborate closely with universities, research institutions, and the private sector.

"These collaborations can lead to the creation of solutions that enhance resource recovery, reduce emissions, and improve the overall sustainability of our energy industry," Lokpobiri added.

He called for fostering an environment where entrepreneurs and innovators have access to the necessary capital and resources to drive change, noting that the path to a sustainable energy future demands collaboration with research and development financiers.

On the strides made so far in this direction, the minister said government has over the years increased the number of Research and Development (R&D) service permit applications.

"We have seen significant advances in technology and innovation in upstream operations. For example, in 2021, (NUPRC Data) the Nigerian upstream sector received four applications for R&D service permits. Interestingly, by 2022, this figure had risen to nine," he stated.

He noted that these applications demonstrate the petroleum industry's growing interest in research and technology development, adding that in 2022, the profile distribution of technologies granted full and pilot test approval in the upstream sector increased.

These asset and integrity management, he said accounted for 32 per cent, metering for 29 per cent, software monitoring for 21 per cent, and subsurface production for 18 per cent.

According to him, the achievements demonstrate industry commitment to enhancing asset management, improving measurement accuracy, implementing advanced monitoring solutions, and optimising subsurface production.

Earlier in her welcome address, the current National Chairman of the Nigeria Institution of Petroleum Engineers, Prisca Kanebi, told her audience that the conference was put in place to address the existential challenges posed by climate change to the country.

Kanebi posited that the global community has responded by uniting under the banner of the United Nations Climate change treaty and setting ambitious net-zero goals to safeguard the planet for future generations, and Nigeria would not be an exception.

She said the discussions at the conference and beyond will revolve around innovation, collaboration and strategic planning.

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STATEMENT TO THE NIGERIAN EXCHANGE LIMITED AND THE SHAREHOLDERS ON THE UNAUDITED RESULTS FOR THE PERIOD ENDED 30 SEPTEMBER 2023

NINE MONTHS RESULTS

STATEMENT OF COMPREHENSIVE INCOME

For the nine months ended 30 September	Group	
In millions of Nigerian Naira	2023	2022
Gross earnings	**1,308,861**	**608,289**
Interest income	666,291	420,234
Interest income on amortised cost and FVOCI securities	665,478	416,623
Interest income on FVTPL securities	813	3,611
Interest expense	(223,209)	(137,721)
Net interest income	**443,082**	**282,513**
Fees and commission income	182,317	138,079
Fees and commission expense	(68,031)	(55,860)
Net fee and commission income	**114,286**	**82,219**
Net trading and foreign exchange income	450,253	38,409
Other operating income	10,000	11,256
Total non-interest income	**574,539**	**131,884**
Operating income	**1,017,621**	**414,397**
Impairment charge for credit losses on Loans	(134,119)	(15,893)
Net impairment (charges)/write back on other financial assets	(10,497)	2,306
Net operating income after impairment	**873,005**	**400,810**
Employee benefit expenses	(111,107)	(80,769)
Depreciation and amortisation	(22,611)	(18,438)
Other operating expenses	(237,196)	(163,421)
Total operating expenses	**(370,914)**	**(262,628)**
Share of profit/(loss) of equity-accounted investee	-	311
Profit before income tax	**502,091**	**138,493**
Income tax expense	(52,795)	(22,451)
Profit for the period	**449,296**	**116,042**
Other comprehensive income		
Items that will be reclassified to Profit or loss:		
Foreign currency translation differences	276,129	(56,311)
Fair value gains on investments carried at fair value through other comprehensive income (FVOCI):		
Net fair value gains/(loss) during the period	19,610	(16,915)
Net amount transferred to profit or loss	(2,771)	(551)
	292,968	**(73,777)**
Items that will not be reclassified to profit or loss:		
Fair value changes on equity investments at FVOCI	144,544	(8,510)
Other comprehensive income/(loss) for the period, net of tax	**437,512**	**(82,287)**
Total comprehensive income for the period	**886,808**	**33,755**
Profit attributable to:		
Owners of Parent	442,029	111,903
Non-controlling interest	7,267	4,139
Profit for the period	**449,296**	**116,042**
Total comprehensive income attributable to:		
Owners of Parent	863,830	33,053
Non-controlling interest	22,978	702
Total comprehensive income for the period	**886,808**	**33,755**
Basic and diluted earnings per share (Naira)	**12.93**	**3.27**

STATEMENT OF FINANCIAL POSITION

	Group	
As at	Sep 2023	Dec. 2022
In millions of Nigerian Naira		
ASSETS		
Cash and bank balances	4,039,002	2,553,629
Financial assets held for trading	6,308	14,963
Assets under management	13,400	12,923
Derivative assets	382,342	39,830
Loans and advances to banks	126,476	303,249
Loans and advances to customers	4,938,651	3,136,879
Investment securities:		
- At fair value through other comprehensive income	2,825,196	2,193,253
- At amortised cost	3,127,600	1,987,438
Other assets	480,222	254,704
Property and equipment	219,142	208,039
Intangible assets	35,488	33,468
Deferred tax assets	28,793	23,603
	16,222,620	10,761,978
Non-Current Assets Held for Sale	13,375	95,593
TOTAL ASSETS	**16,235,995**	**10,857,571**
LIABILITIES		
Deposits from banks	1,762,462	1,170,238
Deposits from customers	11,629,182	7,824,891
Derivative liabilities	2,634	79
Other liabilities	378,884	383,284
Current income tax payable	41,811	20,281
Borrowings	637,166	535,735
Deferred tax liabilities	5,724	959
TOTAL LIABILITIES	**14,457,863**	**9,935,467**
EQUITY		
Share capital	17,100	17,100
Share premium	98,715	98,715
Retained earnings	750,812	429,533
Other reserves	857,666	341,949
EQUITY ATTRIBUTABLE TO OWNERS OF THE PARENT	1,724,293	887,297
Non-controlling interests	53,839	34,807
TOTAL EQUITY	**1,778,132**	**922,104**
TOTAL LIABILITIES AND EQUITY	**16,235,995**	**10,857,571**

The Board of Directors is optimistic that barring unforeseen circumstances, this performance trend will be sustained.

By Order of the Board
DATED THIS 30TH DAY OF OCTOBER, 2023

BILI A. ODUM
GROUP COMPANY SECRETARY
FRC/2013/NBA/00000001954

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TEN

Tinubu: I've Implicit Confidence in My Chief of Staff, Gbajabiamila

●Sets ground rules for conduct of FEC ●Scores his meeting with German Chancellor Scholz high ●Council observes minute silence for Adamu Fika

Deji Elumoye in Abuja

President Bola Tinubu has expressed implicit confidence in his Chief of Staff, Hon Femi Gbajabiamila.

The President, who spoke yesterday. shortly before the commencement of the weekly Federal Executive Council (FEC) meeting at the Council Chambers, State House, Abuja, also set the ground rules for the attendance of the meeting.

Tinubu also commented on issues he had observed and had not been comfortable with, including unauthorised persons gaining access into the Council Chambers of the State House.

Tinubu passed the confidence vote on Gbajabiamila few days after some interests, whom the President had identified as those waging a campaign of calumny, insinuated that the Chief of Staff might have fallen out of favour with his principal.

A group had alleged that the Chief of Staff had been involved in appointments' racketeering, saying he had been "trading off appointments in the government of President Tinubu to the highest bidder."

The group had cited the recent discrepancies that arose in the process of naming new Resident Electoral Commissioners (REC) of the Independent National Electoral Commission (INEC), claiming some names replaced were as a result of some shady plays.

However, responding to the development in a brief speech before the commencement of the weekly FEC meeting, the President expressed confidence in Gbajabiamila, just as he noted that making mistake, referring to the reason why names had to be changed and replaced, was human and he had already notified Nigerians that he was bound to make mistakes, which he would always be bold enough to correct.

He said: "First of all, let me reiterate to all of you the fact that a lot of stories are going around about what is happening. I've told everyone in this country that I can make mistakes, they're bound to air them out and correct them.

"Perfection is that of God almighty. I have absolute confidence on the integrity of my Chief of Staff. All campaigns of calumny and insinuations should stop, the buck stops here.

"If I make mistake I'm ready to own up to it and we're all joining hands to fight corruption and we want to enforce the law along with you".

Tinubu, further spoke about issues he observed and had not been comfortable with, including unauthorised persons gaining access into the Council Chambers of the State House.

Addressing Secretary to the Government of the Federation, Senator George Akume and Head of Federal Civil Service, Mrs. Folashade Yemi-Esan, he said, "Last week, I noticed the undue access of people sneaking in and out of this Council. I will announce to you those people who are supposed to be here.

"Again, last week I noticed the undue access of people sneaking in and out of this Council, including, I saw the photograph of my son, Seyi, sitting behind the cubicle there. That is not acceptable."

The President specifically mentioned his Special Advisers on Policy Coordination, Hadiza Usman; Information and Strategy, Bayo Onanuga; Principal Private Secretary, Hakeem Muri-Okunola and Private Secretary, Damilotun Aderemi, as those allowed to be part of FEC meeting apart from Ministers.

"Those are people who are granted exception to be here when we're conducting the business of the nation. Unless I sent for you, don't come, make it clear. Secretary to the Government and Head of Service, please take note.

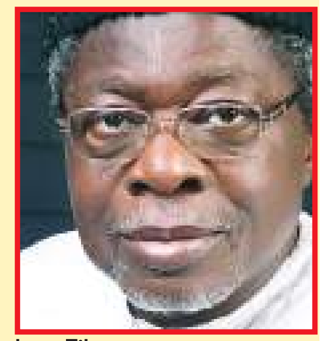
"Unless your staff that are included, no one is privileged to have access sitting in this (Council Chambers), except those four that I've announced to you", the President warned.

Also, Tinubu rated the bilateral and business meetings held on Sunday with visiting German government and business officials, led by the Chancellor of the Republic of Germany, Olaf Scholz, very highly.

He expressed gratitude to his ministers for availing themselves at the meeting, charging them to think outside the box to hasten the reforms required to attract investors.

His words: "Yesterday, we had a very good showing and I thank all of you for sparing your Sunday to attend the national event. The visit of the Chancellor of the Republic of Germany was, to me, a success.

"We needed more time, but we were able to cover a lot of ground and must take our reforms seriously; the investors are interested in us. As I said, investors and investment are cowardly; they don't follow conflicts.



Late Fika

Think outside the box, how we can do things better".

Also, the FEC meeting led by the Secretary to the Government of the Federation (SGF), toasted to President Tinubu's recent victory at the Supreme Court, lauding his contributions to leadership in the country, particularly highlighting his time as governor of Lagos State.

Meanwhile, the Council observed a minute silence in honour of a former member of FEC and one-time Head of the Civil Service of the Federation, Alhaji Adamu Fika, who died last week at the age of 90.

TENSION IN RIVERS AS MASSIVE PROTEST CRIPPLES ACTIVITIES OVER PLAN TO IMPEACH FUBARA

Blessing Ibunge in Port Harcourt, **Wale Igbintade** in Lagos, **Sunday Aborisade** in Abuja and **Olusegun Samuel** in Yenagoa

Business and other activities in Port Harcourt, the Rivers State capital, were crippled yesterday, following a massive demonstration by youths in the state who were protesting an alleged plot by the Rivers State House of Assembly to impeach Governor Siminalayi Fubara.

The protest followed a dangerous incident, where Fubara narrowly escaped being shot as he tried to access the House of Assembly complex, on Moscow Road, Port Harcourt, after a reported explosion at the complex, carried out by suspected political thugs on Sunday evening.

Many observers believe what is unfolding in Rivers State is simply a case of the governor trying to take control of his own political future after an unyielding strangulating grip on power by his predecessor.

Elder statesman, Chief Edwin Clark, the leadership of Peoples Democratic Party (PDP) in Rivers State, former Governor of the State, Rufus Ada-George, and the Ijaw National Congress (INC), all called for peace.

Clark called on President Bola Tinubu to caution Minister of the Federal Capital Territory (FCT) and immediate past governor of Rivers State, Nyesom Wike, and heads of security agencies over the political crisis brewing in the oil-rich state.

The leadership of PDP in Rivers State sued for caution.

The crisis rocking the state might not be unconnected with an alleged rift between the governor and his predecessor, Wike.

THISDAY observed that while Fubara and his entourage were driving along Moscow Road, en route to the Assembly complex, they were stopped by police operatives on duty, who barricaded the road. The governor came down from his official vehicle to walk towards the complex, but the security men started splashing water on him, including teargas, to deny him access to the area.

But due to Fubara's insistence on accessing the complex, he was able to go round the building and noted the level of damage, which he condemned.

Before the governor visited the Assembly complex, lawmakers, led by the Speaker, Rt. Hon. Martins Amaewhule, had already sat and agreed to remove the Majority Leader, Edison Ehie, and suspended other members loyal to the governor.

The lawmakers started the session about 7am in the Auditorium of House complex and immediately commenced plenary where about 24 of them signed the impeachment notice on the governor.

They further adjourned the Assembly sine die, pending when the damage at the hallowed chamber would be fixed.

Addressing youths in front of the Assembly complex, Fubara described as unfortunate the attempt by some persons to forcefully take over control of the Assembly. He condemned the burning of sections of such an important public institution built with taxpayers' money.

The governor said, "The truth is that, everybody who knows me know that I am a peaceful person. I can never ever, even if I am aware that there is a plot to impeach me for whatever reason, be part of such destruction.

"I am worried that a facility like this that we used taxpayers' money to build will be destroyed for selfish reasons just to please somebody. From what I have seen, even the security is compromised because they were shooting at me directly. The DC operations was shooting at me."

Fubara described as null and void any illegal legislative actions taken by some members who held what he termed a purported plenary session, saying, "Let it be on record, whoever masterminded the attack at the Assembly is trying to divert attention."

Fubara commended the youths for standing up to protect the interest of the state. He said he was not scared of impeachment but such action had to be properly explained and justified.

He said, "If Siminalayi Fubara is impeached, I won't be the first, neither will I be the last. But what is important is that any attempt that is not justified will be resisted. Let them come out and tell Rivers people the offence that I have committed to warrant impeachment.

"But my happiness this morning is that the people of Rivers State, represented by every one of you here, is with us. I can go home and sleep. Let me assure Rivers people that we will continue to defend them, protect you people and ensure that they will enjoy the dividends of democracy."

Rivers State Youth Council Chairman, Mr. Chijioke Ihunwo, vowed that they would resist any move to remove the governor, insisting that Fubara has within a short time in office proven to be the man of the people who has the interest of the state at heart

Ihunwo said, "We will give our 100 per cent support to Governor Siminalayi Fubara. By tomorrow, we are going to occupy the streets of Port Harcourt and we are saying no to 'God Fatherism', no to traitors, no to those who want to cart away the money that belongs to Rivers people. That is why the youth will occupy the streets, because we have a governor that has a passion for Rivers people."

The Commissioner for Information and Communication, Joseph Johnson, who spoke with journalists during the protest, said, "I am a lawyer, we live in the principle of verifiable and cogent reasons. So they must tell Rivers people what the governor has done. The governor has urged the police and other security agencies to unravel the mystery behind the sudden explosion at the Assembly building.

"It is a fight for Rivers people and Siminalayi Fubara. Rivers people gave him that mandate and it is Rivers people that should decide. Power is not in any man's hand, it is in the hands of God. So, power must shift and it has shifted."

But the member representing Ahoada East constituency in the Rivers State House of Assembly,

Continued on page 36

ATIKU: I'M NOT QUITTING, I WILL REMAIN IN POLITICS AS LONG AS I BREATHE

Court that affirmed the Presidency of Bola Tinubu, Atiku warned of consequences of the Supreme Court's affirmation of the President's election.

But reacting to Atiku's statement, Tinubu branded Atiku an anarchist for delegitimising the nation's institutions because the Supreme Court verdict did not go his way. The President, while responding to the former vice president's claims that the country was doomed owing to the conduct of the 2023 presidential election by INEC and the courts' verdicts validating the outcome of the polls, in a statement yesterday, by his Special Adviser on Information and Strategy, Bayo Onanuga, said it was Atiku's presidential ambition that was doomed instead.

Also, the All Progressives Congress (APC) in its reaction, said it was delusional for Atiku to have expect the court to rely on his bogus, flimsy and hearsay evidence to upturn Tinubu's victory.

Speaking further, Atiku said: "As for me and my party, this phase of our work is done. However, I am not going away. For as long as I breathe I will continue to struggle, with other Nigerians, to deepen our democracy and rule of law and for the kind of political and economic restructuring the country needs to reach its true potential.

"That struggle should now be led by the younger generation of Nigerians who have even more at stake than my generation."

Commenting on the Supreme Court judgement, Atiku said the consequences of the decisions for the country would not end at the expiration of the current government.

According to Atiku, "They will last for decades. I am absolutely sure that history will vindicate me. We now know what the Supreme Court has decided."

He said at critical points in his political life, he always ignored the easy but ignoble path and had always chosen the difficult but dignified path, the path of truth, morality, democracy and rule of law.

According to Atiku, "I always chose freedom over servitude, whatever the personal discomforts my choice entails. When I joined politics, the critical challenge was easing the military out of power so that civilian democratic governance could be restored in Nigeria.

"It later became a very defining struggle, and, as one of the leaders of that struggle, I was targeted for elimination.

"In one incident, nine policemen guarding my home in Kaduna were murdered in an attempt to assassinate me. I was also forced into exile for nine months. In addition, my interest in a logistics company that I co-owned was confiscated and given to friends of the military government.

"As vice president in the civilian government that succeeded the military, I, again at great personal cost, chose to oppose the extension of the tenure of the government beyond the two four-year terms enshrined in our constitution.

"In response to the official backlash against me, I instituted several cases in the courts, which led to seven landmark decisions that helped to deepen our democracy and rule of law."

According to Atiku, at the current historic moment, the easier option for him would have been to fold up and retreat after the outcome of the election.

"But I went to the Nigerian courts to seek redress. I even went to an American court to help with unravelling what our state institutions charged with such responsibilities were unwilling or unable to do, including unravelling the qualifying academic records of the person sworn in as our President and by implication, hopefully who he really is.

"I offered that evidence procured with the assistance of the American Court to our Supreme Court to help it to do justice in this case," he explained.

Atiku, stressed that his struggle was not a personal battle, but about Nigeria.

"It is about the kind of society we want to leave for the next generation and what kind of example we want to set for our children and their children.

"It is about the reputation of Nigeria and Nigerians in the eyes of the world," he added.

Atiku said he showed incontrovertible evidence that Tinubu was not qualified to contest the presidential election because according to him, the President forged the qualifying academic certificate, which he submitted to INEC.

"A simple check of Tinubu's past records in its possession would have shown INEC that Tinubu broke the law and should not have been allowed to contest the election.

"We showed irrefutable evidence of gross irregularities, violence, and manipulations during the elections. We showed incontrovertible evidence that INEC violated the Electoral Act and deliberately sabotaged its own publicly announced processes and procedures in order to illegally declare Tinubu elected.

"The position of the Supreme Court, even though final, leaves so much unanswered. Even the rebuke by retired Justice Musa Dattijo Muhammad is a confirmation from within the apex court that all is not well with the Supreme Court.

"The court and indeed the judiciary must never lend itself to politicisation as it is currently the norm with nearly every institution in Nigeria.

"By the way, the strong rebuke of the apex court by the revered Justice, who had meritoriously served for more than four decades, should not be swept under the carpet," he added.

The former vice president said the alarm raised by Justice Muhammad and recently, by former INEC Chairman, Prof. Attahiru Jega, offered Nigerians an explanation into why the electoral and judicial system have become the lost hope of the

Continued on page 35

ADELABU: FG TO REVIEW $2BN SIEMENS DEAL, TARGETS 1,300 RISE IN TRANSMISSION CAPACITY

However, he stated that part of the agreement which requires the importation of mobile stations and transformers had been fulfilled, and will raise the capacity of the Transmission Company of Nigeria (TCN) by 1,300mw.

"We went into talks with the German government to support us technically, to improve power infrastructure in Nigeria, to increase energy access to households, businesses and industries. And we agreed that it was going to be a three-phase project.

"Phase one was agreed to improve the country's transmission capacity from 5,000 to 7000mw. Phase two was to take it to 11,000mw, while phase three will take it to 25,000mw over a period of seven years.

"But then we know that the project has suffered a lot of challenges and number one was the COVID-19 pandemic which delayed the project.

"And we also had a political transition during this period. We had lots of regulatory reforms and there have been lots and lots of activities in terms of new investments into the sector in the last five years.

"So, the situation is no longer the same as we had in 2018. So what we are doing is to actually have a holistic review of the entire scope of this project and try to amend it to suit the current situation.

"But I must mention that as part of these three phases of the project, we agreed on the pilot project that was to actually exhibit the impact of the government-to-government cooperation on the Siemens project. The pilot project was to allow Siemens to bring into the country 10 power mobile substations and 10 power transformers to be installed to actually reduce the gap in the transmission capacity.

"I'm happy to tell you that this time, transformers have arrived the country, mobile stations have also arrived the country. The process of commissioning has started, and we will soon start installation of these transformers.

"I believe that by the time we're done with the installation of these 10 transformers and substations, we expect that it will improve our transmission capacity by 1,300mw," he added.

In terms of achievements of the power sector in the last 10 years , he explained that if it has to do with the objectives and intentions of government that actually led to privatisation ,which is increasing energy access to various households, to small businesses and to industries, not much had been achieved.

While blaming the failure on the entire value chain, Adelabu noted that major stakeholders have not fulfilled their part of the bargain.

"It is actually not the fault of one set of stakeholders, it is actually the fault of everybody. For the private sector stakeholders, I will say that a lot of them have not kept to the terms and conditions of the privatisation. There's also technical capacity of the majority of operators in the industry.

"I will also say that there are very important investments in improving the infrastructure for power sector. We also agreed on possibility of reducing the ATC&C losses by the sector distribution companies.

"We have not seen this come to what we agreed. In terms of metering gap, we have not been able to close the metering gap for households, for businesses and for industries.

"Today, we still have close to 8 million metering gap and if you don't meter, you cannot measure, if you don't measure, you cannot bill, if you don't bill, you cannot collect and collection has been very poor. But the name of this game is liquidity, " he argued.

Speaking on incessant power collapses, the minister said there had been a long period of respite before the last incident triggered by a fire incident.

"I can tell you that before the collapse that we experienced last month, which was due to the fire outbreak in one of our major injection substations, the last time the transmission witnessed collapse was in June 2022, which was almost over 400 days before the last collapse.

"I will agree with you that the transmission infrastructure is old. The substations are weak and the lines are weak . But the government has continued to invest in infrastructure improvements in the last few years. We will start seeing the impact on this, going forward," he stressed.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Is it Auspicious for N'Assembly Members to Use Imported Utility Vehicles?

The decision of the National Assembly management to procure over inflated sports utility vehicles without bullet-proof facilities for federal lawmakers in the country is still generating controversy, **Sunday Aborisade** reports.


Akpabio


Abass


Barau


Kalu

By tradition, the National Assembly bureaucracy usually procure official vehicles for all elected members of the nation's apex legislative institution in every Assembly for a period of four years.

Each lawmaker is expected to either buy the vehicle off after the four-year term or leave it behind to be kept in the pool for any other usage as determined by the management.

The current situation regarding the purchase of the vehicles in the National Assembly is however generating serious controversies for obvious reasons.

In the first instance, many Nigerians are of the opinion that since the country is undergoing it's worst economic challenges since independence with the breadwinners struggling to provide basic needs at home, the federal lawmakers should also identify with the plights of the people by embracing cheaper, locally manufactured SUVs.

Rather than exhibiting empathy for the suffering masses, the lawmakers opted for imported SUVs with the Senators going for the Land cruisers at a cost of N160m each while the House of Representatives members collected Prado Jeeps valued at about N140m each.

Interestingly, reports indicated that members of the opposition political parties were among the first set to collect the vehicles at the federal parliament.

In their arguments, the legislators said they opted for the foreign vehicles because of its durability considering the fact that most Nigerian roads are in deplorable conditions.

When the civil society organisations discovered that their cries fell on deaf ears, one of them, the Socio-Economic Rights and Accountability Project (SERAP), asked the Federal High Court in Lagos State to stop the House of Representatives from procuring and taking delivery of 360 SUVs amounting to the sum of N57.6 billion for its members, "pending the hearing and determination of the applications for injunction filed by the organisation."

SERAP in its applications for "interim and interlocutory injunction" followed reports that the lawmakers are set to procure and take delivery of the SUVs.

The organisation, according to its deputy director, Kolawole Oluwadare, who quoted some reports in the media space, said, "each of the SUVs would cost taxpayers at least N160 million."

THISDAY checks have however revealed that contrary to the expectations of the lawmakers their vehicles did not come with the bullet-proof facilities, only those of the four presiding officers did.

Reacting to the development on condition of anonymity during the week, a member of the House of Representatives from a federal constituency in the South West geopolitical zone, said he was disappointed that the management allocated an ordinary jeep with a market value of about N70m to them at a cost of about N160m.

"The understanding before we settled for the imported SUVs was that they should be durable with bullet-proof facilities.

"If the money was given to me, I would have opted for an SUV of about N40m and another Hilux double cabin of about N20m while I spent the rest on my constituency. The vehicle is too expensive for the price they are giving us," the lawmaker lamented.

However, most of the Senators who reacted justified the need for them to ride the N160m luxury vehicles considering the fact that unelected ministers, permanent secretaries and heads of federal agencies are entitled to between two to four exotic vehicles for official purposes.

Chairman of Senate Committee on services, Senator Sunday Karimi, justified the purchase of the SUVs for its members saying the decision was based on lawmakers conviction that they would last longer than locally manufactured ones.

NOTE: Interested readers should continue in the online edition on www.thisdaylive.com

As Sule Moves to Reclaim Mandate as Nasarawa Gov at Appeal Court...

Igbawase Ukumba writes that Governor Abdullahi Sule in his bid to reclaim his mandate, has filed a 27 ground of appeal exposing alleged fundamental contradictions in the majority decision of the lower Election Petition Tribunal that sacked him as elected governor of Nasarawa State.

Perhaps, Governor Abdullahi Sule of Nasarawa State is criticising the majority judgment of the Nasarawa State Governorship Election Petition Tribunal for allegedly disregarding the revered principle of judicial precedent in the determination of the petition that challenged his victory at the March 18, 2023 Governorship Election of the state.

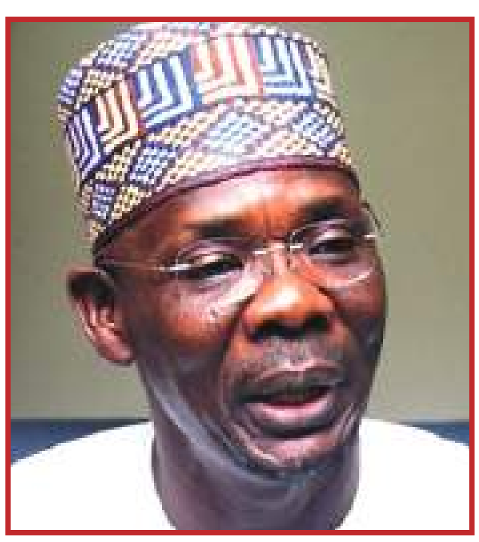
On October 2, 2023, the Nasarawa State Governorship Election Petition Tribunal in its judgement ruled in a split decision, with two members of the three-man panel deciding in favour of the Peoples Democratic Party (PDP) candidate, David Ombugadu and consequently sacked Governor Sule.

Delivering the over four-hour judgment virtually, chairman of the tribunal, Justice Ezekiel Ajayi, declared David Ombugadu of the PDP as the lawfully elected governor of Nasarawa State.

The tribunal chairman maintained that the evidence presented by the petitioners indicated that David Ombugadu scored majority of the lawful votes cast during the March 18, 2023 Governorship Election in the state. Ajayi therefore directed the Independent National Electoral Commission (INEC) to issue a Certificate of Return to David Ombugadu of the PDP.

Member three of the Nasarawa State Governorship Election Petition Tribunal, Justice Chiemelie Onaga, on her part, aligned with the verdict of the chairman of the tribunal, adding that the petitioner scored the majority of the lawful votes cast.

In resolving the preliminary objections, the split decision of the tribunal held that the All Progressives Congress' objections on BVAS


Sule


Ombugadu

Machine/Screenshots tendered by PDP was over-ruled because the BVAS reports were pleaded, relevant and admissible. The tribunal further dismissed the objections and delved into the merits of the petition.

The tribunal agreed with the second Petitioner on all contentions on over voting and votes of political parties in the affected Polling Units were discountenanced and accordingly deducted as prayed by the petitioners. The tribunal also upheld all the contentions of the first and second petitioners.

By a majority decision of two to one, the tribunal upheld the prayers of the petitioners that the votes were indeed inflated, and consequently sacked the incumbent governor, Abdullahi Sule, and consequently affirmed David Ombugadu, first petitioner, as duly elected having polled the majority of lawful votes cast.

There was, however, a dissenting judgement delivered by Justice Ibrahim Mashi, member two of the panel, who dismissed the petition filed by the PDP candidate for lacking in merit. Mashi affirmed that the petitioner had failed to prove his case and therefore upheld the declaration of Governor Abdullahi Sule of the APC as the original winner of the governorship election conducted in the state.

However, when addressing his supporters who turned up at the Government House, Lafia in solidarity with him shortly after the tribunal judgement, Governor Sule detailed his legal team to appeal the ruling of the lower tribunal which had upturned his election.

Governor Sule's legal team hitherto swinged into action and filed a 27 piquant ground of appeal at the Makurdi Division of the Court of Appeal on October 15, 2023.

Joined in the appeal are David Ombugadu, Peoples Democratic Party (PDP), Independent National Electoral Commission (INEC) and the All Progressive Congress (APC) as 1st, 2nd, 3rd and 4th respondents respectively.

In the Notice of Appeal filed by the governor's lead Counsel, Chief Wole Olanipekun (SAN), on October 15, 2023, Governor Sule questioned deductions of his 1,868 votes by the lower tribunal on ground of over voting in some five Polling Units in the absence of any ground in the petition of his opponent in respect of non-compliance with the Electoral Act, 2022.

Sule contended that since the only ground in the petition was that he was not elected by majority of lawful votes, the trial tribunal erred in law, acted without jurisdiction and reached a perverse decision when it deducted 1,868 votes from his scores at the election on the ground of over-voting in Bohar Sarki Polling Unit, Kofar Magaji Gari Angwa Makama Polling Unit, Gadabuke Polling Unit and Ihamkpe (B) Polling Unit and proceeded on that basis to return the petitioners as winners of the election.

NOTE: Interested readers should continue in the online edition on www.thisdaylive.com

Olabode Oladotun KAYODE

30th July 1957 - 31st October 2013

Today marks the 10th year that our loving, gentle, dear Father and now grandfather Olabode Kayode went to be with the Lord.

Our Father lived a life of humility, love and dignity. We can confidently say that he was indeed a precious gift from God to us. Not only was he a father, he was our confidant, mentor and bestfriend.

Although he is not physically here with us but rejoicing in heaven, his legacy continues to live on in us. Everyday, we honor his name in our deeds, words and plans.

10 years on, we have chosen to celebrate him and thank God for being ever so faithful to us as we hold on to this verse: "The LORD thy God in the midst of thee is mighty; he will save, he will rejoice over thee with joy; he will rest in his love, he will joy over thee with singing." Zephaniah 3:17 (KJV)

We would also like to thank all our family and friends for being a great pillar of support through these years.

We will continue to make you proud Dad, even though we miss you in a way that words will never be able to describe. Continue to rest in the bosom of the Almighty God.

With all our love,

- **MR AKINTAYO & MRS YADANAN KAYODE**
- **MR AKINTOYE & MRS OLUWASEUN KAYODE**
- **MISS OLUWATOYOSI KAYODE**
- **MISS OLUWAFARATIMI KAYODE** (Grandchild)

SIGNED: CHILDREN

MARKET NEWS

FUND MANAGERS ASSOCIATION OF NIGERIA

A Mutual fund (Unit Trust) is an investment vehicle managed by a SEC (Securities and Exchange Commission) registered Fund Manager. Investors with similar objectives buy units of the Fund so that the Fund Manager can buy securities that willl generate their desired return.

An ETF (Exchange Traded Fund) is a type of fund which owns the assets (shares of stock, bonds, oil futures, gold bars, foreign currency, etc.) and divides ownership of those assets into shares. Investors can buy these 'shares' on the floor of the Nigerian Stock Exchange.

A REIT (Real Estate Investment Trust) is an investment vehicle that allows both small and large investors to part-own real estate ventures (eg. Offices, Houses, Hospitals) in proportion to their investments. The assets are divided into shares that are traded on the Nigerian Stock Exchange.

GUIDE TO DATA:
Date: All fund prices are quoted in Naira as at 27-Oct-2023, unless otherwise stated.

Offer price: The price at which units of a trust or ETF are bought by investors.
Bid Price: The price at which Investors redeem (sell) units of a trust or ETF.
Yield/Total Return: Denotes the total return an investor would have earned on his investment. Money Market Funds report Yield while others report Year- to-date Total Return.
NAV: Is value per share of the real estate assets held by a REIT on a specific date.

DAILY PRICE LIST FOR MUTUAL FUNDS, REITS and ETFS

MUTUAL FUNDS / UNIT TRUSTS

AFRINVEST ASSET MANAGEMENT LTD	aaml@afrinvest.com		
Web: www.afrinvest.com; Tel: +234 818 885 6757			
Fund Name	**Bid Price**	**Offer Price**	**Yield / T-Rtn**
Afrinvest Equity Fund	N/A	N/A	N/A
Afrinvest Plutus Fund	N/A	N/A	N/A
Nigeria International Debt Fund	N/A	N/A	N/A
Afrinvest Dollar Fund	N/A	N/A	N/A
AIICO CAPITAL LTD	ammf@aiicocapital.com		
Web: www.aiicocapital.com, Tel: +234-1-2792974			
Fund Name	**Bid Price**	**Offer Price**	**Yield / T-Rtn**
AIICO Money Market Fund	100.00	100.00	13.49%
AIICO Balanced Fund	4.64	4.73	36.55%
ANCHORIA ASSET MANAGEMENT LIMITED	info@anchoriaam.com		
Web:www.anchoriaam.com, Tel: 08166830267; 08036814510; 08028419180			
Fund Name	**Bid Price**	**Offer Price**	**Yield / T-Rtn**
Anchoria Money Market	100.00	100.00	0.02%
Anchoria Equity Fund	179.83	182.25	24.06%
Anchoria Fixed Income Fund	1.23	1.23	-0.02%
ARM INVESTMENT MANAGERS LTD	enquiries@arminvestmentcenter.com		
Web: www.arm.com.ng; Tel: 0700 CALLARM (0700 225 5276)			
Fund Name	**Bid Price**	**Offer Price**	**Yield / T-Rtn**
ARM Aggressive Growth Fund	28.92	29.79	31.79%
ARM Discovery Balanced Fund	637.31	656.53	22.27%
ARM Ethical Fund	51.28	52.83	13.67%
ARM Eurobond Fund ($)	1.16	1.16	3.40%
ARM Fixed Income Fund	1.15	1.15	3.54%
ARM Money Market Fund	1.00	1.00	8.93%
ARM Short Term Bond Fund	1.05	1.05	1.72%
AVA GLOBAL ASSET MANAGERS LIMITED	info@avacapitalgroup.com		
Web: www.avacapitalgroup.com; Tel 08069294653			
Fund Name	**Bid Price**	**Offer Price**	**Yield / T-Rtn**
AVA GAM Fixed Income Dollar Fund	98.3	98.3	8.29%
AVA GAM Fixed Income Naira Fund	1,120.07	1,120.07	4.60%
AXA MANSARD INVESTMENTS LIMITED	investmentcare@axamansard.com		
Web: www.axamansard.com; Tel: +2341-4488482			
Fund Name	**Bid Price**	**Offer Price**	**Yield / T-Rtn**
AXA Mansard Equity Income Fund	179.79	181.05	33.29%
AXA Mansard Money Market Fund	1.00	1.00	9.34%
CAPITAL EXPRESS ASSET AND TRUST LIMITED	info@capitalexpressassetandtrust.com		
Web: www.capitalexpressassetandtrust.com; Tel: +234 803 307 5048			
Fund Name	**Bid Price**	**Offer Price**	**Yield / T-Rtn**
CEAT Fixed Income Fund	2.26	2.26	11.29%
Capital Express Balanced Fund(Formerly: Union Trustees Mixed Fund)	2.80	2.87	-38.19%
CARDINALSTONE ASSET MANAGEMENT LIMITED	mutualfunds@cardinalstone.com		
Web: www.cardinalstoneassetmanagement.com; Tel: +234 (1) 710 0433 4			
Fund Name	**Bid Price**	**Offer Price**	**Yield / T-Rtn**
CardinalStone Fixed Income Alpha Fund	1.04	1.04	6.73%
CHAPELHILL DENHAM MANAGEMENT LTD	investmentmanagement@chapelhilldenham.com		
Web: www.chapelhilldenham.com, Tel: +234 461 0691			
Fund Name	**Bid Price**	**Offer Price**	**Yield / T-Rtn**
Chapelhill Denham Money Market Fund	100.00	100.00	0.00%
Paramount Equity Fund	23.87	24.35	38.78%
Women's Investment Fund	188.66	191.54	36.38%
CHD Nigeria Bond Fund	100.66	100.66	12.18%
CHD Nigeria Dollar Income Fund	1.02	1.02	11.21%
CORDROS ASSET MANAGEMENT LIMITED	assetmgtteam@cordros.com		
Web: www.cordros.com, Tel: 019036947			
Fund Name	**Bid Price**	**Offer Price**	**Yield / T-Rtn**
Cordros Money Market Fund	100.00	100.00	9.33%
Cordros Milestone Fund	157.34	158.33	22.69%
Cordros Fixed Income Fund	109.45	109.45	9.96%
Cordros Halal Fixed Income Fund	110.45	110.45	11.51%
Cordros Dollar Fund ($)	113.30	113.30	6.22%
CORONATION ASSETS MANAGEMENT	investment@coronationam.com		
Web:www.coronationam.com, Tel: 012366215			
Fund Name	**Bid Price**	**Offer Price**	**Yield / T-Rtn**
Coronation Money Market Fund	1.00	1.00	9.70%
Coronation Balanced Fund	1.42	1.44	25.00%
Coronation Fixed Income Fund	1.39	1.39	2.00%
EDC FUNDS MANAGEMENT LIMITED	mutualfundng@ecobank.com		
Web: www.ecobank.com Tel: 012265281			
Fund Name	**Bid Price**	**Offer Price**	**Yield / T-Rtn**
EDC Nigeria Money Market Fund Class A	N/A	N/A	N/A
EDC Nigeria Money Market Fund Class B	N/A	N/A	N/A
EDC Nigeria Fixed Income Fund	N/A	N/A	N/A
EMERGING AFRICA ASSET MANAGEMENT LIMITED	assetmanagement@emergingafricafroup.com		
Web:www.emergingafricagroup.com/emerging-africa-asset-management-limited/, Tel: 08039492594			
Fund Name	**Bid Price**	**Offer Price**	**Yield / T-Rtn**
Emerging Africa Money Market Fund	N/A	N/A	N/A
Emerging Africa Bond Fund	N/A	N/A	N/A
Emerging Africa Balanced Diversity Fund	N/A	N/A	N/A
Emerging Africa Eurobond Fund	N/A	N/A	N/A
FBNQUEST ASSETS MANAGEMENT LIMITED	invest@fbnquest.com		
Web: www.fbnquest.com/asset-management; Tel: +234-81 0082 0082			
Fund Name	**Bid Price**	**Offer Price**	**Yield / T-Rtn**
FBN Bond Fund	1516.66	1516.66	11.52%
FBN Balanced Fund	249.96	252.21	35.86%
FBN Halal Fund	130.82	130.82	12.73%
FBN Money Market Fund	100.00	100.00	10.11%
FBN Dollar Fund	122.33	122.33	7.45%
FBN Smart Beta Equity Fund	226.07	228.94	50.10%
FBN Specialized Dollar Fund	109.95	109.95	9.51%
FCMB ASSET MANAGEMENT LIMITED	fcmbamhelpdesk@fcmb.com		
Web: www.fcmbassetmanagement.com; Tel: +234 1 462 2596			
Fund Name	**Bid Price**	**Offer Price**	**Yield / T-Rtn**
Legacy Money Market Fund	1.00	1.00	7.76%
Legacy Debt Fund	3.55	3.55	-0.56%
Legacy Equity Fund	2.58	2.63	28.90%
Legacy USD Bond Fund	1.31	1.31	4.37%
FSDH ASSET MANAGEMENT LTD	coralfunds@fsdhgroup.com		
Web: www.fsdhaml.com; Tel: 01-270 4884-5; 01-280 9740-1			
Fund Name	**Bid Price**	**Offer Price**	**Yield / T-Rtn**
Coral Balanced Fund	5,316.79	5,356.27	32.06%
Coral Income Fund	3,941.89	3,941.89	7.53%
Coral Money Market Fund	100.00	100.00	9.95%
FSDH Dollar Fund	1.19	1.19	0.00%

GUARANTY TRUST FUND MANAGERS LIMITED	enquiries@investment-one.com		
Web: www.gtcoplc.bank; Tel: +234 812 992 1045,+234 1 448 8888			
Fund Name	**Bid Price**	**Offer Price**	**Yield / T-Rtn**
Guaranty Trust Money Market Fund	N/A	N/A	N/A
Guaranty Trust Balanced Fund	N/A	N/A	N/A
Vantage Guaranteed Income Fund	N/A	N/A	N/A
Guaranty Trust Equity Income Fund (VEIF)	N/A	N/A	N/A
Vantage Dollar Fund (VDF) - June Year End	N/A	N/A	N/A
LOTUS CAPITAL LTD	fincon@lotuscapitallimited.com		
Web: www.lotuscapitallimited.com; Tel: +234 1-291 4626 / +234 1-291 4624			
Fund Name	**Bid Price**	**Offer Price**	**Yield / T-Rtn**
Lotus Halal Investment Fund	N/A	N/A	N/A
Lotus Halal Fixed Income Fund	N/A	N/A	N/A
MERISTEM WEALTH MANAGEMENT LTD	info@meristemwealth.com		
Web: www.meristemwealth.com/funds/; Tel: +2348028496012			
Fund Name	**Bid Price**	**Offer Price**	**Yield / T-Rtn**
Meristem Equity Market Fund	16.30	16.43	39.89%
Meristem Money Market Fund	10.00	10.00	11.39%
NORRENBERGER INVESTMENT AND CAPITAL MANAGEMENT LIMITED	enquiries@norrenberger.com		
Web: www.norrenberger.com, Tel: +234 (0) 908 781 2026			
Fund Name	**Bid Price**	**Offer Price**	**Yield / T-Rtn**
Norrenberger Islamic Fund (NIF)	102.55	102.55	11.78%
Norrenberger Money Market Fund (NMMF)	100.00	100.00	12.07%
Norrenberger Dollar Fund (NDF) ($)	102.74	102.74	11.88%
PAC ASSET MANAGEMENT LTD	info@pacassetmanagement.com		
Web: www.pacassetmanagement.com/mutualfunds; Tel: +234 1 271 8632			
Fund Name	**Bid Price**	**Offer Price**	**Yield / T-Rtn**
PACAM Balanced Fund	1.90	1.95	20.98%
PACAM Fixed Income Fund	11.89	12.06	6.99%
PACAM Money Market Fund	10.00	10.00	11.01%
PACAM Equity Fund	2.48	2.50	74.27%
PACAM EuroBond Fund	128.38	131.24	15.15%
SCM CAPITAL ASSET MANAGEMENT LIMITED	info@scmcapitalng.com		
Web: www.scmcapitalng.com; Tel: +234 1-280 2226,+234 1- 280 2227			
Fund Name	**Bid Price**	**Offer Price**	**Yield / T-Rtn**
SCM Capital The Frontier Fund	161.52	166.26	28.49%
SFS CAPITAL NIGERIA LTD	investments@sfsnigeria.com		
Web: www.sfsnigeria.com, Tel: +234 (01) 2801400			
Fund Name	**Bid Price**	**Offer Price**	**Yield / T-Rtn**
SFS Fixed Income Fund	1.09	1.09	10.01%
STANBIC IBTC ASSET MANAGEMENT LTD	assetmanagement@stanbicibtc.com		
Web: www.stanbicibtcassetmanagement.com; Tel: +234 1 280 1266; 0700 MUTUALFUNDS			
Fund Name	**Bid Price**	**Offer Price**	**Yield / T-Rtn**
Stanbic IBTC Balanced Fund	4,665.38	4,702.51	37.62%
Stanbic IBTC Bond Fund	254.83	254.83	8.18%
Stanbic IBTC Ethical Fund	1.90	1.93	51.98%
Stanbic IBTC Guaranteed Investment Fund	347.81	347.93	11.09%
Stanbic IBTC Iman Fund	366.30	370.74	56.83%
Stanbic IBTC Money Market Fund	1.00	1.00	9.58%
Stanbic IBTC Nigerian Equity Fund	16,856.29	17,062.99	54.40%
Stanbic IBTC Dollar Fund (USD)	1.45	1.45	11.98%
Stanbic IBTC Shariah Fixed Income Fund	126.86	126.86	8.51%
Stanbic IBTC Enhanced Short-Term Fixed Income Fund	124.00	124.00	16.57%
Stanbic IBTC Absolute Fund	4,924.53	4,924.53	15.76%
Stanbic IBTC Aggressive Fund	4,886.99	4,947.05	75.76%
Stanbic IBTC Conservative Fund	5,079.16	5,102.14	33.47%
UNITED CAPITAL ASSET MANAGEMENT LTD	unitedcapitalplcgroup.com		
Web: www.unitedcapitalplcgroup.com; Tel: +234 01-6317876			
Fund Name	**Bid Price**	**Offer Price**	**Yield / T-Rtn**
United Capital Equity Fund	1.24	1.25	35.54%
United Capital Balanced Fund	1.72	1.73	32.95%
United Capital Wealth for Women Fund	1.33	1.34	23.88%
United Capital Sukuk Fund	1.15	1.15	11.08%
United Capital Fixed Income Fund	1.92	1.92	6.55%
United Capital Eurobond Fund	123.16	123.16	5.60%
United Capital Global Fixed Income Fund	1.07	1.07	8.38%
United Capital Money Market Fund	1.00	1.00	9.61%
Web: www.quantumzenith.com.ng; Tel: +234 1-2784219			
Fund Name	**Bid Price**	**Offer Price**	**Yield / T-Rtn**
Zenith Balanced Strategy Fund	18.04	18.24	30.17%
Zenith ESG Impact Fund	21.37	21.60	35.25%
Zenith Income Fund	18.04	18.04	-23.44%
Zenith Money Market Fund	N/A	N/A	N/A
VETIVA FUND MANAGERS LTD	funds@vetiva.com		
Web: www.vetiva.com; Tel: +234 1 453 0697			
Fund Name	**Bid Price**	**Offer Price**	**Yield / T-Rtn**
Vetiva Banking Exchange Traded Fund	6.91	7.01	71.40%
Vetiva Consumer Goods Exchange Traded Fund	11.49	11.59	95.83%
Vetiva Griffin 30 Exchange Traded Fund	24.05	24.25	35.80%
Vetiva Money Market Fund	1.00	1.00	10.25%
Vetiva Industrial Goods Exchange Traded Fund	27.44	27.64	37.13%
Vetiva S&P Nigeria Sovereign Bond Exchange Traded Fund	147.83	149.83	-6.26%

REITS

Fund Name	NAV Per Share	Yield / T-Rtn
SFS REIT	124.11	9.06%
Union Homes REIT	55.71	5.07%
Nigeria Real Estate Investment Trust	101.33	
UPDC REIT	9.89	-13.40%

EXCHANGE TRADED FUNDS

Fund Name	Bid Price	Offer Price	Yield / T-Rtn
Lotus Halal Equity Exchange Traded Fund	N/A	N/A	N/A
SIAML Pension ETF 40	400.00	400.00	210.75%
Stanbic IBTC ETF 30 Fund	423.50	423.50	319.93%
MERGROWTH ETF	17.40	17.50	48.72%
MERVALUE ETF	16.40	16.50	73.21%

INFRASTRUCTURE FUND

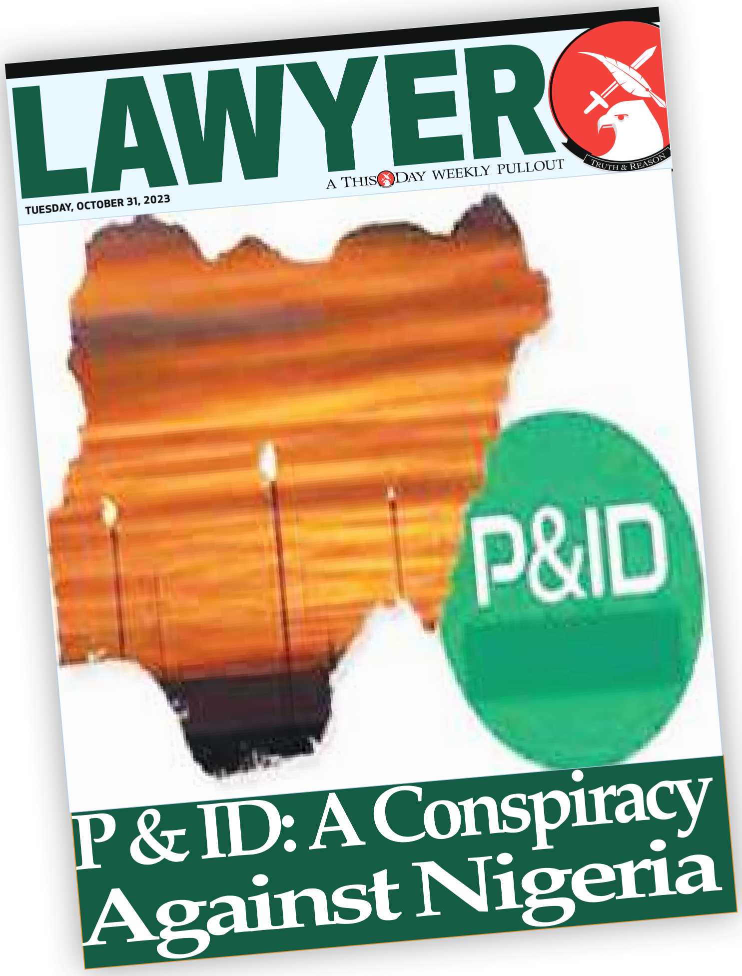
Fund Name	NAV Per Share	Yield / T-Rtn
Chapel Hill Denham Nigeria Infrastructure Debt Fund	108.40	0.00%

The value of investments and the income from them may fall as well as rise. Past performance is a guide and not an indication of future returns. Fund prices published in this edition are also available on each fund manager's website and FMAN's website at *www.fman.com.ng*. Fund prices are supplied by the operator of the relevant fund and are published for information purposes only.

LAWYER
TUESDAY, OCTOBER 31, 2023
A THISDAY WEEKLY PULLOUT
TRUTH & REASON

P & ID: A Conspiracy Against Nigeria

IN THIS EDITION



Power of Court to Reverse its Own Order Made Without Jurisdiction

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CJN Urges Judges to be Neutral in Dispensation of Justice

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Justices, Eminent Nigerians Pay Glowing Tributes, as Justice Raphael Agbo is Laid to Rest

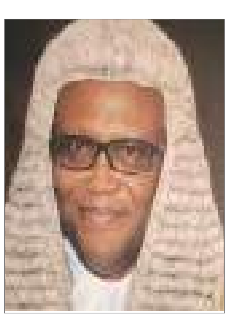
Page V

'Preventing Building Collapse is a Collective Responsibility', Lawal Pedro, SAN

Page V

QUOTABLES

'Consistent with our commitment to enshrine fairness and the rule of law, this Government will uphold the veracity of every legitimate contract, specifically as it relates to foreign exchange obligations of the Government.' - ***Bola Ahmed Tinubu, GCFR, President of the Federal Republic of Nigeria***



'The wholesale demonisation of the Justice Sector, is unfair and untrue. The Sector is in danger of being capsized, by public misunderstanding and perception.'- ***Ikeazor Akaraiwe, SAN***

THISDAY LAWYER

ONIKEPO BRAITHWAITE: EDITOR, JUDE IGBANOI: DEPUTY EDITOR, PETER TAIWO, STEVE AYA: REPORTERS

It's Now Time for Real Governance

Legislative Nonsense: Defending the Indefensible

Before I go into the Word for Today, let me register my disgust and that of millions of Nigerians, on the recent purchase of hundreds of SUVs for the Legislators. I listened to the Senate Committee Chairman on Services, Senator Sunday Karimi last Wednesday on Channels TV's Politics Today, spouting what I can only refer to as gibberish and drivel in a bid to justify this senseless purchase. Defending the indefensible. I addressed this issue in 2019, so there's no need to rehash my statements which I believe, remain valid. I will only conclude by saying that such a purchase is absolutely insensitive, considering how Nigerians are presently suffering, and it certainly goes against the economic objectives contained in Section 16 of the **1999 Constitution of the Federal Republic of Nigeria (as amended)(the Constitution),** as well as breaching the provisions of the RMAFC law concerning the ceiling placed on the amount that can be spent on a Legislator's vehicle. Senator Karimi had the temerity to add that, Legislators were elected to serve the people! Really? When we all aware that their principal interest is to serve themselves! What a shame - Legislators living ostentatiously and flamboyantly in a lap of luxury, while their constituents live in abject poverty, squalor and unceasing hardship.

The 'Almighty Judgement'

Finally, the 'Almighty Judgement' of the 2023 Presidential Election Petitions (PEPs) was delivered by the Supreme Court last Thursday, October 26, 2023, and the Petitions failed again, at the last bus stop. Let me start by saying that my comments below are strictly borne out of being a Lawyer who is familiar with the law, and not a Moralist. The outcome of the PEPs didn't come as a surprise to anyone that is conversant with basic law, the Constitution and the **Electoral Act 2022 (EA)**. I had done sufficient analyses of the PEPs and offered the correct position of the law on them, so, I don't think I need to do so again. I will only comment briefly below on the American angle, since that was a last minute addition by the PDP to the case.

Throughout the journey to this final judgement, I have endeavoured to tutor my readers on many aspects of the Electoral law and elections, citing relevant judicial authorities to provide some proper insight, as I found the campaign of calumny mounted against the Judiciary by the supporters of the Petitioners from even before the Petitions were heard, rather painful. While I do not say the Judiciary is perfect, I find its attempted desecration, this time without reason, unfair, and a dishonour to our country as a whole. Knowing that they had little or no leg to stand on in law, extremely Senior members of the Bar did not once issue a statement to caution the supporters of their clients to exercise some restraint in their utterances against our justice system. I will be the first to agree that the administration of justice sector in Nigeria is not functioning optimally, but, in the case of the 2023 PEPs, the decisions of both the Court of Appeal and Supreme Court, cannot be faulted.

The American Angle

Why didn't 'Atiku Supporters' or Labour Party Supporters accuse **Judge Beryl Howell of the United States District Court for the District of Columbia** of compromise (like they have been doing here every time the Nigerian court didn't find in their favour or things did not go their way), when the District Court denied Aaron Greenspan's application and refused to compel the FBI, CIA, and other American agencies to release alleged confidential records of President Bola Tinubu immediately? The District Court held that: ***"The Plaintiff has not made any representation to the court that the balance of equities tips in his favour, or that the granting of his motion would further the public interest….the balance of equities militates strongly in favour of denying this emergency motion".*** This decision, in my humble opinion, is also applicable to the matter of the release of the CSU Certificate. I see no way that it would have furthered Alhaji Atiku's interest or that of the public, with regard to the ongoing PEPs. The Atiku Supporters were silent about the District Court's decision, as if cold water was poured on them to douse their pre-ruling excitement! How come we were spared from their usual vitriol? If it was a Nigerian decision, we wouldn't have heard the last of it.

I was particularly amused when I heard some people complaining that the Supreme Court was rushing to deliver the judgement in the PEPs, so that by the time the FBI released whatever documents on President Tinubu, he would be covered by the immunity from suit and legal process provided by Section 308 of the Constitution. Have you ever heard **Chief Commander Ebenezer Obey's Evergreen Hit song, "Kètè Kètè"?** About a man, his son and a donkey? The conclusion of the song is that, no matter what you do, you can never satisfy the world - one group or the other, will always be

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The Advocate

"If I were President Tinubu, my primary concern would be to render a sterling performance to Nigeria and Nigerians, to ensure that I go down in history as the Leader that turned the fortunes of a more or less broken country around for good"

dissatisfied with your actions or decisions. The initial complaint was that the Petitions should be heard and determined before the swearing in on May 29, as is done in Kenya. I had to point out that the time lines set in Section 285 of the Constitution, makes their completion before the swearing in, impossible. Then, it became the opposite, that they were moving too fast!

The truth of the matter is, as far as the American angle is concerned, whether in the FBI segment or the CSU one, there was nothing compelling there that should have made the American Court grant either application. In the first place, the CSU Certificate matter had no bearing on the PEPs. It is settled by virtue of Section 285(9) of the Constitution, Section 29(5) of the EA and a plethora of authorities, matters of qualification and disqualification are pre-election matters that can only be brought not later than 14 days from the date of the occurrence of the event or decision or action complained of, by a Co-Aspirant of the same Party, while questions of nomination and sponsorship of a candidate for political office by a political party is a domestic intra-party matter in respect of which a court cannot adjudicate. See the case of **Akpan v Bob & Ors (2010) LPELR-376(SC).** Therefore, the PDP's desperation to make the CSU or FBI matters a part of the PEP, is not supported by the extant law in Nigeria. Alhaji Atiku's American Lawyers and the American court were misled (most probably by Alhaji Atiku's Nigerian legal team) into thinking that the release of the CSU Certificate could impact the decision of the Supreme Court in the PEP Appeal. As we say in Hausa, **'Ina"!** In fairness to Alhaji Atiku Abubakar, he is not a Lawyer, and would have relied solely on the advice of his legal team to pursue the fruitless American option as far as the PEP was concerned.

Secondly, what would the CSU certificate or Caleb Westerberg's deposition be resting upon? There was no ground of appeal in the notice of appeal, concerning this matter. In **Akpan v Bob & Ors (Supra) per Ibrahim Tanko Muhammad, JSC (later CJN),** the Supreme Court defined a ground of appeal thus: ***"It is said to be the error of law or facts alleged by an Appellant as the defect in the judgement appealed against, upon which reliance has been placed to set it aside. In other words, it is the reason(s) why the judgement is considered wrong by the aggrieved party".*** It is trite law that an issue for determination, must be formulated from a ground of appeal. See also the case of **Obiajulu Nwalutu v NBA & Anor (2019) LPELR-46916(SC) per Kumai Bayang Aka'ahs, JSC** where the Supreme Court held that ***an appeal court will refuse to consider and pronounce on an issue formulated for determination, which does not arise from the grounds of appeal filed.*** Section 137(1)(j) of the Constitution, that is, presentation of a forged certificate to INEC was not part of PDP's PEP let alone part of the PEPT judgement, and could therefore, not be a ground of appeal. See Ground d of PDP's Petition.

Furthermore, the attempt to introduce the deposition of Caleb Westerberg as fresh or additional evidence, also did not meet the conditions for admitting fresh evidence on appeal set out in the case of **Uzodinma v Izunaso (No. 2) 2011 17 N.W.L.R. Part 1275 Page 37** (also see the case of **Williams & Anor v Adold/Stamm Intl (Nig) Ltd & Anor (2017) LPELR-41559(SC) per Kudirat Motonmori Olatokunbo Kekere-Ekun, JSC).** On the PEP, the Apex Court held inter alia that, it certainly did not have the jurisdiction to entertain something that was already time-barred and could not be entertained by the PEPT. See the case of **Obiajulu Nwalutu v NBA & Anor (Supra).**

Additionally, Carl Westerberg's deposition which Alhaji Atiku's Counsel sought to introduce as fresh evidence at the Supreme Court, is a private document within the confines of the definition of Section 103 of the **Evidence Act 2011,** certainly not certified to be part of the proceedings of the American court. By virtue of Paragraph 41(1) & (3) of the First Schedule to the EA, Carl Westerberg's deposition would have to have been tendered at the PEPT along with an oral examination, done by adopting his deposition.

President Bola Ahmed Tinubu, GCFR

Conclusion

There are several lessons to be learnt, from this 2023 election outing. First, the EA requires amendment. Presently, the EA provides mainly for a manual electoral process. Whether you transmit the results by a nuclear rocket or donkey or in 'real time', the result you input is done manually, and to this extent, the result can be manipulated. Again, ventilation of constitutional issues of qualification and disqualification of candidates in court, has been limited to a specific class of people; it's not a come-one-come-all affair. All this may require another look. Election Matters are time bound and sui generis.

Anybody that has followed elections in Nigeria since 1999 knows that our elections have two stages, the actual election itself and the litigation that follows thereafter. Most candidates are ill-prepared for the second stage, and this is strange considering the fact that it is the norm for majority of candidates to end up at the Election Petition Tribunals, either as Petitioners or Respondents. Citing omnibus grounds in Petitions without discharging the burden of proof, gets a Petitioner nowhere. In **Wike v Peterside (2016) LPELR-40036(SC) per Kudirat Motonmori Olatokunbo Kekere-Ekun, JSC,** the Supreme Court held inter alia that ***a Petitioner complaining of noncompliance with the Electoral Act"must prove it polling unit by polling unit, ward by ward, and the standard of proof is on the balance of probabilities. He must show figures that the adverse party was credited with, as a result of noncompliance".*** This is what the law requires. No more, no less.

Flowing from this, in the 2023 PEP decision, the Supreme Court therefore, commented there are a plethora of authorities on how to prove electoral malpractice, and the Petitioners had failed to show that these decisions were 'Per Incuriam' and should be departed from. Having failed to discharge this burden of proof in their Petitions, even though it is trite law that he who alleges must prove, what would be the reason for the Supreme Court to depart from its earlier decisions to find for the Petitioners? The reason has to be that the previous case was wrongly decided, that the law was incorrectly applied, and not because the Petitioner was unable to discharge the burden of proof required by law in the subsequent case, and are therefore, looking for a lesser standard of proof. See the case of **Egbe v Yusuf (1992) LPELR-1035(SC) per Olajide Olatawura, JSC.**

Finally, the role of Party Polling Agents who are only ones that can assist litigants to prove their cases, cannot be overemphasised. Yet, Petitioners either do not have enough Polling Agents, or they do not bring them to testify as witnesses in court, polling unit by unit. How then, do they expect to be successful in their Petitions? See Section 135(1) of the EA.

Several Senior Lawyers have expressed their disappointment in the Supreme Court, for making no order as to costs. They believe that awarding heavy punitive costs which would have had to be liquidated before Counsel can appear in court again, would be a deterrent to Counsel who have made it the norm to run to court with frivolous, vexatious cases to waste the time of the court and further clog up a system that is already overburdened, and heat the polity and scandalise the Judiciary for good measure.

Going Forward

I hope we can finally lay the 2023 Presidential Election to rest, and let Government move on to real governance and solving Nigeria's teeming problems. While I certainly cannot deny the fact that President Tinubu's past appears to be shrouded in some secrecy to say the least, as a concerned Nigerian who has passed through so much hardship in the past few years, I am a practical person, and presently, I'm more interested in the improvement of the circumstances of my country and the quality of our lives, than academic debates about 45 year old certificates, especially as CSU has confirmed that President Tinubu did indeed, attend their College. Let me state unequivocally, that I do not consider President Bola Tinubu or any of the other Presidential Candidates to be saintly, sinless or perfect - they all have skeletons in their cupboards, though some may be more apparent than others. Unfortunately, this is where Nigeria finds herself - overrun with Politicians with shady pasts and presents.

If I were President Tinubu, my primary concern would be to render a sterling performance to Nigeria and Nigerians, to ensure that I go down in history as the Leader that turned the fortunes of a more or less broken country around for good.

Power of Court to Reverse its Own Order Made Without Jurisdiction

Facts

The 1st – 10th Respondent instituted an action before the High Court of the FCT-Abuja, seeking inter alia, a declaration that the demolition of their shops was unlawful. They also sought compensation for the demolition, as well as loss of earnings. The trial court granted the reliefs in part. Dissatisfied with the refusal of the other reliefs, the 1st – 10th Respondent filed a Notice of Appeal at the Court of Appeal on 5th March, 2010. The record of appeal was however, compiled and transmitted outside the prescribed time. The 1st – 10th Respondent filed an application to regularise the late transmission of the record on 16th November, 2011. Subsequently, they filed their Appellants' brief of argument on 29th August, 2012, together with a motion for leave to amend their Notice of Appeal. Thereafter, they filed another motion dated 28th June, 2013 for leave to amend their notice of appeal. Both applications to amend their Notice of Appeal were subsequently withdrawn. They later filed a fresh motion for leave to amend their Notice of Appeal on 11th April, 2014.

Whilst the 1st – 10th Respondent's applications were still pending before the Court of Appeal, the Appellant filed an application on 3rd December, 2014 seeking the dismissal of the appeal for want of diligent prosecution. The Court of Appeal granted the application and dismissed the appeal, pursuant to Order 8 Rule 18 & Order 18 Rule 10 of the Court of Appeal Rules 2011, to the effect that where an Appellant fails to compile and transmit the records after the failure of the Registrar to do the same, or where an Appellant fails to file his brief within time, the Respondent may apply for the appeal to be dismissed for want of diligent prosecution. Subsequently, the 1st – 10th Respondent filed an application seeking inter alia, an order setting aside the ruling dismissing their appeal; an order to regularise the late transmission of the record of appeal; leave to amend their Notice of Appeal; an order deeming the amended Notice of Appeal filed with the motion as having been properly filed and served, and an order deeming the Appellant's brief of argument dated 29th August, 2012 as having been properly filed and served. The application though opposed by the Appellant, was granted by the Court of Appeal. Consequently, the Court of Appeal restored the 1st – 10th Respondent's appeal to its cause list.

The Appellant was dissatisfied with the decision; hence, it filed an appeal before the Supreme Court.

Issue for Determination

The Supreme Court considered the following sole issue submitted by the Appellant, in its determination of the appeal:

Whether the Court of Appeal has the jurisdiction to grant the application of the 1st – 10th Respondent, relisting their appeal which had been dismissed pursuant to Order 8 Rule 18 and Order 18 Rule 19 of the Court of Appeal Rules, 2011.

Arguments

Counsel for the Appellant argued that once a dismissal of an appeal is ordered pursuant to Order 18 Rule 10 of the Court of Appeal Rules 2011, the appeal so dismissed cannot be relisted; and so long as the court below relied on the said provision in dismissing the 1st – 10th Respondent's appeal, the dismissal was irreversible by the same court. He submitted that the Court of Appeal's reversal of its order of dismissal of the appeal and its relisting of the appeal amounted to the Court of Appeal sitting on appeal over its own decision. He

Honourable Adamu Jauro, JSC

In the Supreme Court of Nigeria
Holden at Abuja
On Friday, the 27th day of January, 2023

Before Their Lordships
John Inyang Okoro
Amina Adamu Augie
Adamu Jauro
Tijjani Abubakar
Emmanuel Akomaye Agim
SC.86/2017

Between

REFUGE HOME SAVINGS & LOANS LIMITED — APPELLANT

And

ALHAJI UMARU GARKUWA & 12 ORS — RESPONDENTS

(Lead Judgement delivered by Honourable Adamu Jauro, JSC)

submitted that the Court of Appeal had become *functus officio* at the point of the dismissal, and it is only the Supreme Court that could have validly exercised jurisdiction over a complaint against the Court of Appeal's decision dismissing the appeal. He placed reliance on **A. D. H. LTD v AMALGAMATED TRUSTEES LTD (2007) ALL FWLR (PT. 392) 1781.**

In response to the Appellant's submissions, counsel for the 1st – 10th Respondent submitted that the Court of Appeal rightly set aside its initial order dismissing the 1st – 10th Respondent's appeal, when it became clear to it that the order was made without jurisdiction. He argued that the Appellant's application seeking the dismissal of the appeal was wrongly granted, as an appeal cannot be dismissed for failure to file brief, when the record of appeal had not been transmitted and the appeal has not been entered. He submitted that while a court is not permitted to sit on appeal over its decisions, a court is not completely powerless to review and *ex debitio justiciae* set aside its null orders, and that it was for this reason that upon the application of the 1st -10th Respondent, the court below immediately appreciated that its order dismissing the appeal was incongruous and was made without jurisdiction, and held that good and substantial reasons had been disclosed to warrant the setting aside of the same. He cited the case of **OKAFOR v ATTORNEY-GENERAL AND COMMISSIONER OF JUSTICE (1991) 6 NWLR (PT. 200) 659.**

The 11th and 12th Respondent did not file any brief of argument, although they were served with all the processes in the appeal.

Court's Judgement and Rationale

In determining the appeal, the Court reproduced Order 8 Rule 18 of the Court of Appeal Rules, 2011 which deals with dismissal of an appeal for failure to compile and transmit the record of appeal and Order 18 Rule 10 of the Court of Appeal Rules, which makes provision for dismissal of an appeal for failure to file Appellant's brief within the period prescribed by the Rules. The Court held that *as a follow up to Order 8 Rule 18, Order 8 Rule 20 provides that where an appeal is dismissed for failure to compile and transmit record of appeal, the Court of Appeal has the discretion to restore and relist the appeal upon application by the Appellant, upon terms as the court may deem fit. Conversely, there is no such provision in relation to an appeal dismissed for failure to file Appellant's brief pursuant to Order 18 Rule 10 of the Court of Appeal Rules 2011. Such dismissal is a dismissal on the merit, it is final, and the lower court is rendered functus officio in that it cannot restore the appeal, except under exceptional circumstances, such as where the order is a nullity or made where there was a pending application for extension of time to file Appellant's brief.*

The Apex Court further held that *the power for the dismissal of an appeal on the ground of failure to file Appellant's brief, can only arise where the appeal has been entered. It is after the entry of the appeal, that time begins to run for filing the Appellant's brief. The necessary implication of this is that, it is only when the record of appeal has been regularised and the Appellant has failed to file his brief within the 45 days prescribed under the Court of Appeal Rules, that the Respondent can then apply for the dismissal of the appeal for failure to file Appellant's brief under Order 18 Rule 10(1) of the 2011 Rules.* The Court found that in the instant case, at the time of the dismissal of the appeal for the purported failure to file the Appellants' brief, the 1st – 10th Respondent as Appellants had a pending application to regularise the late compilation and transmission of their record of appeal. The application was yet to be heard, by the lower court. In essence, *as at the time the court made the order of dismissal of the appeal, the record was not yet regularised and the appeal had not yet been entered. There was therefore, no basis for the lower court to dismiss the 1st -10th Respondents's appeal for failure to file Appellants' brief pursuant to Order 18 Rule 10 of the Court of Appeal Rules 2011, as the court was not yet imbued with the requisite jurisdiction to do so by reason of non-entry of the appeal. In other words, the order dismissing the appeal was a nullity.*

The Court held that *although a court generally lacks the power to revisit its order and after rendering its ruling, order or judgement, the court becomes functus officio and such an order can only be set aside on appeal. However, in certain instances, a court has the jurisdiction to set aside its own decision ex debitio justiciae. This power or jurisdiction may be exercised, where for instance, the judgement, ruling or order sought to be set aside is null and void ab initio, or there was a fundamental defect in the proceedings which vitiates and renders the same incompetent and invalid. The Court referred to* **UWEMEDIMO v MOBIL PRODUCING (NIG.) UNLTD (2019) 12 NWLR (PT. 1685) 1.**

The Supreme Court held that *the Court of Appeal was right to set aside its order of 12/2/2015 dismissing the appeal and to restore the appeal pursuant to Order 8 Rule 20 of the Court of Appeal Rules 2011, upon realising that it made the said order without jurisdiction, as its power to dismiss the Appeal for failure to file Appellant's brief was yet to arise at the time it made the order.*

Appeal Dismissed.

Representation

Sylvester Okojie Esq. with Chris Ebare, Esq. for the Appellant.

Dr. George Ogunyomi, Esq. with Mr. Ifeanyi Ndumnego and Miss. Nguerese Tine Tur for the 1st – 10th Respondent.

F. S. Jimoh, Esq. for the 11th and 12th Respondent.

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"…..in certain instances, a court has the jurisdiction to set aside its own decision ex debitio justiciae. This power or jurisdiction may be exercised, where for instance, the judgement, ruling or order sought to be set aside is null and void ab initio…."

NEWS

Late Hon. Justice Raphael Chikwe Agbo, JCA

L:R: Chukwukere Unamba-Oparah; Chief Judge of Akwa Ibom State, Hon Justice Ekaette Obot; Hon. Justice Nicholas Colin Browne-Marke, JSC, Supreme Court of Sierra-Leone; Hon Justice Helen Moronkeji Ogunwumiju, JSC, CFR; Hon Justice Salisu Garba Abdullahi; Hon Justice (Dr) Smokin Wanjala, SCJ, Supreme Court of Kenya; Country Coordinator, AGA Africa, Ebelechukwu Enedah

Lagos State Attorney-General and Commissioner for Justice, Lawal Pedro, SAN

CJN Urges Judges to be Neutral in Dispensation of Justice

Okon Bassey in Uyo

The Chief Justice of Nigeria, Honourable Justice Olukayode Ariwoola, GCON (CJN) has tasked the Judiciary that the onus remains on them to be neutral arbiters and sustain the ethos of democracy, in order to gain public confidence in the judicial system.

Ariwoola gave the task last Monday at a three-day retreat for Justices of the Supreme Court and Court of Appeal, organised by the Attorney General Alliance - Africa (AGA-Africa) in collaboration with the National Judicial Institute (NJI) which took place in Uyo, Akwa Ibom State capital.

The CJN represented by Hon. Justice Helen Ogunwumiju, JSC, said the theme of the retreat, "Achieving Efficiency and Effectiveness in the Judicial System in Nigeria" was apt, adding that such retreats would serve as constant reminders to Judicial Officers, of the crucial role they play in the society towards the attainment of a stable polity.

"In the light of the above, you will agree with me that 'Democracy' can only thrive on the respect for the Rule of Law and its principles, also advocate the independence of the Judiciary, the doctrine of Separation of Powers, guarantee of fundamental rights, freedom of expression epitomised by free press and media as well as free and fair elections, all of which can only be guaranteed by an efficient and effective Judiciary.

"Therefore, efficiency and effectiveness are not mere aspirations, but essential foundations upon which our justice system rests. They are also the cornerstone of a Judiciary, that earns the trust and confidence of its people.

"In order to achieve this, it is imperative to explore innovative case management techniques, embrace modern technology to streamline court processes, and generally dispense justice in a manner that restores faith in the rule of law.

"I must reiterate that, as we move forward into this digital age, we must embrace the potential of technology which would significantly enhance efficiency by streamlining administrative tasks, aid legal research, reduce having backlog of cases, and generally improve transparency and efficiency in the administration of justice", the CJN said.

He charged them to utilise the opportunity to engage in meaningful discussions, share best practices, and generally learn from one another, which is inevitable.

"This exchange of ideas, you must agree with me, foster innovations which can engender reforms and improve processes in the Judiciary; therefore, it is my expectation that this retreat will provide us with an invaluable opportunity to reflect on our current practices, identify areas for improvement, and chart a course towards a more efficient and effective Judiciary.

In a welcome address, Administrator of NJI, Justice Salisu Garba Abdullahi stated that a vibrant and independent Judiciary manned by upright judicial officers, remained indispensable to the sustenance of public confidence in the administration of justice, adding that the theme of the retreat could not have come at a better time as it would afford the Justices the opportunity to appraise the judicial system, with a view to proffering interventions for improvements.

In a remark, Chukwukere Unamba-Opara, AGA Africa Programme Director and Country Coordinator for Kenya, said that the AGA-Africa Programme has been consistently dedicated to strengthening the legal landscape, while their commitment to enhancing the capabilities of the Judiciary remains unwavering.

NBA Ikeja Collaborates with LASUTH, Organises Medical Fair for Members

The Nigerian Bar Association, Ikeja Branch, in conjunction with the Lagos State University Teaching Hospital (LASUTH), recently organised a one-day Medical Fair/Outreach for members of the Branch.

Speaking at the Opening of the event held at the NBA Ikeja Secretariat (The Bar Centre), the Chairman of the Branch, Mr Oluwaseyi Olawumi said: "…Welfarism of members is at the very core of any Association, and that is the whole essence of this Medical Outreach".

He added that the Medical Outreach became necessary, in the face of certain avoidable health challenges encountered by members, some of which have led to the death of a fair number of members of the Association.

Also speaking at the event, the leader of the medical team of the Lagos State University Teaching Hospital (LASUTH) - Dr R. A. Adebanjo, praised the leadership of the Ikeja Branch for taking the health of her members as a priority. Adebanjo, while applauding the large turnout of Lawyers despite the event being held on a working day, added that all the significant sicknesses can be treated if detected early.

Some Lawyers who pleaded anonymity praised this initiative of the NBA Ikeja Branch, and recommended that it should be maintained. "We need this to be carried out constantly, not just for us Lawyers but also for our Judges, because of the nature of our job", one of the Lawyers said.

As part of the program, Lawyers were screened for illnesses such as high blood pressure, blood sugar levels, prostrate and mammary gland examination, as well as eyesight checks and HIV statuses.

Justices, Eminent Nigerians Pay Glowing Tributes, as Justice Raphael Agbo is Laid to Rest

Stories by Steve Aya

On Wednesday, 4th October, 2023, at the Court of Appeal Enugu Division,President, Justice Monica Dongban-Mensem, through the Presiding Justice, Hon. Justice Uzo Ndukwe–Anyanwu, presided over a solemn Valedictory Court session in honour of the late Presiding Justice of Calabar Division, Hon. Justice Raphael Chikwe Agbo.

Hon. Justice Raphael Chikwe Agbo, was a brilliant non- controversial Jurist, billed to retire from the Bench to enjoy a more quiet life on 21st October, 2023, but died on July 4, 2023, a couple of weeks before his 70th birthday.

Born 21st October, 1953, the late quintessential Jurist got elevated to the Court Of Appeal in 2005, serving in Ibadan, and subsequently Lagos, Akure, Benin, Jos, Ilorin, Owerri and Kaduna Divisions, and until his demise, the Presiding Justice of Calabar Division.

This is the reason Justices, Judges and eminent Nigerians from all walks of life, gathered in the court hall of Enugu Division, to pay their last respect to this once-upon-a-time Jurist, described by many as thoroughly decent, humane, engaging, courteous, and a compassionate man who dispensed justice with candour and the fear of God.

Hon Justice Monica Dongban-Mensem had observed in her tribute, that in the 18 years the late Presiding Justice spent at the Intermediate Court, he proved himself to be a Jurist of uttermost decorum. Parts of Justice Dongban-Mensem's speech reads…: "Even though Hon. Justice Agbo has transcended to the life beyond and is no more amongst us, his attributes and contributions to the development of the law will continue to radiate in our hearts".

"His outstanding treads in the advancement of our Jurisprudence, has no doubt helped our jurisprudence to grow", she observed.

Other Speakers during the Valedictory Court Session were the Attorney-General and Commissioner for Justice, Enugu State, Dr Kingsley Udeh; Chairman of the Nigerian Bar Association, Enugu Branch, Chief C.N.N Nwagbara; Chairman NBA, Obollo-Afor Branch, Mr D. O Ezeme; Chairman NBA, Nsukka Branch, Dr E. E. Okereke, among other personalities, described the late Justice Agbo as an erudite Jurist who gave his all to his nation.

In his tribute, the Attorney-General of Enugu State, had informed the gathering of the State Government's initiative in recognition of late Justice Abgo's pursuit of peace and conflict resolution within and outside the courtroom, hence, the naming of the ultra-modern building of the Enugu State Multi-Door Courthouse (ESMDC) after His Lordship.

In a mock Plenary during the Valedictory, an argument in support of an interlocutory Appeal by Chief C.N.N Nwagbara, sought five grounds of Motion to argue the death of Hon. Justice R.C Agbo JCA, OFR before Hon. Justices Ndukwe-Anyanwu, Hamma Barka, Joseph. O. K. Oyewole, Joseph Ekanem, and Bilkisu Aliyu.

'Preventing Building Collapse is a Collective Responsibility', Lawal Pedro, SAN

The Lagos State Attorney-General and Commissioner for Justice of Lagos State, Mr Lawal Pedro, SAN, has lamented the frequent rate at which houses collapse in both the State and the nation at large. He then called on all citizens of the State to take responsibility, by reporting any builder suspected to be using inferior materials.

"Preventing building collapses in our State and country, is a collective responsibility. In pursuit of this goal, the Lagos State government is diligently working to enforce laws and regulations about every structure within the State."

He was speaking at an advocacy program with the theme, "Building Collapse and Application of Punitive Laws in Lagos State", organised by the Nigerian Bar Association, Ikeja Branch, in collaboration with the Ikeja Cell of the Building Collapse Prevention Guild (BCPG), with the sole aim of mitigating building collapse in the State.

Mr Pedro, SAN, further added that, "To safeguard our lives, structures, and properties, it is imperative to adhere to due process and maintain the highest professional standards when constructing buildings". He reiterated the commitment of the Government to the enforcement of all laws across sectors, adding that residents must strive to comply with building regulations in particular, which, he said, has become a challenge for many.

Also speaking at the event, Human Rights Lawyer, Mr Femi Falana, SAN, charged Lagos State Government to publish urgent reports of investigative Panels on building collapse in the State. He further emphasised that, no government undertakes the demolition of a building without due process and towards this end, called on the State to reorganise its Ministry of Physical Planning and Urban Development, towards making it effective in ending the abuse of physical planning and development in the State.

"The 21-storey building that collapsed in Ikoyi, not a single case was filed. If it were in the United States of America, the government would have gone bankrupt. When we become aware of our rights, we make money. All over the world, people are looking for qualified builders to build structures, but builders have relaxed and allowed all manner of people to enter the industry to the detriment of our lives", he said.

Chairman of NBA Ikeja, Olawunmi, said building collapse in Nigeria in the last few years has become a growing concern for stakeholders, and identified use of substandard materials, lack of technical knowledge, high level of corruption, and non-adherence to regulations as some of the causes.

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"The NBA has, since the return of Nigeria to democracy in 1999, actively campaigned for a holistic review of the conditions of service of judicial officers, in recognition of the important role of the Judiciary in sustaining Nigeria's democracy." - *NBA Working Committee on Judicial Remuneration and Conditions of Service*

P & ID: A Conspiracy Against Nigeria

Sometime in 2017, the Nigerian Government found itself in a petrifying quagmire of a humongous $6.6 billion judgement delivered against it (which ballooned to $11.2 billion as at October, 2023, as a result of the interest accrued thereon), from an arbitral award resulting from arbitration proceedings involving the **Process & Industrial Developments Limited aka P & ID and the Federal Republic of Nigeria in London.** The embarrassing award was, to say the least, very unsettling for Nigeria, who proceeded to challenge the award, at the High Court of England and Wales. In the judgement which was delivered on October 23, 2023, **Hon. Mr Justice Robin Knowles, CBE**, found in favour of the Federal Republic of Nigeria, holding that the arbitration proceedings and award were fraudulent. Even the British Lawyers that represented Nigeria in the Arbitration proceedings were found to have been compromised, making classified Nigerian documents which P & ID were not entitled to see, available to them. Has this put an end to the anxiety of the Nigerian Government? Going forward, what lessons must Nigeria learn from this outing? How can this level of grand corruption in the Civil Service be eradicated, to ensure that Nigeria never falls into this type of trap again? **Dr Gbenga Oduntan, Sam Kargbo, SAN, Chukwuemeka Eze and Kede Aihie,** examine the salient points and knotty issues in the case

Legal Analysis of the P & ID Judgement: The Good, the Bad and the Ugly

Dr Gbenga Oduntan

On the 23rd of October, the international legal community and the Nigerian public received the news of the delivery of the judgement in the celebrated case before The Hon Mr Justice Robin Knowles, CBE between: **The Federal Republic of Nigeria (Claimant) and Process & Industrial Developments Limited (P&ID) (Defendant).** This case will no doubt in time come to stand as locus classicus on many significant points of law especially because of its relevance to international arbitration, commercial agreements, contract law, government procurements, corruption in arbitration and dispute settlement, anticorruption law and transparency in international business transactions among others. The P & ID case is a caution tale for every developing country, particularly Nigeria, on their multispectral vulnerability in the field of international business transaction, of international trade, dispute resolution mechanisms, particularly arbitration and mediation. It is also a significant wake up call for all professionals and government departments that work on long term contracts, foreign investments, oil and gas transactions and international financial institutions. The case also exposed, the underbelly of the highly closed world of arbitration and alternative dispute resolution. It is also clear that there are also lessons for developed States and their courts and tribunals, about their imperfections and exposures in international commercial law and relations.

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Background of the Case

The background of this highly interesting case, rests on a complex commercial arrangement that dates to the first decade of this century. There was a near catastrophic Award of $7 billion against Nigeria and of course, a challenge under Section 68 of the English Arbitration Act 1996. It is perhaps, important to recap some of the issues underlying the dispute.

The underlying contract was based on a "Gas Supply and Processing Agreement for Accelerated Gas Development" ("the GSPA") signed on 11 January, 2010 between two parties. In the event Nigeria did almost nothing to perform the GSPA after signing it, but, as Nigeria strenuously pointed out, neither did the other party. Yet, after a long drawn out high profile arbitration, the arbitral tribunal decided in 2017, that Nigeria owed P & ID US$6.6 billion. This sum is so vast, that it is material to Nigeria's entire federal budget. With interest at the rate awarded by the Tribunal, the amount as at judgement day, if it had gone against Nigeria, would exceed US$11 billion (Paragraph 4).

Despite huge mineral resources, especially in the hydrocarbon sector, Nigeria notoriously has a huge problem of energy insecurity. The country has for a long time, been seeking innovative means to address this challenge. Under the GSPA, Nigeria was to supply specified quantities of "wet" gas to Gas Processing Facilities (GPFs) constructed by P & ID. P & ID was to strip the wet gas into "lean" gas, to be delivered to Nigeria to be used for power generation. The remaining natural gas liquids were to be retained by P & ID for onward sale, either domestically or by export. The stated duration of the GSPA was 20 years (or more, under one scenario). It is common ground that, in the event Nigeria did not in fact supply any wet gas to P & ID, and nor did P & ID construct any Gas Processing Facilities (Paragraph 8).

Needless to say, the contract as a commercial conceptual arrangement is exactly the kind of thing that Nigeria needs to further kickstart its development, especially in the very ambitious era of the new century when the country's economy was raging and the governments of the period were bullish and audacious in their plans. It will perhaps, never be found out precisely why nothing moved on this

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arrangement, but red flags were abound.

An English court in 2020 **([2020] EWHC 2379 (Comm) Case No: CL-2019-0007),** noted that the company as at the time it won the contract had "no assets, only a handful of employees, and was without a website or other presence". The contract was given to P & ID without competitive tender, and this was despite several existing contractual disputes between other companies belonging to the very same directors and other Nigerian government departments.

It is fair to say that the required robust due diligence Nigeria ought to have done before entering this contract, was perhaps, only done eight years later in June 2018 when former President Buhari directed that Ministries should make available all relevant documentation and hand them over to the country's Economic and Financial Crimes Commission (EFCC), so it could investigate the contract given to P & ID. Nigeria's National Intelligence Agency was then involved, to investigate P & ID. The Nigeria Police and Federal Inland Revenue Service, eventually opened separate investigations into P & ID.

Criminal proceedings then commenced against P & ID, and other principal actors. P & ID in Nigeria, thereafter, pleaded guilty to conspiracy to defraud Nigeria, money laundering, tax evasion and trading without authorisation. Sir Anthony Evans was nominated to the Tribunal by P & ID. Chief Bayo Ojo, SAN was nominated by Nigeria. Lord Hoffmann was appointed Chairman on 29 January, 2013.

The Major Grounds of Contention

In its challenge, Nigeria made allegations of bribery, corruption and perjury in several respects. The allegations extend to the GSPA, but they then extend further across the arbitral process from the Arbitration Agreement to Final Award. The allegations by Nigeria include allegations of bribery and corruption by P&ID before, at and after the time the parties entered into the GSPA. Nigeria alleged that some of its own Lawyers at the time of the arbitration, including two Leading Counsel, were corrupted by P & ID. The allegations extended, even to the early stages of the challenge before the Court. In turn, for its part, P & ID expressly refuted Nigeria's main arguments, and described Nigeria's case against it as "false and dishonest" (Paragraphs 12, 471).

A Cacophony of Illegal Actors Within Nigeria

It may be predicted that one of the enduring usefulness of this case is that it forced into the bright sunlight of national and international scrutiny the massive problem of corruption in Nigeria. The facts and unsavoury practices unearthed during the case and contained in the judgment indict for all to see named individuals and institutions. Without passing any particular judgment on guilt because that is not what the judgment itself did or even sought to do there is a balance of probability that shameful conducts and improper behaviour abound in Nigerian officialdom over the decades and perhaps till present.

The list is rich, and there can only be space and time to highlight a few. The facts revealed included previous deals the court considered indicative of a corrupt operation of Mr Michael Quinn and Mr Brendan Cahill, the businessmen operating as P & ID. For instance, multiple sets of murky transactions were highlighted at Nigeria's Ministry of Police Affairs, Ministry of Defence, Nigerian National Petroleum Corporation (NNPC), among others.

Whereby an erstwhile Minister of Police Affairs, around 2003 and 2007 received several high sums of payments in Pounds Sterling ostensibly for medical treatment in a London Clinic, of which the Honourable Judge concluded as suspicious and indicative of money-laundering, and which probably explains the background of a 2007 contract for the supply of ammunition and bulletproof vests signed by a company and the Ministry of Police Affairs to a stated value of US$3,173,354.08. Other contracts laying the tone for the corruption that led to he debacle Nigeria found itself, date back to a Ministry of Defence contract in May 2002. This was for a contract for the refurbishment of 36 Scorpion tanks (the Scorpion Contract). Following a set of dodgy payments between highly placed workers in the Ministry of Defence, facts establishing grounds for a finding of grand-corruption were exposed.

The Temple of Arbitration on Trial

As the Honourable Judge correctly wrote ***"… this is a highly unusual case, although one that draws attention to matters of wider importance. Quite apart from the consequences for the parties, the matter touches the reputation of arbitration as a dispute resolution process".*** At the arbitration stage, several clearly terrible things happened to provide the fertile and fortunate ground for challenge. There are allegations, and some were persuasive to the Court, showing a pattern of bribery of Nigerian officials.

The facts traversed throughout the long judgement, do establish serious grounds of impropriety on the part of Mr Shasore, SAN, Nigeria's Leading Counsel at the Arbitration. These include 2019 admissions by Mr Shasore, SAN to the EFCC that he made personal gifts of US$100,000 each to a certain Ms Adelore (former Director of Legal Services at the Ministry of Petroleum Resources) and Mr Ikechukwu Oguine, General Counsel, Coordinator of Legal Services and Secretary to the NNPC. On 13 September, 2019, Mr Oguine equally gave a statement in which he said that he received US$100,000 from Mr Shasore, SAN.

Yet, the Court did not accept allegations easily as is true of every robust judgement, such as the one delivered by Mr Justice Robin Knowles. A testimony by Mr Tijani alleging that the Directors of P & ID bribed him with US$50,000 in a "black bag" in April 2009, while he attended a dinner with Mr Michael Quinn and Mr Hitchcock at the "Chopsticks" Restaurant in Abuja and was given a US$50,000 cash 'gift' was disputed by P & ID. The Judgr was not prepared to rely on it, and he stated, "I am concerned, it cannot be tested satisfactorily." In relation to a "statement of facts and documents concerning bribery" prepared by Nigeria, where it was alleged that a payment of US$300,000 by Mr Shasore, SAN to Mr Ukiri was a corrupt payment in return for which Mr Ukiri (who did not do any work on the P & ID case) "acted as one of Mr Shasore's conduits in leaking [Nigeria's Internal Legal Documents]" (Paragraph 444), the Judge concluded "[t]here is not the evidence before me at this trial, to substantiate this".

Aside from that, the facts betray a very untidy system of legal instruction in the country. There were attempts to withdraw instruction, addition of co-Counsel, and disappearance of same for inexplicable reasons. Nigeria's defence strategy as revealed in the judgement, was essentially chaotic in the main. In other words, Nigeria so obviously betrays an undisciplined system of prosecuting even the most important trials and cases such as this, even though failure will certainly be catastrophic. Could this be why the country has been losing previous high-profile cases? Notably in July 2022, Nigeria unfortunately lost the ***UK Judgement in FRN v JP Morgan case,*** which arguably jeopardised international anticorruption works. More specifically, the case may have negatively impacted ongoing and future prosecutions relating to the notorious Oil Prospecting License 245 scandal, some of the indicted characters such as Mohammed Bello Adoke, SAN, a former Attorney-General of the Federation, who also turned up in the P & ID case too. The 2022 London judgement brought sheer disappointment to anticorruption campaigners, both in Nigeria and abroad, and that experience contrasts very much with the P & ID case, where Nigeria clearly dodged a very dangerous bullet.

Murky World of Legal Services in the UK

The judgement revealed that even UK based providers of legal services are not beyond descent into the murky waters of greed and corruption, in the conduct of their services. For instance, Mr Andrew and Mr Burke KC allowed Nigeria's internal legal documents that were privileged, to enter into the hands of the P & ID, despite knowing that P & ID was not entitled to see these documents. The Judge noted that ***"Their decision not to put a stop to it, at least, by informing Nigeria or immediately returning the documents they knew were received, was indefensible" (Paragraph 215). The damning conclusion reached by the Judge was that, "The reason Mr Andrew and Mr Burke KC behaved in this way, was because of the money they hoped to make".*** There is the suggestion that Mr Andrew may have had a claim for up to £3 billion in the event of P & ID's success, while Burke may have had a claim for up to £850 million, he said. It is worthy of note that, this is not the first time British Lawyers have been found seriously wanting in their rendering of legal services against Nigeria's interests, in commercial transactions and during international proceedings. British Lawyer, Bhadresh Gohil received a conviction in 2010 over 13 counts of money laundering and other offences linked to his role helping James Ibori, a former Governor of Delta State from 1999 to 2007, to disguise illicit funds from criminal activities. The fines of around £28 million (around $36 million) was however, forfeited to the British State representing a further loss to Nigeria. It is fast becoming irrefutable that Britain remains a global money-laundering hub for foreign kleptocrats, who rely on a small but damaging crop of professional enablers that make the world of bribery, money laundering and illicit financial flows go round, and against the interests of developing States like Nigeria. This is an area worthy of closer, dedicated and specialist studies from within both countries, and collaboratively too.

Several heads will, of course, roll internationally, because of this judgement.

"At the arbitration stage, several clearly terrible things happened to provide the fertile and fortunate ground for challenge. There are allegations, and some were persuasive to the Court, showing a pattern of bribery of Nigerian officials"

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Mr Justice Robin Knowles literally went to town in lambasting certain individuals within the UK's jurisdiction, who were 'driven by greed and prepared to use corruption; giving no thought to what their enrichment would mean in terms of harm for others.

The judgement has been formally referred to the Solicitors Regulation Authority and Bar Standards Board, in relation to the conduct of Solicitor, Seamus Andrew and Barrister, Trevor Burke KC. This is principally in relation to the handling of documents, which came into P & ID's hands during the arbitration proceedings. As the Judge noted: ***'I trust that these two regulators of the legal profession in England & Wales will consider the professional consequences of the conduct of Mr Burke KC and Mr Andrew, in relation to Nigeria's internal legal documents' (Paragraph 593).***

Recommendations

After all said and done, Nigeria has allowed itself to be played through a national trauma. As stated in Margaret Moses, ***The Principles and Practice of International Commercial Arbitration (Cambridge CUP, 2017) Page 216 persuasively put it "[a] party that has lost before an arbitral tribunal faces an uphill battle, if it wishes to set aside or vacate the award. Courts rarely overturn an arbitral award. Arbitral awards are considered to be final and binding".*** Grounds of a successful challenge to an International arbitral award of this nature, are quite narrow by design. A final and binding award is often the aim of the parties, and rationale of most ICA proceedings. (See UNCITRAL Arb. Rules Art 32 (2) ICC Rules Art 28(6)) See also Section 52 English Arbitration Act, for form of award whereby parties and arbitrators must assist each other to ensure that a valid award emanates from the tribunal that is capable of enforcement internationally.

Nigeria cannot always count on this kind of near miraculous but quite deserved exemption, from a manifestly unjust award based on illegalities. Thus, the imperatives are clear. A phase of introspection and re-strategising for success, is needed. A quick but effective audit of Nigeria's Bilateral and Multilateral Investment Treaty commitments, is urgently required. Just as the military engages in periodic exercises and simulations for the country's defence, so also must the Ministry of Justice carry out dedicated simulations of the country's commercial vulnerabilities, based on international commitments. Ditto the Ministry of External Affairs, and Ministry of Trade and Investment.

There ought to be an increased capacity shown by bodies like the National Intelligence Agency to reflect the huge sums Nigeria expends on them, by pulling their weight in sniffing out foreign 'cowboy' businesses and their dodgy characters like the ones featured in this case. If Nigeria is to emerge as a serious player in this century, it must develop effective means of vetting out unserious and downright criminal operations that are abound in the international system. This is more so, in those areas and sectors of key importance to Nigeria. Businessmen with foreign convictions ought to be at least vetted again before being allowed to venture into business in Nigeria, and only specialist bodies like the NIA and Nigerian Embassies and High Commissions can do this job effectively.

If this 21st Century is to become Nigeria's century of accelerated development, it literally cannot be business as usual in terms of how the country interfaces with multinational corporations. Nigeria cannot afford to be a soft touch for crafty tax dodgers, bribe givers and part time crooks. More importantly, internal grand corruption will kill the country if the country does not kill it. The judgement by the Hon. Mr Justice Robin Knowles, is a treasure trove of legal hit list of shady characters of Nigerian civil servants to be investigated by multiple security agencies and brought to book. The judgement is also a good blueprint. to study the anatomy of business and official corruption in Nigeria. The 140 pages of the judgement has detailed the shady and dysfunctional institutions within Nigeria, that have made the country vulnerable to outside predators helping to generate illicit financial flows away from Nigeria. These institutions must be followed up, and indeed, ought to be mandated immediately by the new President H.E Bola Ahmed Tinubu to conduct internal reassessments, considering the revelations and implications of the judgement.

The international community, including other unsavoury characters, will be watching carefully to see whether Nigeria realises the true importance of what it just went through and will be drawing the correct lessons. Complacency on this type of issues, is not really an option. It is bad for business, and worse for the commercial and economic destiny of the nation. This judgement literally gave Nigeria, a new lease of life. To whom much is given, much is expected.

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Lessons from the P & ID Case

Sam Kargbo, SAN

The Case of Process & Industrial Developments (P & ID) should motivate us to pay attention to the Offices, Ministries, Departments and Agencies of the Federal Government, that are established and empowered to exercise the executive powers of the President.

There is hardly any Nigerian who does not have his or her self-invented negative characterisation of Nigeria's President, Asiwaju Bola Ahmed Tinubu (BAT). No President of the country has been better than his predecessor, in the estimation of the generation he is governing. The reason may not be separated from the fact that Nigerians are getting more aware by the day of the responsibility of the Government and are, as such, fashioning higher standards to assess Presidents and Public officers and give value to their performance. But, not too many of us spare the time to scrutinise and respond to the activities of the Vice President, personal staff of the President (including the Chief of Staff, Secretary to the Government of the Federation, Special Advisers, Special Assistants and sundry domestic staff), Ministers, Officers in the Public Service of the Federation, the Civil Service, Departments and Agencies of the Federal Government.

Whilst some people were quick to express critical views about the number of Ministers that President Bola Ahmed Tinubu has appointed, not too many are aware that Nigeria presently has more Agencies than Ministries, and that some of these agencies are more critical to the life and sustenance of the country than many Ministries combined.

These agencies are established and vested with specific mandates, for the overall goals of democratic governance and the purpose of the State. Because of the crucial nature of their roles and functions, they are insulated from the rigidity and routine of Civil Service Rules and are meant to run independently as specialised agencies with the highest – of and most effective and competitive – bureaucratic standards. They are by law hived and corralled in their respective islands, and ensconced behind the shields of merit and professionalism. They are not only expected to pay humongous salaries and perquisites, but to attract high-end productive professionals from society. If the agencies of the Federal and State Governments work at full throttle and with the expected efficiency, the road to growth and development will be shortened and Nigerians will enjoy a higher standard of living. But, alas, not only are they inefficient, they have turned out to be the conduits for the syphoning of public funds and the suppression of the Nigerian! These agencies are, in general, Lords unto themselves. They are not accountable, and transparency is not origin to them. I will demonstrate this point with a few examples.

The CBN

Until the reign of Godwin Ifeanyi Emefiele, some of us had regarded the Central Bank of Nigeria (CBN) only in terms of its role as Nigeria's apex monetary authority. Those in the financial and banking sector may go further to defer to its powers to maintain the external reserves of the country, promote monetary stability and a sound financial environment, and be the banker of last resort and financial adviser to the Federal Government. Not even the National Assembly could suspect that the letters and provisions of the CBN Act are loose, to the extent of allowing an ambitious and overbearing CBN Governor to appropriate it and use it as a tool to further political ambition. The CBN Governor was therefore, unscrutinised, and left to enjoy extensive and near absolute powers in his interventions in identified sectors of the economy. He could, at his own choosing, activate the CBN to lend directly to consumers and even, in some cases, bypass the commercial banks in such transactions.

Based on this, Emefiele became audacious and provokingly brazen. He allegedly picked up forms to contest the primaries of the ruling All Progressives Congress (APC), and also manipulated the then President to embark on the ill-fated and destructive recall of specified Naira notes and their replacement with newly designed and printed ones on the false claim that the exercise would fight banditry

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and vote buying. As it later turned out, the policy was fashioned and hurriedly implemented on the eve of the February 2023 Presidential election, to overreach the suspected leverage of the flagbearer of the APC. In the trail of that tragedy, are tales of massive corruption in the CBN. The dangers of corruption originating and residing in the CBN, are unimaginable. And, yet, the public, media, civil society, anticrime and prosecutorial agencies, and, in particular, the National Assembly that is vested with oversight powers in the form of anticorruption investigations and the conduct of hearings to procure concrete evidence on corrupt practices, have let the CBN be. Today, the Naira is in a freefall and we connivingly pretend not to know why.

The Oil and Gas Industry

If the CBN is corrupt and incapable of delivering on its mandate, what can we say about the agencies of the Federal Government in the Petroleum Industry?

Being second to Angola in oil production in Africa, Nigeria's annual budget has always been largely supported by the income and revenue it earns from the oil sector, though the sector's contribution to the country's GDP has hardly been beyond 9%. This national cash cow has attracted all manner of "investors" and hustlers, who have captured the sector and appropriated it. That is why a country so rich in oil, is so poor and unable to provide modern infrastructure and efficient public utilities, or build and maintain good public institutions and bureaucracies for efficient public services and fair, equitable and efficient distribution and redistribution of public wealth and resources for the enhancement of growth and development. This contradiction is not promoted or justified by a lack of capacities or know-how. The worst culprit is corruption. The sector has produced individual domestic and international billionaires, than any other industry on the continent. Sadly, a critical trace of such individual wealth may hit the laxity and permissive nature of the sector.

P & ID

The P & ID case, which exposed Nigeria to a dubious debt of over US$ 11 billion that originated from a satanic scheme orchestrated and implemented by unscrupulous foreign hustlers, loudly demonstrates how international crooks and their cheap and infernally treacherous domestic collaborators feast on the sector. Of course, the question that naturally comes to mind is: Why is corruption so endemic in the sector, when we have the Economic and Financial Crimes Commission (EFCC) and the Independent Corrupt Practices & Other Related Offences Commission (ICPC)? Part of the answer has been highlighted by regulatory failure, and the absence of public scrutiny. Much of it could be gleaned from the origin and modus operandi of P & ID and its kind in the sector.

Briefly, Mr Michael Quinn and Michael Cahill – who, as far back as 1992, had executed contracts for the NNPC in Nigeria – registered a company named Industrial Consultants (International) Ltd (ICIL Ltd) in 1979 in Ireland. In 1997 they incorporated ICIL LTD in Nigeria and brought Mr James Nolan, a long-term employee, and Adam Quinn, one of the two sons of Michael Quinn, to run it for them. Through ICL Ltd, Quinn and Cahill procured and executed military contracts. As they perpetuated and entrenched themselves into the Nigerian system, they diversified their contract portfolios under different sister companies to ICIL Ltd. Although there is no evidence of their ever importing capital into the country, they were the toast of the Ministries of Defence and Police, in the execution of humongous contracts denominated in foreign exchange.

Being high players in such strategic sectors as Defence and Police, they were in a vantage position to know policy shifts and directions of the Federal Government, which explains the proliferation of companies under their kitty. With their track record as executors of military and Police contracts, it was easy for them to penetrate other sectors with project-specific incorporated companies. P & ID is one of the companies, from the stable of ICL Ltd. When the Federal Government professed priority in the development of the flaring of gas, ICIL Ltd and surrogates were prepared. They were involved in previous projects, before selling the idea of setting up a gas plant in Lagos under the code name Project Alpha, under the auspices of P & ID.

There is no evidence that P & ID or its parent or sister companies spent their own money on Project Alpha, but P &ID used the profile of Project Alpha to hoodwink Nigeria into signing a Gas Supply and Processing Agreement for Accelerated Gas Development (the GSPA), under which Nigeria was to supply specified quantities of "wet" gas to Gas Processing Facilities (GPF) to be constructed by P &ID in Calabar to strip the wet gas into "lean" gas, to be delivered to Nigeria for power generation and sale, either domestically or by export.

As serious as the import of this contract was to the economic security and financial well-being of the country, the contract gave P & ID unprecedented leverage and absolute discretion to determine when the contract would be repudiated by Nigeria. Leveraging this uncommon economic enslavement of Nigeria to P & ID by Nigerians, P & ID concluded and claimed that Nigeria had repudiated the contract by failing to supply the gas at a time when P & ID had not even secured the land to build the Gas Processing Facility, and had no evidence of having any penny or capacity to build the Gas Processing Facility. It is because of that alleged breach that an Arbitration Panel in London awarded US$6 billion, which, by the interest tenor of the award, has now grown to more than US $ 11 billion.

From the findings in the Judgment of the Honourable Mr Justice Robin Knowles CBE of the King's Bench Division, Commercial Court of the High Court of England in the case of the Federal Republic of Nigeria and Process & Industrial Developments Ltd delivered on 23/10/2023, the contract was prepared under the influence of bribes given by P & ID. For cheap money, Nigeria was sold to P & ID.

His Lordship also found that the P & ID hacked into every aspect and stage of the dispute processing system and chain of the Nigerian Government, and was able to have in real-time every document and correspondence concerning its claim made and/or communicated by or received by any or all the officers, Lawyers, offices and channels involved in the dispute. Like a god, P & ID was reading the mind of Nigeria and ahead of Nigeria, in the arbitral proceedings. With that leverage, it knew when to pounce and what to demand. Again, Nigerians were selling the country to P & ID for cheap, by availing it of secret and classified documents and information.

Is this an isolated case? No! That is the story of how Nigerians underdeveloped Nigeria.

Sam Kargbo, SAN, Abuja

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FRN v P & ID: Digging Into the Heart of the Judgement

Chukwueme Eze

Background

In January 2010, Nigeria and a company called Process & Industrial Developments Limited ("P & ID") that was co-founded by two Irish businessmen, Mr Michael Quinn and Mr Brendan Cahill, entered into an agreement called "Gas Supply and Processing Agreement for Accelerated Gas Development" ("the GSPA" or "the Agreement"). Under the GSPA, P & ID was required to build and operate Gas Processing Facilities ("GPFs") in the Niger Delta, and Nigeria was to supply specified quantities of "wet" gas to the GPFs to be constructed by P & ID. P & ID on the other hand, was to strip the wet gas into "lean" or dry gas, to be delivered to Nigeria for use in power generation, while the remaining natural gas liquids were to be retained by P & ID for onward sale in local or foreign markets. The Nigerian Government would guarantee the supply of wet gas and construct pipelines and other infrastructure, to transport the gas to the GPFs.

The GSPA was to assist Nigeria solve its perennial electric power challenge by utilising gas recovered from oil to generate electricity, instead of continuing its flare with the associated harmful pollution effects. Thus, the GSPA was to be part of the Federal Government's Accelerated Gas Development Project, aimed at tackling both gas flaring and the problem of electricity in Nigeria. The lifespan of the Agreement was about 20 years.

Arbitration

After about three years of signing the GSPA, neither Nigeria nor P & ID did any work in line with their obligations under the Agreement. However, P & ID viewed the failure of the Nigerian Government to construct the facilities to kick-start the project as a repudiatory breach and invoked the arbitration clause under the Agreement, by commencing arbitration proceedings against Nigeria in London. The Arbitration Tribunal was made up of Sir Anthony Evans who was nominated by P & ID, Chief Bayo Ojo, SAN who was nominated by Nigeria, and Lord Hoffmann who was appointed Chairman of the Tribunal on 29th January, 2013.

The case of P & ID at the Tribunal was that, it had already invested $40 million on preparatory engineering work in respect

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of the project. It also claimed that the company had secured land from the Cross River State Government for the project as provided in the Agreement, and had got confirmation from Addax Petroleum, the oil & gas upstream company that would supply some quantity of the gas to the GPFs. P & ID also claimed that it had secured financing for the facility and was ready to proceed with the project, which it communicated to the NNPC as far back as May 2010, but was ignored. It requested that the Tribunal should award P & ID damages, based on the lost profit it would have earned if the Agreement had been performed.

Nigeria, on the hand, challenged the jurisdiction of the London Tribunal to entertain the dispute, and also defended the case on the merit. On the merit, Nigeria argued that P & ID had not built the GPFs and therefore, could not reasonably assert that the Government's failure to perform its side of the bargain had prevented it from earning its future profits. That since there was no GPFs built by the company, it could not have made profits. It argued that the amount P & ID was entitled (if at all) was nominal damages, as it could have mitigated its loss at the point of arbitration by pursuing other investment opportunities.

In its Part Final Award rendered on 17th July, 2015 (i.e. "the Initial Award"), the Tribunal first affirmed its jurisdiction to entertain the dispute, and proceeded to find Nigeria liable of repudiatory breach of the GSPA for which P & ID was entitled to damages. On 31st January, 2017, the Tribunal rendered a further award dealing with quantum of damages that Nigeria was liable to pay P & ID ("the Final Award") which stood at US$6.6 billion with interest at the rate of 7%. Chief Ojo, SAN, a Nigerian who was one of the three Arbitrators, gave a dissenting opinion to the Final Award.

Nigeria's legal team in the arbitration in London was led by the former Attorney- General of Lagos State, Olasupo Shasore, SAN.

This Award is said to represent over 20% of Nigeria's reserves, and the value of its annual exports.

The Court Proceedings

There have been many court proceedings in respect of the award, and they are briefly considered below.

(i) In December 2015, Nigeria filed an application before the High Court of Justice in London to have the Liability Award annulled, but the application was denied in February 2016 on the ground that the deadline for challenging the Liability Award had passed and an extension was not warranted.

(ii) In February 2016, Nigeria filed an application before the Federal High Court in Lagos, praying the court to set aside the arbitration proceedings in London. In May 2016, the Nigerian court granted the order "setting aside and/or remitting for further consideration, all or part of the arbitration award". However, the arbitration proceedings continued in London, as the Tribunal issued an order stating that the Nigerian court lacked jurisdiction to set aside the liabilities award.

(iii) In March 2018, P & ID filed an application before US District Court for the District of Columbia, seeking the confirmation of the arbitration award (which was worth roughly $10 billion as at then). Nigeria unsuccessfully raised an objection based on sovereign immunity, as the US court (per Christopher R. Cooper) held in its ruling dated 4th December, 2020, that "Nigeria waived its immunity under the Foreign Sovereignty Act by signing the New York Convention on the Recognition and Enforcement of Foreign Arbitral Awards and by agreeing to arbitrate in the territory of another Convention signatory. Nigeria appealed this ruling to the United States Court of Appeal for the District of Columbia, but on 11th March, 2022, the US Court of Appeal affirmed the ruling of the District Court. However, on 6th June, 2022, the US District Court for the District of Columbia granted a stay of its proceedings on the confirmation application by P & ID, pending the outcome of Nigeria's application to set aside the award before the English High Court of Justice.

(iv) Meanwhile in August 2019, the High Court of Justice in London on application of P & ID held that arbitral award against Nigeria was enforceable. But, in December 2019, Nigeria applied to the High Court of Justice in London for an extension of its deadline to challenge the award, based on newly discovered evidence of fraud in the arbitration and in the negotiation of the underlying contract, the GSPA. The London court granted the application in September 2020, holding that Nigeria had "established a strong prima facie case" that the GSPA was obtained by bribery, and that one of the P & ID's principals committed perjury in the arbitration hearings. The court also found a prima facie case that Nigeria's attorney in the arbitration, was engaged in corruption that compromised Nigeria's defence at the arbitration.

The Judgement

Finally, on 23rd October, 2023, the High Court of Justice (The Business and Property Courts of England and Wales – Commercial Court, King's Bench Division) presided over by The Honourable Mr Justice Robin Knowles, CBE, in **The Federal Republic of Nigeria v Process and Industrial Developments Limited [2023] EWHC 2638 (Comm)** delivered a well-considered judgement in favour of Nigeria, on Nigeria's application to set aside the arbitral awards which was at the time of judgement worth over $11 billion. The court made far-reaching findings, the summary of which is that ***"the Awards were obtained by fraud, and the Awards were and the way in which they were procured, was contrary to public policy".***

Implications for Nigeria

i. Mr Olasupo Shasore, SAN, a former Attorney-General of Lagos State, was the leading counsel to Nigeria during the arbitral proceedings. Mr Shasore was paid $2 million as professional fees, for the first and second stages of the arbitration.

The government, after losing the arbitration in 2017, when the Final Award was given, accused Mr Shasore and other Lawyers on his team of conniving and colluding with P & ID to sabotage the arbitration.

In 2022, the EFCC charged Shasore on allegations of money laundering by paying $100,000 cash to Ms Adelore, through some named persons. He pleaded not guilty to the charges, and in October 2022, he was granted bail by the Federal High Court, Lagos Division.

Justice Robin Knowles cleared Mr Shasore of the allegations. There is the likelihood that Mr Shasore would use the contents of the judgement to apply for the quashing of the charges, especially if the EFCC fails to withdraw the charges accordingly.

ii. The judgement also contains indubitable evidence of bribery and fraud, perpetrated by public officials for filthy lucre. Although the evidence is damning, this writer does not think that the findings will deter corrupt public officials from sharing our common wealth. There is no record of other contractors, that have benefitted from the cesspool of corruption in Nigeria.

iii. It is still in view that the Judge will consider the arguments of parties whether to take ancillary measures to decide the final award directly, in whole or in part, or to return it to the arbitral tribunal for a decision, in whole or in part.

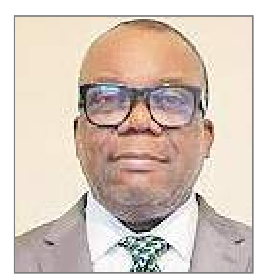
iv. The refusal of the arbitration tribunal to consider fraud and bribery as vitiating elements, should teach Nigeria to be wary of executing contracts or trade agreements with arbitration in a foreign jurisdiction as a clause, as it usually ends up as final arbitral awards against Nigeria.

Chukwuemeka Eze, former Lecturer of Diplomatic and Consular Relations Law, Law Faculty, Nasarawa State University

P & ID Case: Lessons for Nigeria

Kede Aihie

This piece is going direct to the point. To my mind, the real hero is a good friend of mine Gromyko Amedu Esq, who prepared the initial brief and strategy for making P & ID's fraudulent activities, as defence for Nigeria.



He first brought the P & ID case to my attention in 2017 in London. A better understanding of the judgement can be found online **(Nigeria v P & ID** judgement - Courts and Tribunals Judiciary https://www.judiciary.uk/wp-content/uploads/2023/10/Nigeria-v-PID-judgment.pdf).

Judge's Findings

The Judge found that the massive arbitration award in favour of Process & Industrial Development Ltd (P & ID), was tainted by bribes. ***"The awards were obtained by fraud"***, Judge Robin Knowles said in a ruling on last Monday, adding, ***"The way in which the awards were procured, was contrary to public policy".***

Lessons

So, going forward, what lessons should Nigeria, Lawyers and professionals learn? The first lesson is, transparency and accountability. The second is, documentation. Records produced during the hearing, were quite a lot. The third is, paying attention to details. Fourth is honouring contracts, and fifth is getting competent professionals to have input into complex business issues.

Patriotism was lacking, with too many folks working against national interest.

Kede Aihie, Lawyer, Publisher/Nigeria Magazine, London

"Justice Robin Knowles cleared Mr Shasore of the allegations. There is the likelihood that Mr Shasore would use the contents of the judgement to apply for the quashing of the charges, especially if the EFCC fails to withdraw the charges accordingly"

SUPREME COURT VERDICT ON THE 2023 PRESIDENTIAL POLLS, PROFOUND AFFIRMATION OF THE LEGITIMACY OF THE DEMOCRATIC MANDATE OF PRESIDENT TINUBU

His Excellency,
Sen. Asiwaju Bola Ahmed Tinubu, GCFR
President, Federal Republic of Nigeria

His Excellency,
Sen. Kashim Shetima
Vice President, Federal Republic of Nigeria

1. We convey in one accord the profound felicitations of the good people of Ebonyi State to the President of the Federal Republic of Nigeria, "His Excellency, Sen. Asiwaju Bola Ahmed Tinubu, GCFR" and the Vice President,"His Excellency, Sen. Kashim Shetima" on the recent judgement by the Supreme Court confirming their victory at the 2023 Presidential polls.

2. We celebrate the judgement of the Nation's apex Court as a vindication of the supreme will of the people and as a manifestation of the divine endorsement of the Renewed Hope agenda of Mr President which is to engander purposeful leadership that will unlock our fullest potentials as a people and strengthen the bonds of our diversities. We commend the Judiciary for standing firm in defence of the Supreme Law of the Land and for adding value to the cause of foundational and interpretative constitutional jurisprudence.

3.Like the man who saw tomorrow, the people and government of Ebonyi State had resolved to belong to All Progressives Congress,(APC) and to drum support for the Party at all levels of governance in South East and there is no going back as it is the Party that will meet the aspirations of Ebonyi people and Ndi Igbo in general. We call on all the sons and daughters of Igbo land to embrace the APC as a Party of national unity, progress and prosperity, and to drop all perceptions that negate our commitment to national mainstreaming. Mr President has taken fair steps in giving us a sense of belonging and we are confident that he will do more for South East.

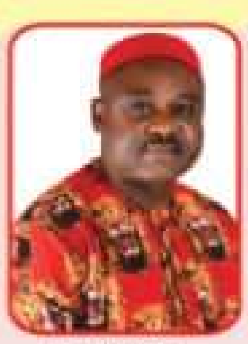
4 We thank and commend the President of the Senate, "His Excellency, Sen. Goodswill Obot Akpabio, GCON", the leadership of the Senate and the entire membership of the Senate, and the national leadership of our great Party ably led by His Excellency, Abdullahi Umar Ganduje for the rare honour of appointing our Senator representing Ebonyi North, "Sen. Barr. Onyekachi Peter Nwaebonyi" as Senate Deputy Whip. We deeply appreciate. May God continue to bless and prosper the aspirations of the President of Nigeria and indeed the leaderships of the three Arms of Government and our great Party.

5. Please Your Excellencies, accept always the assurances of the deepest appreciation, esteemed regards and best wishes of the Government and people of Ebonyi State.

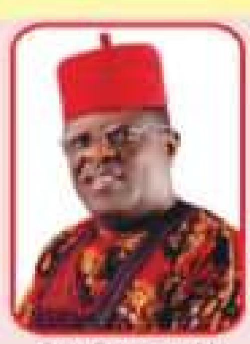
Signed:

Rt Hon. Francis Ogbonna Nwifuru,
FNOIB, GGCEHF
Governor of Ebonyi State

Sen. Barr. Peter Onyekachi Nwebonyi
Senate Deputy Whip/ Rep Ebonyi North



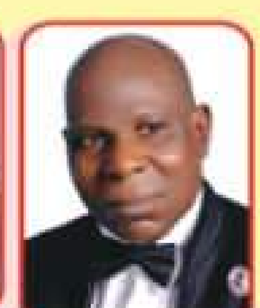
Sen. Ken Eze
Rep Ebonyi Central



Sen. Engr. David Nweze Umahi,
FNSE, FNATE, CON, GGCEHF
Hon. Minister of Works

Hon (Dr) Nkemkanma Kama
FIMC, CMC
Member Representing OHAOZARA/ONICHA/IVO Federal constituency Ebonyi State

Hon. Eze Nwachukwu Eze
Rep Ohaukwu/ Ebonyi Federal Constituency



Hon. Emmanuel Uguru
Rep Abakaliki/ Izzi Federal Constituency

PRESS RELEASE: Viper Innovations Celebrates Continued Success in Nigeria, in Collaboration with Cranium Engineering Limited

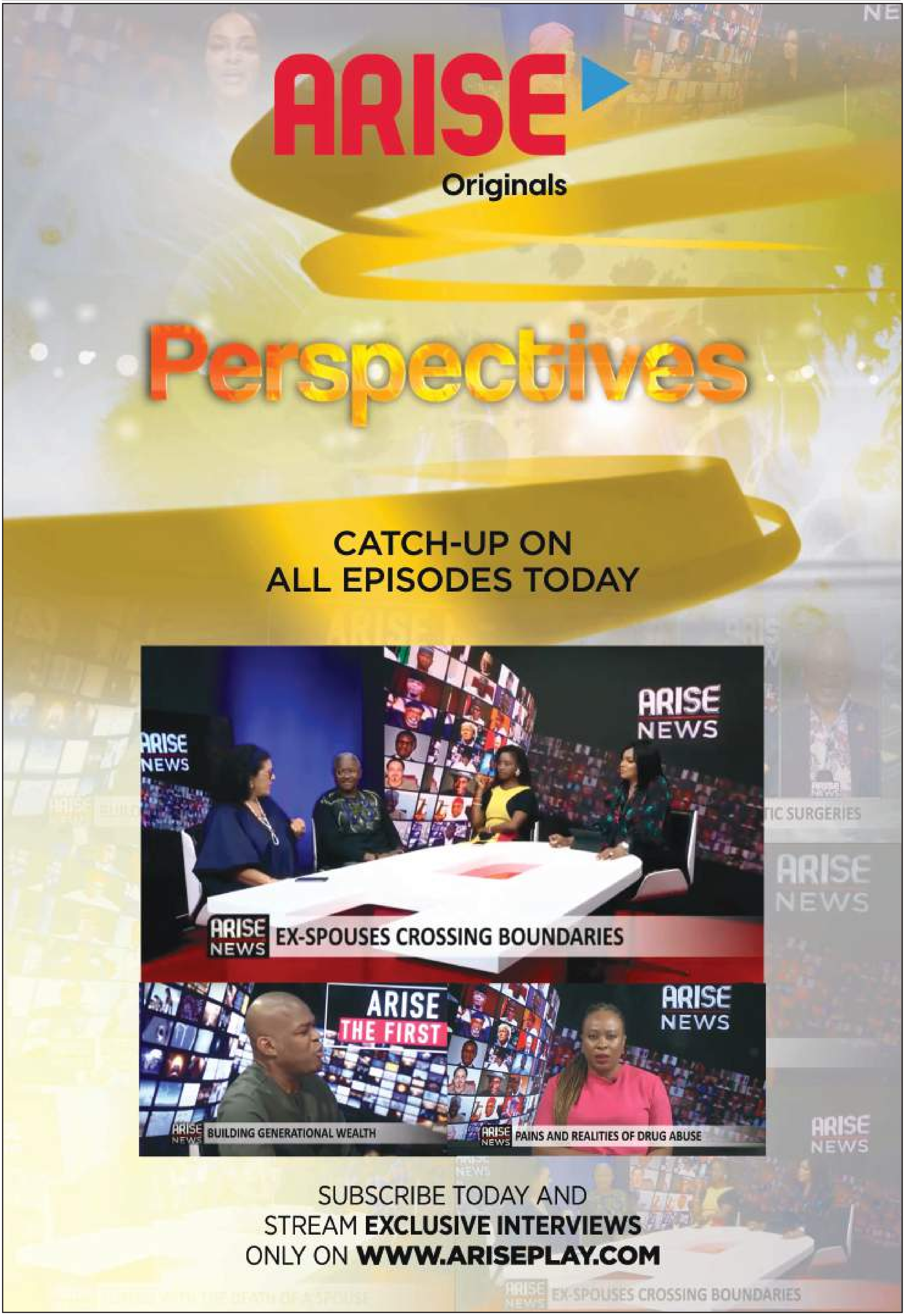
Viper Innovations and Cranium Engineering are celebrating the success of their collaboration in a recent deployment of Viper's award-winning V-LIFE technology on a major deepwater operator's asset in Nigeria. The operator reported seeing the benefits of V-LIFE's technology for recovering low insulation resistance (IR), which responded quickly to increase the IR level on the channel and mitigated a loss of production.

Viper Innovations signed a marketing and distribution agreement in 2022 with Cranium Engineering, a leading provider of engineering solutions for the African offshore industry, providing project management and specialist engineering services in a range of core areas. The arrangement has enabled Viper to enhance its relationship with clients in Nigeria to bring the benefits of Viper's cutting-edge insulation resistance monitoring and recovery technology to the Nigerian market.

Nigeria is one of a number of key global markets for Viper, where expanding upon previous successful deployments of V-LIFE in the region presents an attractive opportunity for growth in the region. The OEC reports that in 2021 Nigeria's 1st most exported product was Crude Petroleum with $41.8B's worth exported; resulting in the country ranking as the 7th largest exporter in the world. Investing in technology such as Viper's award-winning control system monitoring and recovery solutions to ensure that operators in the region can ensure continued production of their critical assets is key.

Sola Adekunle, CEO of Cranium Engineering, expressed his satisfaction with the successful V-LIFE deployment, stating, "Our first V-LIFE deployment in Nigeria's Deepwater assets is in line with our mission to provide technology-driven, cost-saving, safe, and effective solutions across Africa. Our customer was extremely pleased with how the V-LIFE application worked and has given us the opportunity to continue to provide V-LIFE services on their assets."

James Carnegie, Sales and Delivery Director at Viper Innovations, added, "The Viper Innovation team is excited to work with Cranium Engineering to introduce our technology into this region. It is very satisfying to get such great reviews from a new customer, demonstrating the benefits of our technology to enhance production and mitigate insulation resistance and electrical integrity issues.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IMAGES

Photo Editor Abiodun Ajala
Email abiodun.ajala@thisdaylive.com

L-R: Ejumotan of Warri, Oton Olu Teresa Egbe Ikimi, and Chief Executive Officer, Emzor Pharmaceuticals, Mrs. Stella Okoli, during the inauguration of the Centre Point in Lagos…recently PHOTO: SUNDAY ADIGUN

L-R: Legal Officer, Confederated Facilitators Limited (CFL), Mr. Chukwuka Okolo; Managing Director/Chief Executive Officer (CFL), Mr. Lai Omotola; and Chief Accounting Officer, CFL, Mr. Akinsho Olatunji, during the media briefing on the 25th anniversary of the firm and the state of the Nigerian economy, held in Lagos… recently PHOTO: ETOP UKUTT

L-R: Nigerian actress and media personality, Nancy Isime; 2023 Indomie Heroes Award winners, Helen Emmanuel (Ikot Usong, Akwa Ibom State); Happiness Bassey (Ikot Usong, Akwa Ibom State); Ferdinand Maumo (Makoko, Lagos State); and Group Corporate Communications and Event Manager, Dufil Prima Foods Limited, Tope Ashiwaju, at the 2023 Indomie Heroes Recognition Award in Lagos…recently

L-R: National Coordinator, Indomie Fan Club, Mrs. Oge Faith Joshua; Group Corporate Communications and Event Manager, Dufil Prima Foods Plc, Mr. Tope Ashiwaju; Head of Department (HoD) of Science Education, Faculty of Education, University of Lagos, Prof. Sunday Adeyemo; and Executive Director, Nedwig Consult, Mrs. Gloria Udanang, at the 2023 Annual Indomie Teachers' Seminar in Lagos...recently

L-R: Immediate-past Chairman, Igbobi College Old Boys Association 1997 Set, Olawale Abiola; representatives of 1997 Set, Emmanuella Onobun (Igbobi College Old Girls Association); Adetayo Chino (Regan Memorial Old Girls Association); Olabisi Taiwo (Methodist Girls Old Students Association); and China Emerueh (King's College Old Boys Association), during a press conference on the 1997 Model Movement at Igbobi College, Yaba, Lagos...recently

L-R: Wife of former Senate President, Mrs. Helen Mark; former Senate President, David Mark; and his Chief Press Secretary, Paul Mumeh, during the funeral service of Paul's mother, late Catherine Iyoho Mumeh, in Igbogili, Abavo, in Ika South Local Government Area of Delta State...recently

L-R: Honorary Secretary of the Nigeria-Britain Association (N-BA), Mr. Tobi Asehinde; Executive Secretary of N-BA, Miss. Olajumoke Adeola; past President of N-BA, Mr. Shola Tinubu; Nigerian High Commissioner to the United Kingdom, Sarafa Tunji Isola; Council Member of the N-BA, Capt. Alfred Oluwasegun Oniye; members of the N-BA, Mr. Kunle Ologun and Mr. Cyril Okoroigwe, at the celebration of Nigeria's 63rd Independence Day in London, United Kingdom…recently

FEATURES

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Femi Otedola's Tireless Philanthropic Gesture Comes to Play Once Again

It was an astounding scene at the 5th Convocation ceremony of the Augustine University, Ilara-Epe, Lagos, when Nigerian billionaire and business mogul, Mr Femi Otedola, demonstrated his tireless philanthropic acts once more by announcing a N750million scholarship- one million each for the 500 returning students and each of the 250 new first-year students of the university towards the 2023/2024 session school fees. He donated an additional N140 million towards the furnishing of the completed Engineering faculty building and a further N110 million towards the installation of street lights. **Mary Nnah** reports that the gesture was not just to mark his recent appointment as the Chancellor of the University, but also in recognition of the harsh economic situation in the country

L-R: Vice Chancellor, Augustine University, Prof. Christopher Odetunde; Chancellor, Mr. Femi Otedola; Archbishop and Metropolitan of the See of Lagos and Proprietor of the University, Most Rev. (Dr.) Alfred Adewale Matins; and Chairman Board of Trustees, Sir. Steve Omojafor at the 5th Convocation Ceremony and Inauguration of the 2nd Chancellor of St Augustine University, Ilara Epe in Lagos…recently PHOTO: SUNDAY ADIGUN

A cross section of AUI graduating students

Mr Femi Otedola, CON, Chairman of Geregu Power Plc and a Non-executive Director of FBN Holdings Plc, is a philanthropist with deep involvement in educational causes at all levels.

This he does through the Sir Michael Otedola Scholarship Awards Foundation, where he has continued to demonstrate his passion for his indigenous Epe community and Nigeria in general by committing huge financial resources to the sponsorship of promising but financially disadvantaged students.

Four years ago, when he embarked on building the Engineering Faculty of Augustine University, he pledged that he has always been committed to the development and economic empowerment of youth through quality education. Never did he dream that he would be appointed Chancellor of the university a few years later.

In the pursuit of his passion for poverty alleviation through his commitment to education, Otedola a few years ago committed to the construction of a four-building complex of the Engineering Faculty of Augustine University at the then projected cost of N2billion.

The first building of the Engineering Faculty was completed at N670 million and blessed in February this year. The design of Engineering Building Number Two within the complex has been completed and the contract for its construction will soon be awarded with a completion date of December 2024.

Speaking soon after his inauguration as the Chancellor at the 5th convocation ceremony of the Augustine University, Ilara-Epe, Lagos State and the inauguration of the Second Chancellor held on October 26th at the school premises, Otedola pledged to work with the university staff to ensure that the university and especially the Engineering Faculty becomes the centre of excellence in Nigeria.

While announcing a scholarship donation in the amount of N1 million each as a gift to each returning student and each of the new first-year student of the university towards the 2023/2024 session school fees of each student, Otedola promised to make the faculty a centre that international students will also want to attend.

Otedola who expressed his strong belief in transforming establishments that he is associated with, explained that the scholarship donation was to commemorate my appointment as the Chancellor of the University and in recognition of the harsh economic situation in our country.

"I am told that there are 500 returning students and about 250 new first-year students making a total scholarship donation of N750 million. I hope this donation assists the plight of the parents of our students in this difficult time. I am depending on the Governing Council and the Management of the University for the efficient management of these funds.

"I also donate N140 million towards the furnishing of the completed Engineering faculty building and a further N110 million towards the installation of street lights around the campus and a new standby generating set. This makes a total donation of One Billion Naira to our university. This is in addition to my earlier pledge of N2 billion for the construction of the Engineering Faculty complex", he noted.

He expressed the hope this gesture will encourage the students to make everyone proud by studying hard to be first-class students who will eventually contribute positively to the growth of our nation.

To the new graduands, he said, "Welcome to the new world of reality. Expectations are extremely high from your families and the society at large and you must not let them down."

"In the journey of academic excellence, Augustine University has played a vital role in shaping your minds, honing your skills, and nurturing your aspirations. Among its many strengths, Augustine University has distinguished itself through its vibrant entrepreneurship programme and rich internship opportunities.

"These experiences have equipped you, our graduands, with the tools and mindset needed to thrive in the ever-evolving world beyond these academic walls. No doubt that you have acquired that spirit of innovation and entrepreneurial skills that will serve as the cornerstone of your future endeavours", he added.

He encouraged them to embrace and never forget the knowledge they have gathered, adding "Use it as a foundation to build your path to success, and do not be content with seeking jobs alone - be the employers of labour this world needs. In a world that sometimes seems to prioritise job-seeking over job-creation, I challenge you to defy the norm like I did. Learn from the history of my life. Apply the principles of entrepreneurship, innovation, and diligence to create your opportunities, to build your colonies of success."

He reminded them that their path may not always be smooth, but it is their determination and resilience, that will propel them forward while they should embrace challenges as opportunities for growth.

Speaking further, Otedola said, "I feel emotional as I make this speech today as this university was also my late father's dream. I remember the Fund Raising Committee visiting my father several times when he was alive and also approaching me in 2008 for help in building the university.

"What they did not know and indeed no one knew at the time was that I was then bankrupt in Nigeria. I thank God Almighty for changing my fortune and for all that he has provided for me since then. I firmly believe that Almighty God has empowered me to help in the development of this university and to help the multitude of students of this University.

"I thank God for using me as an instrument to assist the Catholic Church and in particular our Archbishop in all the good works of the Archdiocese of Lagos in promoting quality education in Nigeria", Otedola noted further.

Otedola's footprints in the Nigerian private sector began with his foray into the Downstream Sector of the Nigerian Petroleum Industry when he started Zenon Petroleum and Gas Limited. He also invested in Petroleum Products storage tanks, shipping, insurance brokerage and petroleum retail outlets building a formidable presence in the Downstream Petroleum Industry value chain.

He then purchased the majority shareholding in African Petroleum and became its Board Chairman in May 2007.

He transformed African Petroleum into Forte Oil Plc. He grew it into a formidable company and then divested from Forte Oil and transited into the Power sector through the acquisition of controlling Shares of the 435MW Geregu Power Plc.

As Otedola stepped on the stage, he was joined by the Vice Chancellor, of Augustine University, Prof. Christopher Odetunde, who robed him with an academy gown as the 2nd Chancellor of Augustine University.

While welcoming the newly inaugurated Chancellor, the Vice Chancellor, Augustine University, Prof. Christopher Odetunde, said, "This is a special day for celebrating our students who have established themselves in various fields of their endeavours."

Speaking further, Odetunde said, "In March 2015, Augustine University, Ilara-Epe, took off with the vision to provide a transformative education that goes beyond the confines of the classrooms.

Visitor to the University and Proprietor, Most Rev. (Dr.) Alfred Adewale Martins described the occasion as momentous as he expressed profound gratitude to all the benefactors of Augustine University, stressing that without their support and commitment, the institution would not have been where it is today.

"Indeed we know that our journey is still far ahead, and therefore, we continue to appreciate your collaboration with Augustine University. I cannot mention them all but you have seen and heard one of them today, the Chancellor of our university, Femi Otedola, we appreciate his continued commitment to our university.

Speaking also at the event, Pro-Chancellor and Chairman of the Governing Council, Augustine University, Chief Gilbert Grant, noted, that the primary reason for congregation here today is to award degrees to our deserving students. who have completed the various courses in their receptive faculty.

He admonished graduating students of the Class of 2023 to listen attentively to the convocation lecture titled, "The Law, The Youth, Morality and Contemporary Nigeria Society", delivered by Constitutional Lawyer, Human Rights Activist, and Senior Advocate of Nigeria, Prof. Mike Ozekhome, the Pro-Chancellor.

Grant appealed to the graduating students to go into the world with confidence while also being humble and prayerful.

"In your four years stay at this university, you have made a lot of friends amongst yourselves. I also want to ask you to please keep the line of friendship going. Thanks to the advances in social media, it is not going to be a problem, so wherever you find yourselves in the world, maintain contact with those friendships you have made here and continue to make us proud", he added.

He advised graduating students that as they make progress in life, they should form the habit of giving back not only to the university but also to worthy courses which AUI offers as primary work, adding, "Not necessarily money but your time and talents are just as valued."

He appreciated especially benefactors, like Femi Otedola, who have continued to make significant contributions to make the university what it is becoming.

I am told that there are 500 returning students and about 250 new first-year students making a total scholarship donation of N750 million. I hope this donation assists the plight of the parents of our students in this difficult time. I am depending on the Governing Council and the Management of the University for the efficient management of these funds

FOCUS

10 Years After Privatisation, Stakeholders Push for Cost-reflective Tariffs to Attract Investments, Save Power Sector

● *Tinubu: Insists privatisation yet to meet its objectives* ● *Mainstream chairman says funding, power theft major challenges* ● *NERC extends expiry date for Discos' licences till 2028* ● *Adelabu: It's shameful Nigeria has only 4,000mw, liquidity low*

Emmanuel Addeh in Abuja

Major stakeholders, including top government functionaries, industry operators, regional electricity providers, among others, yesterday converged on Abuja for the Nigerian Electricity Supply Industry (NESI) Market Participants and Stakeholders' Roundtable (NMPSR) to mark the 10th anniversary of the privatisation of the power sector in Nigeria.

Speaking at the opening of the three-day event, President Bola Tinubu, described it as the perfect opportunity to reflect on the progress achieved and the challenges faced since the unbundling and privatisation of the sector.

Noting that the key objectives of the privatisation effort were to improve the efficiency of the power sector and unlock private sector investments, the president stressed that the objectives of the privatisation programme were yet to be attained.

He was represented by the Special Adviser to the President on Energy and Power Infrastructure, Office of the Vice President, Sodiq Wanka, during the event themed: "NESI Privatisation and Its 10-year Milestone: The Journey So Far, Opportunities and Prospects."

"Ten years on, I believe it is fair to say that the objectives of sector privatisation have by and large, not been met. Over 90 million Nigerians lack access to electricity. The national grid only serves about 15 per cent of the country's demand.

" This has left households and factories to rely on expensive self-generation, which supplies a staggering 40 per cent of the country's demand. What is worse, is that the total amount of electricity that can be wheeled through the national grid has remained relatively flat in the last 10 years.

"The grid capacity has increased from just over 3,000mw to typically just over 4,000mw today versus a 40,000mw target by 2020 that the federal government had set pre-privatisation," he lamented.

Tinubu pointed out that the reasons for the underperformance of the sector in the last decade were already well known. He listed them as: deep commercial, governance as well as operational issues that have beleaguered the sector.

"As of Q2 2023, for every kWh of electricity sent to the grid, only 60 per cent of it is paid for. But as we know, even the tariff paid for that unit of electricity is far from being cost-reflective, especially in light of recent devaluation of the Naira.

"The sector has suffered from chronic underinvestment, especially in transmission and distribution. Many of the successor utilities of the PHCN have failed to meet their performance improvement targets due to technical and financial capacity issues.

" We are in a vicious cycle of under-performance and under-investment, and everyone has a different view of which value chain player should be blamed for continued sector malaise," he added.

To move forward, the president explained that in the short term, the sector must intensify efforts to address commercial issues and improve the investment attractiveness of the sector.

According to him, only around 45 per cent of NESI customers are metered today, with wide variations across Distribution Companies (Discos).

The scale of investment needed to meter current and new customers and replace obsolete meters, he said, is not trivial.

However, he stated that the government was committed to supporting the metering drive through the World Bank programme which should add at least 1.25 million meters, while activating the Meter Acquisition Fund (MAF) to procure another 4 million meters.

Nonetheless, the president said that the long-term sustainable metering should be within the remit of Discos and their partners.

"We need to have a clear plan to rebase tariffs, so we recognise the real costs and loss levels of the entire value chain, and we allow for adequate cost recovery for investments.

"We need to be clear on what shortfalls are and how we will finance them. And there must be a clear path to extinguishing historic sector debts to various value chain stakeholders. A reconciliation exercise in this regard is already underway," he revealed.

Operationally, Tinubu stated that there a number of key imperatives that the sector must pursue, noting that with 80 per cent of grid generation today being from gas, he intends intend to convene all relevant stakeholders to develop a gas policy for the power sector delineating where the power sector will get gas from and how it will pay for it.

Stressing that Nigeria cannot build a sector on best endeavour arrangements, the president advocated what he described as a single source of truth in terms of data in the sector.

" We have to create an environment where the worst performers do not continue to drag the sector down.

"All licencees must not only have the technical capacity to deliver on their licence, but must also have the financial muscle to invest and grow their operations. Preliminary analysis shows that Discos today are under-capitalised to the tune of close to N2 trillion.

"We must facilitate a reorganisation and a recapitalisation process that brings in new partners and new capital to jumpstart performance in this critical section of the value chain," he noted.

However , he explained that customers have differing abilities to pay and must be protected through the operationalisation of the power consumer assistance fund and other cross-subsidization schemes.

Also speaking, the Chairman, Mainstream Energy Solutions Limited, Col. Sani Bello (rtd), described the last 10 years as a decade of challenges and achievements for the sector.

Noting that the industry has evolved and has made positive strides and impact on the Nigerian economic landscape through investments in capacity recovery, Bello explained that for instance, in the Hydropower space, since the company took over the Kainji and Jebba hydropower plants, it has rehabilitated both plants and currently having an available combined capacity of 1002mw.

"It is pertinent to note that despite these achievements in the sector, energy transmission and distribution still poses a severe challenge to a functional NESI due to the state of the infrastructure and requires significant capital to finance its rehabilitation and expansion.

"The total generation installed capacity of about 13,000mw is more than the transmission capacity of 8,000mw with the distribution sub-sector taking up less than 5,000mw.

"This indicates the need for increased/enhanced investments in these sub-sectors of NESI to further boost energy supply to end-users.

"The major challenges we continue to battle with today is the lack of cost reflective tariff that will provide sustainable liquidity for the entire value chain, strengthened laws and enforcement of these laws.

"Also there is need to criminalise and deter energy theft as well as non-payment of electricity bills. We also implore that all arms of government and government agencies also pay all their invoices to the NESI.

"This will serve as the leading example to the populace to sustain and support the sector. Additionally, multiple taxation, levies on the value chain have hindered the growth of this industry and prevented the inflow of investments to the sector," he noted.

According to Bello, the ever-present liquidity challenge exacerbated by inflation and a dearth of foreign currency continues to affect industry operations.

"While we acknowledge the effort of the current administration in trying to resolve and improve the foreign exchange environment, we look forward to a way out that will midwife an enabling environment for existing and prospective investors to thrive within the NESI," he added.

Also speaking, the Senate President, Godswill Akpabio, stated that the gathering was not one for patting each other on the back, but one for sober assessment of what has been achieved, what has not been achieved, why it has not been achieved and how players can ameliorate the impediments.

Noting that little progress had been made, he pointed out that the Electricity Act, 2023, sought to address the inconsistencies, the areas of lacunae and incorporate changes borne of the evolution of a privatised NESI.

These, he said, will establish the grounds of a broader participation of the states in the electricity value chain, as well as put in place mechanisms to dissuade those who would increase the challenges by stealing electricity or vandalising related equipment.

"I shall look forward to receiving a copy of the resultant documentation, containing recommendations that will, I hope, move NESI forward- as we in the Senate are also open to working in partnership with the specialists of NESI," Akpabio who was represented by Senator Eyinnaya Abaribe stated.

Speaker, House of Representatives, Tajudeen Abbas, represented by Victor Nwokolo, who heads the power committee of the House, said that power continues to be a significant obstacle to Nigeria's development.

"There is no gainsaying that one of the factors that have hindered economic development in our country is epileptic electricity supply and lack of some other basic infrastructure.

"The current estimation of energy delivery of 4,000mw to a population of over 200 million Nigerians is grossly inadequate and falls short of efficient service and limits business opportunities, hinders investments, and raises the cost of production and goods for consumers.

"We must delve into why privatisation has succeeded in other countries but has not yielded the same results in Nigeria. Additionally, we need to understand why smaller neighbouring countries that rely on Nigeria for electricity have stable power supply while we continue to experience frequent outages.

"It is crucial that we identify the mistakes we have made and determine what actions need to be taken by the government to ensure the success of this sector," he said.

Director General of the Bureau of Public Enterprises (BPE) Mr Alex Okoh, said the initial reform was to address the persistent challenges that had plagued the electricity supply industry for decades.

"Integrity demands that we admit that we are not be where we ought to be, with regards to the original intendment and vision of the reforms, and some may even go further to say that we are far from where we set out to be.

"We must however, not dwell on the past shortcomings nor engage in the easy but unhelpful exercise finger-pointing. Should we decide to do that, there would be more than enough fingers pointing at every one in and outside of this room.

"Please bear in mind that post-privatisation, there were years of mutual non-performance by both the private sector and public entities, huge market and tariff shortfalls, creating a huge liquidity problem and an imposing debt profile in the market, and other issues such as severe lack of investments, invariably creating a complex web of challenges which now face the sector.

"Virtually all of us in these room know these challenges and we do not need to continue to dwell on them. What will be helpful is to jointly and constructively focus on what can be done to resolve these issues and achieve optimal performance of the NESI," he said.

Despite some progress, he stated that there have been persistent challenges in the sector, including issues related to tariff adjustments, gas shortages, market discipline, financing challenges and the need for further infrastructure investments.

The Minister of Power, Bayo Adelabu in his comments, stated that it was shameful that Nigeria, a country of over 200 million people only has access to 4,000mw of power.

Stressing that Tinubu remains committed to changing the narrative, he pointed out that the renewal of licences for the Discos will not be automatic , but will need to go through a lot of vetting.

Also, the Nigerian Electricity Regulatory Commission (NERC), represented by the General Manager in Charge and Head of Market, Competition and Rates, Sharfudeen Mahmoud, revealed that the controversy surrounding the renewal of licences for Discos should be laid to rest.

He noted that instead of the initial 10 years, which should have expired this year, the expiry date for the permits have since been deferred to 2028.

President Bola Tinubu

BUSINESSWORLD

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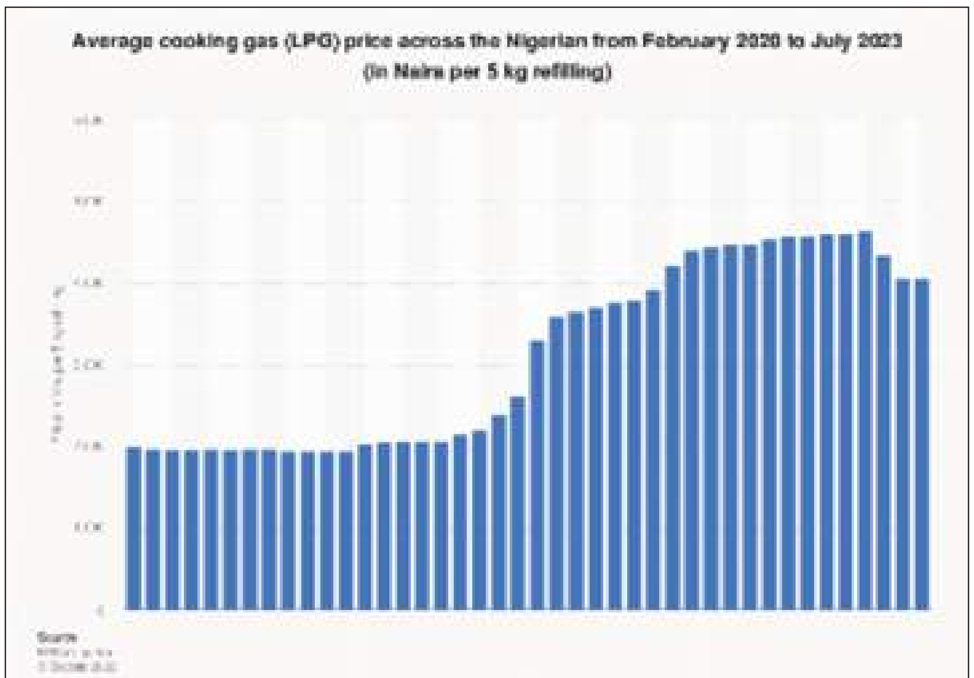
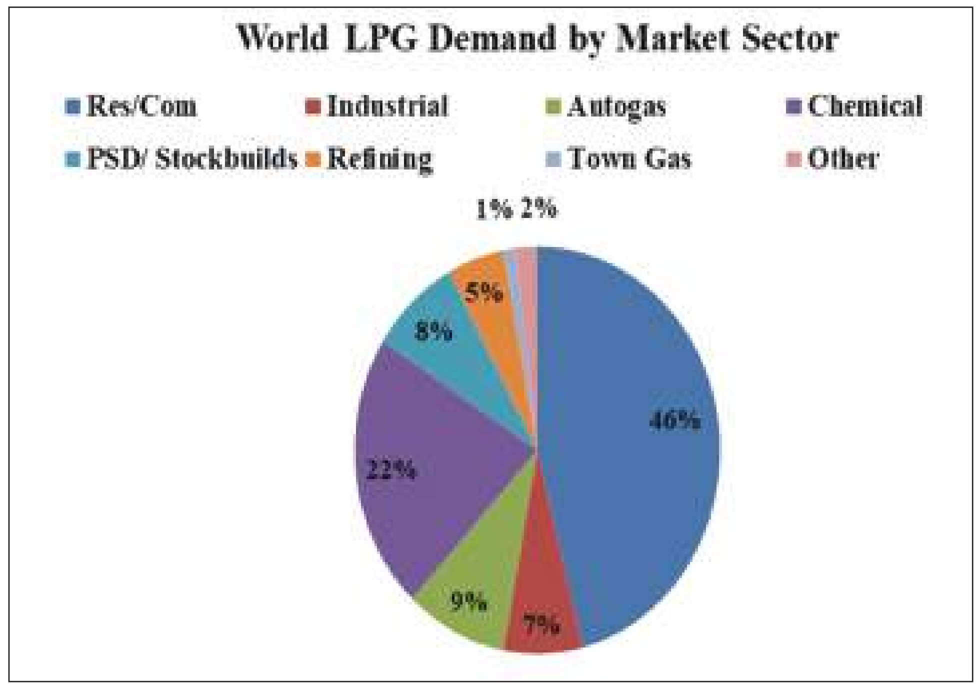
RATES AS AT OCTOBER 30, 2023

MONEY MARKET		REPO		S & P INDEX		S & P INDEX		EXCHANGE RATE
OPR	11.25%	CALL	19.12%	INDEX LEVEL	611.31%	1/4 TO DATE	-0.07%	N795.28/ 1 US DOLLAR*
OVERNIGHT	11.50%	1-MONTH	16.25%	1-DAY	0.03%	YEAR TO DATE	0.48%	*AS AT MONDAY, JULY 24, 2023
		3-MONTH	15.75%	MONTH-TO-DATE	-0.7%			

Marketers Accuse 15 Terminal Operators of Inflating LPG Prices by Over N7m Per 20MT





Peter Uzoho

Cooking gas marketers under the aegis of the Nigerian Association of Liquefied Petroleum Gas Marketers (NALPGAM) have accused 15 terminal operators, who buy product from the Nigerian Liquefied Natural Gas (NLNG) Limited, of exploiting Nigerians by inflating the price of gas being sold to gas plant owners by over N7 million per 20 Metric Tonnes (MT).

President of the association, Mr Oladapo Olatunbosun who made the allegation during the association's visit to the Senate, stated that the affected companies, whom he described as the 'cabals' were exploiting Nigerians with outrageous prices and causing the product not be available in the market.

The NALGAM President told the Senate that the NLNG had been consistent with its supply of LPG to the domestic market, but that the cabals had disrupted the availability of gas to Nigerians.

He insisted that the alleged cabals were buying the product very cheaper from the source and then sell it at a very high price to them, thus making the price of the energy source unaffordable to an average Nigerian.

Olatunbosun revealed: "The cabals are making it difficult for the average Nigerian to have access to gas. As of today, gas is sold by these terminal owners for N16.8 million for 20 metric tonnes whereas NLNG sells to them for a little bit less than N9 million.

"Some of them are NAVGas, NIPCO Plc, Matrix Energy Limited, Prudent Energy Limited, Shafa Energy, Techno Gas, StockGap Limited, Mobil, Pan Ocean Limited, NNPC, OLogbo, NSPC Apapa, SHELL, Dozzy LPG terminal."

"When people go to fill their gas today, the least they get is N1,200 per kilogramme – imagine the pains of Nigerians. In the Nigeria of today, can a student or menial worker afford to cook a cup of beans with a N1,200 cost of gas?".

He argued that Nigerians have no reason to buy gas at such high price, he noted that even countries like Cote d'Ivoire, Ghana and the rest were below Nigeria in terms of gas production.

He, however, lamented that the prices of gas was cheaper in those other countries than in Nigeria that is the second largest producer of natural gas in Africa after Algeria.

He stated that Nigeria produces gas more than it imports, maintaining that the proportion of LPG import was insignificant, but that the alleged cabals have refused to allow Nigerians to enjoy the dividends of the locally produced gas and the efforts put in by the government.

Olatunbosun further countered the terminal operators, whom he said, usually blame foreign exchange scarcity as one of the reasons for the increase in the prices of gas whereas the transactions were done purely in naira.

He explained, "These cabals have also made the practice of hiding behind forex but the question is does NLNG get paid in dollars? No. All the transactions are completed in naira. What is the role of forex in this situation? Where is the import evidence?

"You buy gas for N9 million from NLNG and pay in naira, then you sell the same gas for N16 million and blackmail the government. When people get to our plants and we tell them the price, they start weeping and cursing the government whereas, the government has done their best to make life bearable to the people."

He further warned that if measures were not taken to adequately address these issues, a 12,5kg unit of LPG could skyrocket to N25,000, adding: "If we don't rise up and checkmate the whole thing, the gas would become a luxurious product available to only the rich.

"By December, these cabals might start to sell 20 metric tonnes for N200 million. This would mean that gas will sell for 2,000 per kg and N25,000 for 12.5kg."

The marketers further lamented that the utilization level in Nigeria was quite low due to poverty and other factors.

NOTE: The story continues online on **www.thisdaylive.com**

Nigeria's Oil Output Jumps 5.7% Y-o-y in First 9 Months of 2023 Amid Switch to Smaller Ships

Emmanuel Addeh in Abuja

Compared to 2022, Nigeria's crude oil production increased by 5.7 per cent year-on-year between January and September 2023, a THISDAY review of industry data has indicated.

Although still meagre, in terms of the overall plan to raise production, the information from the Nigerian Upstream Petroleum Regulatory Commission (NUPRC) showed that the rise between the same period last year and this was about 18.3 million barrels.

The data showed that while total crude oil production for the first three quarters of 2022 was 311.5 million barrels, for same period this year, the figure increased to 329.8 million barrels, indicating a 5.7 per cent rise.

The biggest output for any month for the period was January 2022, when Nigeria produced 43.3 million barrels of crude oil, while the lowest came in September 2022, with a production of 28.1 million barrels of crude oil.

However, after a long period of flat output from its assets in the region, the volume drilled rose markedly in September 2023, accentuated by the switch in mode of transportation of the commodity.

Overwhelmed by a prolonged inability to ramp up production in the Niger Delta and meet its Organisation of Petroleum Exporting Countries (OPEC) due to incessant vandalism of its pipelines from some of the facilities, the operators have now decided on other means of moving crude oil to the high sea, THISDAY recently reported.

In addition, the authorities, following the underwhelming performance of the sector up until the second quarter of last year, contracted local pipelines surveillance groups, including a firm owned by Government Ekpemupolo, also known as Tompolo, an ex-Niger Delta warlord.

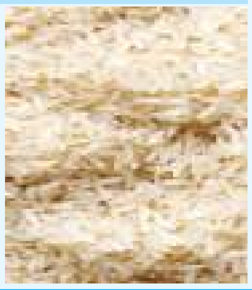
To curb the disruption of its production, the federal government, alongside its partners have now begun the use of tiny tankers for the transportation of crude oil through the creeks of the Niger Delta, following a protracted inability to fix the often vandalised pipelines in the region.

Specifically, by bypassing the major pipeline in the Nembe Creeks in the Bayelsa axis, the fleet of small river-going tankers has helped boost the country's OPEC quota, which the country has failed to meet since the Covid-19 pandemic started easing in late 2020.

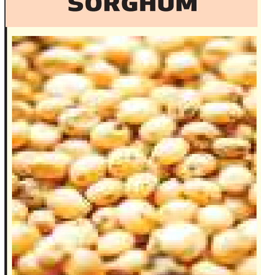
NOTE: The story continues online on **www.thisdaylive.com**

FOOD COMMODITIES PRICE TODAY

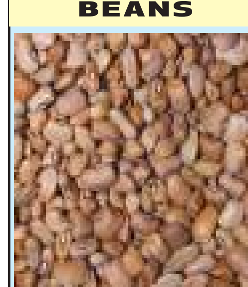
NAME OF COMMODITY	SIZE	STATE	PRICE
RICE	100KG	ABUJA	N35,000 – N45,000
	50KG	OYO	N35,000 – N45,000
	50KG	PLATEAU (JOS)	N32,500 – N42,000
	50KG	KWARA	N24,000–N27,000
	50KG	LAGOS	N35,000 – N45,000
	50KG	RIVERS	N36,500 – N46,500
	50KG	SOKOTO	N60,000 – N70,000



NAME OF COMMODITY	SIZE	STATE	PRICE
SORGHUM	100KG	JIGAWA	N30,000
	100KG	BENUE	N32,000
	100KG	KADUNA	N32,000
	50KG	ENUGU	N24,000
	50KG	LAGOS	N26,000
	100KG	DELTA	N35,000
	100KG	ABIA	N36,000



NAME OF COMMODITY	SIZE	STATE	PRICE
BEANS	50KG BAG	MAIDU GURI	N22,000 – N30,000
	100KG	LAGOS	N36,000
	100KG	KANO	N35,000
	100KG	DELTA	N36,000
	100KG	ABIA	N35,700



FOOD COMMODITIES PRICE TODAY

NAME OF COMMODITY	SIZE	STATE	PRICE
PALM OIL	25CL	LAGOS	N20,000-N35000
	25CL	PH	N24,000-N35,000
	25CL	IBADAN	N22,000—N35,000
	25CL	IMO	N24,000-N36,500
	25CL	EDO	N20,000-N35,000
	25CL	ABUJA	N25,500-N35,000

NAME OF COMMODITY	SIZE	STATE	PRICE
GROUNDNUT	100KG	KANO	N20,500
	100KG	BENUE	N27,000
	100KG	LAGOS	N32,000
	100KG	DELTA	N34,000
	100KG	ABIA	N27,000
	100KG	ENUGU	N23 000

NAME OF COMMODITY	SIZE	STATE	PRICE
ONIONS	100KG	IBADAN	₦60,000
	100KG	KANO	₦30,000
	100KG	BENUE	₦65,000
	100KG	PLATEAU	₦45,000
	100KG	DELTA	₦50,000
	100KG	LAGOS	₦60,000
	100KG	ENUGU	₦45,000

NAME OF COMMODITY	SIZE	LOCATION	PRICE
MAIZE	100KG	OYO	N10,000
	100KG	ENUGU	N16,500
	100KG	DELTA	N14,000
	100KG	ABIA	N11,000
	50KG	LAGOS	N9,000
	100KG	KANO	N9,400
	50KG	BENUE	N6,000

Promotion: Customs Officers Kick Against Plan to Halt Implementation

Gilbert Ekugbe

Some senior officers of the Nigeria Customs Service (NCS) have kicked against the plans to halt the implementation of the recently-approved Competency Based Accelerated Career Progression Plan (CBACPP) in the promotion of staff of the service.

The concerned officers are disturbed that despite the CBACPP being approved by the federal government, some persons were bent on making sure it's not implemented, under the guise that it will impact a section of the country negatively.

The government through the NCS board had recently approved the implementation of the CBACPP for officers of the service, explaining that the plan was a 'proactive strategy' designed to ensure the customs is well staffed in the future.

Specifically, the NCS stated that it was meant to close the generational gap that could lead to a leadership vacuum in the higher hierarchies of the service if not addressed.

However, it was learnt that those who are opposed to the programme were doing so because they are afraid that when the new system becomes operational, a number of them who do not have the requisite educational qualifications will be side-lined.

It was gathered that the problem the NCS sought to solve arose because prior to the 2009 recruitment, there was a long period when no one was recruited into the customs service.

This implies that by 2028 all the officers who joined the service prior to the 2009 recruitment would retire on account of their length of service.

The consequence of this, which the government tried to avoid, is that there would be some leadership gaps, as none of the officers recruited in 2009 would have risen to the rank of a comptroller.

Realising the imminent problem, the immediate past leadership of the service designed a career-accelerated programme to allow officers with certain educational and professional qualifications to step up and earn expedited career progression, one source said.

Although the last leadership of the service was slow to execute it after the approval, it was understood that the career-accelerated programme had been approved by the Muhammadu Buhari administration.

However, there were suggestions that some senior officers from a certain part of the country would be short-changed by the approved career accelerated programme.

"This is considering that many of the officers from that region don't have the requisite additional educational and professional qualifications, "a source stated.

According to the proponents of the new policy, sweeping the programme under the carpet or not implementing it would pose danger to the continuous existence of the service.

"Conscious of the challenge this could pose for the service in the nearest future, the Comptroller-General of Customs (CGC) through the board recently approved the implementation of proper placement for officers recruited into the service at the superintendent cadre between 2009 to 2015.

"This exercise, which has received wide applause has boosted the moral of officers, and has consequently narrowed the 17 years generational gap in the system.

"Despite the significant gains achieved through the proper placement, it is instructive to note that by 2028, when the current mid-level and top management officers have all retired from the service, the most senior GD officers in the service would be wearing the rank of Deputy Comptrollers (DC).

"This is projection is based on the minimum number of years that an officer must spend on a rank before being considered eligible for promotion in line with Public Service Rule (PSR) Promotion maturity criterion 020701," the memo noted.

In addition, it explained that this will therefore mean that no customs officer of the General Duty cadre would have the requisite rank or experience at the top level to head the service by 2028 if a proactive solution is not explored.

Sahara Energy Plans $1bn Investment in LPG Production in Five Years

Emmanuel Addeh in Abuja

Sahara Energy has said it plans to boost investment in Liquefied Petroleum Gas (LPG) or cooking gas to the tune of $1 billion in the next five years.

Speaking during a session with energy correspondents in Abuja, the Executive Director in charge of Governance and Sustainability, Ejiro Gray, said the oil giant was increasing its vessels to boost the supply of gas in Nigeria and across Africa.

Based on her presentation during the event tagged: "Energy Transition: The Road Not Taken," Gray said the plan will help the group boost its footprint in the gas sector as the world moves towards cleaner fuels.

To bring the plan to reality, the Sahara top official stated that the company was raising regional supply in Nigeria and across West Africa, with a plan to build up to 75,000 metric tons capacity for LPG.

On Compressed Natural Gas (CNG), she explained that not many organisations were going into it, because the infrastructure network here in Nigeria for CNG is still poor.

"For LPG in particular, we are doing a lot of that. We have a five-year plan to invest at least $1 billion in LPG and how are we going to do that, it is by building the logistics infrastructure.

"So you are talking about, for instance, vessels. We are greatly increasing our fleet. Currently, we have four LPG vessels; we have two in the making at the Hyundai Mipo Dockyard in South Korea for LNG vessels as well.

"And the reason is because we need to be able to boost regional supply in Nigeria and across West Africa. The plan is within the next few years, we want to build up to this 75,000 metric tonnes capacity for LPG," she said.

According to her, challenges such as transportation, infrastructure network pose a major challenge to LPG penetration in Nigeria.

On the ongoing energy transition, she reiterated that Africa could require up to $2.64 trillion dollars, roughly the size of its Gross Domestic Product (GDP), to be able to use renewable energy sources for electricity generation by 2050.

"Despite the promise of an African renewables market, risks on three levels continue to prevent many investors from committing their capital," she said, listing the levels as macro, industry and transaction.

IEA: Fossil Fuel Demand to Peak in 2030

Emmanuel Addeh in Abuja

The International Energy Agency (IEA) has said that with China's shifting economy as an "important driver", demand for fossil fuels will peak by 2030.

The IEA's Executive Director, Fatih Birol, stated that demand for oil, coal and natural gas is on course to peak before the end of this decade.

"China changed the global energy system in the last 10 years. And China itself is changing now," Birol, who was speaking to CNBC's said. "The Chinese economy is slowing down and ... rebalancing, restructuring," he added.

He described this as one of two "important drivers" behind the IEA's belief that global demand for fossil fuels will peak by 2030. The comments come after the IEA published its World Energy Outlook 2023, a major report on the global energy system.

According to the analysis, demand for oil, coal and natural gas is on course to peak before the end of this decade, with fossil fuels' share in the world's energy supply dropping to 73 per cent by the year 2030 after being "stuck for decades at around 80 per cent."

In relation to China, the IEA's report described it as accounting for "more than 50 per cent of global energy demand growth and 85 per cent of the rise in energy sector CO2 emissions" in the past decade.

China's economy is now shifting away from its previous reliance on industries such as steel and cement production, as well as railways and infrastructure, Birol said, adding: "They are all in a decline."

"So China's demand for fossil fuels will be much less than [the] last 10 years," he added. "And this is the second driver [as to why] we believe that we will see the fossil fuel peak this decade," he stressed.

FG May Revoke Non-performing 2021 Marginal Oil Field Licences

Emmanuel Addeh in Abuja

The federal government may revoke majority of the marginal field licences awarded in the 2021 round of the programme over their non-performance, the Minister of State, Petroleum Resources (Oil), Heineken Lokpobiri, has warned.

The government had some 30 months completed the acquisition process of the marginal fields, but since then not much had been heard from the bid winners in terms of discovery of first oil.

An audio of the minister's comments at the just-concluded Nigeria Economic Summit (NES) in Abuja, sent to journalists by the ministry, indicated that Lokpobiri spoke during the energy roundtable discussion at the two-day event.

Lokpobiri argued that majority of the bid winners were using the licences as 'souvenirs', arguing that neither the potential marginal field operators nor the government was benefiting from such inaction.

According to the minister, out of the over 100 licences that were granted in 2021, only three are currently operational, insisting that it was unacceptable, given that Nigeria continues to under-produce its Organisation of Petroleum Exporting Countries (OPEC) oil allocation.

He insisted that there must be clear deadlines for investments to materialise, a clear departure from the past.

"Now, a few years ago, we did marginal field allocation. Only about three out of almost 100 marginal fields are producing. The three years given to them is almost over. They'll shout my name, but I'm going cancel them.

" Look, if you're given a marginal field to operate, it is not for you to keep it as a souvenir and keep it in your own study. It doesn't add any value to you or to our country.

"If today those marginal fields were producing we would have been able to get sufficient feedstock for our modular refineries and also increase our total production quota.

"But everybody is interested in getting the marginal field, but you have no capacity, both financially and technically to be able to put these assets to use," the minister maintained.

Poultry Farmers Task FG on Sustainable Poultry Devt Plan

Gilbert Ekugbe

The Poultry Association of Nigeria (PAN) has charged the federal government to establish a sustainable poultry development policy with a clear cut action plan in its bid to salvage the sector from collapse.

The National President of PAN, Mr. Sunday Ezeobiora, made the call during a courtesy visit to the Minister of Agriculture and Food Security, Sen. Abubakar Kyari in Abuja recently.

Ezeobiora stated that there were heightened tensions, apprehensions and fears over the entire poultry landscape in the country at the moment, which he said was in relation to the seeming refusal of the restrictions placed on the importation of poultry and poultry products like eggs, dairy products among others.

He pointed out that the association clamoured for more political will from government to initiate a sustainable poultry development policy with a clear cut action plan, noting that the recent development (according to the pronouncement from Central Bank of Nigeria (CBN) would return Nigeria to conditions that existed before Year 2000 when Nigeria was completely a dumping ground for all sorts of imported poultry products.

Ezeobiora also highlighted the implications and requested for specific quick win incentives to allow for the importation of 3 million metric tonnes of maize and 500,000 tonnes of soyabean to augment the supply and demand situation for the 2023/2024 poultry farming seasons among other things.

Earlier, the minister expressed the ministry's readiness to tackle the challenges faced by poultry farmers and boost food and nutrition security in the country.

He pointed out that the current state of food security was threatened by issues of availability and affordability, stressing that malnutrition and rates of food inflation required that we work all year round to ensure increased food production while putting in place, measures to make food available, accessible, and affordable for the populace.

NECA: We Want Definitive Timelines for Releasing N75bn FG Promised Industrialists

The Director General of the Nigeria Employers' Consultative Assembly (NECA) Mr. Adewale-Smatt Oyerinde, in a recent interview spoke on Nigerian conflict prone industrial relation system and the need for the federal government to create a sustainable industrial and business environment to spur Nigeria's economic recovery. **Dike Onwuamaeze** presents the excerpts

The dreaded industrial unrest that would have crippled the economy was averted earlier this month. What is the NECA's reaction to the suspension of strike by the organised labour movements?

We commend the suspension of the strike, because if you will recollect, we have consistently advocated that the strike will not serve any significant positive purpose from the perspective of the organised private sector. Rather it would have probably dug us deeper into the hole considering the current state of the economy. We have advocated for social dialogue as a way to go and we are glad that social dialogue triumphed in the context of all these conversations.

So, it is good news that the strike has been called off and we hope that the government and labour unions will live up to their obligations and commitments in the MOU that has been signed. It is good news and the first step in in resolving many issues that are still underlying in our industrial relation system.

What is your comment on the removal of VAT on diesel?

That is also commendable.

What exactly do you mean when NECA said that the federal government sidelined the orginised businesses in rolling out palliative measures to cushion the effects of its reform policies?

It is very important that we get the context very well. Now there is what we call bi-partite and then tri-partite in negotiation and engagement and both of them are legal and valid in the context of that engagement.

It is expected that the conversation in that bipartite meeting will be issues that concern the two parties that are engaged in it. When it comes to tripartite engagement the conversation is expanded to bring in more parties because if I'm not there, you cannot decide on my behalf. However, when the MOU came out of the bipartite meeting of labour and government we started seeing recommendations for the private sector. And that is a concern.

It wasn't the content that was the issue but the process that led to it. And I think it is very important that we start getting processes right because you cannot build a very beautiful house on a very faulty foundation. It will not work and that has been the trend over time. If it is going to be a conversation that will involve employers' interest, then employers should be called to be part of that conversation. Organised labour is not an affiliate of the employers and they cannot speak expressly for the organised businesses. In the context of our priorities the removal of VAT of 7.5 per cent on diesel would not have been in our first three priorities.

Oyerinde

What will be your top priorities?

We have mentioned the issue of multiple taxations, which are being addressed. The President in his August 3 broadcast said that N75 billion will be earmarked for 75 big manufacturing enterprises and another billions of Naira for the MSMEs. One of our priorities is definitive timelines of when these funds will be released.

Our third priority is how we would address the issues surrounding availability of foreign exchange (FX), which is becoming a big challenge in buying inputs and is progressively making a mess of our business projections. You cannot plan when FX continues to escalate. We believe strongly that the President has made a pronouncement in August, and we strongly believe that it will be implemented. Nevertheless, we want a definitive timeline.

But the removal of VAT is just for six months?

We are not privy to the conversation between labour and government that led to the six months' agreement. But what happens after six months? You don't just fix one item. In making one policy recommendation or policy decision it will be helpful to take a look at other areas it could affect. If not you would have increased wages and the cost of doing business will continue to upscale and will lead to two things: a likely increase in unsold stocks and inventories and downsizing of the workforce.

Now you have increased salaries but along that pipeline we are creating a major challenge of unemployment. So, we have to look at all these issues only when everybody is on the table where that conversation is going on.

How prepared are the organised private sector to receive the new national minimum wage?

The beauty of the national minimum wage is that it is a process of negotiation that considers all the variables like inflation, the ability to pay, and current economic indices etc. It is what the social partners have agreed on that will be send to the government, which it will send to the National Assembly as an executive bill. Our appeal is that the process that led us to the minimum wage of N18,000, which was the same that led us to the minimum wage of N30,000 will be the process for the coming minimum wage. The fundamental part of it shall be a tripartite driven structure: employers, workers, governments and other stakeholders like the governors, the National Bureau of Statistics and so many other stakeholders.

You alluded to the fact that social dialogue is always the way rather than strikes and demonstrations but there's this issue of trust deficit on the part of the government that makes promises that it will not implement?

You should know breaking of agreements and workers' strikes are all symptoms of a dysfunctional industrial relation system. The industrial relation system creates a standard rule of engagement that before you come to the negotiation table, you must have received the mandate of the authority you are representing. Now it is a symptom of dysfunctional system to enter an agreement when you do not have the mandate of your principal. It is also a sign of a system that lacks the basic education and understanding of how the process runs. We have shared our perspective with the Ministry of Labour that we need to deal with the core of our industrial relation so that we will understand what our roles and responsibilities are.

NOTE: The story continues online on
www.thisdaylive.com

Stakeholders Mobilise to Position Coffee, Tea as Nigeria's Major Export Commodity

Dike Onwuamaeze

The West African Specialty Coffee Association (WASCA) has declared that it would reposition coffee and tea production to end the dominance of the importation of the products and enable it to be among Nigeria's major foreign exchange earners.

President of WASCA, Mr. Larry Segun-Lean, made the declaration during a two-day World Coffee and Tea Expo in Lagos with the theme "Exploring Circular Economy and Regenerative Coffee and Tea Agriculture."

Segun-Lean said: "What we are creating now will help the government to begin to see coffee and tea as a major revenue earner for Nigeria now that we are facing scarcity of dollars, which is propelling a frightening galloping inflation in Nigeria. Probably the government will from now start capturing coffee and tea into its programmes because no country will prosper without active export earnings.

"The last estimate of the combined turnover of coffee, tea and mate in Nigeria is over $28 million per year. Even though 80 per cent of coffee sold in the United States of America comes from Africa. Not only that, coffee in Africa provides jobs for 120 million people."

Presenting a paper during the expo, the Oyo State Chairman, National Coffee and Tea Association of Nigeria, Mr. Salihu Imam, said that a bean, a small black bean, could be turned into real gold and major foreign exchange earner for Nigeria.

Salihu said: "Coffee is the second most traded/valuable of all commodities and first in agricultural commodities in the world. Tea is also well sorted after crop in the World.

"We in Oyo State are poised to go in to massive production of coffee as from the next planting season. We are poised to churn out and plant two million seeds/seedlings in the next 2-3 seasons.

"Production of coffee in great quantity is encouraged by the Oyo State Commissioner for Agriculture and the ministry's permanent secretary. We are also in collaboration with the Cocoa Research Institute (CRIN), Nigeria Export Promotion Council (NEPC) and WASCA.

According to a representative of the Nigerian Investment Promotion Commission (NIPC), Mr. Clement I. Akhigbe, the annual production of coffee in Nigeria was 1.117mt in 1969 while the annual demand was 1.500mt in 1979.

Oil Refiners Struggling to Access Funding as Banks Shun Fossil Fuel Projects

Emmanuel Addeh in Abuja

Banks are increasingly looking to reduce their exposure to fossil fuel projects, according to refining executives, making financing more complicated for oil refiners.

Also, lenders are are demanding emission-cutting targets from the oil refiners seeking financing, Chief Executive Officer of Malaysia's Pengerang Energy Complex, Alwyn Bowden said at an industry conference, as quoted by Bloomberg.

"If you have the word 'refinery' anywhere in your title, you're not going to get finance," Bowden noted.

Some banks in Europe have already started to reduce funding to oil and gas projects as part of their own climate targets.

The most drastic measure yet was taken earlier this year by France's biggest bank, BNP Paribas, which said in May that it would no longer provide any financing for developing new oil and gas fields regardless of the financing methods.

The bank also pledged to reduce its financing for oil exploration and production by 80 per cent by 2030 as part of its energy transition goals, according to oilprice.com.

Climate change is the single largest motivation of investment institutions to decide to exclude companies from their portfolios, a newly launched 'exclusion tracker' showed earlier this month.

ExxonMobil's Q3 Profit Falls, Net Income Jumps 15%

Emmanuel Addeh in Abuja

Exxon Mobil's third-quarter profit declined compared with last year when the oil giant put up record numbers as oil prices soared, but net income jumped 15 per cent compared with the previous quarter. It also raised its quarterly dividend.

Lofty crude prices have fuelled a shopping spree this year as Exxon acquired pipeline operator Denbury, the beneficiary of changes in US climate policy, for $4.9 billion in July, and then a few weeks ago the company said that it would buy Pioneer for $60 billion.

Exxon isn't alone. Earlier this week, Chevron said it would spend more than $50 billion to acquire Hess, Bloomberg said.

Exxon Mobil earned $9.07 billion, or $2.25 per share in the period, compared to $19.66 billion, or $4.68 per share, a year earlier.

Revenue slipped to $90.76 billion from $112.07 billion, but still topped Wall Street's estimate of $89.29 billion. Production also dipped 0.8 per cent to 3,688 thousand oil-equivalent barrels per day.

Exxon said at the weekend that it delivered its best ever third-quarter global refinery throughput at 4.2 million barrels per day.

"We delivered another quarter of strong operational performance, earnings and cash flows, adding nearly 80,000 net oil-equivalent barrels per day to support global supply," Chairman and CEO Darren Woods said in a prepared statement.

Olukolade, Mba, Afunanya to Lead Compliance, Enforcement of NIPR Act

Emmanuel Addeh in Abuja

The Nigerian Institute of Public Relations (NIPR) has appointed Gen. Chris Olukolade (rtd), Deputy Inspector General of Police, Frank Mba and Dr. Peter Afunanya to lead its compliance and enforcement committee.

"The appointment made up of thoroughbred professionals is part of the Governing Council's response to the growing demand by certified public relations practitioners to rid the profession of unlicensed interlopers, otherwise known as quacks," a statement from the body said.

Inaugurating the committee in Abuja, the President of the Institute, Dr. Ike Neliaku, charged members to be firm, decisive and uncompromising in enforcing to the fullest, the content of the 1990 NIPR Practitioners Act, now Cap N114 Laws of the Federation, 2004.

"For emphasis, the Act in section 19 (2) prohibits any person from practising public relations without certification from the NIPR, and in same section 19 (4a & b) prescribes appropriate punishments for offenders, which include fine, imprisonment or both," he noted.

FG to Boost Livestock Production, Combat Quackery with Launch of National Veterinary License

Gilbert Ekugbe

The Ministry of Agriculture and Food Security has restated its commitment to boost livestock production with the launch of a Digitised National Veterinary Practice License (DNVPL), the Veterinary App, the Veterinary Seal, and the Geo-Mapping of the Veterinary practice premises in the federal Capital Territory (FCT) Abuja.

The Minister of Agriculture and Food Security, Sen. Abubakar Kyari, said: "I believe we can change the narrative if the quality of our veterinary services is improved and the menace of quackery is checked.

"The introduction of the DNVPL, the Veterinary Seal and the Geo-Mapping of Veterinary Practice Premises will greatly reduce quackery in Nigeria and thereby increase productivity in our livestock sector. Indeed, it is only the qualified and registered Veterinarians who are up to date in practice that will be issued with the license and the seal."

According to Kyari, the ministry has identified the need for a comprehensive livestock development programme and has initiated the National Livestock Transformation Plan (NLTP), which would allow issues of diseases and pests control services to be handled with keen interest to guarantee the protection of national herds and flocks against the burden of diseases, thereby preserving the livestock resources for improved livestock production and productivity.

He added that the ministry is committed to ensuring the development of a robust livestock sub sector in the country considering the importance to global food security and contributions to poverty reduction, adding that livestock production serves as source of livelihood for many especially the rural women and youths and provides opportunities for private sector investors.

"I call on the Veterinary Council of Nigeria (VCN), other professionals in the livestock sub-sector, private investors as well as our development partners and donors to fully participate and support in the upcoming first national summit on Agriculture and food Security in Nigeria so that we can collectively co-create the future of a national sustainable food system.

"Furthermore, we understand that disease control cannot be left in the hands of the public veterinarians alone without the complement and participation of veterinarians in the private sector. Therefore, we are strengthening their participation in animal health management system. So, I urge you all to work together for the interest of our national food security emergency and strategic growth of the livestock industry in Nigeria," he urged.

R-L: Head, Trust Services/Legal, STL Trustees Limited, Akin Oni; Managing Director/Chief Executive Officer, STL Trustees Limited, Funmi Ekundayo; Chief Executive Officer, Care Organisation Public Enlightenment (COPE), Ebunola Anozie; Marketing/Business Development, STL Trustees Limited, Sade Ademokunwa and Managing Director, STL Asset Management Limited, Ahmed Olaitan Banu at the plaque unveil commemorating STL Trustees and STL Asset Management collaboration with COPE to offer free breast cancer screening in Lagos recently

YOUWIN Beneficiaries Laud Tinubu on Appointment of New BOI Boss

Some winners of the Youth Enterprise with Innovation (YOUWIN) awards have commended President Bola Tinubu for the appointment of Dr Olasupo Olusi as the Managing Director and Chief Executive of the Bank of Industry (BOI).

In a statement signed by a representative of the alumni of the programme, Jamilu Abdussalam, the group urged Olusi to continue with his approach of not favouring any group over another, regardless of tribe or other parochial considerations.

"We celebrate with Dr. Supo on his appointment as the MD of Bank of Industry. His competency to deliver on this new task is unquestionable. We enjoin him to continue with his approach to projects like YOUWIN that was free of any form of nepotism and favouritism, but to provide equal opportunities to all Nigerians that prove innovative," the group said.

The programme awardees expressed their confidence in Olusi's abilities based on his key role in YOUWIN which it said "provided millions of Nigerian youth with opportunities to excel in different businesses in sectors, some of whom are now owners of ventures that are worth tens of millions and some in billions."

The group added: "A lot of us who benefited from the project coordinated by Dr Olusi are now employers of labour across different sectors. We are confident that he will create more financing opportunities for young Nigerians"

Commending Tinubu for finding Olusi worthy and suitable for the job, the alumni urged the newly appointed BOI MD to strengthen the institution and do more to bridge the unemployment gap in Nigeria by providing financing opportunities for youth entrepreneurs in Nigeria.

The YOUWIN programme, the group recalled, supported over 8,000 Nigerian youths across the country with opportunities to start and grow their own businesses in different sectors of the economy.

The group described the programme as one of the best structured and impactful public sector interventions in youth empowerment in the country's history.

It noted that the YOUWIN scheme created hundreds of thousands of jobs, including multi-million naira ventures in agribusiness and other areas.

Nigerian Students Compete in CGMA Business Leader Challenge

Thirty teams from seven Nigerian universities have entered the CGMA Business Leader Challenge 2023, a regional business competition aimed at business and accounting students organised by AICPA® and CIMA®, together as the Association of International Certified Professional Accountants. The event is sponsored by Stanbic IBTC.

Throughout the competition, the teams will be asked to address real-life business challenges and present them to a panel of Chartered Global Management Accountant (CGMA®) designation holders, and professionals in finance and business management. The CGMA Business Leader Challenge provides young Nigerian talent with an opportunity to enhance their business, leadership, and problem-solving skills, and showcase their potential as future accounting, finance, digital, and business leaders.

Associate Director in Nigeria at AICPA & CIMA, together as the Association of International Certified Professional Accountants, Ijeoma Anadozie, said: "We are excited to host the CGMA Business Leader Challenge 2023 in Nigeria, this initiative underscores AICPA & CIMA's ongoing commitment to develop and inspire the young business leaders of tomorrow. It is a great opportunity for Nigerian students to showcase their skills to the test and learn the importance of teamwork, communication, and good leadership."

Osun Govt Seeks TELCOs Cooperation With GTNL

Yinka Kolawole in Osogbo

Osun State Governor, Senator Ademola Adeleke has urged all the telecommunications companies domiciled in the state to give maximum cooperation to its technical consultant, Global Transactions Nigeria Limited (GTNL), in the course of discharging its duties as state's government consultant.

THISDAY reports that representatives of MTN, 9mobile, IHS, ATC, Globacom, ALTON secretary, Gbolahan Awonuga represented the TELCOS among other were present at the stakeholders meeting which was held at the governor office, Abere.

The government also emphasized that GTNL is the sole technical consultant pursuant to the judgment of the Osun State High Court delivered on 28th September, 2023, with the mandate to ensure the integrity of the telecommunications infrastructure in the State in compliance with relevant environmental protection law.

Government harped on need to remove all abandoned masts within the state saying the State would work with the TELCOs to create a win – win relationship.

At the meeting, which took place at Government house, Abere was chaired by the Commissioner for Finance, Mr. Sola Ogungbile who represented the state Governor.

Speaking at the event, Commissioner for Finance, Mr Sola Ogungbile emphasized on the decision of government resolve issues of multiple taxation within the State.

Ogungbile further explained that issues regard to telecommunication infrastructure have to be resolved saying this is done in the interest of the people of the state

MARKET INDICATORS

MONEY AND CREDIT STATISTICS (MILLION NAIRA)

	August, 2023
Money Supply (M3)	65,445,154.2
-- CBN Bills Held by Money Holding Sectors	552,553.58
Money Supply (M2)	64,892,600.61
-- Quasi Money	40,870,301.28
-- Narrow Money (M1)	24,022,299.33
---- Currency Outside Banks	2,295,309.10
---- Demand Deposits	21,726,990.23
Net Foreign Assets (NFA)	7,144,158.92
Net Domestic Assets(NDA)	58,300,995.27
-- Net Domestic Credit (NDC)	87,273,966.81
---- Credit to Government (Net)	32,511,333.17
---- Memo: Credit to Govt. (Net) less FMA	0.00
---- Memo: Fed. and Mirror Accounts (FMA)	0.00
---- Credit to Private Sector (CPS)	54,762,633.63
--Other Assets Net	13,347,376.27
Reserve Money (Base Money	19,429,603.25
--Currency in Circulation	2,660,138.92
--Banks Reserves	16,769,464.34
--Special Intervention Reserves	428,519.21

• Source - CBN

Money Market Indicators (in Percentage)

Month	August 2023
Inter-Bank Call Rate	3.89
Minimum Rediscount Rate (MRR)	
Monetary Policy Rate (MPR)	18.75
Treasury Bill Rate	5.13
Savings Deposit Rate	5.26
1 Month Deposit Rate	7.31
3 Months Deposit Rate	7.55
6 Months Deposit Rate	8.30
12 Months Deposit Rate	8.13
Prime Lending rate	13.99
Maximum Lending Rate	27.59

• Monetary Policy Rate - 13%

OPEC DAILY BASKET PRICE AS AT 29TH SEPTEMBER , 2023

The price of OPEC basket of thirteen crudes stood at $97.48 a barrel on Thursday, compared with $97.08 the previous day, according to OPEC Secretariat calculations.
The OPEC Reference Basket of Crudes (ORB) is made up of the following: Saharan Blend (Algeria), Girassol (Angola), Djeno (Congo), Zafiro (Equatorial Guinea), Rabi Light (Gabon), Iran Heavy (Islamic Republic of Iran), Basrah Medium (Iraq), Kuwait Export (Kuwait), Es Sider (Libya), Bonny Light (Nigeria), Arab Light (Saudi Arabia), Murban (UAE) and Merey (Venezuela).

MARKET NEWS

MTN Nigeria Communications Declares N147.36bn Profit in Nine Months

Kayode Tokede

MTN Nigeria Communications Plc, yesterday released its unaudited nine months result and accounts for the period ended September 30, 2023 with N147.36billion profit, a decline of 45.2 per cent from N269.04billion reported in nine months of 2022.

The telecommunication giant in its filing on the Nigerian Exchange Limited (NGX) announced N232.5billion profit before tax, a decline of 42 per cent from N400.67billion in nine months of 2022.

The decline in profits is coming on the backdrop of N375.96billion net finance costs in nine months of 2023, a growth of 174.4 per cent from N137.01billion reported in nine months of 2022.

Net finance costs was driven majorly by N203.25billion net foreign exchange loss in nine months of 2023 from N5.52billion in nine months of 2022

MTN Nigeria Communication grew its revenue to N1.77trillion in nine months of 2023 from N1.46trillion in nine months of 2022.

The company stated that its strong commercial performance drove growth across all key revenue lines, supporting service revenue growth in line with medium-term guidance.

The CEO, MTN Nigeria Communications, Mr. Karl Toriola in a statement said, "The operating conditions in the first nine months of 2023 remained tough. This was in line with expectations following the removal of the fuel subsidy, the currency devaluation due to the liberalisation of foreign exchange (forex) management and the impact of the 2023 Finance Act. In the near term, consumer spending power has been diminished by the upward pressure on overall inflation. This was exacerbated by ongoing volatility in the global macroeconomic and geopolitical environment.

"As a result, the inflation rate in Nigeria rose to 26.7 per cent in September 2023, representing the ninth consecutive month-on-month increase in 2023, with a YTD average of 23.3 per cent. In the efforts to curb this trajectory, the Central Bank of Nigeria (CBN) maintained its monetary policy tightening, increasing the monetary policy rate by 2.25pp to 18.75per cent. This is supported by the Government's reform programmes aimed at creating an environment that enables businesses to thrive.

"Furthermore, the liberalisation of the forex management in June 2023 resulted in a 68.5%upward movement in the exchange rate from N461/$1 in December 2022 to N777/US$ at the end of September, resulting in higher cost of doing business.

PRICES FOR SECURITIES TRADED ASOF OCTOBER/30/23

MAIN BOARD		DEALS	MARKET PRICE		QUANTITY TRADED	VALUE TRADED (N)
FINANCIAL SERVICES						
S/N	BANKING	MARKET CAP(Nm)	PRICE	%CHANGE	TRADES	VOLUME
1	UNITED BANK FOR AFRICA PLC	678,858.51	19.85	4.47	575	51,263,015
2	ZENITH BANK PLC	1,051,782.54	33.50	0.60	415	24,421,384
BANKING					990	75,684,399
S/N	OTHER FINANCIAL INSTITUTIONS	MARKET CAP(Nm)	PRICE	%CHANGE	TRADES	VOLUME
3	ACCESS HOLDINGS PLC	609,600.62	17.15	1.18	442	16,996,661
4	FBN HOLDINGS PLC	601,246.15	16.75	4.04	183	3,732,689
OTHER FINANCIAL INSTITUTIONS					625	20,729,350
FINANCIAL SERVICES					1,615	96,413,749
ICT						
S/N	TELECOMMUNICATIONS SERVICES	MARKET CAP(Nm)	PRICE	%CHANGE	TRADES	VOLUME
5	MTN NIGERIA COMMUNICATIONS PLC	5,164,907.79	246.00	-0.20	506	4,490,420
TELECOMMUNICATIONS SERVICES					506	4,490,420
ICT					506	4,490,420
INDUSTRIAL GOODS						
S/N	BUILDING MATERIALS	MARKET CAP(Nm)	PRICE	%CHANGE	TRADES	VOLUME
6	DANGOTE CEMENT PLC	5,589,286.43	328.00	5.77	100	214,167
7	LAFARGE AFRICA PLC.	467,126.07	29.00	2.65	83	640,365
BUILDING MATERIALS					183	854,532
INDUSTRIAL GOODS					183	854,532
OIL AND GAS						
S/N	EXPLORATION AND PRODUCTION	MARKET CAP(Nm)	PRICE	%CHANGE	TRADES	VOLUME
8	SEPLAT ENERGY PLC	1,120,986.89	1,905.00	-	35	193,886
EXPLORATION AND PRODUCTION					35	193,886
OIL AND GAS					35	193,886
AGRICULTURE						
S/N	CROP PRODUCTION	MARKET CAP(Nm)	PRICE	%CHANGE	TRADES	VOLUME
9	ELLAH LAKES PLC.	7,740.00	3.87	-0.26	10	4,054,125
10	FTN COCOA PROCESSORS PLC	6,123.00	1.57	0.64	64	3,378,460
11	OKOMU OIL PALM PLC.	225,885.89	236.80	-	68	80,828
12	PRESCO PLC	181,000.00	181.00	-	53	175,659
CROP PRODUCTION					195	7,689,072
S/N	LIVESTOCK/ANIMAL SPECIALTIES	MARKET CAP(Nm)	PRICE	%CHANGE	TRADES	VOLUME
13	LIVESTOCK FEEDS PLC.	5,550.00	1.85	6.32	62	2,969,173
LIVESTOCK/ANIMAL SPECIALTIES					62	2,969,173
AGRICULTURE					257	10,658,245
CONGLOMERATES						
S/N	DIVERSIFIED INDUSTRIES	MARKET CAP(Nm)	PRICE	%CHANGE	TRADES	VOLUME
14	CUSTODIAN INVESTMENT PLC	41,761.24	7.10	1.43	84	33,245,037
15	JOHN HOLT PLC.	610.97	1.57	-	8	11,978
16	S C O A NIG. PLC.	812.28	1.25	2.46	3	203,919
17	TRANSNATIONAL CORPORATION PLC	252,017.54	6.20	-0.32	379	32,476,918
18	U A C N PLC.	41,989.99	14.35	9.54	156	2,374,166
DIVERSIFIED INDUSTRIES					630	68,312,018
CONGLOMERATES					630	68,312,018
CONSTRUCTION/REAL ESTATE						
S/N	BUILDING CONSTRUCTION	MARKET CAP(Nm)	PRICE	%CHANGE	TRADES	VOLUME
19	ARBICO PLC.	152.96	1.03	-	0	0
BUILDING CONSTRUCTION					0	0
S/N	INFRASTRUCTURE/HEAVY CONSTRUCTION	MARKET CAP(Nm)	PRICE	%CHANGE	TRADES	VOLUME
20	CHAPEL HILL DENHAM NIG. INFRAS DEBT FUND	92,540.51	108.40	-	12	6,498
21	JULIUS BERGER NIG. PLC.	58,000.00	36.25	0.69	43	276,513
INFRASTRUCTURE/HEAVY CONSTRUCTION					55	283,011
S/N	REAL ESTATE DEVELOPMENT	MARKET CAP(Nm)	PRICE	%CHANGE	TRADES	VOLUME
22	UPDC PLC	25,055.96	1.35	1.50	36	759,119
REAL ESTATE DEVELOPMENT					36	759,119
CONSTRUCTION/REAL ESTATE					91	1,042,130
CONSUMER GOODS						
S/N	AUTOMOBILES/AUTO PARTS	MARKET CAP(Nm)	PRICE	%CHANGE	TRADES	VOLUME
23	DN TYRE & RUBBER PLC	954.53	0.20	-	0	0
AUTOMOBILES/AUTO PARTS					0	0
S/N	BEVERAGES--BREWERS/DISTILLERS	MARKET CAP(Nm)	PRICE	%CHANGE	TRADES	VOLUME
24	CHAMPION BREW. PLC.	28,577.66	3.65	-	8	33,294
25	GOLDEN GUINEA BREW. PLC.	3,227.70	3.15	-	0	0
CONSUMER GOODS						
S/N	BEVERAGES--BREWERS/DISTILLERS	MARKET CAP(Nm)	PRICE	%CHANGE	TRADES	VOLUME
26	GUINNESS NIG PLC	142,374.88	65.00	-	57	91,643
27	INTERNATIONAL BREWERIES PLC.	111,477.58	4.15	-1.19	72	1,237,095
28	NIGERIAN BREW. PLC.	389,979.22	37.95	5.27	85	1,455,582
BEVERAGES--BREWERS/DISTILLERS					222	2,817,614
S/N	FOOD PRODUCTS	MARKET CAP(Nm)	PRICE	%CHANGE	TRADES	VOLUME
29	BUA FOODS PLC	3,650,400.00	202.80	-	33	82,057
30	DANGOTE SUGAR REFINERY PLC	774,363.49	63.75	1.19	231	2,291,332
31	FLOUR MILLS NIG. PLC.	123,011.39	30.00	3.45	112	4,280,826
32	HONEYWELL FLOUR MILL PLC	25,297.33	3.19	3.57	23	749,545
33	MULTI-TREX INTEGRATED FOODS PLC	1,340.10	0.36	-	0	0
34	N NIG. FLOUR MILLS PLC.	3,234.33	18.15	10.00	22	381,590
35	NASCON ALLIED INDUSTRIES PLC	149,428.32	56.40	-2.76	188	2,845,688
36	UNION DICON SALT PLC.	2,214.04	8.10	-	0	0
FOOD PRODUCTS					609	10,631,038
S/N	FOOD PRODUCTS--DIVERSIFIED	MARKET CAP(Nm)	PRICE	%CHANGE	TRADES	VOLUME
37	CADBURY NIGERIA PLC.	23,665.35	12.60	-	40	214,261
38	NESTLE NIGERIA PLC.	832,289.06	1,050.00	-	67	9,418
FOOD PRODUCTS--DIVERSIFIED					107	223,679
S/N	HOUSEHOLD DURABLES	MARKET CAP(Nm)	PRICE	%CHANGE	TRADES	VOLUME
39	NIGERIAN ENAMELWARE PLC.	1,334.36	17.55	-	0	0
40	VITAFOAM NIG PLC.	28,081.45	22.45	-	28	150,094
HOUSEHOLD DURABLES					28	150,094
S/N	PERSONAL/HOUSEHOLD PRODUCTS	MARKET CAP(Nm)	PRICE	%CHANGE	TRADES	VOLUME
41	P Z CUSSONS NIGERIA PLC.	78,416.92	19.75	-	21	74,745
CONSUMER GOODS						
S/N	PERSONAL/HOUSEHOLD PRODUCTS	MARKET CAP(Nm)	PRICE	%CHANGE	TRADES	VOLUME
42	UNILEVER NIGERIA PLC.	82,440.83	14.35	-	50	238,154
PERSONAL/HOUSEHOLD PRODUCTS					71	312,899
CONSUMER GOODS					1,037	14,135,324
FINANCIAL SERVICES						
S/N	BANKING	MARKET CAP(Nm)	PRICE	%CHANGE	TRADES	VOLUME
43	ECOBANK TRANSNATIONAL INCORPORATED	275,243.27	15.00	-	33	268,997
44	FIDELITY BANK PLC	262,500.13	8.20	-0.61	132	3,308,194
45	GUARANTY TRUST HOLDING COMPANY PLC	1,040,392.19	35.35	0.14	328	18,265,586
46	JAIZ BANK PLC	54,575.05	1.58	-5.95	75	1,553,563
47	STERLING FINANCIAL HOLDINGS COMPANY PLC	99,614.85	3.46	-1.42	85	4,861,394
48	UNION BANK NIG.PLC.	198,021.12	6.80	-	24	219,549
49	UNITY BANK PLC	11,104.87	0.95	-2.11	24	804,125
50	WEMA BANK PLC.	62,233.47	4.84	1.26	66	2,048,391
BANKING					767	31,329,799
S/N	INSURANCE CARRIERS, BROKERS AND SERVICES	MARKET CAP(Nm)	PRICE	%CHANGE	TRADES	VOLUME
FINANCIAL SERVICES						
S/N	INSURANCE CARRIERS, BROKERS AND SERVICES	MARKET CAP(Nm)	PRICE	%CHANGE	TRADES	VOLUME
51	AFRICAN ALLIANCE INSURANCE PLC	4,117.00	0.20	-	0	0
52	AIICO INSURANCE PLC.	25,257.64	0.69	2.99	36	1,426,915
53	AXAMANSARD INSURANCE PLC	38,160.00	4.24	0.95	56	902,404
54	CONSOLIDATED HALLMARK INSURANCE PLC	11,025.64	1.03	0.97	20	1,862,863
55	CORNERSTONE INSURANCE PLC	26,704.60	1.47	1.38	32	3,591,528
56	CORONATION INSURANCE PLC	15,354.67	0.64	-	21	193,198
57	GOLDLINK INSURANCE PLC	909.99	0.20	-	0	0
58	GUINEA INSURANCE PLC.	1,906.27	0.24	-	10	95,480
59	INTERNATIONAL ENERGY INSURANCE PLC	1,784.88	1.39	-	0	0
60	LASACO ASSURANCE PLC.	3,575.49	1.95	2.09	27	720,790
61	LINKAGE ASSURANCE PLC	10,780.00	0.77	-	4	59,645
62	MUTUAL BENEFITS ASSURANCE PLC.	8,626.50	0.43	4.88	11	1,761,770
63	NEM INSURANCE PLC	25,333.21	5.05	-	12	80,810
64	NIGER INSURANCE PLC	1,547.90	0.20	-	0	0
65	PRESTIGE ASSURANCE PLC	5,433.55	0.41	-	6	41,852
66	REGENCY ASSURANCE PLC	2,200.69	0.33	-8.33	16	2,019,050
67	SOVEREIGN TRUST INSURANCE PLC	3,863.92	0.34	-	4	8,750
68	STACO INSURANCE PLC	4,483.72	0.48	-	0	0
69	STANDARD ALLIANCE INSURANCE PLC.	2,582.21	0.20	-	0	0
70	SUNU ASSURANCES NIGERIA PLC.	5,752.69	0.99	-5.05	15	2,061,129
71	UNIVERSAL INSURANCE PLC	4,000.00	0.25	8.70	68	94,753,108
72	VERITAS KAPITAL ASSURANCE PLC	3,605.33	0.26	-3.70	16	1,353,658
INSURANCE CARRIERS, BROKERS AND SERVICES					354	110,932,950

MAIN BOARD		DEALS	MARKET PRICE		QUANTITY TRADED	VALUE TRADED (N)
FINANCIAL SERVICES						
S/N	MICRO-FINANCE BANKS	MARKET CAP(Nm)	PRICE	%CHANGE	TRADES	VOLUME
73	NPF MICROFINANCE BANK PLC	11,866.01	1.98	-	26	528,092
MICRO-FINANCE BANKS					26	528,092
S/N	MORTGAGE CARRIERS, BROKERS AND SERVICES	MARKET CAP(Nm)	PRICE	%CHANGE	TRADES	VOLUME
74	ABBEY MORTGAGE BANK PLC	18,886.15	1.86	-9.71	8	234,669
75	ASO SAVINGS AND LOANS PLC	7,370.87	0.50	-	0	0
FINANCIAL SERVICES						
S/N	MORTGAGE CARRIERS, BROKERS AND SERVICES	MARKET CAP(Nm)	PRICE	%CHANGE	TRADES	VOLUME
76	INFINITY TRUST MORTGAGE BANK PLC	5,087.96	1.22	-	0	0
77	RESORT SAVINGS & LOANS PLC	2,265.95	0.20	-	0	0
78	UNION HOMES SAVINGS AND LOANS PLC.	2,949.22	3.02	-	0	0
MORTGAGE CARRIERS, BROKERS AND SERVICES					8	234,669
S/N	OTHER FINANCIAL INSTITUTIONS	MARKET CAP(Nm)	PRICE	%CHANGE	TRADES	VOLUME
79	AFRICA PRUDENTIAL PLC	13,100.00	6.55	-0.76	59	753,828
80	DEAP CAPITAL MANAGEMENT & TRUST PLC	375.00	0.25	-	5	20,275
81	FCMB GROUP PLC.	122,776.81	6.20	5.08	71	1,423,633
82	NIGERIAN EXCHANGE GROUP	41,541.05	21.15	0.24	109	4,032,564
83	ROYAL EXCHANGE PLC.	2,572.69	0.50	-	6	603,770
84	STANBIC IBTC HOLDINGS PLC	958,817.79	74.00	9.23	84	482,627
85	UNITED CAPITAL PLC	98,100.00	16.35	-0.30	127	2,596,580
OTHER FINANCIAL INSTITUTIONS					461	9,913,277
FINANCIAL SERVICES					1,616	152,938,787
HEALTHCARE						
S/N	HEALTHCARE PROVIDERS	MARKET CAP(Nm)	PRICE	%CHANGE	TRADES	VOLUME
86	EKOCORP PLC.	2,886.90	5.79	-	0	0
HEALTHCARE PROVIDERS					0	0
S/N	MEDICAL SUPPLIES	MARKET CAP(Nm)	PRICE	%CHANGE	TRADES	VOLUME
87	MORISON INDUSTRIES PLC.	2,522.36	2.55	-	0	0
MEDICAL SUPPLIES					0	0
S/N	PHARMACEUTICALS	MARKET CAP(Nm)	PRICE	%CHANGE	TRADES	VOLUME
88	FIDSON HEALTHCARE PLC	33,851.20	14.75	1.72	36	597,970
89	GLAXO SMITHKLINE CONSUMER NIG. PLC.	14,589.69	12.20	0.41	49	1,429,514
HEALTHCARE						
S/N	PHARMACEUTICALS	MARKET CAP(Nm)	PRICE	%CHANGE	TRADES	VOLUME
90	MAY & BAKER NIGERIA PLC.	8,798.70	5.10	-	24	335,585
91	NEIMETH INTERNATIONAL PHARMACEUTICALS PLC	7,050.62	1.65	3.77	13	215,956
92	PHARMA-DEKO PLC.	396.78	1.83	-	0	0
PHARMACEUTICALS					58	755,306
HEALTHCARE					58	755,306
ICT						
S/N	COMPUTER BASED SYSTEMS	MARKET CAP(Nm)	PRICE	%CHANGE	TRADES	VOLUME
93	COURTEVILLE BUSINESS SOLUTIONS PLC	2,131.20	0.60	-3.23	15	1,356,210
COMPUTER BASED SYSTEMS					15	1,356,210
S/N	COMPUTERS AND PERIPHERALS	MARKET CAP(Nm)	PRICE	%CHANGE	TRADES	VOLUME
94	OMATEK VENTURES PLC	1,353.22	0.46	-	7	183,915
COMPUTERS AND PERIPHERALS					7	183,915
S/N	IT SERVICES	MARKET CAP(Nm)	PRICE	%CHANGE	TRADES	VOLUME
95	CWG PLC	21,839.75	8.65	-	23	427,894
96	NCR (NIGERIA) PLC.	427.68	3.96	-	3	20,200
IT SERVICES					26	448,094
S/N	PROCESSING SYSTEMS	MARKET CAP(Nm)	PRICE	%CHANGE	TRADES	VOLUME
97	CHAMS HOLDING COMPANY PLC	6,574.48	1.40	-1.43	38	2,504,485
98	E-TRANZACT INTERNATIONAL PLC	82,800.00	9.00	-	6	23,223
PROCESSING SYSTEMS					44	2,527,708
S/N	TELECOMMUNICATIONS SERVICES	MARKET CAP(Nm)	PRICE	%CHANGE	TRADES	VOLUME
99	AIRTEL AFRICA PLC	5,261,787.92	1,400.10	-	37	36,266
TELECOMMUNICATIONS SERVICES					37	36,266
ICT					129	4,552,193
INDUSTRIAL GOODS						
S/N	BUILDING MATERIALS	MARKET CAP(Nm)	PRICE	%CHANGE	TRADES	VOLUME
100	BERGER PAINTS PLC	3,419.92	11.80	-	7	9,075
INDUSTRIAL GOODS						
S/N	BUILDING MATERIALS	MARKET CAP(Nm)	PRICE	%CHANGE	TRADES	VOLUME
101	BUA CEMENT PLC	3,582,848.66	105.80	-	124	440,757
102	CAP PLC	16,417.16	20.15	-	17	97,992
103	MEYER PLC.	1,614.96	3.04	-	21	46,787
104	PREMIER PAINTS PLC.	1,230.00	10.00	-	0	0
BUILDING MATERIALS					169	594,611
S/N	ELECTRONIC AND ELECTRICAL PRODUCTS	MARKET CAP(Nm)	PRICE	%CHANGE	TRADES	VOLUME
105	AUSTIN LAZ & COMPANY PLC	2,192.12	2.03	-	0	0
106	CUTIX PLC.	8,313.44	2.36	-	11	363,452
ELECTRONIC AND ELECTRICAL PRODUCTS					11	363,452
S/N	PACKAGING/CONTAINERS	MARKET CAP(Nm)	PRICE	%CHANGE	TRADES	VOLUME
107	BETA GLASS PLC.	40,167.75	66.95	-	12	53,841
108	GREIF NIGERIA PLC	232.39	5.45	-	0	0
109	TRIPPLE GEE AND COMPANY PLC.	1,177.99	2.38	-	3	64,000
PACKAGING/CONTAINERS					15	117,841
S/N	AGRO-ALLIED & CHEMICALS	MARKET CAP(Nm)	PRICE	%CHANGE	TRADES	VOLUME
110	NOTORE CHEMICAL IND PLC	100,754.14	62.50	-	0	0
AGRO-ALLIED & CHEMICALS					0	0
INDUSTRIAL GOODS					195	1,075,904
NATURAL RESOURCES						
S/N	CHEMICALS	MARKET CAP(Nm)	PRICE	%CHANGE	TRADES	VOLUME
111	INDUSTRIAL & MEDICAL GASES NIGERIA PLC	4,245.70	8.50	-	1	3,396
CHEMICALS					1	3,396
S/N	METALS	MARKET CAP(Nm)	PRICE	%CHANGE	TRADES	VOLUME
NATURAL RESOURCES						
S/N	METALS	MARKET CAP(Nm)	PRICE	%CHANGE	TRADES	VOLUME
METALS					2	70
S/N	MINING SERVICES	MARKET CAP(Nm)	PRICE	%CHANGE	TRADES	VOLUME
113	MULTIVERSE MINING AND EXPLORATION PLC	1,257.27	2.95	-	6	8,166
MINING SERVICES					6	8,166
S/N	PAPER/FOREST PRODUCTS	MARKET CAP(Nm)	PRICE	%CHANGE	TRADES	VOLUME
114	THOMAS WYATT NIG. PLC.	616.00	2.80	8.53	23	1,701,060
PAPER/FOREST PRODUCTS					23	1,701,060
NATURAL RESOURCES					32	1,712,692
OIL AND GAS						
S/N	ENERGY EQUIPMENT AND SERVICES	MARKET CAP(Nm)	PRICE	%CHANGE	TRADES	VOLUME
115	JAPAUL GOLD & VENTURES PLC	6,012.19	0.96	-2.04	52	5,835,024
ENERGY EQUIPMENT AND SERVICES					52	5,835,024
S/N	INTEGRATED OIL AND GAS SERVICES	MARKET CAP(Nm)	PRICE	%CHANGE	TRADES	VOLUME
116	OANDO PLC	114,368.99	9.20	1.66	208	4,395,163
INTEGRATED OIL AND GAS SERVICES					208	4,395,163
S/N	PETROLEUM AND PETROLEUM PRODUCTS DISTRIBUTORS	MARKET CAP(Nm)	PRICE	%CHANGE	TRADES	VOLUME
117	CONOIL PLC	55,654.96	80.20	-	26	7,113
118	ETERNA PLC.	19,431.76	14.90	-0.67	49	608,964
119	MRS OIL NIGERIA PLC.	37,700.17	109.95	-	12	5,789
120	TOTALENERGIES MARKETING NIGERIA PLC	130,715.91	385.00	-	50	302,848
PETROLEUM AND PETROLEUM PRODUCTS DISTRIBUTORS					137	924,714
OIL AND GAS					397	11,154,901

THISDAY | Afrinvest 40 INDEX

Tuesday, October 31, 2023

Thisday Afrinvest Index up 105bps

Thisday Afrinvest 40 index rose 105bps to close at 3,182.65 index points following price appreciation in **ZENITH** (+0.6%), **FBNH** (+4.0%), and **DANGCEM** (+5.8%). Cumulatively, these stocks account for 14.4% of the index.

Equity Market Opens Positively... ASI up 1.5%

The local bourse began the week on a firmly positive note as gains in **DANGCEM** (+5.8%), **STANBIC** (+9.2%), and **GEREGU** (+4.1%) pushed the NGX-ASI higher by 1.5% to 68,111.71 points. As such, YTD return improved to 32.9% (previously: 31.0%) while market capitalisation gained ₦535.7bn to ₦37.4tn. Activity level strengthened as volume and value traded rose 101.0% and 59.5% to 430.4m units and ₦8.3bn, respectively.

Bullish Sector Performance

Performance across sectors within our purview was positive as four indices gained, one lost while the **Oil & Gas** index closed flat. Leading the pack, the **Industrial Goods** and **Banking** indices advanced 3.0% and 1.2% respectively following price appreciation in DANGCEM (+5.8%), STANBIC (+9.2%), and UBA (+4.5%). Trailing, the **Insurance** and **Consumer Goods** indices inched higher by 0.9% and 0.4% respectively due to price uptick in AIICO (+3.0%), NB (+5.3%), and DANGSUGAR (+1.2%). Conversely, selloff on MTNN (-0.2%) dragged the **AFR-ICT** index down by 0.1%.

Outlook

Investor sentiment, as measured by market breadth, improved to 0.52x from 0.15x in the prior session as 44 stocks advanced, 16 declined while 54 closed flat. We anticipate sustained buying activity in today's trading session buoyed by bullish investor sentiment.

Corporate Disclosure

Yesterday, **Seplat Energy Plc** ("Seplat or the "Company") announced an interim dividend payment of $0.03 per ordinary share, to be paid to shareholders whose names appear in the register as at close of business on November 10th, 2023.

THISDAY AFRINVEST 40 INDEX

Fundamental Performance Metrics for THISDAY AFRINVEST 40 Index

	Ticker	Current Price	Previous Price Change	Current Weighting	Price Change YTD	Price Change Index to Date	ROE	ROA	P/E	P/BV	Dinvidend Yield	Earnings Yield
	THISDAY AFRINVEST 40	3182.65	1.05%		34.8%	218.3%	21.5%	4.6%	4.6x	1.1x	5.6%	15.6%
1	BUA Foods PLC	202.80	0.0%	24.5%	212.0%	49.4%	54.0%	21.8%	23.9x	11.2x	2.4%	4.2%
2	MTN Nigeria Communications PLC	246.00	-0.2%	8.2%	14.4%	-10.0%	85.8%	8.6%	21.2x	16.7x	6.3%	4.7%
3	Airtel Africa PLC	1,400.10	0.0%	9.3%	-14.4%	6.1%	10.4%	3.2%			2.8%	
4	Guaranty Trust Holding Co PLC	35.35	0.0%	7.0%	53.7%	1.0%	38.3%	5.6%	2.5x	0.8x	9.3%	40.7%
5	Zenith Bank PLC	33.50	0.6%	6.2%	39.6%	-2.2%	26.5%	3.1%	2.6x	0.6x	10.1%	38.4%
6	FBN Holdings Plc	16.75	4.0%	3.8%	53.7%	-1.8%	24.9%	2.3%	2.2x	0.4x	3.0%	46.4%
7	Dangote Cement PLC	328.00	5.8%	4.4%	25.7%	15.1%	40.4%	15.3%	12.7x	4.2x	6.1%	7.8%
8	Lafarge Africa PLC	29.00	2.7%	3.1%	20.8%	-1.7%	12.6%	8.5%	9.1x	1.1x	6.9%	11.0%
9	United Bank for Africa PLC	19.85	4.5%	4.2%	161.2%	62.0%	39.0%	3.9%	1.4x	0.4x	7.3%	69.5%
10	SEPLAT Energy PLC	1,905.00	0.0%	3.0%	80.4%	36.1%	1.5%	0.8%	50.1x	0.8x	3.8%	2.0%
11	Nestle Nigeria PLC	1,050.00	0.0%	1.9%	-4.5%	-16.0%		-5.3%			5.9%	-3.2%
12	Access Holdings PLC	17.15	1.2%	3.9%	101.8%	84.4%	20.5%	1.5%	2.3x	0.4x	9.4%	44.3%
13	Stanbic IBTC Holdings PLC	74.00	9.2%	2.7%	121.2%	37.0%	28.2%	3.0%	7.3x	2.2x	4.7%	13.7%
14	Ecobank Transnational Inc	15.00	0.0%	1.8%	41.5%	-1.3%	24.4%	1.2%	1.4x	0.4x	3.4%	69.5%
15	Okomu Oil Palm PLC	236.80	0.0%	1.5%	43.5%	0.8%	38.0%	19.4%	11.8x	5.8x	2.0%	8.5%
16	Nigerian Brew eries PLC	37.95	5.3%	1.2%	-7.4%	-15.7%	-39.6%	-9.3%		2.8x	3.6%	-18.6%
17	Fidelity Bank PLC	8.20	-0.6%	1.6%	88.5%	17.1%	22.3%	1.8%	3.2x	0.7x	6.1%	31.1%
18	Flour Mills of Nigeria PLC	30.00	3.4%	0.8%	5.6%	-12.0%	6.0%	1.0%	10.6x	0.6x	7.5%	9.4%
19	Transnational Corp of Nigeria	6.20	-0.3%	1.7%	448.7%	76.6%	11.9%	3.0%	17.1x	2.0x	0.8%	5.8%
20	International Brew eries PLC	4.15	-1.2%	0.7%	-11.7%	-20.2%	-43.9%	-9.2%		1.6x		-41.0%
21	AXA Mansard Insurance PLC	4.24	1.0%	0.8%	112.0%	7.3%	40.5%	11.3%	2.4x	0.9x	7.1%	40.8%
22	FCMB Group Plc	6.20	5.1%	0.7%	61.0%	21.6%	17.7%	1.7%	2.3x	0.4x	4.0%	42.9%
23	PZ Cussons Nigeria PLC	19.75	0.0%	0.5%	74.0%	-10.2%	35.2%	10.0%	5.3x	1.8x	5.1%	18.8%
24	Guinness Nigeria PLC	65.00	0.0%	0.5%	-6.2%	-18.8%	-24.1%	-7.9%		2.4x		-12.9%
25	Dangote Sugar Refinery PLC	63.75	1.2%	1.4%	297.2%	155.0%	5.0%	1.3%	272.5x	6.2x	2.4%	0.4%
26	Presco PLC	181.00	0.0%	0.5%	31.6%	1.7%	31.7%	9.5%	8.8x	3.7x	4.8%	11.4%
27	United Capital PLC	16.35	-0.3%	0.5%	16.8%	3.8%	22.9%	1.6%	9.4x	1.6x	9.1%	10.6%
28	BUA Cement Plc	105.80	0.0%	0.4%	8.2%	14.7%	25.0%	12.6%	35.5x	8.7x	2.6%	2.8%
29	NASCON Allied Industries PLC	56.40	-2.8%	1.0%	408.1%	201.6%	52.1%	16.5%	11.3x	6.7x	1.8%	8.8%
30	TotalEnergies Marketing Nigeri	385.00	0.0%	0.3%	99.5%	10.0%	34.1%	5.3%	9.1x	2.5x	6.7%	11.0%
31	Wema Bank PLC	4.84	1.3%	0.2%	24.1%	-8.5%	20.5%	1.0%	2.0x	0.7x	6.2%	50.1%
32	Jaiz Bank PLC	1.58	-6.0%	0.2%	71.7%	-5.4%	29.8%	2.0%	6.8x	1.8x	31.6%	14.8%
33	Geregu Pow er PLC	395.50	4.1%	0.3%	165.4%	31.8%				24.3x	2.0%	
34	Union Bank of Nigeria PLC	6.80	0.0%	0.2%	6.2%	-7.5%	15.8%	1.6%	5.5x	0.7x		18.1%
35	Julius Berger Nigeria PLC	36.25	0.7%	0.2%	48.0%	16.9%	12.7%	1.6%	5.8x	0.7x	7.1%	17.2%
36	Unilever Nigeria PLC	14.35	0.0%	0.1%	23.7%	-12.0%	10.0%	5.0%	12.7x	1.2x	1.8%	7.9%
37	Oando PLC	9.05	0.0%	0.2%	130.9%	57.4%		3.2%	3.0x			33.6%
38	Conoil PLC	80.20	0.0%	0.1%	202.6%	-3.4%	38.9%	14.8%	5.2x	1.8x	3.2%	19.2%
39	Transcorp Hotels Plc	44.40	0.0%	0.2%	610.4%	89.7%	6.9%	3.7%	99.6x	6.8x	0.3%	1.0%
40	Notore Chemical Industries Ltd	62.50	0.0%	0.0%	0.0%	0.0%						-47.4%

Top 10 Gainers

Ticker	Price	Price Chg %
NNFM	18.15	10.0%
CHELLARAM	3.82	9.8%
UACN	14.35	9.5%
NAHCO	26.05	9.5%
STANBIC	74.00	9.2%
JAPAULGOLD	1.08	9.1%
MCNICHOLS	0.61	8.9%
UNIVINSURE	0.25	8.7%
IKEJAHOTEL	3.70	8.2%
NSLTECH	0.29	7.4%

Top 10 Trades by Volume

Ticker	Volume	Price Chg %
UNIVINSURE	94.8	8.7%
UBA	51.3	4.5%
CUSTODIAN	33.2	1.4%
TRANSCORP	32.5	-0.3%
ZENITHBANK	24.4	0.6%
CHAMS	19.2	6.3%
GTCO	18.3	0.0%
ACCESSCORP	17.0	1.2%
JAPAULGOLD	15.2	9.1%
UPDCREIT	6.8	0.0%

Top 10 Losers

Ticker	Price	Price Chg %
MEYER	2.74	-9.9%
ABBEYBDS	1.86	-9.7%
REGALINS	0.33	-8.3%
RTBRISCOE	0.47	-6.0%
JAIZBANK	1.58	-6.0%
VERITASKAP	0.26	-3.7%
NASCON	56.40	-2.8%
ABCTRANS	0.72	-2.7%
CUTIX	2.25	-2.2%
STERLINGNG	3.46	-1.4%

Top 10 Trades by Value

Ticker	Value	Price Chg %
GEREGU	1,946.6	4.1%
MTNN	1,106.0	-0.2%
UBA	1,002.8	4.5%
ZENITHBANK	818.5	0.6%
GTCO	646.0	0.0%
SEPLAT	369.5	0.0%
ACCESSCORP	289.1	1.2%
CUSTODIAN	242.0	1.4%
TRANSCORP	200.8	-0.3%
BUACEMENT	187.3	0.0%

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EDITORIAL

ENTRENCHING THE RULE OF LAW (11)

It has become imperative to amend the laws for speedy disposal of all post-election matters

Continued from yesterday

The framers of our Constitution foresaw a situation where electoral contests would become subjects of disputes and provided remedies. Aggrieved persons have the option of going up to the Supreme Court, especially for presidential and governorship elections. That these remedies are being explored is gladdening. However, the crisis of confidence and lack of trust in the Nigerian electoral system has virtually transferred the onus of determining outcomes to the judiciary rather than the voters. These endless post-election litigations and protracted court processes, appeals and conflicting judgments on election related matters have infected the judiciary with the massive corruption that has become part of the brand identity of Nigerian politics. Citing examples of controversial judgments delivered by the Supreme Court on election related cases, Justice Dattijo spoke of how the public perception of the institution is now very low.

Ordinarily, the essence of judicial interventions in election matters is to promote democratic culture, strengthen the confidence of the people in the process and instill accountability in leadership. But by reducing our courts to vote counting stations with Judges now deciding the outcome of elections, allegations of deal-making and corruption are rife. That also bodes ill for democracy and the rule of law in Nigeria. To insulate our judiciary from being further dragged into partisan politics, we must deal with this aberration that has become the norm. That will require the collaboration of all relevant stakeholders.

Section 285 (6) of the 1999 Constitution of Nigeria (as amended) states that "an election tribunal shall deliver its judgment in writing within 180 days from the date of the filing of the petition". Meanwhile, the petitioners have 21 days after the date of the declaration of the result of elections to file. The law further provides that "an appeal from the decision of an election tribunal or Court of Appeal in an election matter shall be heard and disposed of within 60 days from the date of delivery of judgment of the tribunal or Court of Appeal". The combined effect of these provisions is that the declared winner would have spent no less than six months in office before the case is concluded.

Since judicial systems hardly rule in favour of potential anarchy, the time lag makes it difficult to upturn a presidential election in which the incumbent has already spent months in office. That explains why we have always advocated a situation in which electoral petitions are concluded before the swearing-in of winners, as it is the case in many African countries. In Kenya, for instance, it takes only three weeks between the date of declaration of presidential election result and the decision of the Supreme Court. Article 140 of the 2010 Constitution of Kenya provides that the petition should be filed within seven days after the result is declared and "within 14 days after the filing of a petition, the Supreme Court shall hear and determine the petition and its decision shall be final".

The idea that post-election disputes should be disposed of long after the declared winner has been in office puts the judiciary in a difficult moral quandary

The present arrangement in Nigeria is inherently unfair. The idea that post-election disputes should be disposed of long after the declared winner has been in office puts the judiciary in a difficult moral quandary. If they rule in favour of the incumbent, they are open to charges of compromise and possibly corruption. If they rule in the opposite direction, they would be deemed as advocating anarchy. The way out is to amend the relevant laws to enable a speedy disposal of all post-election matters well in advance of the commencement of the succeeding tenure. Only then can we correctly gauge the independence and integrity of the judiciary and ensure equality before the law in electoral disputes.

Letters to the Editor

Letters in response to specific publications in THISDAY should be brief (150-300 words) and straight to the point. Interested readers may send such letters along with their contact details to **opinion@thisdaylive.com.** We also welcome comments and opinions on topical local, national and international issues provided they are well-written and should also not be longer than (750- 1000 words). They should be sent to **opinion@thisdaylive.com** along with photograph, email address and phone numbers of the writer.

LETTERS

WHAT NEXT FOR AISHATU DAHIRU BINANI?

In my piece, What Next for Aishatu Binani? published in the THISDAY Newspapers of April 24, 2023, I postulated that the Adamawa APC Gubernatorial Candidate in the 2023 election, Senator Aishatu Dahiru Ahmed Binani, has three options to choose from, which will make or mar her political future. First, Binani can continue to insist that she is the 'Governor-Elect', as declared by the suspended Adamawa INEC Resident Electoral Commissioner (REC) Hudu Yunusa Ari. In this case, Binani will approach the tribunal with that sole demand. The second option for Binani was to pursue her case through the tribunal while completely ignoring Hudu's bizarre actions. The third option for her was to retreat and congratulate Governor Ahmadu Umaru Fintiri. That's to discard the option of any litigation and move forward. Binani and her team chose the former; they opted for litigation. Now the Adamawa Governorship Election Tribunal has dismissed her case, thus putting her in a catch-22 situation. If Binani has to pursue the case to the Appeal and the Supreme Courts—she would overstretch her luck. in politics, when you overstretch your luck, you may hit the wall with your head.

Everything being equal, Binani will battle three issues: she has lost a good rapport with most Adamawa APC-critical stakeholders. Second, the party itself seems not to be on the same page with her. Thirdly, to continue with the legal battle means a kind of pressure on her personal pockets while knowing fully well she has no chance. All the politicians that will stay on Binani's side will only continue to do so if it will oil their courses. Prof. Jibrin Amin has a popular saying: Ba'a Adawa, Babu Dawa (opposition only survives with resources at hand). Fourthly, her philanthropic activities will diminish because she is not in a government position that allows her easy access to materials. Fifthly, discontinuing the case will portray her as weak in the eyes of her supporters. All Binani diehard supporters heavily rely on 'the court case' to have temporary relief and hope.

To be fair, Binani is among the very few politicians with cult-like followers and has fought a good battle in her own rights. But now she has found herself between two dicey options: one: reformat her politics by discarding all the unnecessary legal tussles; two: mend fences with her party at the state and LG levels, including lowering her head to some APC stakeholders who, hitherto, she assumed were not important, but have shown their capacity and understanding of how Adamawa politics works. Two: go with her cult-like followers, whose only hope and temporary relief is to continue with the extraneous legal battle. And, whichever way she follows—Binani will now battle with being absent from the scene. Another salient fact is that one cannot discuss Binani's political future without looking at Hudu's fate in the court. A federal high court has ruled that Hudu's trial can go ahead. Hudu's fate will have an impact on Binani's political future.

Furthermore, the Adamawa APC will definitely continue to have two sides: the Binani side, who has suffered massive losses of positions and 'steam' due to court judgements against them, and the other side, who are in absolute control of the party machinery, federal might, and also sitting akimbo, laughing at the former's predicament.

Nevertheless, one big picture is that Binani, as a person, will have to sit down and look at things from one important angle—the feasibility of being the sole financier of an opposition facing a battle from two fronts—its party and the government in power. Will Binani resort to what she did after the 2015 elections? When she suffered a 'not surprising' defeat in the 2015 Adamawa central senatorial election, she imposed upon herself a premature retirement from politics. The 2015 senatorial outing was a product of a miscalculated political move—contesting for the Senate on a very weak platform—the PDM.

Zayyad I. Muhammad,
Abuja

IN THE HIGH COURT OF JUSTICE: DELTA STATE OF NIGERIA
IN THE EFFURUN JUDICIAL DIVISION
HOLDEN AT EFFURUN
BEFORE HIS LORDSHIP HON. JUSTICE MICHAEL NDUKA OBI, (JUDGE)
ON THURSDAY, THE 26TH DAY OF OCTOBER, 2023.

SUIT NO. EHC/183/20

BETWEEN:

BROWNHILL INVESTMENTS COMPANY LIMITED --- **CLAIMANT/APPLICANT**

-AND-

1. DAVID ADELEKE a.k.a "Davido"
2. DAVIDO MUSIC WORLDWIDE LIMITED **DEFENDANTS**

ENROLMENT OF ORDER

Upon the motion Ex-parte dated 23rd of October, 2023 and filed 24/10/2023 praying this Court for the following order to wit:

1. An order of this Honourable Court issuing the Writ of Summons for service outside the jurisdiction of this Court, on the Defendants whose address is No. 2b, Prince Adelowo Street Lekki Phase I, Lagos State.
2. An order of this Honourable Court granting leave to the Claimant/Applicant to serve, outside the jurisdiction of this Court, the Writ of Summons, Statement of Claim and other accompanying processes as well as the Motion on Notice for Interlocutory injunction and other processes emanating from this suit, on the Defendants, whose address is No. 2b, Prince Adelowo Street, Lekki Phase I, Lagos State.
3. An order of this Honourable Court granting leave to the Claimant/Applicant to serve the Writ of Summons, Statement of Claim and other accompanying processes as well as the Motion on Notice for Interlocutory injunction and other processes emanating from this suit, on the Defendants, by substituted means to wit newspaper publication.

And for such further orders or other orders as this Honourable Court may deem fit to make in the circumstance.

HIGH COURT OF JUSTICE DELTA STATE EFFURUN

CERTIFIED TRUE COPY SIGN ... DATE 26/10/23 NAME: OBIKU URUEMU ASSISTANT DIRECTOR OF COURT

Coming up for hearing and determination before his Lordship, the Hon. Justice Michael Nduka Obi, Judge sitting at High Court 3, Effurun, on Thursday, the 26th day of October, 2023. The Applicant being represented by Counsel. And the Court having heard Osaruyi Ayela-Uwangue Esq., ordered as follows:

Court: On application of counsel to withdraw prayers 1 and 2 on the motion paper, Prayers 1 and 2 are struck out. Accordingly, leave is granted the Claimant to serve the Originating Processes and Motion on Notice by substituted means to wit: by publication in a National Newspaper. The said publication would be taken as service.

Motion on Notice is fixed for 23rd of November, 2023 for Hearing.

MICHAEL NDUKA OBI (JUDGE)

Issued at the High Court Registry, Effurun, under the hand of the presiding Judge and seal of court on Thursday, the 26th day of October, 2023.

HIGH COURT OF JUSTICE DELTA STATE EFFURUN

26/10/2023

OBIKU URUEMU (MRS.)
ASSISTANT DIRECTOR

CERTIFIED TRUE COPY SIGN ... DATE 26/10/23 NAME: OBIKU URUEMU ASSISTANT DIRECTOR OF COURT

GENERAL FORM OF WRIT OF SUMMONS

IN THE HIGH COURT OF DELTA STATE
IN THE EFFURUN JUDICIAL DIVISION
HOLDEN AT EFFURUN

SUIT NO: EHC/183/2023

BETWEEN

BROWNHILL INVESTMENTS COMPANY LIMITED - **CLAIMANT**

AND

1. DAVID ADELEKE a.k.a "Davido"
2. DAVIDO MUSIC WORLDWIDE LIMITED - **DEFENDANTS**

To: **THE DEFENDANTS:**

1. **DAVID ADELEKE a.k.a "Davido" 2. DAVIDO MUSIC WORLDWIDE LIMITED** ofNo.2b, Prince Adelowo Street, Lekki Phase 1, Lagos State.

You are hereby commanded that within eight days after the service of this writ on you, inclusive of the day of such service you do cause an appearance to be entered for you in an action at the suit of **BROWNHILL INVESTMENTS COMPANY LIMITED** and take notice that in default of your so doing the Claimant may proceed therein, and judgment may be given in your absence.

Dated this 24th Day of Oct. 2023

Registrar

MEMORANDUM TO BE SUBSCRIBED ON THE WRIT

N.B: This Writ is to be served within six calendar months from the date thereof, or, if renewed, within six calendar months from the date of the last renewal, including the day of such date and not afterwards.

The Defendants may enter appearance personally or by legal practitioner either by handing in the appropriate forms, duly completed, at the Registry of the High Court of the Judicial Division in which the action is brought or by sending them to the Registry by registered post.

ENDORSEMENT

The Claimant claims against the Defendants jointly and/or severally as follows:

I. **A DECLARATION** that the payment of $94,500.00 (Ninety Four Thousand, Five Hundred Dollars) by the Claimant on 6th April, 2023, as full payment for engaging the services of the 1st Defendant to perform at the 19th Edition of the "Warri Again" event slated for 6th of October, 2023, at Warri, Delta State, was an agreement/contract binding on the Defendants and Claimant.

II. **A DECLARATION** that the 1st Defendant's failure to appear and perform at the 19th Edition of the Warri Again event held on 6th October, 2023, at Warri, Delta State after the Claimant made payment for the 1st Defendant's performance since 6th April, 2023, is a breach of the performance agreement/contract entered between the Claimant and Defendants for engaging the services of the 1st Defendant to perform at the "Warri Again" event held on 6th October, 2023.

III. **AN ORDER** directing the Defendants jointly and/or severally to immediately refund the sum of **$94,500.00 (Ninety Four Thousand, Five Hundred Dollars)** paid to the Defendants on 6th April, 2023 for the1st Defendant's performance at the 19th Edition of the "Warri Again" event held on 6th of October, 2023, at Warri, Delta State.

IV. **AN ORDER** directing the Defendants jointly and/or severally to refund the Claimant, the sum of **$18,000.00 (Eighteen Thousand Dollars)** paid by the Claimant to charter and secure the private jet that was to personally convey the 1st Defendant and his team to and from Warri, Delta State for the 19th Edition of "Warri Again" held on 6th October, 2023.

V. **AN ORDER** directing the Defendants jointly and/or severally to tender a **public apology**on all the 1st Defendant's social media accounts/handlesand in Two [2] National Daily Newspapersfor four [4] consecutive days, to the Claimant and attendees of the 19th Edition of the "Warri Again" event held on 6th of October, 2023, at Warri, Delta State.

VI. **AN ORDER OF INJUNCTION** restraining the 1st Defendant from performing as a musical artiste at any show/event in Nigeria, until the Defendants jointly and/or severally refund the sum of $94,500.00 (Ninety Four Thousand, Five Hundred Dollars) collected from the Claimant on 6th April, 2023 as payment for the 1st Defendant's performance at the 19thEdition of "Warri Again", held on 6th October, 2023 in Warri, Delta State.

VII. **AN ORDER OF PERPETUAL INJUNCTION** against the Defendants jointly and /or severally from receiving and collecting monies/payments/gratifications of any form for shows, events and engagements that the 1st Defendant would not attend to perform and/or meet up to his contractual obligation in regard to same as it may result to breach of peace, riots and loss of lives and property.

VIII. **GENERAL DAMAGES** in the sum of **=N=2,000,000,000.00 (Two Billion Naira)** against the Defendants jointly and/or severally in favour of the Claimant, for the Defendants' breach of the performance agreement entered between the Claimant and Defendants in respect of engaging the services of the 1st Defendant to perform at the "Warri Again" event held on 6thof October, 2023.

IX. Legal and professional fees in the sum of **=N=150,000,000.00 (One Hundred and Fifty Million Naira)**.

X. The sum of **=N=30,000,000.00 (Thirty Million Naira)**assessed as cost of this action.

This Writ was issued by **OSARUYI AYELA - UWANGUE ESQ** of **ALEGEH &CO.**, whose address for service is No.35 Cameron Road, Ikoyi, Lagos Legal Practitioner for the said Claimant, BROWNHILL INVESTMENTS COMPANY LIMITED with its address at 6/7 Elf Road, Off Shell, Ogunu, Warri, Delta State.

Endorsement to be made on the copy of writ forthwith after service

This Writ was served by me at .... on the Defendants (here insert mode of service) on the .... day of 2023

Endorsed the .... day of 2023

Signed ....
Address........................

NIGERIAN BAR ASSOCIATION NBA

THIS WRIT OF SUMMONS IS TO BE SERVED OUT OF THE EFFURUN JUDICIAL DIVISION, DELTA STATE AND IN LAGOS STATE.

W/Summons =N=51,600.00
=N=100.00
=N=200.00
=N=51,900.00
24/10/2023

HIGH COURT OF JUSTICE DELTA STATE EFFURUN

IN THE HIGH COURT OF DELTA STATE
IN THE EFFURUN JUDICIAL DIVISION
HOLDEN AT EFFURUN

SUIT NO: EHC/183/2023

BETWEEN

BROWNHILL INVESTMENTS COMPANY LIMITED - **CLAIMANT**

AND

1. DAVID ADELEKE a.k.a "Davido"
2. DAVIDO MUSIC WORLDWIDE LIMITED - **DEFENDANTS**

STATEMENT OF CLAIM

INTRODUCTION

PARTIES

1. The Claimant is a Company duly registered under the Laws of the Federal Republic of Nigeria and organizer of the "Warri Again" event.
2. The 1st Defendant is a recording and performing musical artiste.
3. 2ndDefendant herein, is a duly registered entertainment company, with the 1st Defendant being its alter ego.

THE AGREEMENT BETWEEN THE PARTIES

4. The Claimant avers that sometime in early 2023, the 1st Defendant approached its Chairman, Mr. Amaju Pinnick, when they met at the Abuja Airport, to engage his (1st Defendant's) services for the 19th Edition of the "Warri Again" event held on 6th October, 2023.
5. The Claimant avers that its Chairman was hesitant to engage the services of the 1st Defendant for the event as the 1st Defendant had disappointed him on two previous occasions, the 2014 and 2019 editions of Warri Again, where he did not show up to perform after he had been paid for the events and he was compelled to make refunds thereafter.

S/claim =N=500.00
=N=200.00
=N=700.00
24/10/2023

HIGH COURT OF JUSTICE DELTA STATE EFFURUN

6. The Claimant believing that the 1st Defendant had turned a new leaf, entered into a performance agreement with the Defendants, for the 1st Defendant to perform as the headline artiste at the 19th Edition of Warri Again, slated to hold on the 6th of October, 2023 in Warri, Delta State.
Performance Agreement dated 30th March, 2023 is hereby pleaded and shall be relied on at trial.

7. The Agreed fee for the 1st Defendant's performance was **=N=70,000,000.00 (Seventy Million Naira)**, which the Defendants insisted must be paid in full at the time, in order to secure the 1st Defendant's performance at the event on the 6th of October, 2023.

8. The Claimant avers that thereafter, the sum of **$94,500.00** (USD equivalent of =N=70,000,000.00) was paid on the 6th of April, 2023 and same was duly acknowledged by the Defendants.
Proof of Receipt of Funds dated 6th April, 2023 is hereby pleaded and shall be relied on at trial.

9. After payment was made and confirmed, the 1st Defendant did a promotional video for the 19th Edition of the Event slated to hold on the 6th of October, 2023 in Warri, Delta State, Nigeria, wherein he confirmed his attendance and live performance in Warri on the 6th of October, 2023.
1st Defendant's Promotional video for "Warri Again" event slated for 6th October, 2023 in Warri, Delta State is hereby pleaded and shall be relied on at trial.

10. Thereafter, the Claimant set in motion, all promotional and advertorial machinery for the Event, projecting the 1st Defendant as the headline performer at the event slated for the 6th of October, 2023 in Warri, Delta State. The Claimant expended humongous resources on print and social media adverts and promotion for the event.

11. The Claimant avers that on the 29th of September, 2023, precisely a week to the slated date of the Event, a formal letter of reminder was sent to the 1st Defendant in respect of the Event scheduled for 6th October, 2023.
Letter of Reminder dated 29th September, 2023 is hereby pleaded and shall be relied on at trial.

12. The said Letter of Reminder also contained flight itinerary of the private jet chartered to personally convey the 1st Defendant and his team to and from Warri, Delta State for the "Warri Again" Event, on the 6th of October, 2023. The Claimant incurred

additional expenses of $18,000.00 to secure the private jet chartered to convey the 1st Defendant and his team.
Payment Invoice from Elite Aviation Services for $18,000.00 is hereby pleaded and shall be relied on at trial.

DEFENDANTS' BREACH OF AGREEMENT/CONTRACT

13. On the 6th October, 2023, the Claimant tried to reach the Defendants severally but all attempts proved futile. Regardless, the Claimant kept the private jet, it chartered to convey the 1st Defendant and his team to Warri, at the Airport in Lagos on standby, waiting for the 1st Defendant and his team.

14. The Claimant released a public notice that it had met all necessary performance agreements in respect of securing the performance of the 1st Defendant at Warri Again and had not received any communication from the Defendants, relating to the attendance of the 1st Defendant at the Event.
Claimant's Public Notice is hereby pleaded and shall be relied on at trial.

15. Unfortunately, to the utmost humiliation and detriment of the Claimant, the 1st Defendant willfully failed, neglected and refused to show up, attend and perform at the 19th Edition of "Warri Again" held on the 6th of October, 2023, despite the fact that he was paid the sum of $94,500.00, since the 6th of April, 2023 for the Event.

16. In the course of the event on the 6th of October, 2023, the Chairman of the Claimant, Mr. Amaju Pinnick, was compelled to address and apologize to the event attendees for the nonappearance and performance of the 1st Defendant as the attendees expressed disappointment upon learning that the 1st Defendant was not in attendance to perform. He explained to the disappointed attendees that the Claimant met all its contractual obligations to secure the attendance and performance of the 1st Defendant but the 1st Defendant just deliberately refused to show up and perform.

17. Mr. Pinnick further revealed on stage to the unhappy attendees, that the Claimant had taken steps to secure the performance of another raving artiste known as Crown Uzama a.k.a Shallipopi, at an extra and unbudgeted cost to make up for the absence and non-performance of the 1st Defendant.

18. The 1st Defendant, not long after, resorted to bullying the Claimant's Chairman, Mr. Pinnick, with his large social media influence and following by posting all manner of insults, defamatory remarks, threats and unprintable things on the accounts/handles of

his Instagram, Snapchat and X [Formerly known as Twitter], about the Claimant's Chairman.

19. The 1st Defendant made a false post on his Instagram Story, stating that he had informed the Claimant months ago of his inability to attend and perform at the Claimant's Event, held in Warri on 6th October, 2023. However, this is very false as the Claimant would not have needed to send the 1st Defendant the Letter of Reminder on the 29th of September, 2023 and incur additional expenses of $18,000.00 to charter the private jet that was made to wait all day on the 6th of October, 2023 to convey the 1st Defendant to Warri. The Defendants never replied the Letter of Reminder sent to them on 29th September, 2023.
Screenshot of the 1st Defendant's false post stating that he communicated his nonperformance on 6th October, 2023, is hereby pleaded and shall be relied on at trial.

20. The Claimant avers that at no point in time did the Defendants communicate or relate to the Claimant that the 1st Defendant would not attend and no longer perform at the "Warri Again" event on the 6th of October, in Warri, Delta State.

21. The Defendants did not communicate to the Claimant, that the 1st Defendant would not be able to perform at the event on the 6th of October, 2023 and no refund of the performance fee was made to the Claimant.

22. The Claimant avers that it later discovered that, the 1st Defendant despite collecting payment of the sum of $94,500 from it and compelling it to incur additional expenses of $18,000 for a Private jet to take the 1st Defendant to Warri, had also collected another payment in respect of an event slated for the same date at Lux Nightclub Melbourne, 373 Chapel St. South Yarra, Australia. An event which 1st Defendant eventually performed at while ignoring the Claimant's "Warri Again" event.
Poster of 1st Defendant's Australia event on 6th October, 2023 is hereby pleaded and shall be relied on at trial.

1ST DEFENDANT'S ACTIONS LIKELY TO ENDANGER SOCIETY AND CAUSE BREACH OF PUBLIC PEACE

23. The Claimant avers that the 1st Defendant is in the habit of taking bookings and collecting payments for shows/events he very well knows that he would not attend and show up to perform.

24. The Claimant avers that on two previous editions of "Warri Again" held on 1st October, 2014 in Warri, Delta State and 27th December, 2019 at Eko Convention Centre, Lagos State, respectively, the 1st Defendant was engaged as the headline performer. However, he breached his contract in both instances, failed to show up and perform at both events. He was compelled to do a refund of payments he collected for both events.

25. The Claimant avers that other show promoters and persons have been victims of the 1st Defendant's penchant for reneging on contracts and engagements after collecting payments. On the 8th of October, 2023, Instablog9ja, one of the most popular Nigerian news blog on Instagram, posted the story of a businessman named Abu Salami, who called out the 1st Defendant herein (Davido) for allegedly reneging on a contract after collecting over =N=200,000,000.00.
Screenshots of the Instablog9ja Post are hereby pleaded and shall be relied on at trial.

26. The Claimant avers that the 1st Defendant is not just in the habit of reneging on contracts and not showing up for paid events, he is also known to cyberbully, harass and threaten those who call him out on his excesses or when he reneges on paid engagements. The 1st Defendant made a post on his Instagram and Snapchat Story/Status that he was not going to refund the money paid to him by the Claimant. He further went on to refer to the Claimant's Chairman as a "dream crusher", who has crushed the dreams of many Nigerian footballers, because he (Claimant's Chairman) wants to live in Ikoyi by force.
Screenshot of the 1st Defendant's statement of no refund of payment is hereby pleaded and shall be relied on at trial.

27. The Claimant avers that the 1st Defendant is quick to use his large social media following and influence to cyberbully and harass anyone he feels he can oppress. The 1st Defendant has openly admitted in an interview that he once instructed his fans to harass a female show promoter, who said she did not know him.
Pulse.ng news publication of 23rd May, 2023 of 1st Defendant admitting to telling his fans to bully a female show promoter is hereby pleaded and shall be relied on at trial.

28. The Claimant avers that if the 1st Defendant's absence at the event on the 6th of October, 2023, was not managed with precariousness, the situation might have escalated to uncertain and unpleasant proportions with some disappointed attendees

"Warri Again" event slated for 6th of October, 2023, at Warri, Delta State, was an agreement/contract binding on the Defendants and Claimant.

II. **A DECLARATION** that the 1st Defendant's failure to appear and perform at the 19th Edition of the Warri Again event held on 6th October, 2023, at Warri, Delta State after Claimant made payment for the 1st Defendant's performance since 6th April, 2023, is a breach of the performance agreement/contract entered between the Claimant and Defendants for engaging the services of the 1st Defendant to perform at the "Warri Again" event held on 6th October, 2023.

III. **AN ORDER** directing the Defendants jointly and/or severally to immediately refund the sum of **$94,500.00 (Ninety Four Thousand, Five Hundred Dollars)** paid to the Defendants on 6th April, 2023 for the 1st Defendant's performance at the 19th Edition of the "Warri Again" event held on 6th of October, 2023, at Warri, Delta State.

IV. **AN ORDER** directing the Defendants jointly and/or severally to refund the Claimant, the sum of **$18,000.00 (Eighteen Thousand Dollars)** paid by the Claimant to charter and secure the private jet that was to personally convey the 1st Defendant and his team to and from Warri, Delta State for the 19th Edition of "Warri Again" held on 6th October, 2023.

V. **AN ORDER** directing the Defendants to tender a **public apology** on all the 1st Defendant's social media accounts/handles and in Two [2] National Daily Newspapers for four [4] consecutive days, to the Claimant and attendees of the 19th Edition of the "Warri Again" event held on 6th of October, 2023, at Warri, Delta State.

VI. **AN ORDER OF INJUNCTION** restraining the 1st Defendant from performing as a musical artiste at any show/event in Nigeria, until the Defendants jointly and/or severally refund the sum of $94,500.00 (Ninety Four Thousand, Five Hundred Dollars) collected from the Claimant on 6th April, 2023 as payment for the 1st Defendant's performance at the 19th Edition of "Warri Again", held on 6th October, 2023 in Warri, Delta State.

VII. **AN ORDER OF PERPETUAL INJUNCTION** against the Defendants jointly and /or severally from receiving and collecting monies/payments/gratifications of any form for shows, events and engagements that the 1st Defendant would not

and residents who bought tickets for the event on the basis of the 1st Defendant's assured presence and performance at the event.

29. The Claimant avers that its Chairman has faced severe and vicious cyberbullying from the 1st Defendant, his team and some fans, who continue to bash the Claimant's event and its Chairman following the 1st Defendant's continuous defamatory callouts on social media over this matter.

30. The Defendants' deliberate action of arbitrarily breaching the performance agreement by not showing up and performing at "Warri Again" on the 6th of October and his underhand cyberbullying tactics employed against the Claimant and its Chairman on social media, has not only cost the Claimant financial loss but also occasioned severe irreparable reputational damage on the Claimant's corporate personality and image.

31. The Claimant avers that it was compelled to brief and instruct the Law firm of Alegeh & Co, to institute legal action against the Defendants herein and It has been charged the sum of **=N=150,000,000.00 (One Hundred and Fifty Million Naira)** as legal and professional fees.
Invoice and receipt of payment issued by Claimant's Solicitors are hereby pleaded and shall be relied on at trial.

32. The Claimant avers that it would expend over **=N=30,000,000.00 (Thirty Million Naira)** as cost of action for the entire prosecution of this matter. The cost of action is not limited to fees incurred from filing, flight fares, accommodation and allowances for Claimant's staff travelling to attend court proceedings in the matter.

EVIDENCE

33. During trial, the Claimant shall rely on all documents and materials relevant to support its claims in this case including but not limited to screenshots of online documents, news articles and/or postings, payment receipts and all such other relevant documents and materials.

RELIEFS SOUGHT

34. Whereof the Claimant claims against the Defendants jointly and/or severally as follows:

I. **A DECLARATION** that the payment of $94,500.00 (Ninety Four Thousand, Five Hundred Dollars) by the Claimant on 6th April, 2023, as full payment for engaging the services of the 1st Defendant to perform at the 19th Edition of the

attend to perform and/or meet up to his contractual obligation in regard to same as same may result in breach of peace, riots and loss of lives and property.

VIII. **GENERAL DAMAGES** in the sum of **=N=2,000,000,000.00 (Two Billion Naira)** against the Defendants jointly and/or severally in favour of the Claimant, for the Defendants' breach of the performance agreement entered between the Claimant and Defendants in respect of engaging the services of the 1st Defendant to perform at the "Warri Again" event held on 6th of October, 2023.

IX. Legal and professional fees in the sum of **=N=150,000,000.00 (One Hundred and Fifty Million Naira)**.

X. The sum of **=N=30,000,000.00 (Thirty Million Naira)** assessed as cost of this action.

35. The Claimant hereby reserves the right to amend, supplement, revise or otherwise modify this Statement of Claim in accordance with the Rules of this Honourable Court.

DATED THIS 23RD DAY OF OCTOBER, 2023

NIGERIAN BAR ASSOCIATION NBA OSARUYI AYELA-UWANGUE

Kelechi Onwuegbuchulem Esq.
Osaruyi Ayela - Uwangue Esq.
Temitope .C. Abiodun Esq.
[Claimant's Counsel]
Alegeh & Co.
Legal Practitioners & Notaries Public
No. 35, Cameron Road, Ikoyi
Lagos.
07060658157
uyiayela@alegehlaw.com

FOR SERVICE ON:
THE DEFENDANTS
1. DAVID ADELEKE A.K.A DAVIDO
2. DAVIDO MUSIC WORLDWIDE LIMITED
NO. 2B PRINCE ADELOWO STREET,
LEKKI PHASE 1,
LAGOS.

IN THE HIGH COURT OF DELTA STATE
IN THE EFFURUN JUDICIAL DIVISION
HOLDEN AT EFFURUN

SUIT NO: EHC/183/2023

BETWEEN

BROWNHILL INVESTMENTS COMPANY LIMITED - CLAIMANT

AND

1. DAVID ADELEKE a.k.a "Davido"
2. DAVIDO MUSIC WORLDWIDE LIMITED - DEFENDANTS

LIST OF WITNESS (ES)

1. Victor Wokocha

DATED THIS 23RD DAY OF OCTOBER, 2023

Kelechi Onwuegbuchulem Esq.
Osaruyi Ayela - Uwangue Esq.
Temitope .C. Abiodun Esq.
[Claimant's Counsel]
Alegeh & Co.
Legal Practitioners & Notaries Public
No. 35, Cameron Road, Ikoyi
Lagos.
07060658157
uyiayela@alegehlaw.com

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IN THE HIGH COURT OF DELTA STATE
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SUIT NO:

BETWEEN

BROWNHILL INVESTMENTS COMPANY LIMITED - **CLAIMANT**

AND

1. DAVID ADELEKE a.k.a "Davido"
2. DAVIDO MUSIC WORLDWIDE LIMITED - **DEFENDANTS**

WITNESS DEPOSITION ON OATH OF VICTOR WOKOCHA

I, **VICTOR WOKOCHA,** Male, Christian, Nigerian Citizen and Administrative Manager of Brownhill Investments Company Limited of 6/7 Elf Road, Off Shell, Ogunu, Warri, Delta Statedo hereby make oath and state as follows:

1. That I am the Administrative Managerof the Claimant herein by virtue of which position I am conversant with the facts and circumstances of this case.
2. That the facts deposed herein are within my personal knowledge except as otherwise stated.
3. That I have the consent and authority of the Claimant to depose to this Witness Statement on Oath.
4. That the Claimant is a Company duly registered under the Laws of the Federal Republic of Nigeria and organizer of the "Warri Again" event.
5. The 1st Defendant is a recording and performing musical artiste.
6. 2ndDefendant herein, is a duly registered entertainment company, with the 1st Defendant being its alter ego.

7. That sometime in early 2023, the 1st Defendant approached the Claimant's Chairman, Mr. Amaju Pinnick, when they met at the Abuja Airport, to engage him (1st Defendant's) services for the 19th Edition of the "Warri Again" event held on 6th October, 2023.

8. The Claimant's Chairman was hesitant to engage the services of the 1st Defendant for the event as the 1st Defendant had disappointed him on two previous occasions, the 2014 and 2019 editions of Warri Again, where he did not show up to perform after he had been paid for the events and he was compelled to make refunds thereafter.

9. The Claimant believing that the 1st Defendant had turned a new leaf, entered into a performance agreement with the Defendants, for the 1st Defendant to perform as the headline artiste at the 19th Edition of Warri Again, slated to hold on the 6th of October, 2023 in Warri, Delta State.
Performance Agreement dated 30th March, 2023 is hereby pleaded and shall be relied on at trial.

10. The Agreed fee for the 1st Defendant's performance was **=N=70,000,000.00 (Seventy Million Naira)**, which the Defendants insisted must be paid in full at the time, in order to secure the 1st Defendant's performance at the event on the 6th of October, 2023.

11. That thereafter, the sum of **$94,500.00** (USD equivalent of =N=70,000,000.00) was paid on the 6th of April, 2023 and same was duly acknowledged by the Defendants.
Proof of Receipt of Funds dated 6th April, 2023 is hereby pleaded and shall be relied on at trial.

12. After payment was made and confirmed, the 1st Defendant did a promotional video for the 19th Edition of the Event slated to hold on the 6th of October, 2023 in Warri, Delta State, Nigeria, wherein he confirmed his attendance and live performance in Warri on the 6th of October, 2023.
1st Defendant's Promotional video for "Warri Again" event slated for 6th October, 2023 in Warri, Delta State is hereby pleaded and shall be relied on at trial.

13. Thereafter, the Claimant set in motion, all promotional and advertorial machinery for the Event, projecting the 1st Defendant as the headline performer at the event slated for the 6th of October, 2023 in Warri, Delta State. The Claimant expended humongous resources on print and social media adverts and promotion for the event.

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14. That on the 29th of September, 2023, precisely a week to the slated date of the Event, a formal letter of reminder was sent to the 1st Defendant in respect of the Event scheduled for 6th October, 2023.
Letter of Reminder dated 29th September, 2023 is hereby pleaded and shall be relied on at trial.

15. The said Letter of Reminder also contained flight itinerary of the private jet chartered to personally convey the 1st Defendant and his team to and from Warri, Delta State for the "Warri Again" Event, on the 6th of October, 2023. The Claimant incurred additional expenses of $18,000.00 to secure the private jet chartered to convey the 1st Defendant and his team.
Payment Invoice from Elite Aviation Services for $18,000.00 is hereby pleaded and shall be relied on at trial.

16. On the 6th October, 2023, the Claimant tried to reach the Defendants severally but all attempts proved futile. Regardless, the Claimant kept the private jet, it chartered to convey the 1st Defendant and his team to Warri, at the Airport in Lagos on standby, waiting for the 1st Defendant and his team.

17. The Claimant released a public notice that it had met all necessary performance agreements in respect of securing the performance of the 1st Defendant at Warri Again and had not received any communication from the Defendants, relating to the attendance of the 1st Defendant at the Event.
Claimant's Public Notice is hereby pleaded and shall be relied on at trial.

18. Unfortunately, to the utmost humiliation and detriment of the Claimant, the 1st Defendant willfully failed, neglected and refused to show up, attend and perform at the 19th Edition of "Warri Again" held on the 6th of October, 2023, despite the fact that he was paid the sum of $94,500.00, since the 6th of April, 2023 for the Event.

19. In the course of the event on the 6th of October, 2023, the Chairman of the Claimant, Mr. Amaju Pinnick, was compelled to address and apologize to the event attendees for the nonappearance and performance of the 1st Defendant as the attendees expressed disappointment upon learning that the 1st Defendant was not in attendance to perform. He explained to the disappointed attendees that the Claimant met all its contractual obligations to secure the attendance and performance of the 1st Defendant but the 1st Defendant just deliberately refused to show up and perform.

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20. Mr. Pinnick further revealed on stage to the unhappy attendees, that the Claimant had taken steps to secure the performance of another raving artiste known as Crown Uzama a.k.a Shallipopi, at an extra and unbudgeted cost to make up for the absence and non-performance of the 1st Defendant.

21. The 1st Defendant, not long after, resorted to bullying the Claimant's Chairman, Mr. Pinnick, with his large social media influence and following by posting all manner of insults, defamatory remarks, threats and unprintable things on the accounts/handles of his Instagram, Snapchat and X [Formerly known as Twitter], about the Claimant's Chairman.

22. The 1st Defendant made a false post on his Instagram Story, stating that he had informed the Claimant months ago of his inability to attend and perform at the Claimant's Event, held in Warri on 6th October, 2023. However, this is very false as the Claimant would not have needed to send the 1st Defendant the Letter of Reminder on the 29th of September, 2023 and incur additional expenses of $18,000.00 to charter the private jet that was made to wait all day on the 6th of October, 2023 to convey the 1st Defendant to Warri. The Defendants never replied the Letter of Reminder sent to them on 29th September, 2023.
Screenshot of the 1st Defendant's false post stating that he communicated his nonperformance on 6th October, 2023, is hereby pleaded and shall be relied on at trial.

23. That at no point in time did the Defendants communicate or relate to the Claimant that the 1st Defendant would not attend and no longer perform at the "Warri Again" event on the 6th of October, in Warri, Delta State.

24. The Defendants did not communicate to the Claimant, that the 1st Defendant would not be able to perform at the event on the 6th of October, 2023 and no refund of the performance fee was made to the Claimant.

25. The Claimant later discovered that, the 1st Defendant despite collecting payment of the sum of $94,500 from It and compelling It to incur additional expenses of $18,000 for a Private jet to take the 1st Defendant to Warri, had also collected another payment in respect of an event slated for the same date at Lux Nightclub Melbourne, 373 Chapel St. South Yarra, Australia. An event which 1st Defendant eventually performed at while ignoring the Claimant's "Warri Again" event.
Poster of 1st Defendant's Australia event on 6th October, 2023 is hereby pleaded and shall be relied on at trial.

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26. That the 1st Defendant is in the habit of taking bookings and collecting payments for shows/events he very well knows that he would not attend and show up to perform.

27. That on two previous editions of "Warri Again" held on 1st October, 2014 in Warri, Delta State and 27th December, 2019 at Eko Convention Centre, Lagos State, respectively, the 1st Defendant was engaged as the headline performer. However, he breached his contract in both instances, failed to show up and perform at both events. He was compelled to do a refund of payments he collected for both events.

28. That other show promoters and persons have been victims of the 1st Defendant's penchant for reneging on contracts and engagements after collecting payments. On the 8th of October, 2023, Instablog9ja, one of the most popular Nigerian news blog on Instagram, posted the story of a businessman named Abu Salami, who called out the 1st Defendant herein (Davido) for allegedly reneging on a contract after collecting over =N=200,000,000.00.
Screenshots of the Instablog9ja Post are hereby pleaded and shall be relied on at trial.

29. The 1st Defendant is not just in the habit of reneging on contracts and not showing up for paid events, he is also known to cyberbully, harass and threaten those who call him out on his excesses or when he reneges on paid engagements. The 1st Defendant made a post on his Instagram and Snapchat Story/Status that he was not going to refund the money paid to him by the Claimant. He further went on to refer to the Claimant's Chairman as a "dream crusher", who has crushed the dreams of many Nigerian footballers, because he (Claimant's Chairman) wants to live in Ikoyi by force.
Screenshot of the 1st Defendant's statement of no refund of payment is hereby pleaded and shall be relied on at trial.

30. That the 1st Defendant is quick to use his large social media following and influence to cyberbully and harass anyone he feels he can oppress. The 1st Defendant has openly admitted in an interview that he once instructed his fans to harass a female show promoter, who said she did not know him.
Screenshot of pulse.ng news post of 23rd May, 2023 and Video of 1st Defendant admitting to telling his fans to bully a female show promoter who claimed not to know him are hereby pleaded and shall be relied on at trial.

31. That if the 1st Defendant's absence at the event on the 6th of October, 2023, was not managed with precariousness, the situation might have escalated to uncertain and

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unpleasant proportions with some disappointed attendees and residents who bought tickets for the event on the basis of the 1st Defendant's assured presence and performance at the event.

32. The Claimant's Chairman has faced severe and vicious cyberbullying from the 1st Defendant, his team and some fans, who continue to bash the Claimant's event and its Chairman following the 1st Defendant's continuous defamatory callouts on social media over this matter.

33. The Defendants' deliberate action of arbitrarily breaching the performance agreement by not showing up and performing at "Warri Again" on the 6th of October and his underhand cyberbullying tactics employed against the Claimant and its Chairman on social media, has not only cost the Claimant financial loss but also occasioned severe irreparable reputational damage on the Claimant's corporate personality and image.

34. The Claimant was compelled to brief and instruct the Law firm of Alegeh & Co. to institute legal action against the Defendants herein and It has been charged the sum of **=N=150,000,000.00 (One Hundred and Fifty Million Naira)** as legal and professional fees.
Invoice and receipt of payment issued by Claimant's Solicitors are hereby pleaded and shall be relied on at trial.

35. The Claimant avers that it would expend over **=N=30,000,000.00 (Thirty Million Naira)** as cost of action for the entire prosecution of this matter. The cost of action is not limited to fees incurred from filing, flight fares, accommodation and allowances for Claimant's staff travelling to attend court proceedings in the matter.

36. During trial, I shall rely on all documents and materials relevant to support the Claimant's claims in this case including but not limited to screenshots of online documents, news articles and/or postings, payment receipts and all such other relevant documents and materials.

37. Whereof the Claimant claims against the Defendants jointly and/or severally as follows:

I. **A DECLARATION** that the payment of $94,500.00 (Ninety Four Thousand, Five Hundred Dollars) by the Claimant on 6th April, 2023, as full payment for engaging the services of the 1st Defendant to perform at the 19th Edition of the "Warri Again" event slated for 6th of October, 2023, at Warri, Delta State, was an agreement/contract binding on the Defendants and Claimant.

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II. **A DECLARATION** that the 1st Defendant's failure to appear and perform at the 19th Edition of the Warri Again event held on 6th October, 2023, at Warri, Delta State after Claimant made payment for the 1st Defendant's performance since 6th April, 2023, is a breach of the performance agreement/contract entered between the Claimant and Defendants for engaging the services of the 1st Defendant to perform at the "Warri Again" event held on 6th October, 2023.

III. **AN ORDER** directing the Defendants jointly and/or severally to immediately refund the sum of $94,500.00 (Ninety Four Thousand, Five Hundred Dollars) paid to the Defendants on 6th April, 2023 for the 1st Defendant's performance at the 19th Edition of the "Warri Again" event held on 6th of October, 2023, at Warri, Delta State.

IV. **AN ORDER** directing the Defendants jointly and/or severally to refund the Claimant, the sum of $18,000.00 (Eighteen Thousand Dollars) paid by the Claimant to charter and secure the private jet that was to personally convey the 1st Defendant and his team to and from Warri, Delta State for the 19th Edition of "Warri Again" held on 6th October, 2023.

V. **AN ORDER** directing the Defendants to tender a **public apology** on all the 1st Defendant's social media accounts/handles and in Two [2] National Daily Newspapers for four [4] consecutive days, to the Claimant and attendees of the 19th Edition of the "Warri Again" event held on 6th of October, 2023, at Warri, Delta State.

VI. **AN ORDER OF INJUNCTION** restraining the 1st Defendant from performing as a musical artiste at any show/event in Nigeria, until the Defendants jointly and/or severally refund the sum of $94,500.00 (Ninety Four Thousand, Five Hundred Dollars) collected from the Claimant on 6th April, 2023 as payment for the 1st Defendant's performance at the 19th Edition of "Warri Again", held on 6th October, 2023 in Warri, Delta State.

VII. **AN ORDER OF PERPETUAL INJUNCTION** against the Defendants jointly and /or severally from receiving and collecting monies/payments/gratifications of any form for shows, events and engagements that they know the 1st Defendant would not attend to perform and/or meet up to his contractual obligation in regard to same as same may result in breach of peace, riots and loss of lives and property.

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VIII. **GENERAL DAMAGES** in the sum of **=N=2,000,000,000.00 (Two Billion Naira)** against the Defendants jointly and/or severally in favour of the Claimant, for the Defendants' breach of the performance agreement entered between the Claimant and Defendants in respect of engaging the services of the 1st Defendant to perform at the "Warri Again" event held on 6th of October, 2023.

IX. Legal and professional fees in the sum of **=N=150,000,000.00 (One Hundred and Fifty Million Naira)**.

X. The sum of **=N=30,000,000.00 (Thirty Million Naira)** assessed as cost of this action.

38. I humbly pray this Honourable Court to grant in full all the reliefs sought by the Claimant.

39. That I make this deposition in good faith, believing its content to be true and correct to the best of my ability, knowledge, belief and information in accordance with the Oaths Act.

DEPONENT

Sworn to at the High Court
Registry, Effurun this 24th day of October 2023

BEFORE ME

COMMISIONER FOR OATHS
24/10/23

BROWNHILL INVESTMENTS COMPANY LIMITED V. DAVID ADELEKE & ANOR
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IN THE HIGH COURT OF DELTA STATE
IN THE EFFURUN JUDICIAL DIVISION
HOLDEN AT WARRI

SUIT NO: EHC/183/2023

BETWEEN

BROWNHILL INVESTMENTS COMPANY LIMITED - **CLAIMANT/APPLICANT**

AND

1. **DAVID ADELEKE a.k.a "Davido"** - **DEFENDANTS/RESPONDENTS**
2. **DAVIDO MUSIC WORLDWIDE LIMITED**

IN RE:

1. ACCESS BANK PLC
2. ZENITH BANK PLC
3. GUARANTY TRUST BANK PLC
4. ECOBANK NIGERIA PLC
5. WEMA BANK PLC
6. FIRST BANK OF NIGERIA PLC
7. KEYSTONE BANK LIMITED
8. UNITED BANK FOR AFRICA PLC
9. UNITY BANK PLC
10. STANDARD CHARTERED BANK
11. STERLING BANK PLC
12. STANBIC IBTC BANK NIGERIA LIMITED

} DOMESTIC ACCOUNTS

MOTION ON NOTICE
BROUGHT PURSUANT TO ORDER 38 RULE 1 AND ORDER 39 RULE 1 OF THE HIGH COURT OF DELTA STATE (CIVIL PROCEDURE) RULES 2009 AND UNDER THE INHERENT JURISDICTION OF THIS HONOURABLE COURT

TAKE NOTICE that this Honourable Court will be moved on the ________ day of ________ 2023 at the hour of 9 O' clock in the forenoon or so soon thereafter as Counsel on behalf of the Claimant/Applicant may be heard praying this court for the grant of the following Orders:

1. **AN ORDER OF MAREVA INJUNCTION** restraining the Defendants from dissipating the monies in their accounts in order to frustrate the enforcement of any Order(s) made by this Honourable Court arising from the monetary claims totaling the sums of **$112,500.00 (One Hundred and Twelve Thousand, Five Hundred US Dollars)** and **=N=2,180,000,000.00 (Two Billion, One Hundred and Eighty Million Naira)** respectively.

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sought by the Claimant/Applicant herein, pending the hearing and determination of this suit.

2. **AN ORDER** directing the Defendants to furnish and submit to this Honourable Court within 7 days of the receipt and/or service of this Order, their respective BankStatements of Account domiciled in the persons listed as **In Re: 1 -12** on the face of the Motion Paper.

3. **AN ORDER** directing the aforementioned banks listed as **In Re: 1 – 12** on the face of the Motion Paper to sequestrate within 7 days of the receipt and/or service of this Order, any and/or all the sums of money standing to the credit of the Defendants, their agents, privies, nominees whether natural or artificial up to the Claimant/Applicant's claim against the Defendants in the sums of **$112,500.00 (One Hundred and Twelve Thousand, Five Hundred US Dollars)** and **N2,180,000,000.00 (Two Billion, One Hundred and Eighty Million Naira)** respectively and keep same in an interest yielding account in the name of the Chief Registrar of this Honourable Court as trustee of same pending the hearing and determination of this suit.

4. **AN ORDER** directing service of the Orders made herein on parties affected thereby (including in particular, the persons listed **In Re: 1 -12** on the face of the Motion Paper) by way of publication in any National Daily and/or Newspaper.

AND FOR SUCH FURTHER ORDERS OR OTHER ORDERS as this Honourable Court may deem fit to make in the circumstances of this case.

GROUNDS IN SUPPORT OF MOTION

1. The Claimant and Defendants entered into a performance agreement with the Defendants, for the 1st Defendant to perform as the headline artiste at the 19th Edition of "Warri Again" event slated to hold on the 6th of October, 2023 in Warri, Delta. The agreed fee for the 1st Defendant's performance was N70,000,000.00, which was paid on 6th April, 2023 in USD ($94,500.00).

2. Thereafter, the 1st Defendant did a promotional video for the 19th Edition of Warri Again slated to hold on 6th October, 2023, wherein he confirmed his attendance and performance at the event. The Claimant expended humongous resources and finances on print and social media adverts and promotions for the event projecting the 1st Defendant as the headline performing artiste.

3. However, the 1st Defendant failed to show up and perform at the event. In the course of the event, the Claimant's Chairman, Mr. AmajuPinnick had to

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apologize and explain to attendees of the event that all contractual obligations were met with the 1st Defendant as such his absence was inexcusable.

4. The 1st Defendant has stated that he will not refund the performance fee paid to him by the Claimant/Applicant.

5. The 1st Defendant has a penchant for reneging on contracts for shows and engagements after collecting payment as such this application is necessary to avoid repeat occurrences that are detrimental to establishments like the Claimant and assuage his refusal to refund the Claimant.

6. The Defendants are known to live an ostentatious and flamboyant lifestyle and will most likely take steps to dissipate funds in their accounts in order to frustrate any Order(s) and/or Judgment made by this Honourable Court in respect of the claims/reliefs sought by the Claimant/Applicant in this suit.

7. It is in the overriding interest of public policy that the Defendants are restrained from dissipating the funds in their accounts in order not to render nugatory the Orders of this Honourable Court.

DATED THIS 23RD DAY OF OCTOBER, 2023

Kelechi Onwuegbuchulem Esq.
Osaruyi Ayela - Uwangue Esq.
Temitope .C. Abiodun Esq.
[Claimant's Counsel]
Alegeh& Co.
Legal Practitioners & Notaries Public
No. 35, Cameron Road, Ikoyi
Lagos.
07060658157
uyiayela@alegehlaw.com

NIGERIAN BAR ASSOCIATION
NBA

M/Notice – N1000.00
Order – N800.00
Oath – N200.00
Exh – N500.00
w/Add – N
N500.00
N100.00
N200.00
N3,300.00

FOR SERVICE ON:
THE DEFENDANTS
1. **DAVID ADELEKE A.K.A DAVIDO**
2. **DAVIDO MUSIC WORLDWIDE LIMITED**
NO. 2B PRINCE ADELOWO STREET,
LEKKI PHASE 1,
LAGOS.

HIGH COURT OF JUSTICE
DELTA STATE
EFFURUN
24/10/2023

BROWNHILL INVESTMENTS COMPANY LIMITED V. DAVID ADELEKE & ANOR
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LEGAL PRACTITIONERS & NOTARIES PUBLIC
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IN THE HIGH COURT OF DELTA STATE
IN THE EFFURUN JUDICIAL DIVISION
HOLDEN AT EFFURUN

SUIT NO: EHC/183/2023

BETWEEN

BROWNHILL INVESTMENTS COMPANY LIMITED - **CLAIMANT/APPLICANT**

AND

1. **DAVID ADELEKE a.k.a "Davido"** - **DEFENDANTS/RESPONDENTS**
2. **DAVIDO MUSIC WORLDWIDE LIMITED**

IN RE:

1. ACCESS BANK PLC
2. ZENITH BANK PLC
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11. STERLING BANK PLC
12. STANBIC IBTC BANK NIGERIA LIMITED

} DOMESTIC ACCOUNTS

AFFIDAVIT IN SUPPORT OF MOTION ON NOTICE

I, **EYITUOYO ODOLOMERUN**, Male, Christian, Nigerian Citizen, Logistics Manager of Brownhill Investments Company Limited of 6/7 Elf Road, Off Shell, Ogunu, Warri, Delta State do hereby make oath and state as follows:

1. That I am the Administrative Manager of the Claimant herein by virtue of which position I am conversant with the facts and circumstances of this case.

2. That the facts deposed herein are within my personal knowledge except as otherwise stated.

3. That I have the consent and authority of the Claimant to make this deposition.

4. That sometime in early 2023, the 1st Defendant approached the Claimant's Chairman, Mr. Amaju Pinnick, when they met at the Abuja Airport, to engage his

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(1st Defendant's) services for the 19th Edition of the "Warri Again" event held on 6th October, 2023.

5. The Claimant's Chairman was hesitant to engage the services of the 1st Defendant for the event as the 1st Defendant had disappointed him on two previous occasions, the 2014 and 2019 editions of Warri Again, where he did not show up to perform after he had been paid for the events and he was compelled to make refunds thereafter.

6. The Claimant believing that the 1st Defendant had turned a new leaf, entered into a performance agreement with the Defendants, for the 1st Defendant to perform as the headline artiste at the 19th Edition of Warri Again, slated to hold on the 6th of October, 2023 in Warri, Delta State.
Performance Agreement dated 30thMarch, 2023 is exhibited and marked as Exhibit 1.

7. The Agreed fee for the 1st Defendant's performance was **=N=70,000,000.00 (Seventy Million Naira)**, which the Defendants insisted must be paid in full at the time, in order to secure the 1st Defendant's performance at the event on the 6th of October, 2023. That thereafter, the sum of **$94,500.00** (USD equivalent of N70,000,000.00) was paid on the 6th of April, 2023 and same was duly acknowledged by the Defendants.
Proof of Receipt of Funds dated 6th April, 2023 is exhibited and marked as Exhibit 2.

8. After payment was made and confirmed, the 1st Defendant did a promotional video for the 19th Edition of the Event slated to hold on the 6th of October, 2023 in Warri, Delta State, Nigeria, wherein he confirmed his attendance and live performance in Warri on the 6th of October, 2023.
1st Defendant's Promotional video for "Warri Again" event slated for 6th October, 2023 in Warri, Delta State is exhibited and marked as Exhibit 3.

9. Thereafter, the Claimant set in motion, all promotional and advertorial machinery for the Event, projecting the 1st Defendant as the headline performer at the event slated for the 6th of October, 2023 in Warri, Delta State.The Claimant expended humongous resources on print and social media adverts and promotion for the event.

10. That on the 29th of September, 2023, precisely a week to the slated date of the Event, a formal letter of reminder was sent to the 1st Defendant in respect of the Event scheduled for 6th October, 2023.

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Letter of Reminder dated 29th September, 2023 is exhibited and marked as Exhibit 4.

11. The said Letter of Reminder also contained flight itinerary of the private jet chartered to personally convey the 1st Defendant and his team to and from Warri, Delta State for the "Warri Again" Event, on the 6th of October, 2023. The Claimant incurred additional expenses of $18,000.00 to secure the private jet chartered to convey the 1st Defendant and his team.
Payment Invoice from Elite Aviation Services for $18,000.00 is exhibited and marked as Exhibit 5.

12. On the 6th October, 2023, the Claimant tried to reach the Defendants severally but all attempts proved futile. Regardless, the Claimant kept the private jet, it chartered to convey the 1st Defendant and his team to Warri, at the Airport in Lagos on standby, waiting for the 1st Defendant and his team.

13. The Claimant released a public notice that it had met all necessary performance agreements in respect of securing the performance of the 1st Defendant at Warri Again and had not received any communication from the Defendants, relating to the attendance of the 1st Defendant at the Event.
Claimant's Public Notice is exhibited and marked as Exhibit 6.

14. Unfortunately, to the utmost humiliation and detriment of the Claimant, the 1st Defendant willfully failed, neglected and refused to show up, attend and perform at the 19th Edition of "Warri Again" held on the 6th of October, 2023, despite the fact that he was paid the sum of $94,500.00, since the 6th of April, 2023 for the Event.

15. In the course of the event on the 6th of October, 2023, the Chairman of the Claimant, Mr. Amaju Pinnick, was compelled to address and apologize to the event attendees for the nonappearance and performance of the 1st Defendant as the attendees expressed disappointment upon learning that the 1st Defendant was not in attendance to perform.

16. Mr. Pinnick further revealed on stage to the unhappy attendees, that the Claimant had taken steps to secure the performance of another raving artiste known as Crown Uzama a.k.aShallipopi, at an extra and unbudgeted cost to make up for the absence and non-performance of the 1st Defendant.

17. The 1st Defendant, not long after, resorted to bullying the Claimant's Chairman, Mr. Pinnick, with his large social media influence and following by posting all manner of insults, defamatory remarks, threats and unprintable things on the

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accounts/handles of his Instagram, Snapchat and X [Formerly known as Twitter], about the Claimant's Chairman.

18. The 1st Defendant made a false post on his Instagram Story, stating that he had informed the Claimant months ago of his inability to attend and perform at the Claimant's Event, held in Warri on 6th October, 2023. However, this is very false as the Claimant would not have needed to send the 1st Defendant the Letter of Reminder on the 29th of September, 2023 and incur additional expenses of $18,000.00 to charter the private jet that was made to wait all day on the 6th of October, 2023 to convey the 1st Defendant to Warri. The Defendants never replied the Letter of Reminder sent to them on 29th September, 2023.
1st Defendant's false post stating that he communicated his non-performance on 6th October, 2023, is exhibited and marked as Exhibit 7.

19. That at no point in time did the Defendants communicate or relate to the Claimant that the 1st Defendant would not attend and no longer perform at the "Warri Again" event on the 6th of October, in Warri, Delta State and no refund of the performance fee was made to the Claimant.

20. The Claimant later discovered that, the 1st Defendant despite collecting payment of the sum of $94,500 from It and compelling It to incur additional expenses of $18,000 for a Private jet to take the 1st Defendant to Warri, had also collected another payment in respect of an event slated for the same date at Lux Nightclub Melbourne, 373 Chapel St. South Yarra, Australia. An event which 1st Defendant eventually performed at while ignoring the Claimant's "Warri Again" event.
Poster of 1st Defendant's Australia event on 6th October, 2023 is exhibited and marked as Exhibit 8.

21. That the 1st Defendant is in the habit of taking bookings and collecting payments for shows/events he very well knows that he would not attend and show up to perform.

22. That on two previous editions of "Warri Again" held on 1st October, 2014 in Warri, Delta State and 27th December, 2019 at Eko Convention Centre, Lagos State, respectively, the 1st Defendant was engaged as the headline performer. However, he breached his contract in both instances, failed to show up and perform at both events. He was compelled to do a refund of payments he collected for both events.

23. That other show promoters and persons have been victims of the 1st Defendant's penchant for reneging on contracts and engagements after collecting payments.

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On the 8th of October, 2023, Instablog9ja, one of the most popular Nigerian news blog on Instagram, posted the story of a businessman named Abu Salami, who called out the 1st Defendant herein (Davido) for allegedly reneging on a contract after collecting over =N=200,000,000.00.
Screenshots of the Instablog9ja Post are exhibited and marked as Exhibit 9A – D.

24. That the 1st Defendant made a post on his Instagram and Snapchat Story/Status that he was not going to refund the money paid to him by the Claimant.
Screenshot of the 1st Defendant's statement of no refund of payment exhibited and marked as Exhibit 10.

25. That the 1st Defendant is quick to use his large social media following and influence to cyberbully and harass anyone he feels he can oppress. The 1st Defendant has openly admitted in an interview that he once instructed his fans to harass a female show promoter, who said she did not know him.
Pulse.ng news publication of 23rd May, 2023 of 1st Defendant admitting to telling his fans to bully a female show promoter is exhibited and marked as Exhibit 11.

26. That if the 1st Defendant's absence at the event on the 6th of October, 2023, was not managed with precariousness, the situation might have escalated to uncertain and unpleasant proportions with some disappointed attendees and residents who bought tickets for the event on the basis of the 1st Defendant's assured presence and performance at the event.

27. The Defendants' deliberate action of arbitrarily breaching the performance agreement by not showing up and performing at "Warri Again" on the 6th of Octoberhas cost the Claimant severefinancial loss and also occasioned severe irreparable reputational damage on the Claimant's corporate personality and image.

28. The 1st Defendant has threatened not to refund the money paid to him by the Claimant, while the Claimant has suffered and continues to suffer financial loss, reputational loss.

29. The 1st Defendant on the other hand has moved on, failed to refund the money paid to him by the Claimant despite breaching the performance contract and has bragged about hosting a show in Warri in December, 2023, threatening anyone who dares to stop him, without any recourse to the reputational damage and monumental financial losses occasioned on the Claimant.
Screenshot of the 1st Defendant stating that he would be performing in Warri in December is exhibited and marked as Exhibit 12.

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30. The Claimant is known to host and organize variety of events especially during festive periods and the actions of the Defendants, particularly the 1st Defendant has hampered the activities of the Claimant as It cannot carry out some of their events by reason of the continues irreparable damage that it continues to face by virtue of the 1st Defendant's breach of agreement.

31. The 1st Defendant is a musical artiste, celebrity and the 2nd Defendant's lead artiste, who is reputed for living an ostentatious and flamboyant lifestyle therefore necessitating the grant of an Order by this Honourable Court restraining the Defendants from taking steps to dissipate funds in their accounts in order to frustrate any Orders may this Honourable Court or render nugatory the Judgment of this Court arising from the claims sought by the Claimant/Applicant.

32. That the grant of this application is urgent and necessary in order to salvage the sufferable situation the Claimant has been exposed to by the 1st Defendant and to enable the Claimant to carry out its business within this festive period.

33. That it is in the overriding interest of justice that this application be granted and the Defendants would not be prejudiced.

34. That I make this deposition in good faith, believing its content to be true and correct to the best of my ability, knowledge, belief and information in accordance with the Oaths Act.

DEPONENT

Sworn to at the High Court
Registry, Effurun this 24th day of October 2023

BEFORE ME

COMMISIONER FOR OATHS
24/10/23

BROWNHILL INVESTMENTS COMPANY LIMITED V. DAVID ADELEKE & ANOR
ALEGEH & CO.
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IN THE HIGH COURT OF JUSTICE: DELTA STATE OF NIGERIA
IN THE EFFURUN JUDICIAL DIVISION
HOLDEN AT EFFURUN
BEFORE HIS LORDSHIP HON. JUSTICE MICHAEL NDUKA OBI, (JUDGE)
ON THURSDAY, THE 26TH DAY OF OCTOBER, 2023.

SUIT NO. EHC/184/2023

BETWEEN:

AMAJU MELVIN PINNICK --- CLAIMANT/APPLICANT

-AND-

DAVID ADELEKE a.k.a "Davido" --- DEFENDANT

ENROLMENT OF ORDER

Upon the motion Ex-parte dated 23rd of October, 2023 and filed 24/10/2023, praying this Court for the following order to wit:

1. An order of this Honourable Court issuing the Writ of Summons for service outside the jurisdiction of this Court, on the Defendants whose address is No. 2b, Prince Adelowo Street, Lekki Phase I, Lagos State.
2. An order of this Honourable Court granting leave to the Claimant/Applicant to serve, outside the jurisdiction of this Court, the Writ of Summons, Statement of Claim and other accompanying processes as well as the Motion on Notice for Interlocutory injunction and other processes emanating from this suit, on the Defendants, whose address is No. 2b, Prince Adelowo Street, Lekki Phase I, Lagos State.
3. An order of this Honourable Court granting leave to the Claimant/Applicant to serve the Writ of Summons,

HIGH COURT OF JUSTICE DELTA STATE EFFURUN

CERTIFIED TRUE COPY
SIGN... DATE 24/10/23
NAME: OBIKU URUEMU
ASSISTANT DIRECTOR OF COURT

Statement of Claim and other accompanying processes as well as the Motion on Notice for Interlocutory injunction and other processes emanating from this suit, on the Defendants, by substituted means to wit newspaper publication.

And for such further orders or other orders as this Honourable Court may deem fit to make in the circumstance.

Coming up for hearing and determination before his Lordship, the Hon. Justice Michael Nduka Obi, Judge sitting at High Court 3, Effurun, on Thursday, the 26th day of October, 2023. The Applicant being represented by Counsel. And the Court having heard Osaruyi Ayela Uwangue Esq., ordered as follows:

Court: On application of counsel to the Claimant/Applicant Prayers 1 and 2 on the Motion paper are struck out. Prayer 3 is granted. Leave is granted the Claimant/Applicant to serve the Originating processes in this suit as well as the Motion on Notice on the Defendants by substituted means to wit. By publication in a National Newspaper.

MICHAEL NDUKA OBI
(JUDGE)

Issued at the High Court Registry, Effurun, under the hand of the presiding Judge and seal of court on Thursday, the 26th day of October, 2023.

IN THE HIGH COURT OF DELTA STATE
IN THE EFFURUN JUDICIAL DIVISION
HOLDEN AT EFFURUN

SUIT NO: EHC/184/2023

BETWEEN

AMAJU MELVIN PINNICK - CLAIMANT/APPLICANT

AND

DAVID ADELEKE a.k.a "Davido" - DEFENDANT/RESPONDENT

MOTION ON NOTICE
BROUGHT PURSUANT TO ORDER 38 RULE I AND ORDER 39 RULE I OF THE DELTA STATE HIGH COURT CIVIL PROCEDURE RULES 2009 AND UNDER THE INHERENT JURISDICTION OF THIS HONOURABLE COURT

TAKE NOTICE that this Honourable Court will be moved on the ________ day of ________ 2023 at the hour of 9 0' clock in the forenoon or so soon thereafter as counsel on behalf of the Claimant/Applicant may be heard praying this court for the grant of the following Orders:

1. **AN ORDER OF INTERLOCUTORY INJUNCTION** restraining the Defendant from further posting, making and publishing any defamatory, derogatory, calumnious and incendiary statement, story, allegation and narrative about and against the Claimant/Applicant, pending the hearing and determination of this Suit.

AND FOR SUCH FURTHER ORDERS OR OTHER ORDERS as this Honourable Court may deem fit to make in the circumstances of this case.

GROUNDS IN SUPPORT OF MOTION

1. The Claimant's company entered into a performance agreement with the Defendant, for the Defendant to perform as the headline artiste at the 19th Edition of "Warri Again" event slated to hold on the 6th of October, 2023 in Warri, Delta. The agreed fee was =N=70,000,000.00.
2. The agreed performance fee of $94,500.00 (USD equivalent of =N=70,000,000.00), which the Defendants insisted must be paid in full, was paid on the 6th of April, 2023 in order to secure the Defendant's performance at the event on the 6th of October, 2023. After which he even did a promotional video for the Event. However the Defendant failed to attend and perform at the event on the 6th of October, 2023. The Claimant had to address and apologize to attendees of the event that all contractual obligations were met with the Defendant as such his absence was inexcusable.
3. Not long after, the Defendant took to his personal social media handles to wit Instagram, Snapchat and X [formerly known as Twitter] to post and circulate several defamatory, libelous, calumnious and false statements, allegations and narratives about and against the Claimant.
4. The Defendant has a large following and wields immense influence on social media as such the Claimant has been subjected to all manner and form of cyber bullying and harassment since the defamatory posts were made and widely circulated by the Defendant.
5. The Claimant's reputation has not only be subjected to opprobrium but him and his immediately family now live in fear of their lives as result of the Defendant's defamatory posts.
6. The safety of the Claimant and his family coupled with the need to avert further irreparable damage to his reputation and image, pending the hearing and determination of this suit, has necessitated this application.

DATED THIS 23RD DAY OF OCTOBER, 2023

NIGERIAN BAR ASSOCIATION
NBA
OSARUYI AYELA-UWANGUE

Kelechi Onwuegbuchulem Esq.
Osaruyi Ayela - Uwangue Esq.
Temitope .C. Abiodun Esq.
[Claimant's Counsel]
Alegeh & Co.
Legal Practitioners & Notaries Public
No. 35, Cameron Road, Ikoyi
Lagos.

07060658157
uyiayela@alegehlaw.com

FOR SERVICE ON:
THE DEFENDANT
DAVID ADELEKE a.k.a "Davido"
NO. 2B PRINCE ADELOWO STREET,
LEKKI PHASE 1, LAGOS.

HIGH COURT OF JUSTICE DELTA STATE

24/10/2023

IN THE HIGH COURT OF JUSTICE: DELTA STATE OF NIGERIA
IN THE EFFURUN JUDICIAL DIVISION
HOLDEN AT EFFURUN
BEFORE HIS LORDSHIP HON. JUSTICE MICHAEL NDUKA OBI, (JUDGE)
ON THURSDAY, THE 26TH DAY OF OCTOBER, 2023.

SUIT NO. EHC/184/2023

BETWEEN:

AMAJU MELVIN PINNICK --- CLAIMANT/APPLICANT

-AND-

DAVID ADELEKE a.k.a "Davido" --- DEFENDANT

HIGH COURT OF JUSTICE DELTA STATE EFFURUN

ENROLMENT OF ORDER

Upon the motion Ex-parte dated 23rd of October, 2023 and filed 24/10/2023, praying this Court for the following order to wit:

1. An order of interim injunction restraining the Defendant from further posting, making and publishing any defamatory, derogatory, calumnious and incendiary statement, story, allegation and narrative about and against the Claimant/Applicant pending the hearing and determination of the Motion on Notice for Interlocutory Injunction.

And for such further orders or other orders as this Honourable Court may deem fit to make in the circumstance.

Coming up for hearing and determination before his Lordship, the Hon. Justice Michael Nduka Obi, Judge sitting at High Court 3, Effurun, on Thursday, the 26th day of October, 2023. The Applicant being represented by Counsel and the Court having heard Osaruyi Ayela-Uwangue Esq., ordered as follows:

CERTIFIED TRUE COPY
SIGN... DATE 24/10/23
NAME: OBIKU URUEMU
ASSISTANT DIRECTOR OF COURT

Court: It is hereby ordered that the Defendant refrains from further posting, making and publishing any defamatory, derogatory, calumnious and incendiary statement, story allegation and narrative about or against the Claimant/Applicant pending the hearing and determination of the motion on Notice. The motion on Notice is fixed for 23/11/2023.

MICHAEL NDUKA OBI
(JUDGE)

Issued at the High Court Registry, Effurun, under the hand of the presiding Judge and seal of court on Thursday, the 26th day of October, 2023.

HIGH COURT OF JUSTICE DELTA STATE EFFURUN

OBIKU URUEMU (MRS.)
ASSISTANT DIRECTOR

CERTIFIED TRUE COPY
SIGN... DATE 24/10/23
NAME: OBIKU URUEMU
ASSISTANT DIRECTOR OF COURT

26/10/2023

GENERAL FORM OF WRIT OF SUMMONS

IN THE HIGH COURT OF DELTA STATE
IN THE EFFURUN JUDICIAL DIVISION
HOLDEN AT EFFURUN

SUIT NO: EHC/184/2023

BETWEEN

AMAJU MELVIN PINNICK - CLAIMANT

AND

DAVID ADELEKE a.k.a "Davido" - DEFENDANT

To: **THE DEFENDANT:**

DAVID ADELEKE a.k.a "Davido" of No.2b, Prince Adelowo Street, Lekki Phase I, Lagos State.

You are hereby commanded that within EIGHT days after the service of this writ on you, inclusive of the day of such service, you do cause an appearance to be entered for you in an action at the suit of **AMAJU MELVIN PINNICK** and take notice that in default of your so doing the Claimant may proceed therein, and judgment may be given in your absence.

Dated this 24th Day of Oct 2023

Registrar

MEMORANDUM TO BE SUBSCRIBED ON THE WRIT

N.B: This Writ is to be served within six calendar months from the date thereof, or, if renewed, within six calendar months from the date of the last renewal, including the day of such date and not afterwards.

The Defendant may enter appearance personally or by legal practitioner either by handing in the appropriate forms, duly completed, at the Registry of the High Court of the Judicial Division in which the action is brought or by sending them to the Registry by registered post.

ENDORSEMENT

The Claimant claims against the Defendant as follows:

i. **A DECLARATION** that the Defendant published and posted several false, malicious, libelous, incendiary, calumnious and defamatory statements of and about the Claimant on his personal social media handles to wit Instagram, Snapchat and X [formerly known as Twitter] on the 7th of October, 2023 which are libelous and highly defamatory of the Claimant's personage, image and reputation in the eyes of right thinking members of the general public. The said false, malicious, libelous and defamatory statements are as follows:

   a) ***"If I'm returning any money I'll return it to any football charity organization.. INFACT I will DOUBLE IT .....MR DREAM CRUSHER ... imagine how many Nigerian footballers have had their dreams crushed because person one live for ikoyi by force"***
   b) ***"Warri Pple hate you! And u know! Amaju come outside let's talk!"***
   c) ***"The man that dropped from the RR is Amaju Pinnick. he was NFF president for just 8 years....He was charged for allegedly misappropriating $8.4m paid by FIFA to NFF. I wont mention allegations of unpaid allowances by players when he was the president. Let's play a game"***
   d) ***"I wanna donate money to @thenffofficial been suffering for too long it's not fair... let's do something @puma"***
   e) ***"Ask him what he did with MTN sponsorship money for NFF? Fucking hate Pinnick!! Amaju where r you? We got questions"***

ii. **A DECLARATION** that the said words posted, published and widely circulated by the Defendant, of and about the Claimant are in their ordinary meaning, usage and general understanding, insultive, abusive, derogatory, calumnious, defamatory and libelous of the Claimant and were posted, published and widely circulated by the Defendant with the sole and principal aim of lowering the esteem of the Claimant in the eyes of ordinary persons and generally bringing him to ridicule, derision and opprobrium.

iii. **AN ORDER** directing, commanding, compelling or otherwise mandating the Defendant to delist, delete, remove or take down forthwith from his personal social media pages, timelines and/or platforms all defamatory/libelous publications about or concerning the Claimant, particularly those of **7th October, 2023** alleging that the Claimant is fraudulent, lives a pretentious lifestyle and ruined the careers of several Nigerian footballers, amongst other defamatory statements, amongst other defamatory statements made against the Claimant.

iv. **AN ORDER** directing the Defendantto publish or cause to be published on his personal social media platforms and in two (2) national dailies, an **APOLOGY** to the Claimant for four (4) consecutive days in respect of or in relation to the libelous publications made by the Defendant concerning or about the Claimant.

v. **AN ORDER OF PERPETUAL INJUNCTION** restraining the Defendant, either by himself, agents, servants, privies or through any person or person howsoever described, from, writing or further writing, publishing or further publishing, either on social media or in any other medium or platform, howsoever called or described, any false, malicious, mendacious, unverified, unverifiable, libelous or defamatory statements, stories and allegations about or concerning the Claimant.

vi. **GENERAL DAMAGES** in the sum of **=N=2,000,000,000.00 (Two Billion Naira)** against the Defendant and in favour of the Claimant.

vii. Legal and professional fees in the sum of **=N=150,000,000.00 (One Hundred and Fifty Million Naira)**.

viii. The sum of **=N=30,000,000.00 (Thirty Million Naira)**assessed as cost of this action.

This Writ was issued by **OSARUYI AYELA - UWANGUE ESQ** of **ALEGEH & CO.**, whose address for service is No.35 Cameron Road, Ikoyi, Lagos State, Legal Practitioner for the said Claimant, AMAJU MELVIN PINNICK with his address at 6/7 Elf Road, Off Shell, Ogunu, Warri, Delta State.

Endorsement to be made on the copy of writ forthwith after service

This Writ was served by me at .... on the Defendant (here insert mode of service) on the .... day of 2023

Endorsed the .... day of 2023

Signed ....

Address..

THIS WRIT OF SUMMONS IS TO BE SERVED OUT OF THE EFFURUN JUDICIAL DIVISION, DELTA STATE AND IN LAGOS STATE.

HIGH COURT OF JUSTICE EFFURUN

Paid W/Summs — #31,900

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Kn — 200

#32,200

24/10/2023

IN THE HIGH COURT OF DELTA STATE

IN THE EFFURUN JUDICIAL DIVISION

HOLDEN AT EFFURUN

SUIT NO: EHC/184/2023

BETWEEN:

AMAJU MELVIN PINNICK . **CLAIMANT**

AND

DAVID ADELEKE a.k.a"Davido" . **DEFENDANT**

STATEMENT OF CLAIM

INTRODUCTION

PARTIES

1. The Claimant is a highly respected Nigerian Citizen, former President of the Nigerian Football Federation, an Indigene and resident of Warri, Delta State within the jurisdiction of this Honourable Court.

2. The Claimant is the Chairman of Brownhill Investments Company Limited, the organizer, convener, sponsor and promoter of the annual 'Warri Again Concert', an entertainment concert organized to rebrand Warri City through the promotion of entertainment and nurturing of young musical talents in Delta State and Nigeria at large.

3. The Defendant is a Nigerian recording and performing musical artiste.

CONTRACT BETWEEN BROWNHILL INVESTMENTS COMPANY LIMITED AND THE DEFENDANT

4. The Claimant avers that sometime in early 2023, the Defendant approached him, when they met at the Abuja Airport, to engage his (the Defendant's) services for the 19th Edition of the "Warri Again" event held on 6th October, 2023.

5. The Claimant avers that he was hesitant to engage the services of the Defendant for the event as the Defendant had disappointed him on two previous occasions, the 2014 and 2019 editions of "Warri Again", where he (the Defendant) did not show up to perform after he had been paid for the events and he was compelled to make refunds thereafter.

HIGH COURT OF JUSTICE DELTA STATE EFFURUN

24/10/2023

6. The Claimant believing that the Defendant had turned a new leaf, his company, Brownhill Investments Company Limited entered into a performance agreement with the Defendant, for the Defendant to perform as the headline artiste at the 19th Edition of "Warri Again", slated to hold on the 6th of October, 2023 in Warri, Delta State.

7. The Agreed fee for the Defendant's performance was **=N=70,000,000.00 (Seventy Million Naira)**, which the Defendant's team insisted must be paid in full at the time, in order to secure the Defendant's performance at the event on the 6th of October, 2023.

8. Thereafter, the sum of **$94,500.00** (USD equivalent of =N=70,000,000.00) was paid on the 6th of April, 2023 and same was duly acknowledged by the Defendant's team.

9. After payment was made and confirmed, the Defendant did a promotional video for the 19th Edition of the Event slated to hold on the 6th of October, 2023 in Warri, Delta State, Nigeria, wherein he confirmed his attendance and live performance in Warri on the 6th of October, 2023.

10. Thereafter, the Claimant's company set in motion, all promotional and advertorial machinery for the Event, projecting the Defendant as the headline performer at the event slated for the 6th of October, 2023 in Warri, Delta State. The Claimant expended humongous resources on print and social media adverts and promotion for the event.

11. The Claimant avers that on the 29th of September, 2023, precisely a week to the slated date of the Event, a formal letter of reminder was sent to the Defendant in respect of the Event scheduled for 6th October, 2023. The said Letter of Reminder also contained flight itinerary of the private jet chartered to personally convey the Defendant and his team to and from Warri, Delta State for the "Warri Again" Event, on the 6th of October, 2023.

12. Unfortunately, to the utmost humiliation and detriment of the Claimant and his company, the Defendant willfully failed, neglected and refused to show up, attend and perform at the 19th Edition of "Warri Again" held on the 6th of October, 2023, despite the fact that he was paid the sum of $94,500.00, since the 6th of April, 2023 for the Event.

DEFENDANT'S DEFAMATORY AND LIBELOUS STATEMENTS

13. The Claimant avers that in the course of the event on the said day, he was compelled to address and apologize to the event attendees, explaining to them that all contractual obligations and payments to secure the attendance and performance of the Defendant were met but the Defendant still failed to show up and perform.

14. Not long after, on the 7th of October, 2023, the Defendant took to his personal social media handles to wit Instagram, Snapchat and X [formerly known as Twitter] to post and circulate several defamatory, libelous, calumnious and false statements, allegations and narratives about and against the Claimant. The defamatory posts made and widely circulated by the Defendant, specifically contained and are reproduced as follows:

a) ***"If I'm returning any money I'll return it to any football charity organization.. INFACT I will DOUBLE IT .....MR DREAM CRUSHER ... imagine how many Nigerian footballers have had their dreams crushed because person one live for ikoyi by force"***

b) ***"Warri Pple hate you! And u know! Amaju come outside let's talk!"***

c) ***"The man that dropped from the RR is Amaju Pinnick. he was NFF president for just 8 years....He was charged for allegedly misappropriating $8.4m paid by FIFA to NFF. I wont mention allegations of unpaid allowances by players when he was the president. Let's play a game"***

d) ***"I wanna donate money to @thenffofficial been suffering for too long it's not fair... let's do something @puma"***

e) ***"Ask him what he did with MTN sponsorship money for NFF? Fucking hate Pinnick!! Amaju where r you? We got questions"***

Screenshots of the defamatory and libelous posts made and widely circulated by the Defendant on his Instagram handle are hereby pleaded and shall be relied on at trial.

15. The direct/indirect import, meaning and innuendos of the afore-referenced defamatory, libelous, calumnious and false posts made and widely circulated by the Defendant are that:

a) The Claimant is a thief and person of questionable character who misappropriated and stole funds belonging to the NFF.

b) The Claimant has crushed the dreams of plenty Nigerian footballers.

c) The Claimant is only able to live in Ikoyi because he crushed the dreams of plenty Nigerian footballers.

d) The Claimant is a man of questionable character and the money paid to him (the Defendant) by the Claimant is money stolen by the Claimant from the coffers of NFF.

16. The Claimant avers that he has long finished his tour of National duty as President of NFF since September, 2022. He is a ranking member of the CAF Executive Committee, where he once served as 1st Vice President, a member of the FIFA Council and a respected Nigerian citizen of impeccable character who was recently in May, 2023 conferred with the National Honour of Officer of the Order of the Federal Republic (OFR).

EFFECTS OF DEFENDANT'S DEFAMATORY AND LIBELOUS STATEMENTS

17. The Claimant avers that he has been inundated with calls from respected Nigerian and international persons since the unwarranted defamatory, libelous and false posts were made by the Defendant.

18. The Claimant avers that the said defamatory publications and posts made and widely circulated via the Defendant's social media platforms/accounts/handles, when accorded their ordinary meaning, portrays and or holds out the Claimant as a person deficient in character and integrity but imbued with deceit, dishonesty, immoral, fraudulent and an unethical person in the eyes of right thinking members of the society.

19. The said words posted, published and widely circulated by the Defendant, of and about the Claimant are in their ordinary meaning, usage and general understanding insultive, abusive, derogatory, calumnious, defamatory and libelous of the Claimant and were posted, published and widely circulated by the Defendant with the sole and principal aim of lowering the esteem of the Claimant in the eyes of ordinary persons and generally bringing him to ridicule, derision and opprobrium.

20. The Claimant avers that he has been maligned, his reputation damaged and his estimation has been eroded and reduced in the eyes of right-thinking members of the Society. He has suffered severe irreparable reputational damage.

21. The Claimant avers that the Defendant further went on to put out a false post on Instagram, claiming that he had informed the Claimant months ago that he would not be able to make it for the event fixed for the 6th of October, 2023 in Warri, but that the Claimant continued to use his name to promote the event. This statement is entirely false as the Defendant and his team never communicated or related such information to the Claimant and his company. The Defendant and his team did not even reply the Reminder Letter sent to them on 29th September, 2023.
Screenshot of the Defendant's false post stating that he communicated his nonperformance on 6th October, 2023 is hereby pleaded and shall be relied on at trial.

22. The Claimant avers that the Defendant intentionally put out the above referenced false post in a bid to financially extort the Claimant by not refunding the money paid to him. The false post is also aimed to garner goodwill for the Defendant's upcoming Warri show which he has bragged to hold in Warri in December, 2023. Meanwhile this particular false post has further put the Claimant's business and event center in Warri in harm's way as a large number of the general public believe the Defendant's false post making it more difficult for the Claimant to manage the already difficult situation he has been put in as a result of the Defendant's actions.

23. The Defendant has a huge fan base; almost 28 million followers on Instagram; about 14 million followers on X [formerly known as "Twitter"] and over 3 million followers on Snapchat. These defamatory, libelous incendiary and false statements were widely circulated by the Defendant on all his social media handles to his followers who believe and accept all his statements. Thus, the extent of the spread of these defamatory and false statements against the Claimant is immeasurable.

24. The Claimant avers that these defamatory publications/posts made and widely circulated have put his life and that of his immediate family members in grave danger and threat of physical bodily harm, injury and attacks, as they have been subjected to all forms of cyber bullying, stalking and harassment since the defamatory and incendiary posts were made. They now live in fear of their lives in view of the Defendant's very large following and overwhelming influence he wields on social media.

25. The Claimant avers that these defamatory posts have the propensity to not only incite the public against him, but also has the corresponding effect of causing irreparable damage to the his personality, unblemished track record and accomplishments in public service and bringing his personality to disrepute, in view of his current status as a Member of the Governing Council of FIFA.

26. The Claimant avers that as a result of the Defendant's aforesaid defamatory, derogatory and false statements coupled with the incisive, denigrating and threatening statements from various online users arising therefrom, he has suffered and endured emotional and psychological trauma, public ridicule, disdain and irreparable damage to his reputation, integrity and personality.

27. In light of the foregoing, the Claimant was compelled to brief the Law Firm of Alegeh & Co., to institute a legal action against the Defendant herein for which the Claimant has been charged the sum of **=N=150,000,000.00 (One Hundred and Fifty Million Naira)**.
Invoice and receipt of payment issued by Claimant's Solicitors are hereby pleaded and shall be relied on at trial.

28. The Claimant avers that he would expend over **=N=30,000,000.00 (Thirty Million Naira)** as cost of action for the entire prosecution of this matter. The cost of action is not limited to court filing fees, flight fares to meet up with Court dates and loss of work hours to attend court proceedings in the matter.

EVIDENCE

29. During trial, the Claimant shall rely on all documents relevant to support his claims in this case including but not limited to screenshots of online documents, news articles and/or postings, payment receipts and all such other relevant documents and materials.

30. The Claimant shall also contend at the hearing of this suit that the Defendant herein does not have any valid defence to this action and shall in addition to Injunctive reliefs, claim damages for the defamatory statements and/or publications made by the Defendant herein.

RELIEFS SOUGHT

Whereof, the Claimant claims against the Defendant as follows:

i. **A DECLARATION** that the Defendant published and posted several false, malicious, libelous, incendiary, calumnious and defamatory statements of and about the Claimant on his personal social media handles to wit Instagram, Snapchat and X [formerly known as Twitter] on the 7th of October, 2023 which are libelous and highly defamatory of the Claimant's personage, image and reputation in the eyes of right thinking members of the general public. The said false, malicious, libelous and defamatory statements are as follows:

a) ***"If I'm returning any money I'll return it to any football charity organization.. INFACT I will DOUBLE IT .....MR DREAM CRUSHER ... imagine how many Nigerian footballers have had their dreams crushed because person one live for ikoyi by force"***

b) ***"Warri Pple hate you! And u know! Amaju come outside let's talk!"***

c) ***"The man that dropped from the RR is Amaju Pinnick. he was NFF president for just 8 years....He was charged for allegedly misappropriating $8.4m paid by FIFA to NFF. I wont mention allegations of unpaid allowances by players when he was the president. Let's play a game"***

d) ***"I wanna donate money to @thenffofficial been suffering for too long it's not fair... let's do something @puma"***

e) ***"Ask him what he did with MTN sponsorship money for NFF? Fucking hate Pinnick!! Amaju where r you? We got questions"***

AMAJU MELVIN PINNICK V. DAVID ADELEKE A.K.A DAVIDO

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ii. **A DECLARATION** that the said words posted, published and widely circulated by the Defendant, of and about the Claimant are in their ordinary meaning, usage and general understanding, insultive, abusive, derogatory, calumnious, defamatory and libelous of the Claimant and were posted, published and widely circulated by the Defendant with the sole and principal aim of lowering the esteem of the Claimant in the eyes of ordinary persons and generally bringing him to ridicule, derision and opprobrium.

iii. **AN ORDER** directing, commanding, compelling or otherwise mandating the Defendant to delist, delete, remove or take down forthwith from his personal social media pages, timelines and/or platforms all defamatory/libelous publications about or concerning the Claimant, particularly those of **7th October, 2023** alleging that the Claimant is fraudulent, lives a pretentious lifestyle and ruined the careers of several Nigerian footballers, amongst other defamatory statements, amongst other defamatory statements made against the Claimant.

iv. **AN ORDER directing** the Defendant to publish or cause to be published on his personal social media platforms and in two (2) national dailies, an **APOLOGY** to the Claimant for four (4) consecutive days in respect of or in relation to the libelous publications made by the Defendant concerning or about the Claimant.

v. **AN ORDER OF PERPETUAL INJUNCTION** restraining the Defendant, either by himself, agents, servants, privies or through any person or person howsoever described, from, writing or further writing, publishing or further publishing, either on social media or in any other medium or platform, howsoever called or described, any false, malicious, mendacious, unverified, unverifiable, libelous or defamatory statements, stories and allegations about or concerning the Claimant.

vi. **GENERAL DAMAGES** in the sum of **=N=2,000,000,000.00 (Two Billion Naira)** against the Defendant and in favour of the Claimant.

vii. Legal and professional fees in the sum of **=N=150,000,000.00 (One Hundred and Fifty Million Naira).**

viii. The sum of **=N=30,000,000.00 (Thirty Million Naira)** assessed as cost of this action.

AMAJU MELVIN PINNICK V. DAVID ADELEKE A.K.A DAVIDO
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CONCLUSION

31. The Claimant hereby reserves the right to amend, supplement, revise or otherwise modify this Statement of Claim in accordance with the Rules of this Honourable Court.

DATED THIS 23rd **DAY OF OCTOBER, 2023**

Kelechi Onwuegbuchulem Esq.
Osaruyi Ayela - Uwangue Esq.
Temitope .C. Abiodun Esq.
[Claimant's Counsel]
Alegeh & Co.
Legal Practitioners & Notaries Public
No. 35, Cameron Road, Ikoyi
Lagos.
07060658157
uyiayela@alegehlaw.com

FOR SERVICE ON:
The Defendant
DAVID ADELEKE a.k.a "Davido"
No. 2B, Prince Adelowo Street
Lekki Phase 1,
Lagos State.

AMAJU MELVIN PINNICK V. DAVID ADELEKE A.K.A DAVIDO
ALEGEH & CO.
LEGAL PRACTITIONERS & NOTARIES PUBLIC
www.alegehlaw.com

IN THE HIGH COURT OF JUSTICE: DELTA STATE OF NIGERIA
IN THE EFFURUN JUDICIAL DIVISION
HOLDEN AT EFFURUN
BEFORE HIS LORDSHIP HON. JUSTICE MICHAEL NDUKA OBI, (JUDGE)
ON THURSDAY, THE 26TH DAY OF OCTOBER, 2023.

SUIT NO. EHC/185/2023

BETWEEN:

AMAJU MELVIN PINNICK — CLAIMANT/APPLICANT

-AND-

ISRAEL AFEARE — DEFENDANT

HIGH COURT OF JUSTICE DELTA STATE EFFURUN

ENROLMENT OF ORDER

Upon the motion Ex-parte dated 23rd of October, 2023 and filed 24/10/2023, praying this Court for the following order to wit:

1. An order of interim injunction restraining the Defendant from further posting, making and publishing any defamatory, derogatory, calumnious and incendiary statement, story, allegation and narrative about and against the Claimant/Applicant pending the hearing and determination of the Motion on Notice for Interlocutory Injunction.

And for such further orders or other orders as this Honourable Court may deem fit to make in the circumstance.

Coming up for hearing and determination before his Lordship, the Hon. Justice Michael Nduka Obi, Judge sitting at High Court 3, Effurun, on Thursday, the 26th day of October, 2023. The Applicant being represented by Counsel and the Court having heard Osaruyi Ayela-Uwangue Esq., ordered as follows:

CERTIFIED TRUE COPY
SIGN ... DATE 26/10/23
NAME: OBIKU URUEMU
ASSISTANT DIRECTOR OF COURT

Court: It is hereby ordered that the Defendant refrains from further posting, making and publishing any defamatory, derogatory, calumnious and incendiary statement, story allegation and narrative about or against the Claimant/Applicant pending the hearing and determination of the motion on Notice. The motion on Notice is fixed for 23/11/2023.

MICHAEL NDUKA OBI
(JUDGE)

Issued at the High Court Registry, Effurun, under the hand of the presiding Judge and seal of court on Thursday, the 26th day of October, 2023.

HIGH COURT OF JUSTICE DELTA STATE EFFURUN

OBIKU URUEMU (MRS.)
ASSISTANT DIRECTOR

26/10/2023

CERTIFIED TRUE COPY
SIGN ... DATE 26/10/23
NAME: OBIKU URUEMU
ASSISTANT DIRECTOR OF COURT

IN THE HIGH COURT OF JUSTICE: DELTA STATE OF NIGERIA
IN THE EFFURUN JUDICIAL DIVISION
HOLDEN AT EFFURUN
BEFORE HIS LORDSHIP HON. JUSTICE MICHAEL NDUKA OBI, (JUDGE)
ON THURSDAY, THE 26TH DAY OF OCTOBER, 2023.

SUIT NO. EHC/185/2023

BETWEEN:

AMAJU MELVIN PINNICK — CLAIMANT/APPLICANT

-AND-

ISRAEL AFEARE — DEFENDANTS

ENROLMENT OF ORDER

Upon the motion Ex-parte dated 23rd of October, 2023 and filed 24/10/2023, praying this Court for the following order to wit:

1. An order of this Honourable Court issuing the Writ of Summons for service outside the jurisdiction of this Court, on the Defendants whose address is No. 2b, Prince Adelowo Street, Lekki Phase I, Lagos State.
2. An order of this Honourable Court granting leave to the Claimant/Applicant to serve, outside the jurisdiction of this Court, the Writ of Summons, Statement of Claim and other accompanying processes as well as the Motion on Notice for Interlocutory injunction and other processes emanating from this suit, on the Defendants, whose address is No. 2b, Prince Adelowo Street, Lekki Phase I, Lagos State.

CERTIFIED TRUE COPY
SIGN ... DATE 26/10/23
NAME: OBIKU URUEMU
ASSISTANT DIRECTOR OF COURT

HIGH COURT OF JUSTICE DELTA STATE EFFURUN

3. An order of this Honourable Court granting leave to the Claimant/Applicant to serve the Writ of Summons, Statement of Claim and other accompanying processes as well as the Motion on Notice for Interlocutory injunction and other processes emanating from this suit, on the Defendants, by substituted means to wit newspaper publication.

And for such further orders or other orders as this Honourable Court may deem fit to make in the circumstance.

Coming up for hearing and determination before his Lordship, the Hon. Justice Michael Nduka Obi, Judge sitting at High Court 3, Effurun, on Thursday, the 26th day of October, 2023. The Applicant being represented by Counsel. And the Court having heard Osaruyi Ayela-Uwangue Esq., ordered as follows:

Court: On application of counsel to the Claimant/Applicant, Prayers 1 and 2 are struck out. Prayer 3 is granted. Leave is granted the Claimant to serve the Defendant with the Originating processes and Motion on Notice by substituted means to wit: By publication in a National Newspaper.

MICHAEL NDUKA OBI
(JUDGE)

CERTIFIED TRUE COPY
SIGN ... DATE 26/10/23
NAME: OBIKU URUEMU
ASSISTANT DIRECTOR OF COURT

Issued at the High Court Registry, Effurun, under the hand of the presiding Judge and seal of court on Thursday, the 26th day of October, 2023.

HIGH COURT OF JUSTICE DELTA STATE EFFURUN

OBIKU URUEMU (MRS.)
ASSISTANT DIRECTOR

26/10/2023 Certification-N500

GENERAL FORM OF WRIT OF SUMMONS

IN THE HIGH COURT OF DELTA STATE
IN THE EFFURUN JUDICIAL DIVISION
HOLDEN AT EFFURUN

SUIT NO: EHC/185/2023

BETWEEN

AMAJU MELVIN PINNICK - CLAIMANT

AND

ISRAEL AFEARE - DEFENDANT

To: **THE DEFENDANT:**

ISRAEL AFEARE of No.2b, Prince Adelowo Street, Lekki Phase 1, Lagos State.

You are hereby commanded that within EIGHT days after the service of this writ on you, inclusive of the day of such service, you do cause an appearance to be entered for you in an action at the suit of **AMAJU MELVIN PINNICK** and take notice that in default of your so doing the Claimant may proceed therein, and judgment may be given in your absence.

Dated this 24th Day of Oct. 2023

Registrar

MEMORANDUM TO BE SUBSCRIBED ON THE WRIT

N.B: This Writ is to be served within six calendar months from the date thereof, or, if renewed, within six calendar months from the date of the last renewal, including the day of such date and not afterwards.

The Defendant may enter appearance personally or by legal practitioner either by handing in the appropriate forms, duly completed, at the Registry of the High Court of the Judicial Division in which the action is brought or by sending them to the Registry by registered post.

ENDORSEMENT

The Claimant claims against the Defendant as follows:

i. **A DECLARATION** that the Defendant published and posted several false, malicious, libelous, incendiary, calumnious and defamatory statements of and about the Claimant on his personal Instagram handle on the 7th of October, 2023 which are libelous and highly defamatory of the Claimant's personage, image and reputation in the eyes of right thinking members of the general public. The said false, malicious, libelous and defamatory statements are as follows:

a) ***"Amaju. Kindly tell the whole World the real truth of what happened. Agreement is fully Agreement, and oga would never joke with that. You coming on stage to hype bourna over oga, wasn't good at all. The same bourna was still alive. You should have just contacted him than wasting oga time. You claime to love ur Warri people that much? Where's the money collected by you from FIFA, to build a befitting stadium for the same warri people till today?"***

b) ***"Where's the billions of naira fully approved by FIFA, for this escravos stadium warri? @officialefcc"***

ii. **A DECLARATION** that the said words posted, published and widely circulated by the Defendant, of and about the Claimant are in their ordinary meaning, usage and general understanding, insultive, abusive, derogatory, calumnious, defamatory and libelous of the Claimant and were posted, published and widely circulated by the Defendant with the sole and principal aim of lowering the esteem of the Claimant in the eyes of ordinary persons and generally bringing him to ridicule, derision and opprobrium.

iii. **AN ORDER** directing, commanding, compelling or otherwise mandating the Defendant to delist, delete, remove or take down forthwith from his personal social media pages, timelines and/or platforms all defamatory/libelous publications about or concerning the Claimant, particularly those of **7th October, 2023** alleging that the Claimant is a person of questionable character who stole, diverted and criminally converted monies supposedly approved by FIFA to build stadiums in Warri.

iv. **AN ORDER directing** the Defendantto publish or cause to be published on all his personal social media platforms and in two (2) national dailies, an **APOLOGY** to the Claimant for four (4) consecutive days in respect of or in relation to the libelous publications made by the Defendant concerning or about the Claimant.

v. **AN ORDER OF PERPETUAL INJUNCTION** restraining the Defendant, either by himself, agents, servants, privies or through any person or person howsoever described, from, writing or further writing, publishing or further publishing, either on social media or in any other medium or platform, howsoever called or described, any false, malicious, mendacious, unverified, unverifiable, libelous or defamatory statements, stories and allegations about or concerning the Claimant.

vi. **GENERAL DAMAGES** in the sum of **=N=500,000,000.00 (Five Hundred Million Naira)**against the Defendant and in favour of the Claimant.

vii. Legal and professional fees in the sum of **=N=150,000,000.00 (One Hundred and Fifty Million Naira).**

viii. The sum of **=N=30,000,000.00 (Thirty Million Naira)**assessed as cost of this action.

This Writ was issued by **OSARUYI AYELA - UWANGUE ESQ** of **ALEGEH & CO.**, whose address for service is No.35 Cameron Road, Ikoyi, Lagos State, Legal Practitioner for the said Claimant, AMAJU MELVIN PINNICK with his address at 6/7 Elf Road, Off Shell, Ogunu, Warri, Delta State.

Endorsement to be made on the copy of writ forthwith after service

This Writ was served by me at .... on the Defendant (here insert mode of service) on the .... day of 2023

Endorsed the .... day of 2023

Signed ....
Address...

THIS WRIT OF SUMMONS IS TO BE SERVED OUT OF THE EFFURUN JUDICIAL DIVISION, DELTA STATE AND IN LAGOS STATE.

W/Summons - N31,600.00
Ser - N100.00
CCM - N200.00
31,900.00

HIGH COURT OF JUSTICE DELTA STATE EFFURUN

DC 083

24/10/2023

IN THE HIGH COURT OF DELTA STATE
IN THE EFFURUN JUDICIAL DIVISION
HOLDEN AT EFFURUN

SUIT NO: EHC/185/2023

BETWEEN:

AMAJU MELVIN PINNICK - CLAIMANT

AND

ISRAEL AFEARE - DEFENDANT

STATEMENT OF CLAIM

INTRODUCTION

PARTIES

1. The Claimant is a highly respected Nigerian Citizen, former President of the Nigerian Football Federation, an Indigene and resident of Warri, Delta State within the jurisdiction of this Honourable Court.

2. The Claimant is the Chairman of Brownhill Investments Company Limited, the organizer, convener, sponsor and promoter of the annual 'Warri Again Concert', an entertainment concert organized to rebrand Warri City through the promotion of entertainment and nurturing of young musical talents in Delta State and Nigeria at large.

3. The Defendant is a staff of and Personal Logistics Manager to David Adeleke.a.k.a "Davido", a Nigerian recording and performing musical artiste.

4. The Claimant avers that sometime in early 2023, David Adelekea.k.aDavido [hereinafter simply referred to as Davido] approached him, when they met at the Abuja Airport, to engage his (Davido's) services for the 19th Edition of the "Warri Again" event held on 6th October, 2023.

5. The Claimant avers that he was hesitant to engage the services of Davido for the event as Davido had disappointed him on two previous occasions, the 2014 and

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N700 ... 24/10/2023

COURT OF JUSTICE DELTA STATE EFFURUN

2019 editions of "Warri Again", where Davido did not show up to perform after he had been paid for the events and he was compelled to make refunds thereafter.

6. The Claimant believing that Davido had turned a new leaf, his company, Brownhill Investments Company Limited entered into a performance agreement with the Davido, for Davido to perform as the headline artiste at the 19th Edition of "Warri Again", slated to hold on the 6th of October, 2023 in Warri, Delta State.

7. The Agreed fee for the Davido's performance was **=N=70,000,000.00 (Seventy Million Naira)**, which Davido's team insisted must be paid in full at the time, in order to secure his performance at the event on the 6th of October, 2023.

8. Thereafter, the sum of **$94,500.00** (USD equivalent of =N=70,000,000.00) was paid on the 6th of April, 2023 and same was duly acknowledged by Davido's team.

9. After payment was made and confirmed, Davido did a promotional video for the 19th Edition of the Event slated to hold on the 6th of October, 2023 in Warri, Delta State, Nigeria, wherein he confirmed his attendance and live performance in Warri on the 6th of October, 2023.

10. Thereafter, the Claimant's company set in motion, all promotional and advertorial machinery for the Event, projecting Davido as the headline performer at the event slated for the 6th of October, 2023 in Warri, Delta State. The Claimant expended humongous resources on print and social media adverts and promotion for the event.

11. The Claimant avers that on the 29th of September, 2023, precisely a week to the slated date of the Event, a formal letter of reminder was sent to Davido in respect of the Event scheduled for 6th October, 2023. The said Letter of Reminder also contained flight itinerary of the private jet chartered to personally convey Davido and his team to and from Warri, Delta State for the "Warri Again" Event, on the 6th of October, 2023.

12. Unfortunately, to the utmost humiliation and detriment of the Claimant and his company, the Davido willfully failed, neglected and refused to show up, attend and perform at the 19th Edition of "Warri Again" held on the 6th of October, 2023, despite the fact that he was paid the sum of $94,500.00, since the 6th of April, 2023 for the Event.

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DEFENDANT'S DEFAMATORY AND LIBELOUS STATEMENTS

13. The Claimant avers that in the course of the event on the said day, he was compelled to address and apologize to the event attendees, explaining to them that all contractual obligations and payments to secure the attendance and performance of Davido were met but Davido still failed to show up and perform.

14. The Claimant avers that to his bewilderment, on the 7th of October, 2023, the Defendant took to his verified personal Instagram handle (@isrealdmw) on Instagram to post and circulate several defamatory, libelous, calumnious and false statements, allegations and narratives about and against the Claimant. The defamatory posts made and widely circulated by the Defendant, specifically contained and are reproduced as follows:

a) ***"Amaju. Kindly tell the whole World the real truth of what happened. Agreement is fully Agreement, and oga would never joke with that. You coming on stage to hype bourna over oga, wasn't good at all. Thesame bourna was still alive. You should have just contacted him than wasting oga time. You claime to love ur Warri people that much? Where's the money collected by you from FIFA, to build a befitting stadium for the same warri people till today?"***

b) ***"Where's the billions of naira fully approved by FIFA, for this escravos stadium warri? @officialefcc"***

Screenshots of the defamatory and libelous posts made and widely circulated by the Defendant on his Instagram handle are hereby pleaded and shall be relied on at trial.

15. The Defendant posted and published a defamatory and calumnious statement and narrative about and against the Claimant by posting the video of a field over grown with grass on his Instagram handle and captioned the video: ***"Where's the billions of naira fully approved by FIFA, for this escravos stadium warri? @officialefcc"***

16. The direct/indirect import, meaning and innuendos of the afore-referenced defamatory, libelous, calumnious and false posts made and widely circulated by the Defendant are that:

AMAJU MELVIN PINNICK V. ISRAEL AFEARE — ALEGEH & CO. LEGAL PRACTITIONERS & NOTARIES PUBLIC www.alegehlaw.com

a) The Claimant is a dishonest and deceitful individual, who lied about his Company fully meeting the contractual obligations and payments to secure Davido's performance at "Warri Again" event held on 6th October, 2023.

b) The Claimant is a thief and person of questionable character, who stole and criminally converted money supposedly given by FIFA to build a stadium in Warri.

c) The Claimant stole billions of Naira approved by FIFA to build Escravos Staidum and failed to build the stadium.

d) The Economic and Financial Crimes Commission (EFCC) should investigate and prosecute the Claimant for stealing monies supposedly given by FIFA to build the Escravos Stadium.

17. The Claimant avers that he has long finished his tour of National duty as President of NFF since September, 2022. He is a ranking member of the CAF Executive Committee, where he once served as 1st Vice President, a member of the FIFA Council and a respected Nigerian citizen of impeccable character who was recently in May, 2023 conferred with the National Honour of Officer of the Order of the Federal Republic (OFR).

EFFECTS OF DEFENDANT'S DEFAMATORY AND LIBELOUS STATEMENTS

18. The Claimant avers that he has been inundated with calls from respected Nigerian and international persons since the unwarranted defamatory, libelous and false posts were made by the Defendant.

19. The Claimant avers that the said defamatory publications/posts made and circulated via the Defendant's verified Instagram account/handle, when accorded their ordinary meaning, portrays and or holds out the Claimant as a person deficient in character and integrity but imbued with deceit, dishonesty, immoral, fraudulent and an unethical person in the eyes of right thinking members of the society.

20. The said words and video posted, published and widely circulated by the Defendant, of and about the Claimant are in their ordinary meaning, usage and general understanding insultive, abusive, derogatory, calumnious, defamatory and libelous of the Claimant and were posted, published and widely circulated by the Defendant with the sole and principal aim of lowering the esteem of the Claimant in the eyes of ordinary persons and generally bringing him to ridicule, derision and opprobrium.

21. The Claimant avers that he has been maligned, his reputation damaged and his estimation has been eroded and reduced in the eyes of right-thinking members of the Society. He has suffered severe irreparable reputational damage.

22. The Defendant has a large followership of over 770,000 followers on Instagram, with an intimidating popularity on social media by virtue of his close affiliation to Davido. These defamatory, libelous incendiary and false statements and narrative were widely circulated by the Defendant on his Instagram account/handle to his followers who believe and accept all his statements by virtue of his very close affiliation to Davido. Thus, the extent of the spread of these defamatory and false statements against the Claimant is immeasurable.

23. The Claimant avers that these defamatory publications/posts have put his life and that of his immediate family members in grave danger and threat of physical bodily harm, injury and attacks, as they have been subjected to all forms of cyber bullying, stalking and harassment since the defamatory and incendiary posts were made. They now live in fear of their lives in view of the Defendant's very large following, engagements and popularity on social media.

24. The Claimant avers that these defamatory posts have the propensity to not only incite the public against him, but also has the corresponding effect of causing irreparable damage to his personality, unblemished track record and accomplishments in public service and bringing his personality to disrepute, in view of his current status as a Member of the Governing Council of FIFA.

25. The Claimant avers that as a result of the Defendant's aforesaid defamatory, derogatory and false statements coupled with the incisive, denigrating and threatening statements from various online users arising therefrom, he has suffered and endured emotional and psychological trauma, public ridicule, disdain and irreparable damage to his reputation, integrity and personality.

AMAJU MELVIN PINNICK V. ISRAEL AFEARE — ALEGEH & CO. LEGAL PRACTITIONERS & NOTARIES PUBLIC www.alegehlaw.com

26. In light of the foregoing, the Claimant was compelled to brief the Law Firm of Alegeh & Co., to institute a legal action against the Defendant herein for which the Claimant has been charged the sum of **=N=150,000,000.00 (One Hundred and Fifty Million Naira)**.
Invoice and receipt of payment issued by Claimant's Solicitors are hereby pleaded and shall be relied on at trial.

27. The Claimant avers that he would expend over **=N=30,000,000.00 (Thirty Million Naira)** as cost of action for the entire prosecution of this matter. The cost of action is not limited to court filing fees, flight fares to meet up with Court dates and loss of work hours to attend court proceedings in the matter.

EVIDENCE

28. During trial, the Claimant shall rely on all documents relevant to support his claims in this case including but not limited to screenshots of online documents, news articles and/or postings, payment receipts and all such other relevant documents and materials.

29. The Claimant shall also contend at the hearing of this suit that the Defendant herein does not have any valid defence to this action and shall in addition to Injunctive reliefs, claim damages for the defamatory statements and/or publications made by the Defendant herein.

RELIEFS SOUGHT

Whereof, the Claimant claims against the Defendant as follows:

i. **A DECLARATION** that the Defendant published and posted several false, malicious, libelous, incendiary, calumnious and defamatory statements of and about the Claimant on his personal Instagram handle on the 7th of October, 2023 which are libelous and highly defamatory of the Claimant's personage, image and reputation in the eyes of right thinking members of the general public. The said false, malicious, libelous and defamatory statements are as follows:

a) ***"Amaju. Kindly tell the whole World the real truth of what happened. Agreement is fully Agreement, and oga would never joke with that. You coming on stage to hype bourna over oga, wasn't good at all. Thesame bourna was still alive. You should have just contacted him than wasting***

AMAJU MELVIN PINNICK V. ISRAEL AFEARE — ALEGEH & CO. LEGAL PRACTITIONERS & NOTARIES PUBLIC www.alegehlaw.com

oga time. You claime to love ur Warri people that much? Where's the money collected by you from FIFA, to build a befitting stadium for the same warri people till today?"

b) ***"Where's the billions of naira fully approved by FIFA, for this escravos stadium warri? @officialefcc"***

ii. **A DECLARATION** that the said words posted, published and widely circulated by the Defendant, of and about the Claimant are in their ordinary meaning, usage and general understanding, insultive, abusive, derogatory, calumnious, defamatory and libelous of the Claimant and were posted, published and widely circulated by the Defendant with the sole and principal aim of lowering the esteem of the Claimant in the eyes of ordinary persons and generally bringing him to ridicule, derision and opprobrium.

iii. **AN ORDER** directing, commanding, compelling or otherwise mandating the Defendant to delist, delete, remove or take down forthwith from his personal social media pages, timelines and/or platforms all defamatory/libelous publications about or concerning the Claimant, particularly those of **7th October, 2023** alleging that the Claimant is a person of questionable character who stole, diverted and criminally converted monies supposedly approved by FIFA to build stadiums in Warri.

iv. **AN ORDER directing** the Defendant to publish or cause to be published on all his personal social media platforms and in two (2) national dailies, an **APOLOGY** to the Claimant for four (4) consecutive days in respect of or in relation to the libelous publications made by the Defendant concerning or about the Claimant.

v. **AN ORDER OF PERPETUAL INJUNCTION** restraining the Defendant, either by himself, agents, servants, privies or through any person or person howsoever described, from, writing or further writing, publishing or further publishing, either on social media or in any other medium or platform, howsoever called or described, any false, malicious, mendacious, unverified, unverifiable, libelous or defamatory statements, stories and allegations about or concerning the Claimant.

AMAJU MELVIN PINNICK V. ISRAEL AFEARE — ALEGEH & CO. LEGAL PRACTITIONERS & NOTARIES PUBLIC www.alegehlaw.com

vi. **GENERAL DAMAGES** in the sum of **=N=500,000,000.00 (Five Hundred Million Naira)** against the Defendant and in favour of the Claimant.

vii. Legal and professional fees in the sum of **=N=150,000,000.00 (One Hundred and Fifty Million Naira)**.

viii. The sum of **=N=30,000,000.00 (Thirty Million Naira)** assessed as cost of this action.

CONCLUSION

30. The Claimant hereby reserves the right to amend, supplement, revise or otherwise modify this Statement of Claim in accordance with the Rules of this Honourable Court.

DATED THIS 23RD DAY OF OCTOBER, 2023

Kelechi Onwuegbuchulem Esq.
Osaruyi Ayela - Uwangue Esq.
Temitope .C. Abiodun Esq.
[Claimant's Counsel]
Alegeh & Co.
Legal Practitioners & Notaries Public
No. 35, Cameron Road, Ikoyi
Lagos.
07060658157
uyiayela@alegehlaw.com

NIGERIAN BAR ASSOCIATION NBA

FOR SERVICE ON:
THE DEFENDANT
ISRAEL AFEARE
No. 2B, Prince Adelowo Street
Lekki Phase 1, Lagos State.

AMAJU MELVIN PINNICK V. ISRAEL AFEARE — ALEGEH & CO. LEGAL PRACTITIONERS & NOTARIES PUBLIC www.alegehlaw.com

IN THE HIGH COURT OF DELTA STATE
IN THE EFFURUN JUDICIAL DIVISION
HOLDEN AT EFFURUN

SUIT NO:

BETWEEN:

AMAJU MELVIN PINNICK - CLAIMANT

AND

ISRAEL AFEARE - DEFENDANT

LIST OF WITNESS (ES)

1. Amaju Melvin Pinnick

DATED THIS 23RD DAY OF OCTOBER, 2023

Kelechi Onwuegbuchulem Esq.
Osaruyi Ayela - Uwangue Esq.
Temitope .C. Abiodun Esq.
[Claimant's Counsel]
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NIGERIAN BAR ASSOCIATION NBA

FOR SERVICE ON:
THE DEFENDANT
ISRAEL AFEARE
No. 2B, Prince Adelowo Street
Lekki Phase 1,Lagos State.

AMAJU MELVIN PINNICK V. ISRAEL AFEARE — ALEGEH & CO. LEGAL PRACTITIONERS & NOTARIES PUBLIC www.alegehlaw.com

IN THE HIGH COURT OF DELTA STATE
IN THE EFFURUN JUDICIAL DIVISION
HOLDEN AT EFFURUN

BETWEEN **SUIT NO: EHC/185/2023**

AMAJU MELVIN PINNICK - CLAIMANT/APPLICANT

AND

ISRAEL AFEARE - DEFENDANT/RESPONDENT

MOTION ON NOTICE
BROUGHT PURSUANT TO ORDER 38 RULE 1 AND ORDER 39 RULE 1 OF THE DELTA STATE HIGH COURT CIVIL PROCEDURE RULES 2009 AND UNDER THE INHERENT JURISDICTION OF THIS HONOURABLE COURT

TAKE NOTICE that this Honourable Court will be moved on the ________ day of ________ 2023 at the hour of 9 0' clock in the forenoon or so soon thereafter as counsel on behalf of the Claimant/Applicant may be heard praying this court for the grant of the following Orders:

1. **AN ORDEROF INTERLOCUTORY INJUNCTION** restraining the Defendant from further posting, making and publishing any defamatory, derogatory, calumnious and incendiary statement, story, allegation and narrative about and against the Claimant/Applicant, pending the hearing and determination of this Suit.

AND FOR SUCH FURTHER ORDERS OR OTHER ORDERS as this Honourable Court may deem fit to make in the circumstances of this case.

GROUNDS IN SUPPORT OF MOTION

1. The Claimant's company entered into a performance agreement with the Defendant's boss/employer, David Adeleke a.k.a Davido, to perform as the headline artiste at the 19th Edition of "Warri Again" event slated to hold on the 6th of October, 2023 in Warri, Delta. The agreed performance fee was =N=70,000,000.

2. The agreed performance fee of $94,500.00 (USD equivalent of =N=70,000,000.00), which the Defendants insisted must be paid in full, was paid on the 6th of April, 2023 in order to secure the Davido's performance at the event on the 6th of October, 2023. However, Davido failed to attend and perform at the event on the 6th of October, 2023. The Claimant had to address and apologize to attendees of the event that all contractual obligations were met with the Davido as such his absence was inexcusable.

3. Not long after, the Defendant took to his personal Instagram account with over 770,000 followers to post and circulate several defamatory, libelous, calumnious and false statements, allegations and narratives about and against the Claimant.

4. The Defendant has a large following and popularity on social media as such the Claimant has been subjected to all manner and form of cyber bullying and harassment since the defamatory posts were made and widely circulated by the Defendant.

5. The Claimant's reputation has not only be subjected to opprobrium but him and his immediately family now live in fear of their lives as result of the Defendant's defamatory posts.

6. The safety of the Claimant and his family coupled with the need to avert further irreparable damage to his reputation and image, pending the hearing and determination of this suit, has necessitated this application.

DATED THIS 23RD DAY OF OCTOBER, 2023

Kelechi Onwuegbuchulem Esq.
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THE DEFENDANT
ISRAEL AFEARE
NO. 2B PRINCE ADELOWO STREET,
LEKKI PHASE 1, LAGOS.

M/N – N1000
Order – N200 Paid vide CRND
Orth – N200 329800
Exh – N500
N/add – N500 24/10/2023
Ser – N100
Icm – N200
N2,700

COURT OF JUSTICE DELTA STATE EFFURUN

27TH YEARS MUSICAL SOCIETY OF NIGERIA (MUSON CENTRE) 2023 FESTIVAL CELEBRATION, IN NIGERIA...

L-R: Chairman, Musical Society of Nigeria (Muson Centre), Louis Mbanefo, SAN; International Guest Artiste, Francesca Chiejina (Soprano); and Member of Musical Society of Nigeria (Muson Centre), Awuneba Ajumogobia at the 27th Years Musical Society of Nigeria (Muson Centre) 2023 Festival Celebration, in Nigeria...on Sunday

Nigeria to Engage German Firm in Search for $700bn Mineral Deposits Nationwide

●Signs MoU with company on Sunday

Deji Elumoye in Abuja

The Federal Executive Council (FEC) on Monday approved the engagement of a German firm, GeoScan GmbH, for the search and location of the estimated $700 billion solid minerals deposit in the country.

Briefing newmen after the weekly Council meeting presided over by President Bola Tinubu at the State House, Abuja,

Minister of Solid Minerals, Dele Alake, said the Memorandum of Understanding (MoU) wiith the German firm was signed on Sunday when the German Chancellor, Olaf Scholz, paid a business visit on the President.

Highlighting the significance of the MoU, Alake said it is expected to advance solid minerals exploration, exploitation, and judicious use of the revenue accruing to the federal government.

The Minister said GeoScan GmBH possesses cutting-edge technology capable of exploring mineral deposits up to 10,000 meters below the surface, which is a remarkable advancement in the field of mineral exploration.

He emphasised the cost-effectiveness of this proprietary technology, which, he said, is 80% cheaper than current exploration processes and three times faster in locating underground deposits.

"The gathering of geodata is very expensive. Now this particular technology, which is top notch, is 80% cheaper than current processes in the world, three times faster to locate deposits underground, " he said.

Given Nigeria's vast and unexplored mineral landscape, estimated to be worth around $700 billion, the Minister noted that MoU with GeoScan GmbH presents a significant opportunity for the country.

"We constitute about 0.02% of the global mining budget. With the $700 billion estimation of our solid minerals deposit, we still have over 90% of the entire landscape of Nigeria unexplored.

"And because it's an expensive business, that underscores the significance of a landmark that we recorded yesterday with the GeoScan GmbH supported also by the German chancellor and our President.

"I'm happy to tell you that there's no kobo commitment on the part of Nigeria. The company will establish its technology and plant here and move around the country enable us to further explore all the other mineral deposits that we have," he said.

The Minister pointed out that many critical minerals, essential for the production of electric vehicles, batteries, and other advanced technological equipment, are abundant in Nigeria.

He added that these resources play a crucial role in the global shift toward clean and green energy, aligning with the global trend of addressing climate change.

Alake said the partnership with GeoScan GmbH will help Nigeria fully explore its solid mineral resources, which can make a substantial contribution to the country's Gross Domestic Product (GDP), aligning with President Tinubu's Renewed Hope Agenda of positioning solid minerals as a significant economic driver alongside petroleum.

The MOU was signed by Oliver Haeggberg, CEO of GeoScan GmbH, Germany, and Fatima Shinkafi, the Executive Secretary and Chief Executive Officer (CEO) of SMDF, representing Nigeria.

Haeggberg was part of the business delegation that accompanied the German Chancellor during his official visit to Nigeria, that met with President Tinubu and the Nigerian delegation at the Business to Government (BTG) roundtable meeting.

Noting that searching and locating mineral resources have always been an arduous and expensive venture in the country, the Minister explained that the engagement of the German firm with latest technology in the industry would save Nigeria about 80 percent of the cost.

He said "now the significance of this epochal event is that this company has the latest top of the line technologies; it's a proprietary technology for exploration. It means that you can see deep down up to 10,000 meters for the mineral deposits that are available. And if you are vast in the space of solid minerals, you know that it's exploration, exploitation and extraction and the processes, you would know that exploration is an expensive business. Even the gathering of geo-data is very very expensive.

"This particular technology, which is top notch like I said, is 80% cheaper than current processes in the world, is three times faster to locate deposits down on your ground, and so with our own mineral deposits, that we conservatively estimated at about $700 billion under the ground and scrambling to exploit judiciously, we constitute about 0.02% of the global mining budget."

UK Court Adjourns Bribery Charge against Diezani to 2025

Alex Enumah in Abuja

Amidst fresh request for the extradition of a former Minister of Petroleum Resources, Mrs. Diezani Alison-Madueke, over alleged $2.5 billion fraud, a Westminster Magistrates Court yesterday, adjourned to November 2025, its hearing of bribery allegations said to have been committed in the United Kingdom (UK).

With this development, analysts are wondering how the adjournment would affect the extradition of Diezani to Nigeria and if the UK would release the defendant to go to Nigeria for prosecution, or keep her till 2025 and maybe beyond when the Westminster Magistrate Court concludes its case.

Since 2015, when she left Nigeria for treatment in the UK, the former Petroleum Resources Minister during the administration of former President Goodluck Jonathan is being accused of one offence or the other, leading to the seizure of assets linked to her both within and outside the country.

While she is currently facing trial of bribery charge to the tune of £100,000 before a Westminster Magistrates' Court in London, the Nigeria government is seeking to prosecute her in Nigeria, over a $2.5 billion fraud.

The immediate past administration of President Muhammadu Buhari, for eight years, struggled in futility to extradite the former Minister, to face corruption and abuse of office charge against her.

Although, the government succeeded in getting permission from Nigeria's court to seize some assets linked to Diezani.

According to the Economic and Financial Crimes Commission (EFCC) the said assets which included landed property and jewelries amongst others formed proceeds of crime and unlawful activities of the Minister between 2010 and 2015.

Alison-Madueke served as minister both in the administrations of late Musa Yar Adua and Goodluck Jonathan.

While the UK government had commenced prosecution before the Westminster Magistrate Court on October 2, Nigeria's federal government through the Attorney-General of the Federation (AGF) and Minister of Justice, Lateef Fagbemi, SAN, last week, lodged a request before the Crown Prosecution Services of the United Kingdom, seeking the extradition of Allison-Madueke.

Besides, the AGF submitted a warrant of arrest of the former minister, based on the orders of President Bola Tinubu. The EFCC had officially written to the office of the Minister of Justice early in the month for Diezani's arrest and subsequent extradition.

The anti-graft agency had predicated its request on grounds that a prima facie case had been established against Allison-Madueke, prompting a magistrate to issue the warrant of arrest.

The certified warrant was then attached to the extradition request submitted to the UK government by the AGF on the orders of President Tinubu.

The extradition request was based on Nigeria's Extradition Act, CAP E25, Laws of the Federation of Nigeria, 2004, and the London Scheme of Extradition within the Commonwealth, commonly known as "The Scheme."

This multilateral treaty governs extradition between the United Kingdom and Nigeria.

Meanwhile, an ongoing internal review by the UK government has been blamed for the delay in bringing the former minister back to Nigeria.

Extradition processes are typically intricate and subject to the approval of the recipient country, in this case, the UK. An informal interagency collaboration between the EFCC and the UK's National Crime Agency (NCA) has played a pivotal role in the ongoing trial of Alison-Madueke at the Westminster Magistrates' Court in London.

Recalling previous developments, the EFCC had on October 2, disclosed that it had commenced the extradition of Alison-Madueke from the UK to Nigeria. She faces 13-count charges related to money laundering, which were brought against her by the anti-graft agency.

UBA Records 115% Gross Earnings Growth in Q3 2023, Profit Hits N502.1bn

Kayode Tokede

Consolidating on its recently released second-quarter performance, the United Bank for Africa (UBA) Plc, yesterday, announced its unaudited financial results for the third quarter ended September 30, 2023, recording impressive growth across all key performance metrics.

Replicating the performance achieved in the first two quarters of the current fiscal year, the bank's gross earnings grew by 115.2 per cent to N1.309 trillion, up from N608 billion recorded last year, while operating income rose by 146 per cent from N414 billion in September 2022; to N1.018 trillion in the year under consideration.

The bank's financial report filed on the Nigerian Exchange Limited, indicated a 262 per cent rise in profit before tax (PBT) to close at N502.01 billion, compared to N138.49 billion recorded at the end of the third quarter of 2022, while profit after tax also rose impressively by 287.2 per cent, from N116 billion recorded a year earlier to N449.29 billion, surpassing its annualised return on average equity for Q3 2023 at 131 per cent to 44.37 per cent.

As in the preceding quarters, UBA continued to maintain a very strong balance sheet, with total assets rising to N16.24 trillion, representing a 49.5 per cent increase over the N10.86 trillion recorded at the end of December 2022, just as the bank benefitted largely from its technology-led initiatives targeted at improving customer experience over the past few years, with customer deposits rising to N11.63 trillion, representing a 48.6 per cent rise, up from N7.8 trillion at the end of the last financial year.

The results showed that UBA shareholders' funds remained very strong at N1.778 trillion up from N922.1 billion recorded in December 2022 again reflecting a strong capacity for internal capital generation and growth.

Commenting on the result, UBA's Group Managing Director/CEO, Mr. Oliver Alawuba, remarked that the Group has once again shown sustainable and remarkable improvement in key performance metrics over the period, reflecting its commitment to delivering value to shareholders and various stakeholders.

He said, "This significant improvement is attributed to the impact of FX harmonisation, efficient balance sheet management, and our service-focused strategies.

"Our banking operations outside of Nigeria have continued to capture the broader business opportunities inherent across, and beyond Sub-Saharan Africa."

Speaking on plans and strategy to sustain and surpass the performance at the end of the year, the GMD explained that the bank would continue to leverage its customer-centric strategies, speed to market, and innovation to consolidate market share in its various jurisdictions, as he pledged the bank's commitment towards expanding and deepening digital and other transactional banking offerings while building strategic alliances to take advantage of emerging opportunities in due time.

"Looking ahead, we are optimistic that the growth trajectory will be sustained in the final quarter of the year as we remain focused on consolidating the gains achieved so far in delivering enhanced returns to our shareholders.," Alawuba pointed out.

DINNER FOR DIRECTORS OF NGX HOSTED BY PARALLON ENERGY LIMITED...

L-R: Chairman, Parallon Energy Limited, Mutiu Sunmonu; Founder/CEO, Parallon Energy Limited/Chairman, Nigerian Exchange Limited (NGX), Ahonsi Unuigbe; former Chairman, NGX, Abubakar Mahmoud; Executive Director, Parallon Energy Limited, Adeola Akinrinmade; CEO, NGX, Temi Popoola; and director, Parallon Energy Limited, Aigboje Aig-Imoukhuede, at the dinner for directors of NGX hosted by Parallon Energy Limited in Lagos...recently

Afreximbank's Rene Awambeng Named in Powerlist Black Excellence Awards

●Our future lies in unity, Oramah declares at AfriCaribbean investment forum

The Director & Global Head, Client Relations, Afreximbank, Rene Awambeng, was awarded the Global Executive Leader Award at the Powerful Media's Powerlist Black Excellence Awards 2024.

The Powerlist celebrates Britain's most influential people of African, African American and African Caribbean heritage.

The Global Executive Leader Award sponsored by the London Stock Exchange Group is given to an outstanding leader, based outside the United Kingdom, who has demonstrated exceptional vision, innovation, influence and had a transformative impact on their organisation.

After attending Buckingham Palace in London by Royal Invitation for the Powerlist Celebration of Black Excellence Awards 2024 Reception, which was hosted by King Charles III, Awambeng was quoted in a statement yesterday, to have said: "I am passionate about serving Africa at Afreximbank and this Award is a recognition of the transformational work and contribution we do to make positive change in Africa. At Afreximbank we see the Diaspora as the 56th country of Africa. This Award is a privilege and should serve as inspiration for the younger men and women to work hard and aspire for change."

The Powerlist is an annual publication that was first published in 2007 with the aim of providing professional role models for young people of African and African Caribbean heritage in Great Britain.

It has created a network of influencers and in many ways is rebranding black Britain. The publication is distributed primarily to schools and universities. It has become heavily requested by corporates as it is recognised as a valuable source for identifying black talent.

The judging process for the Powerlist is based on strict criteria. Powerful Media receives new nominations and updates from current Powerlisters. Names are put through a rigorous test based on the criteria of influence: 'The ability to positively alter events and change lives as demonstrated over a meaningful period of time.' Biographies of the highest-scoring 150 or so are given to the judging panel for deliberation.

Meanwhile, at the Second Afri-Caribbean Trade and Investment Forum (ACTIF 2023), held yesterday, The President and Chairman of the Board of Directors of Afreximbank, Prof. Benedict O. Oramah, unveiled the significant strides made in trade and investment relations between Africa and the Caribbean.

Addressing Heads of Governments and delegates during a keynote on the opening day, Prof. Oramah underscored, "Just over a year ago, we began that journey convinced that only we could transform the fortunes of our lands.

"All of us from Africa and the Caribbean, at this moment more than at any other time in history, hold a firm conviction that determined action can grant us the economic emancipation and the true dignity we deserve."

In highlighting the achievements of the past year, Prof. Oramah celebrated the unity of the two regions: "In just under a year, eleven of the 15 CARICOM Member States had signed the Partnership Treaty… Afreximbank opened a Caribbean Office in Barbados, and it has begun operations."

He acknowledged the shared journey of the two regions, referencing the great Marcus Garvey: "Chance has never yet satisfied the hope of a suffering people. Action, self-reliance, the vision of self and the future have been the only means by which the oppressed have seen and realised the light of their own freedom."

Oramah, also emphasised that the achievements represented the beginning of an even greater journey ahead.

"As we look ahead…In a de-globalising world, small open economies will suffer if they don't bind together, and there can be no better binding than that of brothers and sisters, as represented by AfriCaribbean trade and investment integration."

Since the inaugural ACTIF held in Barbados in September 2022, the Caribbean Development Fund has become Afreximbank's first CARICOM shareholder, and Afreximbank has implemented or progressed a range of initiatives to further AfriCaribbean linkages:

"Afreximbank has approved a facility of $1.5 billion for CARICOM states, which will increase to $3 billion when all 15 CARICOM countries have signed the Partnership treaty.

Abbas Vows to Sponsor Bill to Regulate Artificial Intelligence, Other Emerging Technologies

Adedayo Akinwale in Abuja

The Speaker of the House of Representatives, Hon. Abbas Tajudeen, has revealed that he would sponsor a bill to regulate Artificial Intelligence (AI) and ensure better conditions for the development and use of this innovative technology in the coming weeks.

The Speaker made this known in Abuja, yesterday, at the 2022/2023 Convocation Ceremony of the National Institute for Legislative and Democratic Studies-University of Benin (NILDS-UNIBEN).

Abbas, in a statement issued by Special Adviser on Media and Publicity, Musa Krishi, said this would be the first such effort in Africa and one of only a few undertaken by parliaments worldwide

He noted that though new technologies such as Artificial Intelligence and robotics have immense benefits, there was a need to check their misuse and abuse.

The Speaker stressed that technological and scientific innovations such as in the field of Artificial Intelligence (AI) were presenting opportunities hitherto thought impossible.

He added that AI could create many benefits such as better healthcare, safer and cleaner transport, more efficient manufacturing, and cheaper and more sustainable energy.

The Speaker was of the opinion that integrating AI into education presents a transformative shift in how teaching and learning are conducted.

He stated: "Despite the opportunities of AI, there are risks involved. Datasets and algorithms can reflect or reinforce gender, racial or ideological biases. More critically, AI can deepen inequalities by automating routine tasks and displacing jobs.

"There is also likely to be a rise in identity theft and fraud, as evidenced by the use of AI to create highly realistic deep fakes. These are intended to misinform, trick and confuse people. Attackers use these maliciously crafted videos, photos and audio to create societal unrest, carry out fraud and damage the reputations of individuals and brands.

"Accordingly and in recognition of the opportunities and threats posed by AI, the 10th House of Representatives will engage stakeholders and experts on this and related issues to leverage their potential and address issues of privacy, accountability, ethics, security and intellectual property. We will work with the Executive to ensure the integration of emerging technologies like artificial intelligence, robotics, and renewable energy into the curriculum.

"Therefore, in the coming weeks, I will introduce a bill to regulate Artificial Intelligence and ensure better conditions for the development and use of this innovative technology in Nigeria. This will be the first such effort in Africa and one of only a few undertaken by parliaments worldwide."

The Speaker also decried the challenges facing the education sector in Nigeria, including low enrolment, especially in rural areas.

Ninety-Nine Nigerians Repatriated from Niger Republic Arrive Lagos Airport

Chinedu Eze

The government of Niger Republic has repatriated about 99 Nigerians who arrived the Murtala Muhammed International Airport (MMIA), yesterday afternoon.

THISDAY gathered that the returnees who landed at Nigeria's busiest airport arrived at 1415 hours (about 2:15 pm) and were assisted back to the country in a voluntary capacity by the International Organisation for Migration (IOM).

According to the South-West Zonal Coordinator of National Emergency Management Agency (NEMA), Ibrahim Farinloye, the chartered flight was operated by Boeing 737-500, Sky Mali airline with registration number TZ-SMA.

Farinloye said the returnees had 15 adult females, including two with medical cases and 76 adult males, seven female children, 15 male children, one female and infants respectively aboard the aircraft.

Among the agencies that carried out reception for the returnees at the Cargo Wing of the Murtala Muhammad International Airport upon arrival, were the National Commission for Refugees, Migrants and Internally Displaced Persons, National Agency for the Prohibition of Trafficking in Persons (NAPTIP), the Federal Airports Authority of Nigeria (FAAN) and the Nigeria Immigration Service (NIS).

However, there was no indication that the repatriation of the Nigerians was due to diplomatic impasse between Nigeria and Niger Republic, which brewed after the military coup in the nation's neighbouring country in July 2023.

According to Nigeria Immigration Service, Niger Republic has one of the highest illegal immigrants in Nigeria.

Senate Probes NSPMC Board Over Alleged N14bn Salary Payment Without Approval

Sunday Aborisade in Abuja

The Senate yesterday commenced a probe into the sum of N14 billion salary increment approved for the staff of the Nigerian Security Printing and Minting Company (NSPMC) Plc by its Board of Directors without the approval of the National Salaries, Incomes and Wages Commission (NSIWC).

Chairman, Senate Public Accounts Committee, (SPAC), Senator Ahmed Wadada made the disclosure at a session of the panel in the National Assembly.

The management of the NSPMC had appeared before the committee to defend the audit query against the agency as contained in the 2019 report of the Auditor General for the Federation (AuGF).

The AuGF report revealed that the NSPMC Board of Directors had between 2016 and 2019, approved N14 billion for salaries and allowances without an approval from the salaries and wages regulatory body.

The panel noted that Article 3 of the NSIWC Act, 1990, stipulated that the commission shall advise the federal government on national incomes policy.

It shall also recommend the proportions of income growth which should be utilised for general wage increase and inform the federal government of current and incipient trends in wages, it said.

The agency was also expected to propose guidelines within which increase in wages should be confined, among others

In his written defence, the Managing Director of NSPMC, Ahmed Halilu, claimed that the company did not need any approval from the salaries and wages regulatory body because it was registered under the Companies and Allied Matters Act (CAMA).

He, nevertheless admitted before the SPAC that it was wrong not to seek approval from the NSIWC before implementing the new salaries and allowances increment for the company.

Halilu said: "It has come to our notice that we must obtain approval before salaries increase. It is salaries paid over the period of three years.

"On this ground, it was not misappropriated considering the volume of works done by thousands of staff over this period."

The committee members expressed displeasure over the alleged illegal wage payment and noted that public funds must be spent with due process.

The Deputy Whip of the Senate, Senator Nwebonyi Onyeka, specifically maintained that the N14 billion was not spent with due process.

NEWS

PLAC CONSULTATIVE MEETING WITH NATIONAL ASSEMBLY ON HUMAN RIGHTS...

L-R: Executive Director, Policy and Legal Advocacy Centre (PLAC), Clement Nwankwo; Chairman, House of Representatives Committee on Human Rights, Abiola Makinde; Deputy Chairman, House Committee on Human Rights, Mudashiru Alani and Executive Director, TAF Africa, Jake Epelle, during a consultative meeting on strategy for engaging with the National Assembly Committee on Human Rights in Abuja ... yesterday PHOTO: ENOCK REUBEN

Bayelsa Poll: PDP Calls for APC's Governorship Running Mate's Arrest Over Inciting Comments

Olusegun Samuel in Yenagoa

The Bayelsa State Peoples Democratic Party (PDP) governorship campaign council has called on the Inspector General of Police and Director General of the Department of State Services (DSS) to immediately invite a chieftain of the All Progressives Congress (APC), Mr. Joshua MacIver for questioning.

Chairman of the campaign council's Publicity Directorate, Ayibaina Duba, in a statement issued in Yenagoa, yesterday said MacIver made inciting comments capable of truncating the peace of the state in a video now in circulation.

MacIver, who is running mate to the party's governorship candidate, Timipre Sylva, in a viral video online had told supporters to chase into the sea to die anyone found wanting on election day at Twon-Brass, Brass Local Government area of the state.

In the video that has now gone viral on social media, the former militant leader urged the people to "throw into the sea anyone that misbehaves on November 11 and ensure the person dies."

But in reaction, the PDP campaign council strongly condemned MacIver's 'thoughtless' comment, saying it had the potential of throwing the state into anarchy before and during the November 11 governorship election.

The PDP noted that the APC leader was notorious for instigating political violence and that his comments only confirmed what the people of Bayelsa generally knew about the party's plot to cause violence during the election.

The ruling party recalled how the quasi-security outfit, Operation Famoutangbe, created when Chief Timipre Sylva was governor, in Gestapo-like manner allegedly visited mayhem on hapless people and political opponents in the state.

It wondered if MacIver and his party were having a dress rehearsal to again visit Famoutangbe on people of the state.

The PDP said under Governor Douye Diri, peace has been fully restored in Bayelsa and the people now sleep with their eyes closed.

It said that because the opposition has nothing good to offer the state, it continued to incite violence with MacIver's recent comments being the height of the party's desperation to seize power at all costs.

PDP restated its call on the security agencies to ensure the governorship poll was peaceful and devoid of interference.

It said the security agencies should perform their professional and non-partisan roles in elections and ensure anyone that breached the electoral process is brought to book.

It also urged the Independent National Electoral Commission (INEC) to be transparent and ensure that the November poll is free, fair and credible. "Election is about the ballot and not the bullets," the PDP noted.

HURIWA: Tinubu Needs Undivided Presidency to Grow Nigerian Economy

Chuks Okocha in Abuja

The Human Rights Writers Association of Nigeria (HURIWA) has alleged that certain 'powerful political forces' from Lagos, are peddling false and unsubstantiated rumours against the Chief of staff to the President, Mr. Femi Gbajabiamila.

HURIWA also carpeted those they described as religious and ethnic bigots who are spreading false information against the Minister of the Federal Capital Territory (FCT) Mr. Nyesom Wike.

HURIWA in a statement by its national coordinator, Emmanuel Onwubiko said those opposing Wike because of his religious affiliations or his ethnicity are religious and ethnic bigots.

"We, the Human Rights Writers Association of Nigeria (HURIWA), have convened this press conference today to address the recent and unsettling allegations surrounding Mr. Femi Gbajabiamila, the Chief of Staff to President Bola Tinubu.

" These allegations suggest that Gbajabiamila has been engaged in the trading of government appointments, including the alleged replacement of appointees chosen by the president with individuals who may have offered financial inducements.

"HURIWA is committed to presenting a comprehensive perspective on these allegations, illuminating the complexities involved, and setting the record straight.

"First, it is essential to provide clarity regarding the role of a chief of staff in the office of a political leader. The chief of staff serves as a pivotal figure, closely collaborating with the president to manage numerous aspects of the administration.

"These responsibilities encompass coordinating appointments, scheduling, and acting as a liaison between the president and other government officials. Importantly, the chief of staff does not wield unilateral authority in dictating appointments; the process invariably involves multiple stakeholders," the group said.

It said that the allegations swirling around Gbajabiamila were not to be taken lightly, stressing that they are fraught with implications.

Huriwa further stressed that the allegations that Gbajabiamila collects money to manipulate appointments are not supported by concrete evidence.

"They appear to be driven by personal interests and political infighting rather than a genuine concern for the welfare of the nation. In fact, these allegations appear to be a distraction from the significant issues currently facing Nigeria, including ongoing litigations and the need for stability and good governance.

"We emphasise that Tinubu, having recently triumphed in a significant legal battle that spanned over 200 days, now requires the opportunity to focus on governance rather than being embroiled in political infighting and attempts to tarnish the image of key figures responsible for steering the administration", the group stated.

Cervical Cancer Vaccine: Lagos Flags Off Campaign

● UNICEF targets 400,000 eligible girls in Bauchi

Segun Awofadeji in Bauchi and **Funmi Ogundare** in Lagos

The Lagos State Government, yesterday, kicked- off the first phase of the HPV campaign for girls between aged 9 to 14 years, across the state, to prevent cervical cancer.

The Wife of the state governor, Dr. Ibijoke Sanwo-Olu, who flagged-off the campaign at the Surulere Local Government Secretariat, emphasised the importance of preventing cervical cancer and ensuring a healthy population in the state.

She appealed to all stakeholders to sensitise the community, parents, schools, market women, religious centres, among others, towards making the girl-child available for the vaccine.

According to her, "we don't want any of our children to get infected with cervical cancer and other diseases. Unfortunately, we have a lot of women who die of the disease, which should have been prevented."

She dispelled the rumour making rounds about the vaccine, saying that it had been tested and found to be safe.

"It is important that we debunk some of these information and verify from people in authority and health workers.

"Education and accurate information are key to empowering our community. Fake news will cause war," Sanwo-Olu stated, adding that the vaccine was also free.

She commended the Lagos State Primary Health Care Board, UNICEF and other agencies of government who have contributed towards the successful take-off of the campaign.

In his remarks, the Permanent Secretary, Lagos State Primary Health Care Board, Dr. Ibrahim Akinwunmi Mustafa, explained that HPV is sexually transmitted and was the causative agent of cervical cancer and other HPV-related diseases such as skin and genital warts.

He quoted the 2018 NDHS report, saying that up to 19 per cent of women, who initiate sexual intercourse by the age of 15 years have an increased risk of contracting the infection. Mustafa noted that schools and primary health centers have been earmarked as vaccination centers for wider and faster coverage.

The permanent secretary, however, appealed to all stakeholders including parents, guardians, community and religious leaders to ensure all girls in that age bracket are vaccinated during the campaign.

The Chief of Lagos Field Office UNICEF, Celine Lafoucriere described the launch of the campaign as a major milestone in the state's public health system and a step in the right direction towards achieving the health SDGs for adolescent girls.

Meanwhile, no fewer than 400,000 girls have been targeted for inoculation against Human Papillomavirus (HPV) in Bauchi State by the United Nations Children's Fund (UNICEF).

Similarly, a group of community volunteers engaged for the effective mobilisation for the success of the ongoing HPV vaccination campaign in Toro LGA of Bauchi State have expressed satisfaction with the response of parents.

Speaking to journalists in an interview yesterday, the Health Specialist, UNICEF Bauchi Field Office, Dr. Emmanuel Emedo, said the exercise targets girls within the age of nine and 14, adding that it would protect them against cervical cancer when they get to the reproductive age.

He explained that, "This vaccine is going to protect the girls against cervical cancer when they get to the reproductive age. It is therefore very important that they are allowed to receive the vaccine."

According to him, "We are actually monitoring the campaign across all the 20 Local Government Areas of Bauchi state and we have personnel that monitoring. This includes personnel from the state government, UNICEF, World Health Organisation and all other partners in the field."

Emedo added that, "The reports we are getting is that, there is impressive turnout across the entire state and this has to do with the level of preparedness. We had series of engagements before the launching of the campaign."

Fuel Subsidy: Abiodun Inaugurates CNG -powered Mass Transit Buses

James Sowole in Abeokuta

Ogun State Governor, Dapo Abiodun, yesterday launched Compressed Natural Gas (CNG) powered mass transit buses, to provide cheaper and fuel efficient means of transportation to residents of the state.

The buses of different passenger capacities, were launched at the Arcade Ground of Governor's Office, Okemosan, Abeokuta at a ceremony witnessed by various stakeholders that included leaders of organised labour unions, transport workers associations, traditional rulers, students, market men and women among others.

Abiodun described the event as another remarkable feat in the life of his administration and in a bold step of providing the needed service to the citizens of the state.

Stating that the state's approach remains unprecedented in the entire country, Abiodun said the project among others, was part of proactive response to cushion the effects of the policy of deregulation embarked upon by the federal government as subsidy payments were no longer sustainable.

He said: "About a year ago, we strategically and proactively formulated our Ogun state energy transition policy and what you are witnessing today is commencement of the implementation, by deploying the use of CNG-fuelled mass transit buses and our e-mobility for motorcycles and tricycles .

"These are better cheaper , cleaner and sustainable means of transportation in our dear state.

"This initiative clearly anticipated the deregulation of the downstream sector and fuel subsidy removal, whilst deploying alternative means of running our public transportation with cost effectiveness and environmental friendliness.

"This became imperative considering the urgent need to create a cleaner environment and also to mitigate the effect of climate change which is real caused by the use of fossil fuels.

"As your governor , I am extremely delighted that we are able to commence the implementation of this laudable initiative, and I am bold enough to say that we have come tops again as the first state in the country to record this feat."

The governor said the project was another successful public/private partnership with Spiro, a company that has deployed successfully in other parts of the sub region.

"The company, has trained our local mechanics who have been actively involved in the conversion engineering and we will be setting up conversion stations across the three senatorial districts . This will allow us to commence the rapid conversion of commercial public mass transit buses and cars .

3RD AFRICAN LOCAL CONTENT ROUNDTABLE...

L-R: Minister of state Petroleum Resources (Oil), Senator. Heineken Lokpobiri; Executive Secretary NCDMB, Eng. Simbi Wabote; with Secretary General African Petroleum producers association (APPO), Him Excellency. Omar Farouk Ibrahim; during the 3rd African local Content roundtable held in Abuja...recently

ATIKU: I'M NOT QUITTING, I WILL REMAIN IN POLITICS AS LONG AS I BREATHE

common man.

He said, "Judges are no longer appointed based on merit but are products of the interplay of politics and nepotism. Worse still, the appointment of electoral officials has also been hijacked by the ruling party as seen in the latest nomination of Resident Electoral Commissioners where card carrying members of the ruling party and aides to politicians in the APC are being appointed into INEC.

"When two critical institutions like the court and the electoral commission are trapped in an evil web of political machination, it becomes next to impossible for democracy to thrive.

"As a stakeholder in the presidential election of February 25, I, along with other well-meaning Nigerians have done my bit in ensuring that our democratic process enjoys the privilege of full disclosure of the character deficiencies of the current political leadership.

"I also believe that even if the Supreme Court believes otherwise, the purpose of technology in our electoral system is to enhance transparency and not merely as a viewing centre. We have to move with the world and not be stuck in time.

Implications of PEPC and Supreme Court judgments

"I leave Nigerians and the world to decide what to make of the Supreme Court's unfortunate decision. But here's my take. The judgments of the PEPC and the Supreme Court have very far-reaching grave implications, including the following.

"One is the erosion of trust in the electoral system and our democracy. Nigerians witnessed as the National Assembly changed the electoral law to improve transparency in the process. Of particular importance was the introduction of modern technology to help eliminate the recurring incidents of electoral manipulation, particularly during the collation of results."

Atiku added: "When people lose trust and confidence in elections, democracy is practically on life support. And by affirming and legitimising the continued lack of transparency in our electoral system the courts are continuing to usurp the rights of voters to elect their leaders.

"The other grave implication is that contestants in Nigeria's elections should do whatever is necessary to be declared the winner. That includes identity theft, impersonation, forging of educational and other documents, perjury, and violence.

"And, as they do so, they should ignore whatever the law says and whatever assurances from the leadership of the electoral umpire about what the law says and what they would do in compliance. And they would do so knowing that our courts would approve of their behaviour or at best pretend not to take any notice of it.

"The third is that if you are robbed of victory, do not bother going to court for redress because your glaring evidence of the robbery will be ignored in favour of the mandate bandit.

"Also, your lawyers, however distinguished and accomplished, may be ridiculed by the judges who may also go out of their way to make even a stronger case for the so-called "winner" than even their own lawyers were able to do," he added.

"Nigerians know more about the person sitting in office as their President and how he got there, and the dangers that it portends for them and the country. "It is for them, especially the younger generation whose futures are to be shaped by that man, to decide what they want to do with the knowledge", he exclaimed.

However, the former vice president made some recommendations, which according to him, would help improve democracy in Nigeria.

He explained: "Let me make a few proposals that I believe will help. We can urgently make constitutional amendments that will prevent any court or tribunal from hiding behind technicalities and legal sophistry to affirm electoral heists and undermine the will of the people.

"Our democracy must mean something; it must be substantive. Above all, it must be expressed through free, fair and transparent elections that respect the will of the people."

Accordingly, Atiku said, "Firstly, we must make electronic voting and collation of results mandatory. This is the 21st century and countries less advanced than Nigeria are doing so already. It is the only bold initiatives that transform societies.

"Secondly, we must provide that all litigation arising from a disputed election must be concluded before the inauguration of a winner. This was the case in 1979. The current time frame between elections and inauguration of winners is inadequate to dispense with election litigations."

He said further, "What we have currently is akin to asking thieves to keep their loot and use the same to defend themselves while the case of their robbery is being decided.

"It only encourages mandate banditry rather than discourages it. Thirdly, in order to ensure popular mandate and real representation, we must move to require a candidate for President to earn 50 per cen +1 of the valid votes cast, failing which a run-off between the top two candidates will be held. Most countries that elect their presidents use this Two-Round System (with slight variations) rather than our current First-Past-the-Post system.

"Examples include France, Finland, Austria, Bulgaria, Portugal, Poland, Turkey and Russia, Argentina, Brazil, Ivory Coast, Sierra Leone, Namibia, Mozambique, Madagascar and even Liberia where a run-off is expected to hold in the coming days.

"Fourthly, in order to reduce the desperation of incumbents and distractions from governing and also to promote equity and national unity, we need to move to a single six-year term for President to be rotated among the six geo-political zones.

"This will prevent the ganging up of two or more geo-political zones to alternate the presidency among themselves to the exclusion of other zones," he said.

Furthermore, the former vice president said INEC should be mandated to verify credentials submitted to it by candidates and their parties and where it was unable to do so – perhaps because the institutions involved did not respond in time - it must publicly state so and have it on record.

Atiku said a situation where a candidate submits contradictory credentials to INEC in different election cycles and the electoral umpire accepts them without question points to gross negligence, at best, or collusion to break the law by the leadership of the INEC, at worst.

According to the former vice president, "The submission of contradictory qualifying documents by a candidate as well as those found to be forged or falsified should disqualify a candidate even if the falsification or forgery is discovered after the person had been sworn into office.

"The burden of proving that a document submitted to INEC is forged should not be on the opposing candidates in the election. It is never the responsibility of an applicant for a job to prove that the person who eventually got the job did so with forged documents.

"In addition to these proposed constitutional amendments, the Electoral Act should be amended to provide that, except where they explicitly violate the Constitution and other laws, the rules and procedures laid down by the electoral umpire and made public for the benefit of the contestants and the voters will be treated as sacrosanct by the courts in deciding on election disputes.

"A referee cannot be allowed to set the rules for the game only to change or ignore them when one side has scored a goal or is about to win the match. We must restore confidence in our electoral system which the current leadership of INEC has completely eroded and undermined.

"Also, we need well-thought out provisions in the legislation and regulations to reform the judiciary, including the introduction of an automated case assignment system; transparency in the appointment of judges; a practice directory that stresses that the goal of judges in election cases should be to discover and affirm voters' choice rather than disregarding voters' choice for the sake of technicalities.

"There should also be publicly available annual evaluation of the performance of judges using agreed criteria. By improving the transparency of the electoral process and reducing the incentives to cheat, in addition to transparency in the appointment of judges and other judicial reforms, the number of election petitions as well as corruption in the judiciary will be significantly reduced," he stressed.

Tinubu to Atiku: You Are Self-anarchist By Delegitimising Institutions

The President, while responding to the former Vice President's claims that the country was doomed owing to the conduct of the 2023 Presidential election by INEC and the courts' verdicts validating the outcome of the polls, in a statement by Onanuga, said it was Atiku's presidential ambition that was doomed instead.

Tinubu, maintained that the apex court's verdict which validated his election showed that democracy was thriving and blossoming in the country.

The President in the release by his Media aide stated inter alia: "We were wrong to expect that Atiku at 77 would play the statesman and sportsman and accept, with equanimity, the verdict of the highest court and the people of Nigeria.

"Instead, he unashamedly constituted himself into a demagogue and anarchist in the way and manner he sought to pull down and delegitimise all the institutions of State, all in a futile bid to achieve what he could not get via the ballot box.

"At his press conference where he laboured, in vain, to once again manipulate public opinion and blame the judiciary for his self-inflicted defeat in the 25 February Presidential election, Alhaji Atiku launched a diatribe against the INEC and judiciary, particularly our apex court, for not bending the law and the constitution to satisfy his whims and caprices.

"Atiku tried very hard to perfect his act of misinformation by seeking to lay claim to faux morality and higher ideals when in actual fact his entire life is antithetical to any higher ideals.

"For instance, Atiku claimed he worked along with others to end military rule in Nigeria when he was known to be in bed with the same junta who held democracy hostage and incarcerated his mentor, Major-General Shehu Musa Yar'Adua (rtd), till death.

"He distanced himself from him while in detention to keep alive his governorship ambition on the platform of one of those inglorious Abacha political parties.

"Atiku's brand of politics is such that once an electoral process or election does not go his way or pave the way for his victory, democracy becomes dysfunctional and must therefore be imperiled. For him, democracy should either go his way or the highway.

"The PDP candidate was uncharitable and pugnacious in his choice of words and his view about Nigeria. We can only imagine the level of frustration that could make a former Vice President of Nigeria to hold such pessimistic view of a country where he once occupied the second highest position. "The PDP candidate said Nigeria is doomed just because he failed to achieve his personal ambition.

"We want to tell Alhaji Atiku this: Nigeria is not doomed. It is only Atiku's inordinate ambition to be President that is doomed. Nigeria is moving forward and set to achieve its manifest destiny as one of the most respected and successful nations of the world under the leadership of President Bola Ahmed Tinubu."

He added: "Contrary to Atiku's gloomy submission on our democracy, we are excited to tell the world that our democracy is thriving and blossoming.

"It is the reason, for the first time, since 1999 the character of our National Assembly and its outlook reflect the diversity and plurality of the choices and preferences of voters as a rainbow coalition of different parties as opposed to the practice in the past where just two parties dominated the national parliament.

"In today's Nigeria, votes count. No amount of deliberate distortions of facts about our recent election by Alhaji Atiku and his partner, Peter Obi can vitiate the continuous improvement of our electoral process which local and international observers have hailed. As declared by the Supreme Court, IReV was not designed as an online collation centre. It was simply a public viewing centre for results.

"PDP and Atiku, including Peter Obi's faction of Labour Party cannot continue to insist on their own reality against commonsense, logic and the law.

"Atiku and his army of hirelings knew why they lost the election. The PDP candidate lost because Nigerians preferred Bola Ahmed Tinubu and voted for him to be president. Tinubu, along with his APC, won because he offered a better vision for our country's future.

"The All Progressives Congress as a united and formidable party which ran a well-coordinated campaign with his rank and file intact.

"Atiku lost because he went into a major election with a fragmented and tattered umbrella that could not hold together. There was no way Atiku and PDP could have won the election with the party platform under which he contested broken into four parts.

"If Atiku was not harboring a delusion of grandeur, we wonder how he could have envisaged any possible pathway to victory with Mr. Peter Obi's Labour Party, Dr. Rabiu Musa Kwankwaso's NNPP and PDP G-5 Governors who took away possible PDP votes, while the APC went into the election as a strong, viable and unified entity."

He also accused Atiku of corruption, saying the former VP's avarice sent congressman William Jefferson to jail after the FBI busted a bribery scandal in which Atiku was involved from head to toe and for which he was marked down by the U.S. agency.

"Now as we get to the proper business of governance after Atiku's unwarranted distraction, we have picked some clear lessons going forward. One is that our institutions must be strengthened on diligent and sturdy wings, enough to withstand and identify from afar rabble-rousers who masquerade as statesmen.

"Second, our institutions must also ensure that corrupt, desperate, self-serving serial losers should not have a space in our democracy. Because if they don't win the battle, they might burn the nation.

"We want to advise Atiku that after over three decades of elusive bid for the Presidency of Nigeria, he must now end his unprofitable bid and go away from any venture that will further pollute the political atmosphere and national harmony," he added.

APC: It's Delusional for Atiku to Expect Court to Upturn Tinubu's Victory Based on Hearsay

Meanwhile, the APC has said it was delusional for Atiku to expect the court to rely on their bogus, flimsy and hearsay evidence to upturn Tinubu's victory.

The National Publicity Secretary of the party, Felix Morka, in a statement issued yesterday insisted that the February 25 presidential election was conducted in substantial compliance with the Constitution and electoral laws of the land.

He described the press conference held by Atiku, as a long, windy, incoherent and preposterous speech unbefitting of a former vice president.

The spokesperson stressed that Atiku regurgitated his illusory claim that Tinubu did not win the February 25, 2023 presidential election.

Morka said rather, he soliloquised that they, "showed irrefutable evidence of gross irregularities, violence and manipulations during the elections," allegations that were roundly dismissed by the Presidential Election Petitions Court and the Supreme Court as unsubstantiated and unproven.

He noted: "It is delusional for Atiku, and his degenerate PDP, to have expected the courts to rely on their bogus, flimsy, unverifiable, uncorroborated, illogical and hearsay evidence to upturn an election that was conducted in substantial compliance with the Constitution and electoral laws of our land. Thankfully, it does not lie in Atiku's mouth to declare what constitutes "incontrovertible evidence."

Morka, added that nowhere in Atiku's long epistle did he state that he won the election, corroborating the courts' finding and decision that he did not, in fact, win the election.

NEWS

DURING TOUR OF COLEXA BIOSENSOR FACTORY...

L-R: Director, Drug Registration and Regulatory Affairs, National Agency for Food and Drugs Administration (NAFDAC), Mrs. Uche Sonny-Afoekelu; Chairman, Colexa Biosensor Limited, Mr. Samson Ogunjimi; Director General, NAFDAC, Prof. Mojisola Adeyeye; Vice Chairman, Colexa Biosensor Limited, Mr.. Lekan Asuni; and Director, Drug Evaluation and Research, NAFDAC, Mr. Kayode Amuda, during a tour of the Colexa Biosensor factory, in Ilupeju, Lagos... recently.

Eliminate Corruption, Misconduct, Uphold Accountability, Tinubu Charges Police Hierarchy

●IG pledges to confront menace of violent crimes ●Uzodimma seeks improved funding

Chiemelie Ezeobi and **Tony Icheku** in Owerri

President Bola Tinubu yesterday charged the Nigeria police hierarchy to eliminate corruption and uphold accountability as well as transparency in order to gain the trust and confidence of Nigerians.

The president gave the charge at the opening ceremony of the Conference and Retreat for Commissioners of Police , Assistant Inspectors General of Police and Deputy Inspectors General of Police in Owerri, Imo State.

While urging the Inspector General of Police, Kayode Egbetokun and the senior officers to set the highest standard of conduct and lead by example, the president, who was represented by the Minister of Police Affairs, Senator Ibrahim Gaidam, reiterated the importance of professional ethics and integrity.

He said: "As senior officers and leaders, you must set the highest standards of conduct and lead by example. Upholding the principles of fairness, transparency, and accountability is paramount to winning the trust and confidence of the Nigerian people.

"Let us work together to eliminate corruption and misconduct within our ranks and build a police force that is respected and admired."

On the retreat he said: "This retreat marks a significant milestone in our collective efforts to enhance the effectiveness and efficiency of our nation's police force. It provides us with a valuable opportunity to reflect on our achievements, discuss the challenges we face, and chart a course for the future.

"As leaders within the Nigerian Police Force, your dedication, commitment, and unwavering service to our great nation deserve our utmost appreciation.

"Law enforcement is an essential pillar of any society, and your responsibility as police officers is to ensure the safety, security, and well-being of our citizens.

"We face numerous challenges in carrying out this noble task, ranging from organised crime and terrorism to cyber threats and communal conflicts.

"However, I firmly believe that with the right strategies, resources, and determination, we can overcome these challenges and build a safer Nigeria for all.

"This retreat serves as a platform for us to engage in meaningful discussions, exchange ideas, and learn from each others' experiences. Let us seize this opportunity to reflect on the progress we have made so far and identify areas where we can further improve."

In his speech, Egbetokun said the cardinal focus of his police administration is improving the capability of officers, standardising service delivery vis-à-vis driving transformative agenda.

He said: "Upon assumption of office as the IG of the Federal Republic of Nigeria, I immediately outlined strategic and pragmatic measures to be taken to reposition the force in line with Mr. President's determination to reform and strengthen the nation's security architecture.

"The police force under my watch is poised to confront head on the menace of violent crimes in our country, restore calm to troubled areas and engender an atmosphere of peace, safety and security which will promote national economic growth and prosperity.

"The establishment of a Special Intervention Squad (SIS), a standby team of specially trained officers to rapidly intervene in major incidents which was immediately announced on my assumption of office is considered immediate priority in this effort," he said.

In his keynote address, President of INTERPOL, Ahmed Nasir Al Raisi, canvassed for a Nigerian police that would be relevant in the global scheme of things as regards contemporary crimes and criminality.

Also speaking, Governor of Imo State, Senator Hope Uzodimma, made a strong case for improved funding of the police in Nigeria, proposing that a bill should emanate from the National Assembly on how to go about it.

He further proposed increased participation of state governments, multinational companies and private sector operators in the funding of the police for better effect.

Meanwhile, Uzodimma has said that the concept of "Operation Udoka" by the military to rid the South-East of crimes and criminality is a welcome idea as long as those who will drive it should be properly educated, equipped and guided to operate within rules of international engagement.

He told the Chief of Defence Staff (CDS), Gen. Christopher Musa and his entourage, who were on a courtesy call on him at the Government House Owerri, that the sustainability of members of the proposed "Operation Udoka' requires that they must be sincere and honest in discharging their duties.

The CDS was accompanied by the General Officer Commanding (GOC) 82 Division, Enugu and other top ranking officers in the military.

"Sit-at-home is not the major problem now in South East, but what the people are suffering from is fear of the unknown resulting from experiences of what happened at the beginning of the banditry, violence and mayhem in the State," he said.

He appealed to the army and other security agencies to do all within their reach to eradicate banditry, vandalism and kidnapping and help to restore peace in Imo State and South-east in general.

TENSION IN RIVERS AS MASSIVE PROTEST CRIPPLES ACTIVITIES OVER PLAN TO IMPEACH FUBARA

Ehie, announced that he had been elected new Speaker of the 10th Assembly.

Briefing journalists in Port Harcourt, Ehie, who was removed by 24 members of the Assembly earlier yesterday as Majority Leader, said his emergence as the new speaker came after 26 members of the Assembly elected him during plenary following the suspension of some key officers of the Assembly.

Ehie, a strong ally of Fubara, promised to discharge his duty without fear or favour, and be just to all and sundry. He promised to give fair hearing to suspended members of the Assembly through the Committee on Petition.

He stated, "As you can see, the house just rose from plenary and with all humility I must thank my colleagues, 26 Assembly members, who have just elected me as the new speaker of the 10th Rivers State House of Assembly.

"My commitment to Rivers people is that I will be fair, I will be just to all and sundry, and I will ensure that the rule of law gets its course. I will not betray Rivers people, I will not betray my constituents. I will also ensure that independence of the Rivers State House of Assembly is adhered to with mutual respect to the judiciary and the executive arms of government.

"Everything due my colleagues as honourable members constitutionally will be given to them. The members that have been suspended, as has been published, will also be given fair hearing.

"The Committee on Information will publish their names and the house has urged the Committee on Petitions to give them fair hearing."

Ehie, also announced the adjournment of the Assembly sine dine following a circular served by the Parliamentary Staff Association of Nigeria (PASAN) to commence an indefinite nationwide strike.

Reactions Trail Impeachment Plot

The leadership of PDP in Rivers called for caution in the crisis rocking the state.

A statement signed by the state party chairman, Desmond Akawor, called on both the legislative and executive arms of government in the state to exercise restraint in the ongoing impasse between them.

PDP said it was confident that the situation would be handled amicably.

The statement read, "The party is consulting with elders of the party and other notable personalities in the state with a view to resolving the situation at stake. It expressed optimism that the conflict, which is a family affair, would be resolved amicably at the end of the day."

The PDP leadership called on youths in the state to exercise caution and resist any temptation to use the situation to embark on wanton destruction of state property. PDP said the youth should rather continue to maintain the existing peace and tranquillity in the state. It called on the people of the state to remain calm and await the peaceful resolution of the situation.

Some elders of the state told THISDAY last night that the crisis was being resolved, stressing, "There is no cause for alarm."

Former governor of the state, Rufus Ada-George, condemned the crisis rocking the Assembly, which led to the setting ablaze of the hallowed chamber in the early hours of today.

Ada-George, in a statement made available to journalists, sued for peace, and advised those he described as the dramatis personae in the crisis to seek a quick resolution. He said the crisis, if not checked with the urgency it deserved, had the capacity to precipitate violence of unimaginable magnitude.

An elder statesman and former publicity secretary of the Pan Niger Delta Forum (PANDEF), Anabs Sara-Igbe, described the situation as a mutiny against the state and the people.

Sara-Igbe said, "What happened today is mutiny against the people of Rivers State. So I strongly, whole heartedly, condemned what happened in Rivers State.

"It goes to show that somebody somewhere wants to show power, it goes to show somebody wants to continue to run the state.

"A situation where somebody is a governor and you don't have any power to appoint any member of your cabinet and someone will be telling the governor what he will collect from the revenue is a mutiny."

Sara-Igbe alleged that Wike was suppressing the incumbent governor in the governance of the state.

He stated, "Rivers State belongs to all of us and it does not belong to one man. You have looted enough and you are not satisfied after you left. You want to control Abuja, you want to control Rivers State and the governor is till loyal, but you don't want to give him little space.

"You want to cut-off his neck. He has gone beyond his boundaries and so the Rivers people should get up.

"Rivers people voted for Sim Fubara as governor of the state and they didn't vote for Wike as governor of the state. Wike was brought by Goodluck Jonathan and his wife, they made him governor, they did not dictate for him.

"They did not force him to be bringing Rivers money to them, so why should he ask somebody, because he assisted him.

"I have severally advised former governors not to do wrong to avoid the law of karma and it will come when you do not expect. I think the karma wants to start by his own fault, not that the governor wants to pay him back but by his own natural fault he is inviting the karma upon himself.

"I think Mr. Governor should take steps. He has constitutional powers, he should takeover government. He should not rely on Wike or anybody because they are not trustworthy."

Sara-Igbe advised Fubara to call an emergency security meeting, stressing, "For them to be looking at the governor and splash him hot water, is a disgrace to Rivers people. And for you to point gun at the governor, you have pointed gun at Rivers people."

Reacting, also, a chieftain of All Progressives Congress (APC), Eze Chukwuemeka Eze, urged the people of Rivers State to rally around Fubara and save the state "from a very unprincipled emperor."

In a statement made available to journalists in Port Harcourt, Eze cautioned Wike to refrain from "his indulgence targeted against efforts to resist his boundless sense of entitlement and overlordship over the public and private lives and concerns of others, especially those who hold public office in trust for the people.

"The attempt to commence impeachment process against Rivers State Governor just because he wants to revive most of Amaechi's vision, like the Songhai and the Greater Port Harcourt, all aimed at making Rivers State not only self-sufficient, and empowering most youths in Rivers State is sad and unfortunate."

As at the time of filing this report, the PDP stakeholders in the state were in a closed-door meeting with Fubara. It was learnt that their visit was to broker peace between Wike and the governor.

Meanwhile, Clark cautioned Wike and heads of security agencies over the political crisis brewing in the oil-rich Rivers State.

Clark, who spoke with journalists in Abuja, said, "I have been greatly disturbed by the reported developments in Rivers State in the last 24 hours. I have been reliably informed that there is a plot to unlawfully remove the governor of Rivers State, His Excellency, Siminalaye Fubara, who has spent only about five months in office

"I understand the sad episode is being orchestrated by the immediate past governor of Rivers State and the Minister of the Federal Capital Territory, Mr. Nyesom Wike.

"I have been told that the intention is to remove the governor, force his deputy, Prof. Ngozi Odu to resign, and install the Speaker of the House of Assembly, another Ikwerre person, as the governor of the state.

"Let me warn strongly, we won't allow that to happen!"

The National Leader of the South-south geopolitical zone, who is also the founder of the Pan Niger Delta Forum, urged Tinubu to call Wike and the security agencies in Rivers State to order, to avert crisis in the state.

Clark said, "Last night, the hallowed chambers of the Rivers State House of Assembly was burnt, in what apparently is part of the plot to destabilise the state.

"The governor was tear-gassed and was even threatened with being shot at when he visited the Assembly complex after the incident, to assess the level of damage.

"We are not in a barbaric state where people can do whatever they like; we are in a democracy and the tenets of constitutional democracy must be upheld by all.

"Rivers people have suffered enough political crises, the state should not be allowed to degenerate again into its dark past, and the Niger Delta region, by extension. The consequences would be dire for the stability of the region and the national economy.

Continues online

NEWS

WORKING FOR GOD'S KINGDOM...

L-R: Chairman, Lagos Central Baptist Conference, Rev. Dr. Samson Adedokun; his wife, Dr. Bosede Adedokun; Vice President, Ministerial, Nigerian Baptist Convention, Rev. Dr. Dickson Madoghwe; President, Lagos Central Baptist Conference, Rev. Dr. Victor Bamidele Akerele, and his wife, Mrs. Esther Akerele, at the 13th Kingdom People Assembly of Lagos Central Baptist Conference ...recently

Military Begins Operation to End Banditry, Sit-at-Home in South-east

Tony Icheku in Owerri

The Chief of Defence Staff (CDS), General Christopher G. Musa on Monday in Owerri announced the establishment of "Operation Udoka' to flush banditry and end the sit-at-home menace in the South-East region.

The Chief of Defence Staff accompanied by the GOC 82 Division, Enugu and other top ranking officers in the military made the disclosure when he paid a courtesy call on Imo State Governor Hope Uzodimma at Government House, Owerri.

General Musa told Gov Uzodimma that he came to Imo to see the troops in the state to ensure they do their duties by "observing the rules of engagement," and to reaffirm that we are one in the fight and security of Nigeria."

He added that he was aware of the activities of the criminal elements in Imo State and South-east in general and assured the governor that the military is "tackling them to achieve total peace and preserve unity of Nigeria."

He assured the governor of professionalism among the security agencies, saying that "the security leadership will not tolerate any infractions by any of their men because their men are expected to be part of the solution and not of the problems."

Ekiti Approves Treatment of Gunshot Victims

Gbenga Sodeinde in Ado Ekiti

The Ekiti State Government has directed hospitals and medical facilities in the state to save the lives of victims of gunshots by treating them first even without a police report.

This was contained in a statement made available to journalists in Ado-Ekiti by the state Commissioner for Health and Human Services, Dr. Oyebanji Filani, and made available to THISDAY in Ado Ekiti yesterday.

He explained that the directive followed the approval of the Inspector General of Police (IG) to comply with and enforce the provisions of the Compulsory Treatment and Care for Victims of Gunshot Act of 2017 without any hesitation.

Filani disclosed that gunshot injuries were generally a medical emergency where minute counts in the fight to preserve the life of the victim, adding that the victim requires urgent medical attention to avoid permanent damage or death.

He urged medical personnel, Good Samaritans, and sympathisers not to exercise fear of being implicated for coming to the aid of victims of gunshots

Group Sues Tiv Traditional Council over Sexual Crime

George Okoh in Makurdi

The Incorporated Trustees of Mzough U Tiv, an umbrella body for Tiv Nation worldwide, has instituted a suit against the Tiv Area Traditional Council (TATC) over alleged cultural practice by the Tiv tribe.

The allegation borders on claims that the Tiv man entertains his stranger with his wife.

Lead counsel to Mzough U Tiv, Sabastine Hon (SAN), explained that the cause of action is that the umbrella body of the entire Tiv race has dragged the Tiv traditional council to court to have a determination on whether Tiv men give their wives out for pleasure.

He lamented that the matter has been raging on for a long while, hence, the need to have a permanent solution to it. Hon also said they have lined up witnesses who are well versed in Tiv's tradition and culture, positing that if anyone has anything to the contrary, this is the time for him to come forth. "There can't be collective defamation because we don't have a cause of action to say that your tribe has been defamed. If we have a determination now, then someday, trace any Tiv man character anywhere, this judgment will be binding on him worldwide and it can be used to sue any individual who goes against it.

Edo 2024: Auchi Monarch Supports Central District Governorship

Adibe Emenyonu in Benin City

The Otaru of Auchi Kingdom, Alhaji Aliru Momoh Ikelebe III, has offered prayers for the governorship aspiration of Mr. Kenneth Imansuangbon of the Labour Party (LP), asserting that it is the turn of the people of Edo Central to succeed Governor Godwin Obaseki.

The Auchi monarch said that it is only proper in the spirit of fairness, equity and justice for people of the zone to be supported and noted that traditional rulers in the state have all agreed that it is the turn of the people of Edo Central.

Ikelebe III stated this when Imansuangbon paid him a condolence visit at his palace in Auchi, headquarters of Etsako West Local Government Area of Edo State on the death of the Ohiniyi of Ebiraland, Alhaji Ado Ibrahim, and to also inform him about his governorship ambition.

The Otaru described Imansuangbon as a man of the people who would get the support of the generality of Edolites as a result of his large heart in attending to the needs of the people especially through his rice sharing activities every year.

Cleric Backs Tinubu on Students' Loan

Kemi Olaitan in Ibadan

The General Overseer of Foursquare Gospel Church in Nigeria, Rev. Sam Aboyeji, has thrown his weight behind the students' loan scheme policy of the administration of President Bola Tinubu.

Aboyeji, who is also the Visitor of McPherson University, Seriki Sotayo, told journalists during at the inauguration of a multimillion naira hostel built for the institution by the Foursquare Ministers' Welfare Scheme, that the student's loan is a leveler that would provide opportunity for students from poor background to go to school with the children of the rich, stating that the policy is common in many parts of the world.

According to him, the administration deserved a pat on the back for the policy as it is a welcome development that must be supported by all, urging students to make use of the opportunity when it is fully operational to achieve their desire of attending higher institution.

He said: "All over the world the students' loan is a common thing as I heard that one of the ex-presidents of the United States of America just recently finished paying his student loan."

Abia PDP Asks Otti to Investigate N10bn Allegedly Spent on Port Harcourt Road

Abia State Chapter of the Peoples Democratic Party (PDP) has asked Governor Alex Otti to set up an independent technical verification panel that will thoroughly investigate his allegation that former Governor Okezie Ikpeazu spent N10 billion on Port Harcourt Road without working on it.

PDP said that such a statement represents a new low in the execution of Otti's agenda of running his government via propaganda and demanded that the panel would include engineers from the Federal Ministry of Works, from the Otti and Ikpeazu administrations as well as certified projects.

Abia PDP Vice Chairman/ acting State Publicity Secretary, Hon. Abraham Amah, said that Otti's statement during last night's media hangout does not present any fact regarding the Port Harcourt Road Aba project that was started by the Ikpeazu's administration.

The PDP said that the role of the verification panel will include, "That the Port Harcourt Road was awarded to Hartland Nigeria Limited, at the cost of N9,882,752,246.40 only

"That the total length of the road awarded for dualisation in 2017 is 5.9km and that the Ikpeazu administration implemented a total of 13.5km of drains (representing both sides of the road) along the road through Hartland Construction Company that was awarded the original contract.

New NIWA MD, Oyebamiji, Resumes, Tasks Staff on Dedication to Duties

Ibrahim Oyewale in Lokoja

The newly appointed Managing Director/Chief Executive Officer of the National Inland Waterways Authority (NIWA), Lokoja, Mr. Munirudeen Bola Oyebamiji, has charged staff of the organisation to redouble their dedication to duty for greater performance.

Oyebamiji, who expressed appreciation to President Bola Ahmed Tinubu for giving him the opportunity to serve at this level, promised that he would give priority to staff welfare as a motivation for higher productivity.

While addressing members of staff at NIWA's headquarters on resumption of duty, he also assured them of equal opportunity to all saying that he would not let anyone down.

Oyebamiji said: "Let me especially appreciate everyone for your love and best wishes since my appointment was announced. I have been overwhelmed.

"I am indeed very grateful to the members of staff of this agency for your warm reception. I appreciate our APC party leaders, an associate from Osun State, as well as my brothers, sisters, and friends from Dikire.

Olusunle Becomes ANA Fellow

Renowned journalist, public scholar, author and poet, Dr. Tunde Olusunle has been listed for the conferment of the Fellowship of the Association of Nigerian Authors (ANA). This was contained in the congratulatory letter to Dr Olusunle signed by General Secretary of the association, Maik Ortserga.

According to Ortserga, the conferment ceremony will coincide with the 42nd edition of the International Convention of ANA, tagged ANA@42, scheduled for tomorrow November 1 to Saturday November 4 2023, in Abuja.

The letter stated: "In the course of the Association's developmental process, there have been writers/ persons who have constantly remained on the side of reason, offering advice and envisioning plans for which ANA will continue to move forward in the direction of its forebears. You are one of such distinguished writers/persons whose value-centred consciousness has positively and

quantitatively impacted ANA".

It added: "The Association is, therefore, pleased to induct you into the prestigious Council of ANA Fellows. Generally speaking, the Fellowship is conferred upon deserving individuals for their dedicated services to the Association and proven contributions to the development of Nigerian literature in particular and society in general."

First Ladies Donate N10m to UCH Cancer Patients in Oyo

The wife of Oyo State Governor, Engr. (Mrs.) Tamunominini Makinde yesterday hosted the coalition of former and current first ladies in Nigeria, under the aegis of First Lady Against Cancer (FLAC) in Ibadan.

FLAC chairman and former frst Lady of Kebbi State, Dr. Zainab Shinkafi Bagudu, led other members, including wife of former Governor of Oyo State, Mrs. Florence Ajimobi; wife of former governor of Ogun State governor, Mrs. Olufunsho Amosun; representative of wife of former Ekiti State governor, Erelu Bisi Fayemi, and representative of wife of former Kwara State Governor, among others, to the Office of Oyo State First Lady.

The first ladies were in the state to assess the plight of cancer patients and render support to them.

Mrs. Makinde, in her address, thanked members of FLAC for considering the state for the support, assuring them that whatever donations they made would be put to effective use.

Help for Infertility: Experts Urge Couple to Seek Spiritual Advice

Yinka Kolawole in Osogbo

In an attempt to seek help for cases of infertility, couples have been charged to seek spiritual advice from Ulamas to assist them in determining what is permissible in Islam and what is Haram (forbidden).

Medical experts gave the advice at the An-nadwa Annual Scholars Colloquium organised by Standard Bearer Islamic Organisation in Ile-Ife, Osun State.

Speaking on the topic: 'Comprehensive Overview of the Medical Solution to Infertility', a consultant Obstetrician and Gynaecologist at the Obafemi Awolowo University Teaching Hospital (OAUTHC), Ile-Ife, Prof K.O Ajisefuja, said infertility has a negative impact on the quality of life of couples, especially women, adding that infertility may be caused by either partner.

Identifying causes of infertility, Prof Ajisefuja noted that most times, "infertility is due to infection that is tubal blockage and outflow tract obstruction as well as exposing the testes to high temperatures leading to impaired sperm production."

NEWS XTRA

Ndume: Akpabio Should Respect Me in Chamber

Sunday Aborisade in Abuja

The Chief Whip of the Senate, Senator Ali Ndume, has advised the President of the Senate, Godswill Akpabio, to listen to correction during plenary because some lawmakers have more legislative experience than him.

Ndume stated this when he appeared on Channels Television flagship programme, SUNDAY POLITICS, monitored by our Correspondent in Abuja.

He was reacting to his decision to stage a walk out from the red chamber when the Senate President ruled him out of order over a motion penultimate week.

The senator representing the Borno South Senatorial District, however said he enjoyed a good working relationship with Akpabio.

He said, "I don't have a problem with Akpabio. My problem, maybe the way he handles the situation. What happened the last time I think was misunderstood or taken out of context.

"Don't forget I campaigned for Akpabio. I can't build a house and destroy it , but I think the main problem is that I am more experienced than him.

"However, when I try to correct him, sometimes like that incident , he overruled me! You can't overrule your Chief Whip!! No. I am supposed to be the one to call him to order, not him.

"On that day, he was supposed to invite me and we would talk one-on-one but he took advantage of the gavel ."

On plot to impeach Akpabio, Ndume said," I am hearing that but it isn't new . But it isn't likely to happen; I can tell you that."

The Chief Whip justified the N160m Sports Utility Vehicles as official cars for his colleagues, saying it was their right.

He said, "We should look at the cost implication and the alternatives. For me, the issues that are being raised the public has a right to do that, but for me, I come to serve and in serving the people, my major constitutional role is over- sighting, and making laws.

Court Orders EFCC, CBN to Transfer ex-NNPC GMD's $9.8m to Registrar's Account

A Federal High Court (FHC), Abuja yesterday ordered the Economic and Financial Crimes Commission (EFCC) and Central Bank of Nigeria (CBN) to immediately transfer the sums of $9.8 million and £74,000 recovered from former Group Managing Director (GMD) of the Nigerian National Petroleum Corporation (NNPC), Mr Andrew Yakubu, to an account under the control of the chief registrar of the court.

Justice Inyang Ekwo, in a judgment, held that he found that the EFCC and CBN had not been forthright concerning the whereabouts of the sums for which the suit was centred.

He said: "Therefore, the proper order to make in this case is that which can assure all parties that the sums are in the custody that can make them retrievable by any of the parties entitled thereto eventually," pending the determination of the appeal lodged by the Federal Government against the decision of a sister court.in suit number: FHC/ABJ/CR/43/2017.

The *News Agency of Nigeria (NAN)* reported that Yakubu had sued the commission, CBN and the Guaranty Trust Bank (GTB) as first to third defendants respectively over an alleged refusal to release his $9,773,200.00 and £74,000.00 after a court judgment acquitted him of fraud charges.

On February 3, 2017, operatives of the EFCC raided the property of the former NNPC chief in Kaduna and recovered $9.8 million and £74,000 stashed in a fire-proof safe.

Otti Reveals Discovery of 50 Dead Bodies, Numerous Skeletons at Lokpanta

Emmanuel Ugwu-Nwogo in Umuahia

The Governor of Abia State, Mr. Alex Otti, has given an insight into the atrocities that criminals perpetrated at the Lokpanata Cattle Market and its environs in Umunneochi Local Government Area of the state.

Otti revealed that the horror was unearthed during security operations a fortnight ago, saying that security agents discovered 50 dead bodies, 20 decomposing headless bodies and countless skeletons that littered the area.

He made the spine chilling revelations on Sunday night at the second edition of his monthly media interaction tagged "Governor Alex Otti Speaks to Abians."

It was aired live on several radio stations with listeners participating by asking their governor questions on issues bothering them.

Otti stated that it was the horrendous discovery that prompted government to convert the cattle market to non-residential market hence people residing in the market were asked to relocate.

He reiterated that the cattle market would now become a general purpose market with sections for different goods while commercial activities would last from 6.00 a.m. to 6.00 p.m. daily.

Apart from the human carnage at the market, Otti also noted that the market served as haven for other criminal activities like gun running, prostitution, narcotics trade, among other unsavory acts.

Lokpanta Cattle Market and its environs assumed the notoriety of being referred to as "axis of evil" due to the pervasive kidnappings and armed robbery activities perpetrated along this segment of the Enugu-Port Harcourt Expressway.

FUT Minna Professor Slaughtered

Laleye Dipo in Minna

An Associate Professor in the Department of Bio Chemistry, Federal University of Technology Minna, Niger State, Mrs. Funmilola Adefolalu, has been slaughtered to death by an unknown person in her residence at the Federal Low Cost Housing Estate Maikunkele, in Minna.

Adefolalu, according to eyewitnesses, was found dead in her residence at about 1p.m. on Sunday.

The associate professor, who was said to be a poultry and fish farmer and a pastor in one of the new generation churches in Maikunkele, was absent at Sunday's service necessitating the visit to her house by church members after the day's service.

On reaching her house, the eyewitnesses said that they met the doors firmly locked and were constrained to force it open.

It was said that the church members were shocked to see the lecturer lying on the floor in a pool of her blood.

It was said that an alarm was raised leading to the police coming into the situation.

Police Public Relations Officer of Niger State Police Command, DSP. Wasiu Abiodun, confirmed the incident and added that the blood stained knife suspected to have been used to kill the professor was recovered from the scene.

Abiodun said that the body of the lecturer was taken to the IBB Specialist Hospital in Minna where it was confirmed dead on arrival and has been deposited in the hospital morgue.

He said that investigation into the incident has commenced.

FGC Okigwe Old Students' Association Elect Anyanwu as President

The Federal Government College Okigwe Old Students Association (FEGOCOOKOSA) has elected Mr. Peter Chinatu Anyanwu as its new president.

Anyanwu was elected unopposed at an election that was held at Sandralia Hotel Jabi, Abuja, to mark the association's 12th National Convention with the theme: "Beyond Boundaries."

Anyanwu, who holds a Doctor of Philosophy Degree (PhD), is a Fellow Certified National Accountant (FCNA) and the Imo State's representative on the board of Association of National Accountants of Nigeria (ANAN).

In his acceptance speech, he expressed his gratitude to the members for finding him worthy to lead the association and called for their support to enable him to achieve his five point objectives: fostering unity, giving back to the school, mentorship and scholarship, networking and community services.

The excited president of the old students appealed to the other executives and members to share his vision of stronger and more vibrant alumni association.

He said that their alma mater (Federal Government College Okigwe) has been instrumental in shaping their lives and values.

According to him, "as we gather here in the heart of our great nation, let us remember the values we learned at Federal Government College Okigwe - discipline, excellence, and unity. Let these principles guide us as we embark on this journey together."

TUESDAYSPORTS

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Messi Wins Eighth Ballon d'Or, Beats 52-goal Haaland to Trophy

Argentina and Inter Miami forward Lionel Messi has won the Men's Ballon d'Or for an eighth time.

The 36-year-old was recognised at the ceremony in Paris after helping his country win the World Cup in Qatar last year.

England and Real Madrid midfielder Jude Bellingham won the Kopa Trophy for the world's best player aged under 21.

Messi won his record-extending Ballon d'Or award ahead of Manchester City forward Erling Haaland.

"It's nice to be here once more to enjoy this moment," Messi said. "To be able to win the World Cup and achieve my dream.

Norway international Haaland scored a record-breaking 36 goals in 35 league games and hit 52 in all competitions as City won the Treble of Premier League, Champions League and FA Cup.

He was recognised for his achievements with the Gerd Muller Trophy for best goalscorer.

"I want to thank Manchester City, the whole club," said Haaland.

"I also want to thank my family and all the people around me for making me who I am today."

Spain and Barcelona midfielder Aitana Bonmati emerged the Women's Ballon d'Or for the first time.

The 25-year-old enjoyed a hugely successful year as she helped her club triumph in the Spanish top flight and Champions League, and her country win the World Cup in the summer.

She was also crowned UEFA's player of the year in August.

The Ballon d'Or recognises the best footballer of the year and is voted for by 100 journalists from around the world.

As well as helping Argentina to World Cup glory, Messi also played a key role as Inter Miami won their first trophy - the Leagues Cup - and has scored 11 goals in 14 appearances for the Major League Soccer side.

He has now won three more Ballon d'Or awards than anyone else, with Cristiano Ronaldo having won it five times, most recently in 2017.

The Portugal international, who plays for Al Nassr in Saudi Arabia, was not named on the shortlist for the first time since 2003.

Lionel Messi...crowned eighth Ballon d'Or winner in Paris last night

Osimhen is Africa's Highest Ranked Ballon d'Or Player

Duro Ikhazuagbe

Nigeria and Napoli forward, Victor Osimhen, finished as Africa's highest ranked player at 8th position amongst the 30 stars nominated for this year's prestigious Ballon d'Or Award organised by France Football last night in Paris.

With the unveiling of players ranked 11 to 30 released, Osimhen's name was missing from the lot, thus fueling the likelihood of the Napoli front man in the Top 10 with the likes of Lionel Messi, Kylian Mbappe and Erling Haaland.

It was therefore surprisingly to see Osimhen ranked 8th best player in the world, ahead of such established players as Mohamed Salah (11th), Robert Lewandowski(12), Karim Benzema (16) and his Napoli teammate Khvicha Kvaratskhelia (17).

Osimhen became the first African to be crowned Serie A Goal King with 26 goals last season and his goals helped Napoli win the Scudetto for the first time in over three decades.

This voting patterns perhaps is a pointer to the Nigerian winning his first CAF African Footballer of the Year award this year.

- **8: Victor Osimhen** *Napoli & Nigeria*
- **Bernardo Silva** *Man City&Portugal*
- **Luka Modric** *Real Madrid & Croatia*
- **11:Mohamed Salah** *(Liverpool & Egypt)*
- **12:Robert Lewandowski** *(Barcelona & Poland)*
- **13:Yassine Bounou** *(Sevilla, Al Hilal & Morocco)*
- **14: Ilkay Gundogan** *(Man City, Barcelona & Germany)*
- **15: Emiliano Martinez** *(Aston Villa & Argentina)*
- **16: Karim Benzema** *(Real Madrid, Al Ittihad & France)*
- **17: Khvicha Kvaratskhelia** *(Napoli, Bayern Munich & Korean Rep)*
- **18: Jude Bellingham** *(B Dortmund, Real Madrid & England)*
- **19: Harry Kane** *(Spurs, Bayern Munich & England)*
- **20: Lautaro Martinez** *(Inter & Argentina)*
- **21: Antoine Griezmann** *(Atletico Madrid & France)*
- **22: Kim Min-jae** *(Napoli, Bayern Munich & Korean Rep)*
- **23: Andre Onana** *(Inter, Man Utd & Cameroon)*
- **24: Bukayo Saka** *(Arsenal & England)*
- **25: Josko Gvardiol** *(RB Leipzig, Man City & Croatia)*
- **26: Jamal Musiala** *(Bayern Munich & Germany)*
- **27: Nicolo Barella** *(Inter & Italy)*
- **28: Martin Odegaard** *(Arsenal & Norway)*
- **29: Randal Kolo Muani** *(PSG & France)*
- **30: Ruben Dias** *(Man City & Portugal)*

1XBET Cup 2023: Ikorodu Community Agog as Action Begins

The Ikorodu Conference of the 1XBET Community Football Championship began Monday at the Landmark College Stadium, Ikorodu, with matches played in Groups A and B of the conference.

In the first game of Group A, Edunz FC pipped Vino Gano, 1-0 courtesy of a 51st minute strike by Segun Ige.

In the second game of the group, Landmark FC defeated Lofty Skills 2-1, to go top of the log, momentarily.

Glory Boys FC edged Slas FC 1-0, as Kingsley Osuji's sublime freekick in the 87th minute gave his team the victory in the opening game in Group B.

It was another solitary goal that settled the clash between Victory Ones FC and Faith FC with the former taking the three points with a 1-0 win.

Match-day 2 fixtures continue today at the same venue with four matches to be played in both groups.

Falcons Target to End 15-year Olympic 'No Show' against Ethiopia

Nigeria's World Cup stars say they are keen to give their very best this eveningand consign Ethiopia to the heap in order to reach the penultimate round of qualifiers for next year's Women's Olympic Football Tournament in France.

Coach Justine Madugu said on Sunday that his girls were disappointed by the result in East Africa and keen to step on the pedal at the MKO Abiola National Stadium on Tuesday evening.

The last time Nigerian ladies played at the women's football event of the Olympic was at the 2008 Games in Beijing. They missed London 2012, Rio 2016 and Tokyo 2020.

"We were not too happy about the result of that first game. It's unfortunate not to win the first leg but we are equally realistic with ourselves. We had some challenges in that game, and did our best to quickly surmount them. The girls have overcome those challenges and are really determined to make sure they are part of the Olympics next year."

Goalkeeper Chiamaka Nnadozie, who was formidable at the FIFA Women's World Cup in the summer and has been huge for French club Paris FC in the ongoing UEFA Women Champions League, assured that the playing body is inspired to brush aside the Ethiopian challenge and look forward to the Olympic ticket after two more rounds of the qualification series.

"Our plan was to win the first leg (in Addis Ababa), but we have taken the draw and the lessons that came from there. We are looking forward to the return match in Abuja and we will go all out for victory."

Team captain Rasheedat Ajibade added: "The spirit in camp is excellent and we're looking forward to victory. We will work very hard from the very first minute because we have no reason to under-rate them; they gave us a scare in the first leg. Our objective is to earn a clear win and make progress in the race."

New-comer Rinsola Babajide, who won her first cap for Nigeria in Addis Ababa, said: "Everybody wanted more from the first game; we know we under-performed. We really should have won but the circumstances made it difficult. Now, at home and in front of our own people, we've got the advantage and we just need to work harder than ever before, get the goals and most importantly, win on the day."

Ethiopia's senior girls will be no pushovers, as the team defeated their counterparts from Chad 10-0 on aggregate in the first round to be eligible to square up to the Super Falcons. They defeated Chad 6-0 in Addis Ababa and followed up with a 4-0 lashing of their hosts in N'Djamena a few days later.

Nigeria's Super Falcons are battle-ready against Lucy of Ethiopia at the Moshood Abiola Stadium in Abuja this afternoon

BOWFT 2023: It's Edo Queens, Bayelsa Queens Final!

Curtain will be drawn on the 2023 Betsy Obaseki Women Football Tournament on Wednesday, November 1 with Edo Queens and Bayelsa Queens battling for the ultimate winners trophy at the Samuel Ogbemudia Stadium, Benin City.

The final match is scheduled to kick off at 5pm. To reach the final, Edo Queens FC, yesterday defeated Remo Stars Ladies 3-0 in the first semifinal match played at the Western Boys College field to set up the final clash with Bayelsa Queens who mother luck smiled on to beat Delta Queens 5-4 in penalty shootouts after a barren 90 minutes of actions at the University of Benin Sports Complex.

Osigwe Goodness scored twice in the first half to increase the confidence of her side against Coach Wemimo Matthews managed Remo Ladies who bundled out defending champions FC Robo of Lagos in the Quarter finals stage.

Osigwe opened scoring for Edo Queens in 32nd minute of play and got a brace eight minutes later with a fine volley from the flank.

Captain and playmaker Abideen Suliyat converted a spot kick in the 53rd minute of play to take the game beyond the reach of their former coach Wemimo Matthews.

The centre referee had spotted Ibrahim Hannah's handball in the box.

On the road to the finals of the 2023 edition of BOWFT, Edo Queens humbled Naija Ratels 3-0 in the opening game,played at the Samuel Ogbemudia Stadium and went on to beat Remo Stars Ladies 2-1 at the Western Boys mini stadium in the group stage.

The Obaseki girls also secured 2-1 victory over Heartland Queens of Owerri in the quarter finals match to set up the second meeting of defeated Remo star Ladies.

The BOWFT is an initiative of Mrs. Betsy Obaseki in collaboration with private sector partners to groom and empower the girl-child and engender grassroots sports development in Edo State and Nigeria while promoting causes that raise awareness about and discourage social vices.

Committee, Chief of Defence Staff Meet to Promote Golf for Peace Tourney

Kasim Sumaina in Abuja

The Organising Committee of Golf for Peace Tournament scheduled for November have paid a courtesy visit to the Chief of Defence Staff, General Christopher Gwabin Musa who is a Peace Advocate and the Special Guest of Honour for the upcoming event at IBB Golf Course and Country Club, in Abuja.

The team, led by the initiator of the Golf For Peace Tournament, Kemi Olowoyo-Otegbade, Chairman, Organising Committee, Ambassador Enoch Duchi, Makosi Musambasi and others, hinted that in today's strife-ridden world, the pursuit of peace has become more crucial than ever.

Otegbade, while speaking said: "As an ardent advocate for peace, we had a meeting with the Chief of Defence Staff, aimed at discussing a unique initiative: a golf tournament promoting peace.

"The encounter, highlighting the significance of fostering peaceful dialogues and the potential impact of unconventional approaches in achieving harmony. Setting the Stage for Peace.".

According to him, "The golf tournament, a platform for promoting peace, embodied the belief that peace transcends boundaries. By bringing together prominent military personnel, influential figures, and avid golf enthusiasts, the tournament aimed to create an environment that fostered dialogue, understanding, and collaboration.

"The Chief of Defense Staff played a pivotal role in spearheading this initiative, recognising the power of sports to transcend political, religious, and cultural barriers."

Responding, the Chief of Defence Staff, General Christopher Gwabin Musa, noted that sporting events, such as golf tournaments, have the unique ability to foster camaraderie and bridge divides.

He said, "Sports, by their very nature, promote fair competition, teamwork, and respect for rules. These values, when embraced, can transcend societal divisions and unite individuals from diverse backgrounds, fostering a sense of shared humanity."

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MISSILE

Bala Usman to Amaechi

"Recent newspaper reports of false claims attributed to the eternally petty ex-minister of Transportation, His Excellency Chibuike Rotimi Amaechi, about me did not come as a surprise. In his over two decades in public office, Nigerians must be used to the fluidity with which he tells lies, manipulates facts, and talk out of turn. Here is someone who once brazenly told Nigerians that he doesn't like money, even when his public conduct contradicts this assertion " *–Former Managing Director of NPA, Bala Usman, fires back at Amaechi.*

TUESDAY WITH REUBEN ABATI

abati1990@gmail.com

Lessons From The Supreme Court

On Thursday, October 26, the Supreme Court of Nigeria gave its judgment in the appeals by Waziri Atiku Abubakar and the People's Democratic Party (PDP), and Mr. Peter Obi and the Labour Party (LP) challenging the September 6 judgment of the Presidential Election Petition Court (PEPC) which affirmed Tinubu's victory in the February 25 Presidential election. The appellants sued on the common ground that the lower court erred in law in its rulings on Tinubu's failure to obtain 25% of the total votes cast in the Federal Capital Territory and whether Section 134 (1) (2) of the 1999 Constitution should be read "conjunctively or disjunctively"; the civil forfeiture by Tinubu of $460, 000 in the United States with regard to his eligibility under Section 131 of the Constitution, INEC's failure to transmit results electronically, the ruling by the court of first instance that the appellants failed to prove that the Independent National Electoral Commission (INEC), violated the Electoral Act 2022, and the request for the leave of court to file fresh evidence obtained from the Chicago State University (CSU) and US District Courts with allegations of discrepancies and forgeries in Tinubu's academic records. The Atiku/PDP team raised, in general, 35 grounds of appeal. The Peter Obi/Labour Party team of counsel raised 51 grounds of appeal in a 73-page notice of appeal.

A panel of seven Justices of the Supreme Court, with Justice Inyang Okoro, presiding, and Justices Uwani, Musa-Aji, Ibrahim Salauwa, Mohammed Lawal Garba, Tijjani Abubakar, Adamu Jauro and Emmanuel Agim consolidated both appeals into seven grounds, and on every ground dismissed the appeals as frivolous, vexatious and lacking in merit and hence thereby dismissed. Their Lordships had initially reserved judgment but when they finally delivered their judgment, three days later, they came out smoking. It was a unanimous judgment with their Lordships even warning the public to refrain from media trial, and to "trust the Court", instead of sending threatening messages to judges and justices. I have argued that while judicial review is an important part of the judicial process, and public opinion is critical to the democratic process as Professor Barry Friedman has argued eloquently, it is just the case that courts of law do not take decisions on the basis of the opinion of the mob, moved more by emotions and sentiments, beer parlour engagements and social media tittle-tattle. This much has been well-stated per Niki Tobi JSC in Atiku Abubakar vs Umaru Musa Yar'Adua,and most recently by Justice Olukayode Ariwoola, CJN. Judges are members of the community. Their wives and children or husbands go through the same things as the rest of us. They also watch television and listen to the news. But when they are required to apply the law, their calling requires them to be above board like Caesar's wife, and to be impartial no matter whose ox is gored.

In Nigeria today, most unfortunately, judges and justices are treated like closet criminals and are believed to be so. The Supreme Court is supposed to be the last hope of the common man, but with some problematic judges in recent times, so much doubt has been created among the people. The Hon. Justice Chukwudifu Akunne Oputa, Socrates of the Supreme Court as he was then popularly known, had addressed the matter when he opined that "we are final not because we are infallible, rather we are infallible because we are final." The meaning is that the Supreme Court may make mistakes but it is the final court, beyond it, you can only appeal to God. Funnily enough, it is only the Supreme Court that can reverse itself, and if it has had to do so in many cases in the past. But I insist as I have done that whereas the courts of equity may give the impression that the law is moral, and the study of jurisdiction having strong basis in morality and ethics, or that the foundation of law is the common good, in actual practice our courts are guided by what the law says it is.

President Bola Tinubu

They are guided by specific sources of law: received English law (circa 1876 and 1900) as represented by the common law, the doctrines of equity, and the English statutes of general application, international customary law by incorporation, local legislation, decisions of Nigerian courts (that is, stare decisis), rules of court and procedure. In considering all of this, I am of the firm view that the Okoro-led panel of seven JSCs, gave a judgment that is sound in law, and I restate this for record purposes. For example, when the Atiku/PDP camp embarked on a voyage of discovery to the United States about Tinubu's certificates, I argued that the matter being brought out of time under Section 285 of the Constitution, and not pleaded and not proven in the court of first instance may eventually be of no moment. Hakeem Olaniyan in his Jurisdiction of Nigerian Courts in Causes with Foreign Elements (2013)and I. O. Agbede in his Themes on Conflict of Laws (1989) had raised the point that for a foreign element to be admissible in a foreign jurisdiction, facts must be pleaded and proven. It is elementary law that you plead facts not the law in private international law. Local laws also take precedence, and where the matter lacks the element of reciprocity, the court in the local forum decides on key questions of jurisdiction, which is the fountain head of the authority of the court and applicable law. A court can however assume jurisdiction, but this is at the discretion of the court. What their Lordships did was to uphold the jurisdiction of the lower court. They were also on terra firma on questions of recognition, relevance and admissibility of evidence. The other point on which I think they stood firm was their point that the argument about electronic transmission had been determined. This had been addressed in Oyetola vs Adeleke. Here, Emmanuel Agim JSC, presiding, held that "the case of the petitioners that the presiding officers were bound to instantly or on the spot transmit the number of accredited voters in the back-end server to INEC has no support." A related matter in the October 26 matter was the burden of proof. The Supreme Court dismissed the arguments of the appellants with regard to the credibility of witnesses. It added that they were "octopus agents." There are other key issues in that ruling that cannot be faulted in law qua law, no matter the emotional choices of appellants and their paid agents and public commentators.

The sum effect of the judgment is that the litigation with regard to the Presidential election has ended. Bola Ahmed Tinubu has been confirmed as the winner of the February 25, 2023 Presidential election. The Supreme Court has conferred on him the much-needed legitimacy. He has been given the de jure authority to act as President of Nigeria, Commander in Chief of the Armed Forces. He can now sit with the two laps of his buttocks on the seat. He is affirmed. The threat by some interested parties and their agents that they will settle the matter in the court of public opinion is foolhardy. It seems to me that we have moved beyond political campaigns. It is now time for governance and policy. President Tinubu has asked his opponents and others to join him to build a country and move Nigeria forward. There must be an end to litigation, and it has ended within the provided framework. President Tinubu must reach out honestly to the opposition and run a diverse, inclusive government of national unity. Certainly not a turn-by-turn government. The major opposition figures – Atiku Abubakar and Peter Obi have so far refused to congratulate him. I think their sour grapes look untidy. In critical moments such as this in the life of a nation, men and women should behave as patriots and put Nigeria first. No man should be good enough to run the country if he or she believes that personal ambition must come first. The opposition is required to play its part but the obsession with "me, I and myself" is deplorable.

Many would remember the example of Al Gore, former Vice President of the United States, and the Bush vs. Al Gore case that was decided on December 12, 2000, in which the Supreme Court of the United States ruled against the order of the Florida Supreme Court for a selective manual recount of the election. It was generally believed that the Supreme Court in awarding Florida's 25 Electoral College votes to George W. Bush (Republican) erred in law. The margin of victory was so close it was clear Gore won in Florida. Gore in fact led by 327 votes. But Gore allowed it all to go. He disagreed with the Supreme Court of course, but chose not to be disagreeable in deference to the apex court of the country. I think there is a big lesson here that we all can learn across party lines.

In the 2023 general elections both the Constitution and the Electoral Act 2022 were put to the test. Certainly, there is a need for reform, and the National Assembly has a big job to do. One, the point has been made clear, even by mechanics and others, that a situation whereby a man or woman wins an election by every means possible in Nigeria and then turns around to say brazenly: "Go to Court!" is unacceptable. Why? Increasingly, the courts determine election outcomes. Our democracy would be better strengthened if candidates in an election do not have to go to the courts to seek validation. It is one reason people are asking that we must develop a system whereby people win at the polls not in the courts. Besides., where there are election petitions, these must be concluded before anyone is sworn in as is the case in Kenya. Where a supposedly elected person is already sworn in and he begins to exercise formal authority, as President Tinubu has been doing since May 29, the hands of the courts may be tied by public policy even if they may not say so. Other necessary amendments may be with regard to qualification and eligibility. Nobody who does not have a certified minimum of a higher degree must never be allowed to run Nigeria! The phrase "school certificate or its equivalent" (section 131 (d) and the dubious interpretation in Section 318 (1) must be expunged from the Nigerian Constitution! This country deserves to be led by its educated and enlightened class. What scandalous provision is that that makes it possible for anyone with a failed, F9 parallel school certificate to run this country. The National Assembly must also take a second look at the provision on electronic transmission of results. It is too opaque. It appears like a ceremonial, decorative provision in the Electoral Act. The law must pass the test of certainty not ambiguity. Manual transmission or electronic transmission? Let's be clear.

Lawyers must also draw their own lessons from the Supreme Court Judgment of October 26. Their Lordships were not kind to the appellants counsel at all. As I noted on Arise News before now, they simply threw the textbook at them. They faulted them on the subpoena of witnesses, their understanding of the rules of court, even Section 12 of the Supreme Court Act, stare decisis and the meaning of Section 285 of the Constitution with regard to the time limitations of election petitions. Among the lawyers are Senior Advocates of Nigeria, masters of the law with years of experience, but they chose to mislead their clients. Why? Every lawyer is trained to be an officer in the temple of justice, that is to defend the cause of justice which is the end of law. Going forward, the Nigerian Bar Association has a lot of work to do: to protect the integrity of the Bar, inner and outer. Having a situation whereby lawyers behave like ambulance chasers for quick monetary gain defeats the entire purpose of the administration of justice system. It is precisely for this reason that George Chapman in his 1654 play, Revenge for Honour referred to the law as an ass. The same view is echoed by Mr. Bumble in Charles Dickens' novel, Oliver Twist. Lawyers must stop behaving like donkeys, and it is the responsibility of the NBA and the NJC to put a stop to this through stronger codes of conduct.

Since the Supreme Court judgment, I have seen the public opinion mob referring to the valedictory speech by Justice Dattijo Muhammad (JSC, now retired) for confirmation of their conviction that the Supreme Court is a rotten place and that the entire judiciary is bad. I have had cause to question Justice Dattijo's choice of forum: after serving 47 years in the judiciary, he chose the moment of his exit to throw the entire judiciary under the bus. He was the most senior Justice on the Bench, after the CJN, yet he complained about the Chief Justice running a one-man show. I have tried to compare his valedictory speech to that of Justice Odemwingie Uwaifo, January 24, 2004 titled "May the Supreme Court Never Become an Undergrowth." Whereas Uwaifo JSC was cautionary, Dattijo Muhammad was combative, his speech full of direct, unmistakable innuendoes, a clear indication that judges and justices are also human beings and can descend to the arena like market women. It is the integrity of the entire judiciary that is further damaged. For timing purposes, Dattijo Muhammed simply poured cold water on the October 26 judgment of the Supreme Court in the Tinubu case.

Nonetheless, I find much wisdom in Olisa Agbakoba, SAN's submission, supporting Dattijo JSC (as he then was) that there is an urgent need for judicial reform. Agbakoba also draws attention to the recommendations of a Judicial Reform Stakeholders Committees Reports, 24 – 26 October 2011, chaired by Justice Dahiru Musdapher, CJN of which he, (Agabakoba), was a member. Justice Musdapher refused to appoint his daughter as a Justice of the High Court even when she was eminently qualified. Dattijo tells us that these days, "children, spouses and mistresses" are now routinely appointed Judges. That is scandalous. Dattijo also complained about the over-concentration of power in the office of the CJN. The NJC in particular needs to be reformed. He complained further about vacancies on the Supreme Court Bench that have not been filled. The country now has only about 10 JSCs. This should be addressed and it is about time we began to admit lawyers and scholars to the Supreme Court Bench as they do in Canada to ensure diversity and inclusivity to enrich our jurisprudence. Above all, there is a lesson for the President himself. He now has a government to run. He must do so in the best interest of all concerned parties to justify the legitimacy conferred on him.

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