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**National ordinance for the establishment
of the Budget for the Country of Sint Maarten
for the service year 2016 (national ordinance budget 2016)**

DRAFT

IN THE NAME OF THE KING!

The Governor of Sint Maarten,

STATEN VAN SINT MAARTEN	
Ingek.	04 FEB 2016
Volgnr.	15/461/15-16
Par.	EDY NPA

taking into consideration:

- That the present draft national ordinance, in observance of Article 100(1) of the Constitution of Sint Maarten, establishes the country's budget for the service year 2016;
- That, because of the country's financial stability, a retroactive effect of this national ordinance to 1 January 2016 is required to be conferred, if necessary;

and having heard the Advisory Council, and in consultation with Parliament, has approved and decreed as:

Article 1

The budget for the Country of Sint Maarten for the service year 2016 is added as an annex.

Article 2

1. The budget for the current expenditure for the Country of Sint Maarten for the service year 2016 is set at ANG 438,901,940;
2. The budget for the income for the service year 2016, including cooperative resources, is set at ANG 458,901,941;
3. The budget for investments in capital goods is set at ANG 77,584,593;
4. The budget for financial loans issued is set at ANG 5,279,580; and
5. The budget for financial loans included for the service year 2013 is set at ANG 38,357,335.

Article 3

In accordance with Article 46(1) of the National Accountability Ordinance, the Minister of Finance shall be authorized to contract agreements concerning the issue of loans, as referred to in Article 2(3).

Article 4

This national ordinance shall be referred to as the National Ordinance budget 2016.

Article 5

1. In accordance with article 46, paragraph 3(a) of the National Accountability Ordinance, the Minister of Health Care, Social Development & Labor, together with the Minister of Finance, can be authorized by national decree to found or cofound a foundation named the Sint Maarten Government Emergency Medical Services Foundation for the benefit of the Ambulance Service, on behalf of the country.
2. In accordance with article 27(1) of the "Verordening op de uitgifte van eigendommen", the built and unbuilt properties of Sint Maarten will be disposed of. These properties are known locally as the new government administration building, certificate of admeasurement no. 139 of 2005 for 5,097 square meters of land and the adjacent parking areas and other adjacent parcels at the Soualiga Road in Philipsburg, further known as lot A, with an area of 15,097 square meters, including the parcels referred to in the certificate of admeasurement 139/2005. Also included are the adjacent parking area of about 5,000 square meters, which adjoins Telem, further known as lot B, and the parcel bounded by lot B, as well as the public road of around 1,800 square meters, further known as lot C, for the total amount of around ANG 50 million.
3. The Minister of Public Housing, Environment, Spatial Development and Infrastructure, together with the Minister of Finance, shall be authorized by national ordinance to dispose of the built and unbuilt properties of Sint Maarten referred to in paragraph 2.

Article 6

1. This national ordinance enters into force following its ratification and publication in the Official Publication with retroactive effect if necessary, to January 1, 2016.
2. If the ombudsman institutes legal proceedings as referred to in Article 127(3) of the Constitution, this national ordinance shall not enter into force if the Constitutional Court finds that it is not consistent with the Constitution.
3. If the College financieel toezicht (Board of Financial supervision), as referred to in Article 2(1) of the "Rijkswet financieel toezicht Curaçao en Sint Maarten", provides a recommendation within the meaning of article 12(2) of that *Rijkswet*, and this national ordinance should be amended as a result of that recommendation, this national ordinance, by way of derogation from paragraph 1, shall take effect as of the date on which the National Ordinance for the amendment to the National Ordinance Budget 2016 takes effect, if necessary with retroactive effect to January 1, 2016.

This national ordinance, accompanied by the explanatory memorandum, shall be placed in the Official Publication.

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**National ordinance for the enactment of
the Budget for the Country of Sint Maarten
for the service year 2016 (national
ordinance budget 2016)**

EXPLANATORY MEMORANDUM

General section

This present draft national ordinance serves to propose the country's budget for 2016, pursuant to Article 100(1) of the Constitution.

In this budget, building on 2015, a next step has been taken with respect to explaining policy intentions per ministry. This is being done to more accurately inform Parliament about the tasks and objectives of each ministry and the strategy aimed to meet those tasks and objectives.

The several budget sections are explained in the explanatory notes to the budget and the long-term budget, which are added to this draft national ordinance as an annex, thereby eliminating the need for further explanation to the present draft national ordinance.

Financial section

1. It is proposed to set the budget for the current expenditure for the Country of Sint Maarten for the service year 2016 at ANG 438,901,940;
2. It is proposed to set the income budget for the service year 2016, including cooperative resources, at ANG 458,901,941;
3. It is proposed to set the budget for investments in capital goods at ANG 77,584,593;
4. It is proposed to set the budget for financial loans issued at ANG 5,279,580; and
5. It is proposed to set the budget for financial loans included for the service year 2013 at ANG 38,357,335.

The Minister of Finance

The Minister of General Affairs

