



# Parliament of Sint Maarten

## Staten van Sint Maarten

To the Hon. Minister of Justice  
Ms. A.E. Richardson  
Government Administration Building  
Philipsburg

UV/078/2020-2021

Philipsburg, December 1, 2020

Re: Request by MP C.T. Emmanuel regarding the legal basis for the advance to the justice workers

Hon. Minister Richardson,

Herewith I submit to you a request from Member of Parliament, Mr. C. T. Emmanuel, pursuant to article 62 of the Constitution and Article 69 of the Rules of Order of the Parliament of Sint Maarten.

The letter is self-explanatory.

Yours truly,

R. Brison  
President of Parliament

## Garrick J. Richardson

---

**From:** Ann A. Groen-Gumbs  
**Sent:** Wednesday, November 25, 2020 4:06 PM  
**To:** Linette A. Gibs  
**Cc:** Valerie Brazier; Garrick J. Richardson  
**Subject:** FW: Request legal basis used to advance Justice workers 50 percent of arrears and retroactive payment from the UTS shares  
**Attachments:** Scan\_20201125.jpg; Scan\_20201125\_2.jpg

STATEN VAN SINT MAARTEN			
Ingek. 25 NOV 2020			
Volgnr. IS/197/20-21			
Par.	GR	AG	

-----Original Message-----

**From:** Malaika Hickinson  
**Sent:** Wednesday, November 25, 2020 3:56 PM  
**To:** Rolando Brison; Ann A. Groen-Gumbs  
**Subject:** Request legal basis used to advance Justice workers 50 percent of arrears and retroactive payment from the UTS shares

Dear Chair of Parliament,

On behalf of Member of Parliament Christophe Emmanuel, please find attached correspondence to the Minister of Justice, Ms. Anna Richardson, requesting elucidation on the legal basis used to advance the Justice workers 50 percent of their arrears and retroactive payment from the sale of the UTS shares.

I hereby request the correspondence to be forwarded to the Minister for response.

Hoping to have informed you sufficiently.

With regards,

Malaika Hickinson  
Policy Advisor NA Faction



# Christophe Emmanuel

## Member of the Parliament of Sint Maarten

To: The Honorable Minister of Justice  
Ms. Anna Richardson  
Government Administration Building  
Soulaliga Road 1  
Philipsburg

November 23<sup>rd</sup>, 2020

Subject: Request legal basis used for Justice workers' partial retroactive payment.

Honorable Minister,

On November 17, 2019, a Memorandum of Understanding (MoU) was signed between then-caretaker Minister of Justice Perry Geerlings and various unions representing the KPSM employees. It was decided then to make 50-per-cent payment to the applicable employees regarding the matter of retroactive adjustment to their salaries. This payment was to be issued in the form of an advance against the total final financial picture.

In December 2019, Former Minister of Justice Egbert Doran stated in a press release that the legal basis for a payment such as which was being proposed was missing, because the 16.3 per cent Windward Islands Allowance) were not available as salaries had not yet been legally established. A draft National Decree ('LBham') and its accompanying note of explanation ('NVT') would be drafted, establishing the salary tables for KPSM, and for the Police civil servants tasked with executive roles and those with supportive roles.


An extra-ordinary meeting of the Council of Ministers which was held on December 31, 2019 in which the document was approved. Subsequently it would be submitted to the Governor and forwarded to the Council of Advice. Upon completion of the legislative route the National Decree would be published and thereafter enter into effect.

We are now nearing the month of December, almost a year since the draft National decree was discussed and since the Justice workers received 50 percent of their retroactive payment. To date Parliament has not seen the draft National Decree nor its accompanying explanatory notes.

Via this correspondence I would like to be apprised of and provided with an elucidation on the legal basis used to advance the Justice workers 50 percent of their arrears and retroactive payment from the sale of the UTS shares.

Furthermore, I am hereby requesting the Minister of Justice to explain where in the legislative route the documents are at present and to provide a proposed timeline of when this legal basis will be finalized and shared with Parliament.

Regards,



Christophe Emmanuel  
Member of Parliament