



STATEN VAN SINT MAARTEN	
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MINISTER OF FINANCE
Minister van Financiën

To: Parliament of Sint Maarten
Attn. President of Parliament
Wilhelminastraat #1
Philipsburg, Sint Maarten

Philipsburg, January 10, 2025

Subject: Draft National Ordinance establishing the Budget of the country of Sint Maarten for the service year 2025 (National ordinance budget 2025)

DIV No.: 5201-H

Excellency,

Please find attached the note following the final report on the above-mentioned proposal.

I trust to have informed you sufficiently.

Sincerely,


Ms. Marinka J. Gumbs
Minister of Finance



Minister of Finance

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Parliamentary Year 2024-2025-182

National Ordinance stipulating the Budget of Country Sint Maarten for the service year 2025 (National Ordinance Budget 2025)

Note following the Final Report

No. 6

The Parliament, in its meeting of the Central Committee, has exchanged views with the Government on the Draft National Ordinance stipulating the Budget of Country Sint Maarten for the service year 2025.

The Parliament considers the draft to be adequately prepared when the questions below are answered in time for the public meeting so that the draft can be discussed in a Public meeting.

In order for Parliament to consider the present draft to be adequately prepared, so that the draft can be discussed in a public meeting, Parliament is hereby provided with the answers to the questions stated in its final report.

The text of the questions as stated in the final report is expressed in black, while the text of the answers is provided in blue.

The Unified Resilient St. Maarten Movement-faction has taken note of the draft with interest and has the following questions and remarks.

Ministry of Finance

The faction posed this question to the Minister of Finance because it noticed via the policies that this is regulated via the Ministry of Finance. The faction noticed that there was space for vacancies in the budget. The question concerns filling critical vacancies within the ministry of Justice, and in particular the Prison. Is there also space for the Ministry of Justice here? The faction mentioned that the lack of staffing for the Prison was one of the main concerns that was communicated during the visit to the Prison as part of the Justice Committee of Parliament. The faction believes that there are critical vacancies which can lead to unsafe situations for the guards and the inmates. Hence, the faction reiterated and would like to know if the Minister of Finance has put anything in place for critical vacancies in 2025.

For the 2025 budget, the Ministry of Justice initially proposed 33 critical vacancies. Out of this number, only three vacancies remained. Given the current staffing situation, maintaining safe operations within the ministry will be challenging. The critical vacancy list was created to address urgent needs in each department. It is important to note that while six critical vacancies were presented, all were cut.

The faction mentioned that there are about 4000 persons afflicted with mental health registered at SZV. When the Minister of Finance visited the mental health foundation for a tour, it resulted in concrete results, and today, you can see a mental health institute will be built. A program for mental health is being put in place. Hence, the faction would like to invite the Minister of Finance to visit the Prison with the Justice Committee members to see the current state of the Prison.

The Minister of Finance stated she would join the Justice Committee for such a visit. However, she also stated that the Ministry of Justice or even VSA would in principle be the one to reserve the budget for these initiatives if deemed necessary, which I will support where necessary.

The faction believes once we see some of what is going on, we will be moved to at least make some small changes and to make money available. The faction mentioned that it understood that there is a 26 million loan unused. The faction believes that we cannot wait for two years when phase 2 of the Prison is finished. Hence, the Minister should tap into the possibilities now. The faction thinks that Sint Maarten is bordering on human rights violations.

The faction indicates that it has been advised not to come up too much for prisoners because there are probably more victims than prisoners. However, the faction is of the opinion that they are human beings as well.

The faction notes that on page 9 of the elucidation of the Budget 2025, the increase in personnel for the Prison is slated for 2027. Can the Minister reconsider the situation at present and do something before 2027 for the personnel, the prisoners, and the Prison?

The faction mentioned that there is an unused amount of 26 million. This amount, which is a significant sum, is unknown to the Ministry. There may be a misunderstanding, and the faction is likely referring to the 30 EURO million made available by the Netherlands for the prison as part of the country package and the agreement with UNOPS to build a new prison. Phase 1 of the new prison project cost approximately 3,9 million USD, which can be rounded off to 4 million USD.

As mentioned previously on the floor of parliament, of the 30 million Euros, 10 million Euro is allocated over a period of five years, with 2 million per year for ongoing improvements to the prison. The remaining amount (20 million minus 4 million USD for Phase 1) \approx 16 million EURO, is earmarked for Phase 2 of the prison's construction, which is being co-financed with Sint Maarten. The notion of an unused amount of 26 million is therefore incorrect.

The faction stated that it is important to have the implementation report for Q3 to peruse it and prepare for the upcoming meeting. Hence, the faction is appreciative of the receipt.

Regarding the Tax Reform legislation, the faction asked: How far is it, and when will it be finalized? The faction referred to the different legislations connected to that based on the country package.

The Minister of Finance stated the following; At this stage, draft law proposals are being drafted, reviewed, assessed and finalized. However, the underlying data and financial analysis (needed for the determination of proposed reductions of increases are not fully assessed up to now. Although we do expect to be completed in the second quarter of 2025 (Q2-2025), no exact timetable can be given at this stage when the CoM can actually initiate and start the legislative process.

Introduction of the Caribbean guilder. How will the ones who don't have a bank account be able to arrange that transition?

The Minister of Finance stated there should be no significant implications, as a transition period of three months will be implemented. During this period, both the Antillean Guilders and the Caribbean Guilders can be used interchangeably before the full switch to the Caribbean Guilder is completed. During this time, they can go directly to CBCS to exchange their cash funds.

What are the ministry's legislative priorities for the coming year?

The Minister of Finance stated that her legislative priorities will include the tourist tax, the general tax ordinance, compatibility ordinance, basic bank account legislation and the deposit guarantee scheme. She will also proceed with drafting a national ordinance to retract outdated tax legislations that are no longer applied, such as land tax.

Furthermore, she is exploring options to ensure that AOV payments to pensioners are no longer considered taxable income for income tax purposes.

The faction inquires from the Minister of Finance how many recruitment agencies are currently being used within the Government.

The government is currently not making use of any recruitment agencies.

Recruitment is being conducted in line with the Instroombeleid 2012, which regulates the recruitment process within the government.

If we look at the QR codes as regards the license plates, the faction would like to know if it was deemed a success based on the income and the revenue that we receive from the QR codes compared to the physical license plates.

The Minister of Finance stated that the introduction of the QR code was aimed at reducing the country's expenses by eliminating the need to purchase and replace license plates annually. While the revenue for 2023 was 10 million, and the revenue for 2024 aligns with that of 2023, revenue alone should not be the measure of success for this initiative. For 2025, government will continue with the use of the QR code as part of this cost-saving measure.

The faction notes that civil servants and public education staff are still owed payments from the cost-cutting measures implemented during the Covid-19 pandemic and would like to know how the Government justifies prioritizing payments to subsidize school boards without first addressing the arrears owed to these groups who faced similar hardships during that time?

The Minister of Finance clarified there is currently no legal obligation toward civil service which includes the public education staff, as the legislation during that period was adjusted accordingly.

Ministry of General Affairs

The faction mentions that on page 6 of the budget, there is a concessions fee of 8.2 million for the 2024 budget, and in 2025, it's 8.4 million. The faction read that indexation takes place at GEBE. The faction noticed that the GEBE concession is constantly increasing. The concession for the Harbor is at 4 million, and the concession for BTP is at 1.5 million. They have a fixed amount. Is there a maximum that GEBE's concession will be pinned to, or will it continue forever like this? The faction does not believe that this is healthy for the company. The faction mentions that in the proportions, it is more than double the highest other company. You also have other Government owned companies who do not pay concessions. Can a cap be placed on how much GEBE pays in concession?

Updating of the energy policies are necessary prior to making any changes to concessions. This component of energy is part of a bigger picture that needs to be discussed in COM and ultimately with the shareholder and GEBE.

The faction inquires about the ministry's legislative priorities for the coming year. Which laws?

The legislative agenda of the Ministry of General Affairs is as follows:

- Formalization of the formation process (including the screening of candidate ministers)
- Lbham plaatsing politieke assistenten (function book)
- Archieflandsverordening (national ordinance on archives)
- Landsverordening rampenbestrijding (National ordinance on disaster management)
- Basisadministratie (Basic Administration)
- Overlijden begrafenis / crematie (National ordinance Funerals and cremation)
- Bezoldigingsregeling ambtenaren (Remunerations scheme for civil servants)
- Regeling vakantie en vrijstelling van dienst (regulations on holidays and exemption from service)
- Landsverordening materieel ambtenarenrecht (national ordinance on substantive civil service law)
- E-gov: national digital identity
- Interoperability framework and enterprise architecture – ICT

The faction remarked that after looking at the budget for legal advice & services, the faction would like to know how many legals are currently employed by the Government. And how many of those legals are legislative lawyers? The faction understood that there is not enough. Hence, the faction would like to know the ministry of General Affairs' plan to recruit legislative lawyers. Has the ministry looked at, for example, BZK in connection with article 43 of the “Staatsregeling”, basically the Kingdom Affairs? Has there been any communication with BZK regarding recruiting legislative lawyers?

At JZ&W, the team comprises two Senior Legal Advisors, one Senior Policy Officer, and one Legislative Lawyer. Additionally, a Legal Advisor is currently serving in a temporary capacity as a Legislative Lawyer within the department.

The government is in the process of recruiting legislative lawyers through established internal procedures, in conjunction with Article 43 and in collaboration with the Ministry of the Interior and Kingdom Relations (BZK). The specifics of this collaboration are currently being finalized within the Terms of Reference.

The faction mentions that we often look at the budget and having to cut certain things, but is the Prime Minister looking at the waste that is happening within Government, such as, for example, Government workers taking the Government vehicles in the weekends to Super U, for example, in order for us to save on gas. Are we researching those kind of waste that's happening within our Government apparatus?

Minister acknowledges and agrees with the Honorable Member of Parliament's observation regarding waste within the government. Specifically, concerning the use of government vehicles, I would like to inform Parliament that, in collaboration with the relevant ministry, we are in the process of preparing a comprehensive vehicle policy. This policy aims to address key challenges, including clarifying entitlement and responsibility for the use of government vehicles.

Furthermore, I would like to inform Parliament that, in addition to the vehicle policy, several other policies are currently under review by the Department of Facility Services to ensure greater efficiency and accountability within government operations.

The faction mentions GEBE and alleviation for the people. Can the Minister elaborate on what the Minister has done concretely, including the meetings to work on solutions?

On November 1, 2024, a meeting was held with the management of GEBE and Members of the Council of Ministers to begin discussions on the cost of energy bills and the fuel clause with the aim of determining the possibility of relief on energy bills.

Thereafter, given the complexities involved, it was decided by the Council of Ministers that it would be best to appoint BTP to consult with the relevant stakeholders and present Government with their findings and recommendations on how best to handle/lower the fuel cost/fuel clause.

This request has been formally made to BTP and communication has taken place with the relevant stakeholders informing them of this development and requesting their cooperation.

This approach is intended to ensure that the examination of fuel costs and the fuel clause is as thorough as possible so that any possible relief will be long lasting and effective while ensuring that our government owned company NV GEBE can operate in a sustainable manner.

Ministry of Tourism, Economic Affairs, Transport and Telecommunication

The faction mentions that on page 72 of the elucidation of the budget, it notes that there are 10 FTEs for the Department of Statistics but only one vacancy. Can the Minister confirm that this is correct?

No, there are currently 8 FTEs filled within the Department of Statistics, of which 3 are vacancies. Additionally, 1 person requested a leave of absence, 2 declined their offer, and 3 individuals resigned.

On page 3 of the elucidation, it is mentioned that the economic growth is likely caused by rising prices instead of an actual economic production increase. So, the economic growth could be mainly caused by inflation. The faction remarked that it knows that the ministry has recently increased the number of items in the basket of goods. The faction would like to know if the increase in the basket of goods items was reviewed or if this process was evaluated to see if it was successful. The faction would also like to know if the items stated in the basket of goods are still available in the local shops.

The increase in the Basket of Goods items has been reviewed since it was implemented. Many items listed in the basket have changed over time due to lack of availability in brand or specific sizes. The Ministry has faced various challenges when it comes to this project, however it is still deemed a success as it created a sense of price consciousness within our community and was then beneficial to those that needed it the most. However, price increases do not only happen locally, but more so are trickle down effects from international price pressures. Therefore, the Dept. of ETT is currently busy assessing a different approach to the Basket of Goods and Maximum Price Regulations in general to prepare for the economic challenges ahead in 2025.

The faction recalled that in the Budgets of 2021 and 2022, there was still an amount budgeted for the ASYCUDA system. The ASYCUDA system would have been operated by the ministries of Justice, TEATT, and Finance. This system would have registered the cost price of all goods entering Sint Maarten. Hence, Sint Maarten would have had a cost-price indication. The faction is looking at this because of the rising inflation prices. We know of the phenomena in Sint Maarten of people shopping on the French side because the prices there are much lower than on the Dutch side. However, when shopping for furniture, the price differences of the same items on the Dutch Side were much higher than on the French Side. A price difference of about 700 dollars; online, the prices are closer to the French side prices. Will the Government consider having a system like the ASYCUDA, which was budgeted in 2021 and 2022 in the TEATT budget?

The Ministry has expressed its interest and need for said systems when it comes to the work that they do. Said decision of what system will be used remains with the Ministry of Justice and therefore that Ministry will provide a further update to said question.

Gambling legislation. The faction mentions that it was informed that in 2025, the legislation would be completed. Hence, the faction would like to know if that is still the case or if there is a delay specifically, as it regards lottery and casinos.

Yes, the legislation is still expected to be completed in 2025.

The faction mentions the video that has gone viral about Checkmate workers not getting paid and working for the Harbor. Is the Minister aware of this video? This is for VSA, but because it was about security working by the Harbor, this is why the Minister TEATT is also being asked. The faction would like the Minister to look into this.

Port Sint Maarten has fulfilled its financial obligation payments to the security company and no longer has any business relations with the company.

The faction would like to reiterate the importance of the training sessions for the taxi drivers. The faction believes that this is highly needed.

Yes, 100% there is, the Ministry is currently busy putting that package together to ensure not only training for Transportation operators but also that of businesses and persons in the hospitality sector. More info on this will be forthcoming by Q2 of 2025.

What measures are being implemented to increase the diversification of Sint Maarten's tourism product, particularly in the face of fluctuating Global Travel Trends and risks such as natural disasters? Can the Minister provide an update on the progress of the implementation of the tourist tax and how this initiative is expected to impact the 2026 and subsequent budgets?

Answer provided by the Minister of Finance: The tourist tax is currently under review by the SER. While the Minister stated that she was hopeful to receive their advice before the end of the year, The Minister stated she has been informed that the advice of SER will now be forthcoming in February 2025. She anticipates that this matter will be addressed in Parliament next year.

The projected impact for 2026 is currently estimated at NAf 18 million, but this figure remains dependent on the definitive decision regarding the entry fee, which will be determined after reviewing the advice received.

Answer provided by the Minister of TEATT: The Ministry's focus for 2025 on economic diversification emphasizes **agriculture** as a cornerstone. Their aim is to strengthen trade with for throughout regional islands, adopt innovative food production methods, explore agritourism opportunities, explore light manufacturing and process of goods and evaluate potential in emerging industries like cannabis.

In terms of **tourism diversification**, they plan to develop niche tourism experiences:

- **Eco-Tourism:** Promote hiking, birdwatching, and marine conservation in collaboration with the Nature Foundation.

- **Cultural Tourism:** Highlight St. Maarten's heritage through festivals, historical sites, artisan crafts, and the establishment of a cultural script.
- **Adventure Tourism:** Introduce innovative, engaging activities to position the island as a premier destination for adventure seekers.
- **Agritourism:** Offer farm-to-table dining, farm tours, and interactive farming activities.
- **Health and Wellness Tourism:** Develop spa retreats, yoga programs, and wellness-centered travel packages.
- **Marketing and Sustainability Initiatives, like:**
- **Expand Marketing Campaigns:** Target diverse demographics using digital platforms, influencers, and international partnerships.
- **Sustainable Tourism:** Protect natural resources, involve local communities, and implement green initiatives like eco-friendly accommodations and waste management.
- **Year-Round Engagement:** To combat seasonality, we'll introduce off-season attractions such as cultural workshops, wellness retreats, conferences, and food festivals, ensuring a thriving tourism industry year-round.

With regards to the Tourism Tax, to date, the Ministry has yet to see the Tourist Tax, as it is currently with the Social Economic Council. Therefore, they are unable to provide any comments at this time

Can the Minister detail the initiative aimed at improving Sint Maartens' telecommunication infrastructure and how these align with broader economic development goals?

Improving St. Maarten's telecommunications infrastructure is a key priority for the Ministry of TEATT. They recognize the importance of enhancing connectivity, as it plays a critical role in driving economic growth and attracting investment. Their team has been actively working on initiatives that aim to improve the efficiency, speed, and reliability of telecommunication services across the island. As soon as these initiatives are fully developed and ready for implementation, they will make an official announcement regarding the plans and details. These efforts are aligned with our broader economic goals of fostering innovation, supporting business growth, and ensuring that the community remains competitive in the global market.

Ministry of Justice

The faction stressed on the hiring of people to work in the Prison, particularly prison guards. The faction mentioned in paragraph 2.3.1 that the ministry's policy priorities are to have enough personnel so that the tasks can be executed at the highest standards of work ethics, integrity, and compliance. Does this also apply to the Prison? During the visit to the

Prison, it became clear that because of the lack of staffing the guards who are working are unable to work to these high standards. It is a dangerous situation at the Prison.

The faction continues and mentions that during the Committee of Justice's visit to the Prison, the faction saw and heard about a lot of work that must be done at the Prison. The faction believes that we should not wait for two years until the Prison is finalized while people are still in there now.

The faction knows that families in the Back Bay area have been complaining about water leaking down the hill. When questions were asked of GEBE, GEBE indicated that it is not the GEBE tank and that it is coming from a leak in the Prison. Hence, the faction would like to know how much the water bill of the Prison is.

After receiving assistance from third parties and the necessary equipment, the source of the water leak was successfully identified. Then Minister is now in the final stages of discussions with GEBE, and assistance to resolve the issue is expected imminently.

If the leaks could be fixed, there would be money for the necessary programs at the Prison that are not currently being done now, such as rehabilitation and resocialization. Rehabilitation and resocialization programs will help prevent repeat offenders. Prisoners also indicated that toilets were not functioning. The faction would like to invite the Minister of Justice and Minister of Finance to visit the Prison and then check which small tangible solutions can be found.

The issues with some bathrooms in the affected area were a direct result of low water pressure caused by the leak. Updates and correspondence on this matter have been consistently exchanged between the Prison Management and the Ministry to ensure progress. In the interim, measures were implemented to address the needs of inmates impacted by the low water pressure. This included ensuring access to alternative hygienic facilities to maintain sanitation standards as a priority.

The faction commends the Minister of Justice for how fast she reacted to what happened in Simpson Bay. The faction mentioned that there are more hotspots on the island. Statistics show the places that are more prevalent to the gun violence. We have the usual Christmas armed robberies, robberies and pickpocketing in the Philipsburg area. The faction would like to know the plans to combat gun violence and robberies.

KPSM developed a plan of approach specifically for the high season. This plan focusses on prevention and repressive actions to ensure the safety of everyone on the island.

With the response to Simpson Bay, the faction sees a lot of cooperation between the Coast Guard and security companies from the marinas, etc. The faction notes that a police boat is lacking, and it is not mentioned in the budget. Are there any plans for a police boat?

At this time, there is no immediate need for a dedicated police boat, as the Coastguard effectively manages maritime incidents. It's also worth noting that apart from a few isolated incidents in recent weeks, there have been no significant occurrences requiring additional water policing resources.

The faction mentioned a police boat because a presentation was given wherein it was indicated that the Police has some jurisdiction in open sea that the Coast Guard does not have. Hence, only a police boat will be able to handle these.

The minister indicated that Coastguard possesses the same legal powers as the police when it comes to jurisdiction over open waters, and cooperation between KPSM and the Coastguard has been strong. Should specific circumstances arise, KPSM officers can accompany the Coastguard on their patrols to provide additional support when necessary.

The faction believes that we need to move to having a police boat again. The faction mentions that this should be investigated for future budgets.

The Minister assured that at this time, there is no immediate need for a dedicated police boat, as the Coastguard effectively manages maritime incidents. It's also worth noting that apart from a few isolated incidents in recent weeks, there have been no significant occurrences requiring additional water policing resources.

That said, for future budgets, the Ministry will consider whether the addition of a police boat might enhance maritime law enforcement capabilities, particularly in areas where cooperation with the Coastguard may require supplementary support.

The faction informed the Minister regarding a request from the prisoners. The prisoners would like the Minister to investigate a leave from the Prison to attend the funeral of a close family member. Recently, the prisoners have not been allowed to do that, although article 31, sub-1, of the Prison ordinance, states that this is the prerogative of the Minister to decide if they give leave or not. What is the Minister's feeling regarding allowing prisoners to attend the funerals of their loved ones?

While the Minister recognizes the emotional importance of such requests, the current lack of capacity within the prison system, including staffing shortages and logistical challenges, makes it difficult to facilitate these arrangements safely.

The faction mentions the document the Inmates Association gave to the Committee of Justice during their visit to the Prison. The Inmates Association was advised to send the letter with the grievances to the Minister of Justice. Was this document received by the Minister?

That letter was not officially received. However, after the MP's question, the Secretary General requested a copy of the letter from the interim director of the prison, and that was received by the Minister.

The Prison lacks personnel. How much of the current personnel is on sick leave?

All departments within the Ministry, including the prison, are currently experiencing understaffing challenges. With respect to the sick leave numbers in the prison the minister indicated that: in September 23%, and in October 16.6%.

Stateless and undocumented persons. Can the ministry please clarify the difference between stateless and undocumented and how much percentage are stateless? Does Sint Maarten have stateless people on the island, and how much?

Statelessness refers to the lack of citizenship in any country, whereas being undocumented pertains to the absence of valid immigration status or legal documentation within a specific country.

A person may be considered stateless if the country of their parents does not recognize them as citizens and they are not eligible for citizenship by birth in Sint Maarten.

Sint Maarten does not have a significant number of stateless individuals. Currently, fewer than 10 stateless persons are registered.

Addressing cases of statelessness involves a collaborative procedure between the Ministry of Justice, the Ministry of General Affairs (AZ), and the Governor's Cabinet to ensure the appropriate steps are taken in accordance with legal and international standards explained the Minister.

Gun amnesty program. Is there currently a gun amnesty program in the making so that the guns can come off the streets?

This topic will be thoroughly discussed during the upcoming *Driehoek* meeting in January 2025, which will include the Public Prosecutor, the Chief of Police, and myself. The aim is to ensure that the program is well-structured and effectively addresses the issue of illegal firearms in our community.

Was there a transfer document received regarding the ministry of Justice, and if so, what was mentioned as bottlenecks that the ministry is currently facing? Was the multidisciplinary team also mentioned in that document? The faction is pro having such a multidisciplinary team. If the multidisciplinary team exists, is the ministry looking at that to put it into effect?

The minister did not receive a transition document.

The faction would like to know the ministry of Justice's top priorities.

Though this year's budgetary constraints forced the Ministers Ministry to confront stark realities, and the 2025 budget may be balanced, it is undeniably conservative, even spartan. The Ministry of Justice operates under significant financial, human resource, and capacity limitations, which will only exacerbate the already complex challenges it faces.

Despite these limitations, the demands upon this Ministry remain high. Justice and security are the cornerstones of a prosperous and safe society. Yet, as we often say, justice and security do not come without a cost. Reducing resources while maintaining or expanding mandates creates a tension between expectations and actual capabilities—a tension that threatens the ability of our executing agencies to perform their duties effectively.

Nevertheless, The Minister would like to take this opportunity to commend the resilience and dedication of the justice workers, who continue to adapt and deliver commendable results with limited manpower and resources. Their commitment ensures the continuity of essential services, even under trying circumstances, and it is her responsibility to ensure that they are supported and recognized for their efforts.

The Ministry of Justice's priorities for 2025 are grounded in addressing pressing challenges while focusing on sustainable progress within the constraints of the current budget. Her key priorities as Minister include:

1. **Strengthening Legislative and Policy Development:** Addressing the Ministry's inadequate legislative and policy capacity is a top priority. This involves filling critical vacancies for legislative lawyers and modernizing essential laws, such as those governing our prison system and criminal procedures. These steps are crucial for ensuring compliance with international standards and meeting the needs of our citizens effectively.

2. **Targeted Investments in Justice Chain Institutions:** While budgetary constraints limit new initiatives, we are committed to advancing ongoing projects, such as:

i. Enhancing the Financial Intelligence Unit to ensure compliance with international standards.

ii. Strengthening measures to combat human trafficking and smuggling, as highlighted in the TIP Report, with a focus on victim support initiatives.

iii. Continuing collaborations with Kingdom and international partners to improve efficiency, build resilience, and reduce costs across the justice chain. The prison modernization project in partnership with the Netherlands and UNOPS is a prime example of how collaboration can advance critical priorities even under challenging circumstances.

3. **Optimizing Human Resources:** Addressing the staffing shortages within the Ministry is a critical focus. Despite financial constraints, we must ensure that our justice workers are supported and motivated. Their resilience and dedication have been instrumental in maintaining essential services under challenging circumstances. My aim is to find practical solutions to improve manpower, prioritize recruitment, and enhance working conditions for our personnel.

4. **Fulfilling Obligations at All Levels:** The Ministry operates within three layers of obligations:

i. **International Obligations** Meeting treaty and convention requirements, such as FATF recommendations and the TIP Report, which are vital for our reputation and economic stability.

ii. **Kingdom Obligations** Collaborating within the Kingdom to combat transnational crime and human rights violations, including advancing the prison modernization project in partnership with the Netherlands and UNOPS.

iii. Local Responsibilities Addressing citizen needs, including ensuring public safety, modernizing legislation, and safeguarding rights and security.

5. Transparency and Accountability: As Minister, I am committed to leading with transparency and accountability. My approach emphasizes practical, solutions-oriented leadership to meet the Ministry's objectives and deliver meaningful progress for the people of Sint Maarten.

The priorities for the Ministry reflect the urgent need to balance budgetary realities with the essential mission of ensuring justice, safety, and security. These are not optional luxuries but fundamental investments in our country's future.

The Minister also wants to take the opportunity to call upon this Parliament and all stakeholders to work collaboratively with the Ministry to ensure we are equipped to meet our local, Kingdom, and international obligations. The rule of law is a collective responsibility, and together, we can safeguard the safety, security, and prosperity of Sint Maarten.

Can the Minister indicate the ministry's legislative priorities for the coming year?

The minister's legislative priorities will be:

- Code of Criminal Procedure
- Commencing the modernization of our prison legislation
- APIS/PNR Legislation
- Deurwaarderslandsverordening
Kingdom Law on Extradition
- Cameratoezichtwetgeving

In regard to the motion that was passed regarding the Crime Fund and having a policy plan attached to every budget, is the ministry working on this policy plan, and will it be expected to be finalized before the approval of the budget as obligated by law?

The proposed policy plan has been thoroughly reviewed by JZ&W and returned with detailed comments and suggestions for improvement. Justice's Judicial Affairs department is currently working diligently to address these points and further refine the plan to ensure its quality and effectiveness.

It is important to emphasize that while we recognize the urgency of finalizing the policy, the Ministry is committed to taking the necessary time to ensure it is comprehensive, well-informed, and aligned with both regulatory requirements and the practical realities it seeks to address. Rushing the process could compromise the policy's effectiveness and its ability to serve the needs of all stakeholders. Our priority remains delivering a robust and impactful policy that upholds the intent of the motion and supports the Ministry's objectives emphasized by the Minister.

Has there also been an executive organization in place for the management of this crime fund?

The Ministry has made progress by recruiting an additional financial administrator to assist in the fund's administration. However, due to necessary corrections to the function book, the recruitment process for roles such as controller has not been fully completed. These corrections to the function book are still in draft form and awaiting review by the appropriate parties.

In the interim, the Ministry is operating with the current function book, ensuring proper management of the fund. Currently, a team of four individuals is managing the crime fund, while the recruitment of the policy advisor is pending. Budget limitations have prevented the immediate recruitment of the advisor, but provisions for the role are included in the 2025 budget.

Moreover, the Justice finance team has received training from SOAB, and it is expected that the final edits to the Crime Fund policy will be made tentatively in Q1 of 2025 explained the Minister.

The faction continues and indicates that we have all been speaking about the building of a new prison, but connected to that it is also important to have the legislation up to date with the same building of that Prison. Is this also a priority of the ministry?

Addressing the need for updated legislation is of utmost importance in conjunction with the new prison project. During her orientation meetings with prison management, she thoroughly discussed the challenges posed by the outdated legislation and its implications for the successful implementation of the new facility.

It is essential that existing laws be revised to align with the operational requirements and international standards expected of the new prison. Without these updates, the effectiveness of the facility and its ability to meet its objectives could be compromised. Updated legislation is crucial for creating a safe and functional environment that supports both administrative efficiency and the humane treatment of inmates.

The Minister has also engaged in preliminary discussions with BZK on this matter. Within short, she intends to submit a formal proposal to the Netherlands requesting financial and technical assistance to support the legislative reform process. A request to this effect is planned for submission in Q1.

The faction noticed that the budget refers to projects related to general improvement measures of the operational Prison, the method for support and/or rehabilitation and resocialization of prisoners. Does this also include updating the different prison laws, which are currently quite outdated? Are there any funds available, or will the ministry make any funds available, maybe through other funding, such as BZK or UNOPS itself? Can the Minister go into details in regard to this?

See response to previous question.

The faction inquires if the ministry reviewed the current use of the crime fund and whether it was used for what it was intended.

Yes, the use of the Crime Fund has been reviewed, and expenditures have generally been in line with its intended purposes. However, it is important to note that the purchase of police vehicles was an exception due to an emergency situation that required immediate action.

An overview of the expenditures will be provided in writing to the Central Committee via the Secretary General of Parliament to ensure transparency and accountability.

The Stichting Justitiële Inrichtingen St. Maarten (SJIS) probation department, seeing the increase in demand over the past year for probation services due to the ongoing prison capacity issues and also recognizing the critical role in executing probation and parole supervision orders and other critical core tasks such as providing judicial advisory reports to the judicial authorities, administering alternative punishment such as community service and behavioral intervention training and program for clients during and after incarceration, and managing restorative justice initiatives and electronic monitoring programs. What efforts have been made to strengthen this vital partner within the judicial chain, and how does the budget allocation reflect this priority?

The Ministry of Justice acknowledges the critical role of the SJIS-Probation Department in the judicial chain, particularly given the increasing demand for probation services over the past years, caused by the ongoing detention capacity issues at the Point Blanche Prison. The Ministry recognizes that this increase has placed significant pressure on SJIS in carrying out its core tasks, including the supervision of probation and parole orders, providing judicial advisory reports, administering alternative punishments such as community service and behavioral intervention training, and managing restorative justice and electronic monitoring programs.

To address these challenges, the Ministry has taken several steps. Currently, UNOPS, in collaboration with the SJIS, is conducting a comprehensive assessment of the SJIS-Probation Department. This assessment is focused on analyzing the current state of probation services and aftercare programs for social reintegration, as implemented by the SJIS. The review considers compliance with national laws, and international standards:

1. To formulate specific recommendations for strengthening the SJIS-Probation Department in light of the ongoing detention capacity challenges.
2. To develop a concrete action plan for implementing these improvements over the coming years.

This collaborative initiative is expected to provide a clear roadmap for enhancing probation services and ensuring that they meet both the immediate needs caused by the prison capacity issues and the long-term goal of effective social reintegration. The ongoing assessment by UNOPS will serve as the foundation for future policy and budgetary decisions to improve SJIS

probation services and aftercare programs, thereby enhancing public safety and the reintegration of individuals into society

The faction requests the Minister to look into the Ms. Lalie Center to make it what it was meant for. It is a juvenile detention center and not, as it is currently, an extra facility just to add to the capacity of the Point Blanche Prison to house the 18 to 21-year-old inmates mixed with the youngsters between 12 and 18 years. The faction would like the Minister to look into making it a facility for 12 to 18 years.

The faction notes that, as mentioned to the Minister of Finance, there are ways where we can generate funds, and some of the ways are implementing that these scooter drivers get fines for not having helmets, for not having their number plates on their scooters, and the illegal parking in town. The faction believes that those are some simple ways to generate some funding for the government coffers. The faction is aware that staffing might be an issue with the short staff, but generating these kind of funds then opens up some financial opportunities to finance more staffing.

The faction, once again, advises the Minister to visit the Prison. Sewing classes without materials are not sewing classes. There is a band, very nice, with no strings for the guitar. There is a chapel that was destroyed during the hurricane, and now there is a frame of a tent. Activities cannot happen. Can this matter be looked into?

During the Ministers meet-and-greet at the prison, she was informed that supplies had been ordered and are expected to be delivered. Having sufficient and meaningful programs to rehabilitate inmates is a personal and professional priority of the Minister. Her experience working on death penalty defense cases during law school taught her a great deal about the lack of humanity often found in justice systems. This has profoundly shaped her perspective and reinforces her commitment to ensuring rehabilitation is not only available but effective.

In which quarter of 2025 will the first rehabilitation project come out from the 250,000 dollars from BZK?

Regarding the USD 250,000 allocated for rehabilitation programs in 2025, the Minister is currently working on project proposals and implementation plans. With her background in drafting legislation and managing projects, Minister intends to personally ensure that these programs are rolled out efficiently. Anticipating that the first rehabilitation project under this funding will be implemented by the second quarter of 2025.

As Minister, she is committed to rolling up her sleeves and doing whatever is necessary to make meaningful rehabilitation a reality for our inmates, helping to restore humanity to our justice system and preparing individuals for reintegration into society.

Ministry of Education, Culture, Youth, and Sport

The faction mentions that in September 2024, Teen Times presented the Hair Discrimination Prevention Act to the faction. In this Act, they describe the elimination of hair

discrimination in educational institutions across the island, ensuring that the students can express their cultural identities freely without fear of judgment or punishment. This Act aims to protect students who choose to wear their hair naturally in their own textures and cultural styles without being stigmatized or penalized in the schools. The faction believes and agrees that our schools should be a safe space where every young individual can learn and grow without having to compromise who they are. The faction believes that your hair has nothing to do with learning in school.

What is the current status of a draft law to tackle this? When will it be presented to Parliament? What temporary policy will be in place until this law is in effect?

The Minister of Education, Culture, Youth and Sport commends and supports Teen Times for their advocacy this year on hair discrimination in schools and previously on the Period Poverty Project. In fact, it was the Minister's intention to submit legislation on this topic following the January 2024 election but here we are. So, it's now the Minister's goal to submit it via this route, from within the Ministry, of course in consultation with stakeholders.

It's important to note that there is jurisprudence with regards to this topic, following a case in 2016 (case KG2016/109). This case alluded to the fact that non-public schools can set their own standards, when alternative education is available, while article 28 and 29 of the International Treaty of the Right of the Child refers to 'access to education with the respect for their own identity', that go beyond school regulations. Reference is also made in this case to the public funding of non-public schools, that the Minister wants to investigate.

Additionally, the Minister believes that when we look at our regional neighbors, most notably Barbados and Anguilla, the majority are taking the necessary steps to do away with such discriminatory policies, that in fact stem from our colonial history and prevent access to education.

In regard to the draft law, national decree in regard to study financing. The faction would like to know how far it is and when it can be expected in Parliament.

The study financing draft national decree is expected to be ratified by the Council of Ministers in the coming weeks. The regulation does not have to be presented to Parliament.

What are the other legislative priorities for the ministry in the coming year?

The legislative priorities for the Education Sector in the coming year includes:

1. Ratification of the Higher Education Law
2. Ratification of the Law on Education Supervision
3. Establishment of the National Decree for Study Financing
4. The National Decree for the Funding of Higher Education
5. The National Decree on Higher Education
6. The National Decree for Education Supervision and related National decrees related to safety and Secondary Education
7. MR for the Framework for Education Supervision
8. MR for the Establishment of Education Council

The faction mentions that crime prevention is mentioned at 6130 in the budget, but no funds for crime prevention are allocated. The faction would like to know if the ministry looked into this. If not, why is there not any shift considering the rise in crime, especially among the youth?

The Ministry recognizes the importance of addressing Violence Prevention. Significant strides have been made through violence prevention initiatives, starting with the development of a policy brief and strategic action plan in 2022 under the World Bank project. Collaborative efforts with the Ministries of Justice and VSA are ongoing, with a situation analysis currently being conducted to implement multipronged recommendations within respective policies.

Key initiatives from these efforts include:

- Positive School Connection Program for Teachers: Aimed at fostering safe and empowering school environments while promoting positive behavior and well-being among students and teachers.
- Peace Champions Program for Youth: Designed to engage youth directly in creating safer and more inclusive communities.

The 2024 budget cuts have significantly reduced funding for 2025, threatening the continuation and expansion of key youth initiatives and violence prevention programs, such as the Youth Hub, Positive Parenting Communication for Behavioral Impact (COMBI) Plan, Youth Monitor, Youth Mainstreaming, and the Child Safeguarding Policy. These financial constraints put at risk the progress made under the World Bank project and hinder the Ministry's ability to advance crucial youth and violence prevention strategies.

It is the Minister's intention to explore alternative funding routes to get these projects moving, however this will take time.

What is being done by the ministry regarding dropouts, and what about the inspection officers to ensure the monitoring of the students going to school between 12 and 18? Hence, what is in place to monitor the students?

The Inspectorate is currently experiencing a severe staffing shortage. There are four FTEs allocated for truancy officers, but two of these positions are currently vacant. At present, one truancy officer is on maternity leave, while another is working at 50% capacity due to SZV controls. Unfortunately, there is no budget available to hire for these two critical positions. The Division Head is managing the responsibilities of the truancy unit with the support of her team when they are available. The Inspectorate aims to fill these two essential vacancies to effectively carry out its core tasks of monitoring and supervising compulsory education.

The faction has the following questions and comments for the ministry of Education, Culture, Youth and Sport. Are there any plans to revamp the way we fund the subsidized schools?

The Department of Education is on a trajectory to review the lump sum funding system in collaboration with the school boards. The initial phase of this review will focus on quick wins by conducting an assessment to identify areas of improvement to the Lump Sum calculation based on indexation and actualization of the parameters and line-items applied for the calculations to be included in the model.

The faction continues and mentions equal rights. Every school year we are faced with the same discussions with the hair policies within the subsidized schools. Is there any way in which the ministry can step in seeing how we are funding these subsidized schools? Can this also be something we can address?

As stated previously, the Minister of Education aims to address hair discrimination through Ministry-led legislation, in consultation with stakeholders. Citing a 2016 case and international treaties, the Minister highlights the need for equitable education policies.

The faction elaborates on the point of uniforms and black shoes and points out that we are missing the purpose of what it was initiated for and that we need to adapt according to the times we are in now. Is there any policy that is being worked on addressing those kinds of issues?

The competent authority of subsidized school boards are responsible for the regulations within their schools regarding the dress code of students. Given the extensive legislative agenda, the Ministry is not currently engaged with policy related to this matter.

What role does the ministry play in helping to ensure the presence of social workers stationed at the schools? The faction believes that this can curb the amount of depression that is happening.

The lump sum funding system includes compensation for social workers and student care coordinators. The ongoing review of the Lump Sum funding system will take into account the possible increase in social workers and student care coordinators based on recommendations stemming from the Education Review and recent research into Youth Violence.

The Student Support Services Division (SSSD) does not have authority or involvement in the placement of social workers in schools. We do agree that the placement of social workers in schools is critical to effective care. One of the most important roles of a school social worker is providing mental health support. This could include individual and group counseling, crisis intervention, developing intervention and prevention programs etc.

SSSD provides support services based on referral and crisis calls from schools. This involves therapeutic and intervention services to students and by extension their family (where needed) and advice/guidance to schools.

The faction continues and mentions culture and sport. How are funds being distributed among culture, youth programs, and sports development? Are there specific initiatives prioritized for the upcoming year?

SPORT:

In 2025, the focus will continue to be on school sports programs, institutional strengthening of sport organizations, sport tourism, the development of sport facilities, and research related to top athletes.

YOUTH:

The department prioritizes the overall well-being and personal development of youth, with a particular emphasis on children's rights and family-oriented activities. Funds are allocated to initiatives that align with these priorities, creating a supportive environment that addresses both the immediate and long-term needs of the youth population.

CULTURE:

The following budget posts are instrumental in creating activities and supporting initiatives to safeguard, promote, develop, and execute cultural awareness and strengthening through activities and policies:

- Talenten Beurs
 - Support interdisciplinary grants for studies in the arts.
 - Tangible Cultural Heritage
 - Publication of traditional folk songs of St. Martin.
 - Tracking Cultural Goods
 - Signage for monuments.
 - Intangible Cultural Heritage
 - Support programs in collaboration with UNESCO.
 - Promoting Culture Nationally
 - Support S'Maatn National Cultural Parade.
 - Host the Intercultural Festival from October 10 to November 11—a 30-day celebration of culture, arts, and heritage in St. Maarten.
 - Observe national and significant days throughout the year (January to December).
 - Bevordering Danskunst
 - Support dance artists and institutions in dance education.
 - Creatieve Industrie
 - Host the annual culture industry forum.
- Facilitate the culture creative industry's participation in the annual career fair.

Teacher salaries. Has the ministry made provisions for the long-promised salary adjustments for teachers, and how will this impact teacher retention? The faction would like to know what the "Ministerplaats" was it stopped?

The Ministry has made preparations to include the indexation and increase in vacation allowance in the structural funding of the school boards and will implement these changes once the amendment to the BRA has been ratified.

The Ministry has also prepared the advance of the 2% indexation for 2024 to be effectuated to the school boards, this advice is in an advanced stage of the decision-making process.

As indicated previously, the 'Ministersplaatsen' were used to ensure that students from the Dutch Caribbean had a chance to enroll in programs that used a numerus fixus for enrollment. This practice was abolished by the Government of the Netherlands when reforming the admittance processes to higher education. The Second Chamber of the Netherlands approved April 2024 motion to reinstate this practice, the timeline for implementation is however unknown.

Youth programs. The faction would like to know what new or ongoing programs are being funded to address youth unemployment, crime prevention, and mental health support.

In 2024, the Department of Youth made efforts to promote family engagement through the Positive Parenting Support Program, launched on November 29, 2024. The Department also emphasized the importance of 'Family Time' as a critical component of its violence prevention strategy. Collaborative initiatives included:

- Youth Summit: "From Scars to Stars"
- Youth Forum: "It Starts with Me"
- Anti-Youth Violence March
- Youth Panel Discussion: "Youth Unleashed – Have Your Say."

In 2025, the Department, in collaboration with other partners, will build on the success of these initiatives by organizing follow-up events and programs to further promote resilience and empower youth all within the limited constraints of the 2025 budget.

At the Student Support Services Division (SSSD) a variety of services are provided that address mental health concerns/ challenges. These services include:

- i. Individual and family therapy
- ii. General care management meetings to school care teams that address a variety of wellbeing topics
- iii. Parent information sessions open to the general public
- iv. Parent support groups
- v. Mental Health and Psycho-Social Support Services
- vi. Crisis support services to schools, students and their families
- vii. The provision of workshops on the school level that address a variety of concerns/ wellbeing topics
- viii. Consultative services to schools
- ix. Collaboration with other government/ civic society organizations

Other projects/initiatives are not possible due to budget cuts and staffing challenges.

Ministry of Public Health, Social Development, and Labor

The faction has taken note of the media that there have been a lot of labor-related issues in the past few weeks, including a hotel branch, Flamingo Resort, and a video going viral regarding Checkmate security workers not getting paid for a few months. Has the Minister seen this video, and does it have the attention of the ministry, and is there a solution being presented for these workers labor-related?

Yes, the Ministry has seen the videos, and it has the Ministry's attention. The labor related issues are being handled by the Ministry. In regard to the Checkmate case, the respective employees have registered a complaint at the Division of Labor Affairs & Social Services. A meeting was held with the Checkmate personnel, and they are being assisted based on the procedures and processes for the handling of labor disputes.

Mental Health. When will the new mental health law be finalized? Will a temporary solution policy be in place to address the current gap in the law, mainly of the persons admitted not having an attorney assigned to them? The faction gives an example of an on-call duty roster by attorneys.

The current National Ordinance regulating the supervision of Mental health patients (KZ) is outdated and lacks essential safeguards, such as mandatory judicial review of provisional placement; or detention decisions within the first five weeks. Forced placement or detention constitutes depriving an individual of their liberties and therefore one must comply with constitutional requirements and international treaties, including the European Convention on Human Rights (ECHR). A temporary solution currently being worked on is to draft a Ministerial Decree that would allow the mental health persons who are placed in mandatory care to receive legal aid through the on-call lawyer service ("piket regeling"). Alongside this trajectory, the ministry is also working on a Kingdom-wide regulatory framework, which is aimed at ensuring that all 4 countries uphold the international standards of patient rights. It is the intention to have the framework ready for approval during the next scheduled 4 country consultation Health of 2025.

What are the ministry's legislative priorities for the coming year?

The Ministry is currently assessing the status of all legislation that is currently being worked on. The Minister has requested from the Ministry to submit their legislative priorities in January.

The faction has seen that the legal helpdesk has kicked off, and legal consultations have taken place. The faction would like to know if, in the coming year, more consultations will take place in a more structured way. If so, in what way?

The Department of Community Development, Family and Humanitarian Affairs together with the legal experts at hand are aiming for structural master class sessions each quarter.

Seeing the recent labor-related matters and the immigration lecture connected to the legal helpdesk, which was well-attended, the faction advises the ministry to look into organizing a lecture in the beginning of 2025 related to labor law so that everyone interested in knowing

their rights can learn their rights. The faction mentions that she knows of attorneys willing to do so.

The faction is happy to see that the legal helpdesk is continuing. For consultation sessions, can the ministry look into making sure that there are legal-minded people on rotation in the helpdesk, not only every quarter since accessibility to the law is important and needs to take place in a structural manner?

The Ministry has taken note of the importance of building awareness of the rights of workers. On September 5, and October 16, 2024, a two-part series was launched by the Division of Labor Affairs & Social Services on the new civil code and other critical matters. Ms. Leon of BZSN law firm joined the panel discussion. The department of Labour Affairs will continue to build awareness, using technological innovations, to ensure that workers, unions and all residents can easily access this information at will.

In addition to that The department of Community Development, Family and Humanitarian affairs is making preparations to host a new lecture in connection to the legal helpdesk in the first quarter of 2025, their next topic will also be about labor laws.

For consultation sessions, the Ministry will take your advice and place an ad for legal minded volunteers on a structural rotation basis.

Regarding the Cannabis legislation, the faction asked if the Minister could clarify it and submit the documents linked to it. Can some documents be submitted as confidential so that the faction can investigate it, the parties involved, and the workgroup? The faction would like to know where are we with it, and where are we going with it. We need to be sure it benefits Sint Maarten and that all stakeholders are consulted.

Due to an ongoing legal issue, the Ministry is currently unable to provide much transparency regarding the matter in question.

Ministry of Public Housing, Spatial Planning, Environment, and Infrastructure

The faction applauds the Minister for tackling infrastructure in the way he has indicated that he wants to do, and the Minister has also indicated that he wants to tackle garbage. The faction inquires about sewage. Sometimes, it is unfortunate to see newly paved roads with fresh running sewage. Sewage is an infrastructure issue as well. Hence, the faction would like to know what are the ministry's plans for tackling sewage. If yes, what are those plans? When will this happen? In which Budget post will we see this? The faction mentions this issue because the faction has been complaining about this on behalf of two seniors in the Middle Region area. These people have a lot of problems with raw sewage in their yards. These people can't enjoy their yards, which is unsuitable for their quality of life. The faction would like to know who these people can call for assistance. The seniors have been calling to no avail. The ministry of VROMI very often mentioned that it is the task of the ministry of VSA. Do the inspectors have

the capacity to test and determine if what they are seeing is sewage? This is needed then to give out fines.

One of the projects under the management of the trust fund is sewage. One of the outcomes of the recent ESF3 meetings is to introduce a taskforce team in 2025 to address illicit sewage disposal. This was decided based on the issues faced during the recent pothole repairs as a result of the inclement weather in November 2024.

The intention is that this team will be tasked with identifying and making report of offenders, issuing warnings and following up on the resolutions.

Additionally, the ministry is aware of the need to campaign against these illicit sewage disposal practices. Making offenders and all those affected aware of the impact these have on our health and on the environment.

At the moment, the general public can call the government building who will then forward the call to the inspections department. There are some differences with addressing complaints of sewage from one person's property to another (Civil) vs from ones property to public spaces. with regards to a civil dispute, the ministry can help in verifying the root cause however the issue must often be solved between the two parties. With regards to discharge on public spaces. The inspection department would conduct a inspection onsite to verify and find a possible root cause, based on this, a the property owner is contacted, issues a warning and given a set period to come to a resolution.

The faction continues and mentions the water wells on Sint Maarten. The wells are not used as much as in the past when they were needed for agriculture. The faction mentions a complaint that was made a few times in the past. The faction is requesting that the ministry look into Zagersgut well. The Zagergut well has been annexed and walled in. Hence, the people from that area cannot use this like they did during the last hurricane. What can be done to give back this well to the people of Zagersgut?

The well is indeed situated on government land as indicated by the Kadaster. The action has been assigned within the ministry to inspect and remedy this situation.

The faction mentions that there was an article regarding the Dutch Quarter and the sewage infrastructure that has been regulated successfully. The faction requested a schedule for the planning of sewage infrastructure for the other neighborhoods and areas on the island.

A schedule of sewage infrastructure projects is included in the Country Sewage Masterplan 2022-2030 (CSMP 2022-2030). This document still has to be approved by the Minister of VROMI, CoM and ratified in Parliament.

What are the legislative priorities for the ministry of VROMI?

The Minister wishes to share that several pieces of legislation are currently on the Ministry's plan board. These include:

- **The country-wide zoning legislation, plan, and map.**

- **Legislation for a separate, dedicated structure responsible for solid waste management in the country of St. Maarten.**
- **An update to the Waste Ordinance** to support the developments of the Trust Fund projects.
- **Legislation to establish a financial framework** to support the waste management sector.

The Minister also informs Members of Parliament that it is very challenging to find and attract capable talent with legislative writing competencies. This presents a risk to how much and how quickly the Ministry can deliver these legislations, while ensuring the desired quality.

The Ministry is actively advertising and promoting to attract the necessary talent to address this challenge.

The faction would like to know the Minister's vision as it pertains to the traffic congestion. What are the plans? Has there been an opportunity to restart negotiations when it comes to the link between Dutch Quarter and the South Reward area?

Traffic congestion is an inter-ministerial initiative. In recent discussions with colleague Ministries, the Minister presented six initiatives to address this issue. Some of these initiatives fall under the Minister's mandate, while others fall under the purview of the Ministers of Justice, Finance, and TEATT.

As Minister of VROMI, the primary responsibility lies in the provision of a sufficient road network and effective spatial development. In this role, the Minister has begun discussions with the United Nations Office for Project Services (UNOPS) to develop a comprehensive plan of approach to address congestion. This plan encompasses both regulatory and infrastructural interventions.

The scope includes immediate solutions such as traffic redirection, increased fees, and the expansion of parking facilities. Parliament will be kept informed as the project evolves.

The Democratic Party-faction has taken note of the draft and has the following questions and observations with regards to the draft national ordinance.

Ministry of Finance

The faction continues and mentions that our GDP is 3.4 billion guilders and would like to know what percentage of this is dependent on Government spending and what percentage is dependent on Goods and Services.

The Minister of Finance stated that these are estimates provided by the IMF, which means the Ministry will need to obtain this information directly from them.

Our Corporate Income tax is 44 million guilders. Is this to be translated as corporate profit declared being about 145 million guilders approximately for 2023? During the same period, we collected TOT of 156 million guilders, which would translate to the business reported to be about 3.1 billion guilders.

The faction states that on a business revenue of 3.1 billion, we saw a profit of 145 million.

Our largest contributors to taxes are the captive taxes via Payroll taxes and Business Turnover tax accounting to over 316 million guilders which is almost 70% of our tax revenue. Based on the forementioned the faction believes that perhaps a deeper look into our tax reform is needed.

The Minister of Finance stated that the new tax system will facilitate improved analysis by providing more up-to-date information. Currently, the tax administration relies on a third party to extract data from the system for analysis. One of the key requirements of the new system is to enable the administration to independently access and analyze this data, allowing for more effective and timely decision-making.

This process will gain traction when our economists and financial guides will look at broadening this base. With the anticipated increase in permits - work and residence- for skilled workers in the construction sector, which is expected to bring revenue due to the aforementioned construction projects, the faction hopes that GEBE is sufficiently prepared to supply the increased load capacity.

With respect to the Policy Plan 2024 and the cabinet's ambition of realizing the vision, the faction would like to know what the plans are for diversification of the economy and also regarding stimulating tourism diversification.

The Minister states that the economic diversification strategy focuses on boosting sectors such as agriculture, maritime, manufacturing, and the orange economy. This involves promoting creative industries, supporting entrepreneurs, and establishing an Investment Promotion Agency (IPA) to attract foreign investment and empower local businesses.

For tourism diversification, the Ministry is dedicated to enhancing niche markets, specifically targeting areas like the Orange Economy, Meetings, Incentives, Conferences, and Exhibitions (MICE) market, culinary tourism, and agritourism. These initiatives are designed to create a more diverse economic landscape, as well as different segments of tourists while strengthening local industries.

The faction would like to know from the Minister of Finance how much of the 2025 budget will be used for payments in 2024 and how much of the 2024 budget is exhausted.

The budget for the year 2025 relates to expenses to be made in 2025. Outstandings related to previous years and the year 2024 are paid out based on management of the liquidity position of government during the year 2025.

As of Q3, as outlined in the Q3 report, our income is 10 million below budget, while total budgeted expenses are 23 million below budget. Whereby personnel expenses are 12

million overbudgeted and goods and services are overbudgeted by 14 million. Which means our budget continues to be higher than the actual spending.

The faction states that the following questions, while related to the draft budget 2025, are more part of the long-term vision of the Government, and so the faction would like to have a response on the different topics as the Government moves forward in its vision of the different topics.

The faction mentions taxes, tax systems, tax projects, etc. What basis is currently being used for any reform measures considering an approved framework for tax reform that the Council of Ministers approved in 2022?

The Minister of Finance stated that in 2015, the Council of Ministers (CoM) approved the main features of a tax improvement scheme, recognizing that our tax system was outdated, full of loopholes, and that the Tax Office was not fully equipped to enforce and maintain the existing tax rules. Nearly nine years later, the situation has only worsened, with the current tax system becoming even more outdated. In 2021/2022, a renewed effort was made to amend the tax system.

At this stage, draft law proposals are being developed, reviewed, assessed, and finalized. Once the necessary data and financial analysis are completed, the minister stated that she will make decisions on the specific direction to take, and the legislative process will be initiated.

The faction references a letter of November 2024 and requests a response to that letter regarding the tax system and some proposals for measures to be taken.

The Minister of Finance stated that the letter will be answered prior to the public meeting.

The faction mentions that a lot has been said about transactions or transactional tax. Can the Minister give us her view, even if these are intentions and an overview regarding the same?

The Minister of Finance stated that she believes that regarding the transaction tax, it is essential to conduct thorough research to fully understand its potential effects on Sint Maarten, including both the advantages and disadvantages. This will ensure that any decision made is well-informed and in the best interest of our economy and citizens. In 2021, the IMF issued a technical report on sustainable tax reforms for Sint Maarten. In this report, the IMF outlines the reasons why it advises against the introduction of financial transaction taxes in the country.

She stated that while this does not automatically mean such taxes should be dismissed outright, it is crucial to understand the rationale behind the advice. Engaging in informed

discussions about these recommendations will help us gain a deeper understanding of the potential implications and ensure clear communication and decision on the matter.

The faction mentions the matter pertaining to GEBE and would like to know more regarding the loan for GEBE. When asked about this loan a couple of months ago, possible conditions were not yet known. Is there any further update regarding possible conditions such as potentially the management of the company? Has anything been addressed in the context of discussing the loan for GEBE as it relates to the management? And also, as it relates to alternative energy solutions? Is this a part of the conditions with respect to giving the Government a loan that can then assist GEBE?

Coincidentally Minister was informed this morning that the technical teams are busy working out the final details on the loan and Minister is looking forward to formally receiving it to be handled in the Council of Ministers.

The faction continues and mentions SZV and its relationship with Government. The faction states that the SZV funds have been an issue of concern for Government for a while now. In 2022, an advice was brought out called "Social Security in St. Maarten". Based on that report, have any steps been taken with respect to the recommendations in that report?

Clarification is requested to properly address this question.

The faction also mentions that in the coalition agreement, it is stated that less effort is going to be put into the so-called uncollectables. Can the ministry respond to that? Can the Minister give us a status and her view with respect to the outdated collection law and the applicable policies at this time?

The Minister of Finance stated that her focus is on improving processes to ensure the limited staff can concentrate on matters that will genuinely contribute to collections for the country. It is well known that prioritizing older debts can often be counterproductive, as the likelihood of successfully collecting them is much lower compared to more recent obligations. This is also a key learning point from our counterparts in Curaçao.

Moving forward, the minister stated that her focus will be on pursuing realistic collectables and using our staff more effectively to maximize results.

The faction would like an update with respect to the negotiations with the CBCS regarding ENNIA, also in terms of the profit-making going forward of the CBCS, as well as the matter to which a response was not received, which had to do with the excise taxes.

The Minister of Finance stated that the Ministry recently received the projected budget for CBCS for the year 2025, which indicates a positive projected result for both 2024 and 2025.

Starting in 2027, an annual profit of at least ANG 22 million is expected to cover the payments to Ennia.

The faction hears the intentions regarding tax reform and the tax system. Can the Minister provide Parliament with a timeline of projections for the steps to be taken? We hear the intentions to hear and what is happening in the context of the country package. Can the Minister prepare a timeline?

The Minister of Finance stated that at this stage, draft tax law proposals are being drafted, reviewed, assessed and finalized. However, the underlying data and financial analysis (needed for the determination of proposed reductions of increases are not fully assessed up to now. Although we do expect to be completed in the second quarter of 2025 (Q2-2025), no exact timetable can be given at this stage when the CoM can actually initiate and start the legislative process.

Has the Minister requested and or received any help from the Central Bank of Curacao and Sint Maarten with respect to drafting legislation? The faction recalls that the Central Bank of Curacao and Sint Maarten has made that offer on so many occasions. From what the faction has seen, it is one thing that they make the offer, it's another thing actually getting them to do it based on the request by the Minister or by the Government.

The Minister of Finance stated given the shortage on legislative professionals, she would certainly be requesting help from CBCS. As it comes to legislative support since I took office, CBCS is providing support for draft legislation pertaining the legislations that are based on the Central Bank-Statute, as draft supervision legislations, like for example the draft National Ordinance on the supervision of securities intermediaries and asset managers, the Deposit Guarantee Scheme and the draft of the Basic Bank Account Ordinance.

The faction mentions the amount of persons in acting positions throughout Government. The faction is asking this, so that based on the sentiments of the Minister of Finance regarding persons in acting positions, we can get a policy developed for persons who are in acting positions for X amount of time. This can apply across the board where we have persons for X amount of time in an acting position.

The Minister of Finance stated that she would like to address the matter of individuals within the Ministry of Finance serving in acting positions. Currently, there are four individuals in such roles: one has been acting since 2022 (2 years), another since 2012 (12 years), another since 2010 (14 years), and for the last one, the term is unknown.

The extended duration of these acting positions is indeed a matter of concern. It reflects historical challenges within the Ministry related to human resource management, succession planning, and the timely filling of vacancies. Allow me to elaborate on the key points raised:

Why have individuals been in acting positions for so long?

Why have these vacancies not been advertised?

If they are not suitable, why have they not been removed?

Commitment to Resolution:

The Minister recognizes that this situation raises valid concerns about continuity, accountability, and morale within the Ministry. As Minister of Finance, she is committed to addressing these issues. Steps are already being taken to:

- Conduct a comprehensive review of all acting positions within the Ministry.
- Develop a clear timeline and process for advertising and filling these roles permanently.
- Ensure that evaluations are carried out to assess suitability and performance, with appropriate actions taken based on the findings.

The Minister thanks the Honorable Member for raising this issue and assure you that resolving it is a priority to strengthen the Ministry's operational effectiveness and credibility.

The faction would also like to address the matter of the stipulations in the two laws that regard when one does not have to file an income tax return, and your wage tax is considered a so-called "eindheffing" vis a vis the policy that is being applied in this case.

While the faction understands precisely what the Minister has explained in getting this matter addressed, the fact remains that you cannot have a policy that is in contradiction with the law. Resources might be few, but the faction believes that this requires to be addressed as soon as possible.

What opening, if any, is being used for a policy to have been established and be followed that basically throws the law out of the door? The faction would like to see the specific statements in the law and also the policy.

The faction believes that this has to stop now. We cannot acknowledge a policy that is in contradiction with the law when policy should be based on the law and allow it to continue for any amount of time.

The Minister of Finance provided clarity on the matter, if the tax office sends you a form, you are required to file in accordance with article 7 of the general tax ordinance. However, if you do not receive a form and you meet the requirements stipulated listed in article 41b of Income Tax Ordinance, then you should not be obligated to file.

That said, if you have any additional deductibles, it is in your best interest to file your taxes to ensure you receive any eligible refunds. As not filing might not be in your benefit.

Based on article 41b of the Income Tax Ordinance in conjunction with article 7 of the General Tax Ordinance, there are situations in which no income tax return needs to be filed.

In Article 41b of the Income Tax Ordinance lists situations in which wage tax can be considered a final levy.

These situations are:

Article 41B

1. An assessment will not be assessed and withholding taxes will not be settled unless:
 - a. the tax due exceeds the total withholding taxes by more than NAf 300;
 - b. a reduction in payroll tax has been granted on the basis of Article 8, fifth paragraph, of the National Ordinance on Payroll Tax;
 - c. the taxpayer has filed a tax return within 18 months after the end of the tax year.
2. In the case referred to in the first paragraph, section c, the assessment is set at nil and no settlement of withholding taxes will be made if the total of those withholding taxes does not exceed the tax due by more than NAf 150.
3. Without prejudice to the provisions of the first and second paragraph, a refund or collection of a tax assessment will only take place if the amount to be refunded or claimed exceeds NAf 50.

Article 7, paragraph 5 of the General Tax Ordinance stipulates that the taxpayer does not need to request an income tax return form to be issued if it can reasonably be assumed that, after deduction of advance levies (like wage tax), no tax is due.

However, based on article 7, first paragraph of the General Tax Ordinance, if the Inspector nevertheless issues an income tax return form to the taxpayer, the form issued must be submitted.

In this case it is not a matter of a policy superseding a law, however, in this case, the policy is reflecting one law, without taking the other law into consideration. As a policy must indeed facilitate the laws, the policy should be amended to be in line with both laws, in a manner that in situations stipulated in article 41b, the Tax Inspector will not issue an income tax return form.

Ministry of General Affairs

The faction would like to know what the update or progress on the reconstruction of the Sint Maarten library is. The faction believes that it was slated to begin reconstruction in 2025.

The library project is currently in the design phase. As the project progresses, Parliament will be duly informed.

The faction notes that there is much confusion being put up about the motion that was passed with the GEBE relief, and it was just stated that our Chairlady, as well as the Democratic party, did not support the relief for the people, which is very misleading. The faction doesn't think that there will be a political party or anyone that is not in favor of relief for the people, but it is the manner in which we go about it. We cannot instruct GEBE on what to do. We cannot instruct GEBE that you must give relief; you must take 5,000 dollars or 2,000 dollars. That's not

the way it works. The faction believes that a more efficient way to handle going about asking GEBE for relief, which would also be time efficient, is to have them come up with two options. Management can be asked what they can do based on their current financial situation in 2025. This way, when those options come back to the Government, we're not looking for a way, but we already have the way via the company. The faction recommends that the Government look into having GEBE, as a company, come back and say what is possible based on their financial situation, and this way, we will have a direct option to move forward.

The statement of the honorable MP is noted and is appreciated.

The faction mentions this Government's policy and vision being worked out in a budget amendment. The faction indicates that it sent two letters to the Prime Minister regarding the matter of regional collaboration. One of them is asking the Prime Minister's approval and consent to work on a project for regional collaboration and agreements. The faction would like the Prime Minister to respond to the letter but also give his possible views on some of the suggestions mentioned. The faction continues and mentions that in the same context of regional and international relations a letter was sent regarding a conference to be held in Nigeria, to which the Government of Sint Maarten has been invited through the President of Parliament. This conference in Nigeria is taking place sometime now, and while we might not be able to make it to this particular conference, the faction thinks that it is extremely important that an answer be sent so that the door can be kept ajar and that Sint Maarten can somehow be a participant in future conferences such as these.

In the context of fostering regional collaboration, it is proposed scheduling a meeting with the Department of Kingdom Relations and the Honorable Member of Parliament to chart a path forward for enhanced cooperation and effective management of this matter.

Regarding the correspondence concerning the conference in Nigeria, a response was promptly issued following receipt of the letter. The response highlighted the importance of strengthening ties between the Caribbean and Africa, with particular emphasis on Sint Maarten's potential to play a pivotal role in these efforts. It is our intention to present the Honorable Member of Parliament's letter to the Council of Ministers for further discussion and to determine the appropriate course of action.

The faction mentioned that it asked, with respect to GEBE and the negotiations regarding the loan for GEBE and whether there are any conditions in the make that the Prime Minister may be aware of such as with respect to the management of GEBE. The interest also goes out to the matter of alternative energy plans and whether there are any conditions or agreements with respect to this in the context of the loan to be provided to Government for GEBE.

Coincidentally Minister was informed this morning that the technical teams are busy working out the final details on the loan and I am looking forward to formally receiving it to be handled in the Council of Ministers.

The faction continues and mentions that a letter was also sent regarding the Cabinet of the Minister Plenipotentiary in The Hague. The letter had to do with the possibility of creating, if not yet in place, a position in the Cabinet of the Minister Plenipotentiary specifically to deal with our nationals who are in the Netherlands for whatever reason and are facing difficulties beyond their control. The letter also addressed two very specific and tragic events in terms of nationals from here, whether they go on their own to the Netherlands and find themselves facing situations. The faction believes that a dedicated point or position at the Cabinet of the Minister Plenipotentiary would be helpful. Also, where our students are concerned, who might face issues outside of the scope of the mentoring facilities that are available to our students? The letter addresses those two matters, and the faction would like the views and vision of the Prime Minister and a plan going forward.

The concerns of the MP are greatly appreciated as the well-being of our people will always be our top priority. A response to this letter was sent to Parliament on Monday December 16, 2024, that also included a detailed response from the Minister Plenipotentiary, and Minister can thus assure the MP that this matter is being given the attention.

In the context of where we want to go as a government, the faction references a letter that was sent to the Prime Minister with respect to the Integrity Chamber asking the questions about the evaluation that has that had to take place after four years. Has it taken place? What did it yield? If it has not, will it take place? The faction also wanted to know what the Prime Minister thinks with respect to the statement of the State Secretary about involving Transparency International and, to quote the State Secretary "at this time he does not consider informing dialoguing with the countries on that matter ". The faction thinks that this is overstepping his responsibilities towards the country. The faction believes we must protect our authority at all costs. Has the State Secretary, in the meantime, made any contact regarding his plans to involve Transparency International?

This will be looked into further as the evaluation process and criteria needs to be determined.

Why in the same context with the Integrity Chamber? Because the Integrity Chamber is an institution that came about after a lot of drama surrounding who should legislate it and it turned out to be a national ordinance by which we were able to legislate the Integrity Chamber. The faction believes that it shouldn't be so that we allow anyone to pull the rug from under the feet of the national institution for which we pay.

Minister took note of the statement, and Minister can inform parliament that the State Secretary recently reached out to me to discuss matters related to corruption perception. During our conversation, the State Secretary highlighted that the Netherlands utilizes the Corruption Perception Index developed by Transparency International as a key tool for assessment in The Netherlands.

Given this approach, Minister intends to engage the Integrity Chamber to determine whether a similar instrument is in use or could be adapted to measure corruption perception here in Sint Maarten.

Minister will ensure that Parliament is kept informed of any developments in this regard.

Can the Prime Minister provide Parliament with the results of the employee satisfaction survey?

A copy will be sent to Parliament.

Ministry of Tourism, Economic Affairs, Transport and Telecommunication

Can the Minister provide a detailed breakdown of the 9.5 million guilders budgeted for capital expenses for the Met and Civil Aviation building? To include another 1.45 million guilders budgeted for furnishing and equipment. What exactly will this cover? Is there any special equipment that will be purchased, or is it just for furniture? What specific features or improvements are planned for the Met and Civil Aviation building that justifies this budget? How does the budget for this project compare to other projects? What is the total square footage of the new building in terms of usable space? Can the Minister explain the additional funds allocated for furnishing the Met Office and how they were determined?

The total estimated cost of construction of the Met and Civil Aviation building is nine million five hundred thousand guilders (NAf 9.500.000). This cost will cover the construction of the two-story building and basement. This project for design and cost estimate for the new building was executed under the World Bank/NRPB project. The total area of the building will be as follows:

- Basement 173m²
- First Floor 428m² (Civil Aviation)
- Second Floor 533m² (Meto Office)

An additional one million four hundred and fifty thousand guilders (NAf 1.450.000) is allocated to cover all furniture and equipment for the Civil Aviation, Meteorological departments as well as the archive and conference rooms etc. These funds are an estimate for brand new furniture and equipment for both the Civil Aviation and Meteorological departments. Additionally, for the MET building, the necessary funds would cover the cost of infrastructure improvements, specialized meteorological equipment, and any other essential resources required to enhance the department's capabilities and operations.

Are we intending to beautify Phillipsburg after this upcoming season which includes the parking and other infrastructural developments needed there? The faction would like to commend the Minister of TEATT for coming up with the stop-and-shop pilot program that should begin in the new year. The faction is sure that the merchants are happy with her, and we shall see where this takes us in the new year.

Yes, the Ministry intends to beautify Philipsburg. Proposals for the development of a beautification masterplan were received. The awarding of the assignment will be issued soon.

A statement to say that beautification in Phillipsburg is not important and not something to be focused on at first; the faction does understand that parking is necessary, but the TOT tax dollars that come from that area, if you do compute that within our budget and see the amount, that should tell you enough why beautification is as important as is the parking.

The Minister explained that providing the Member of Parliament with the requested information is a significant undertaking. It requires a collaborative effort between the Chamber of Commerce and the Tax Department. The process involves firstly obtaining a comprehensive list of all companies registered in Philipsburg from the Chamber of Commerce. Following this, the list would need to be cross-checked with the Tax Department's records in order to determine the gross figures.

The faction indicates that it did not see anywhere in the budget that allocates any funds towards Carnival 2025. Is it the intention of the Government to support the Carnival 2025? And if so, notes that there is nowhere in the budget that allocates any funds towards Carnival 2025, is an intention that this Government is going to support Carnival 2025? If so, how are they planning to do so?

The government acknowledges the absence of a specific allocation for Carnival 2025 in the current budget but remains committed to the continued success and growth of this significant cultural event. Ongoing discussions with the St. Maarten Carnival Development Foundation (SCDF) are focused on identifying a sustainable path forward for the long-term development of Carnival.

Are there plans to create a policy that requires Sint Maarten taxi drivers, bus drivers, and tour operators to take hospitality and cultural training courses? As we have seen recently, there has been a huge influx of new taxi drivers and bus drivers, and we want to make sure that not only do they know the culture of Sint Maarten, given that we are a mixed culture, we are a mixed people. We definitely want to make sure that our visitors get the best experience possible, and it's also good for the license holders themselves to understand Sint Maarten's history, landmarks, etc.

The Ministry confirms that there are indeed plans to create a policy requiring Sint Maarten taxi drivers, bus drivers, and tour operators to take hospitality and cultural training

courses. This initiative is designed to ensure that these transportation operators, as well as businesses and individuals in the hospitality sector, are well-versed in the culture and history of Sint Maarten, enhancing the visitor experience. The ministry is actively working on assembling this training package, with more information expected to be available by the second quarter of 2025.

The faction mentions the issue of gambling and would like to know where we stand with the decision, whether it be the LBham or LB, regarding the lotteries and the payment for the different establishments. The faction also refers in this context to the SER report on gambling and gambling addiction in particular. The faction also mentions the General Audit Chamber report on the same item.

The faction is aware that the country package is dealing with the matter now of gambling control and the gaming authority. The faction knows that it is the intention of the Minister to have that established somewhere in the year 2025. Can the Minister provide an update on that?

The Ministry is currently awaiting a decision from the Governor regarding the relevant piece of legislation on gambling. The draft ordinance Kanspel and its explanatory notes were submitted to the Department of Legal Affairs for 'eerste toetsing' (initial review) in November. In addition, the contract with the vendor selected to conduct the St. Maarten Gaming Authority (SMGA) business case has been approved and signed, with the project scheduled to commence in December 2024. Furthermore, the research project on gambling addiction is ongoing and is being led by the Ministry of Public Health, Social Development, and Labor (VSA).

One of the latest IMF reports refer to the fact that the revenue for this sector is below par. Does the Minister have any indication why this is the case?

The Minister attributes the below-par revenue in the sector to several factors highlighted in the latest IMF report. The lingering effects of the COVID-19 pandemic could still be impacting key revenue-generating activities, compounded by the slow rebuilding of Princess Juliana International Airport.

Additionally, St. Maarten is facing increasing competition from neighboring destinations, which are offering more enhanced experiences and potentially drawing visitors and revenue away from the island. However, there is an expectation that this situation will improve with the implementation of proposed marketing activities and innovative product improvement strategies in 2025.

The minister also emphasizes the intent to enhance the destination's impact by combining marketing strategies and limited financial resources with the Northern Half of the Island.

The faction continues and mentions the concern with respect to the social registry project of the NRPB being stalled because of either manpower or money. This is important in this context because this social registry is, as the name implies, for us to have a clear indication as to some of the issues that our different districts are facing. The faction thinks that it is something that deserves the attention of Government.

Can the Minister of TEATT give us any update regarding the ban on the use of single plastic bags? The Minister would recall from her time in Parliament that this was a long ongoing project and has been approved by the Parliament; however, there was some discussion before regarding the justice part of it, but then that the inspection was to take place by the ministry of TEATT. The faction believes that firm action in this regard is a plus for the tourism product of Sint Maarten.

As the Minister knows, this particular law includes not only single-use plastic bags but also Styrofoam and plastic straws. The faction would like the Minister, from the perspective of her ministry, to provide us with an update on that.

The Minister provides an update regarding the ban on the use of single-use plastic bags, Styrofoam, and plastic straws through the Plastic Free SXM project, which officially began in January 2023. The project's goal is to manage single-use plastic and Styrofoam items to aid in the protection and preservation of marine biodiversity on the island.

To achieve this, the project conducted assessments of the local drivers and impacts of these products, launched an outreach and awareness campaign, and developed draft legislation to address local issues adequately. Additionally, a training manual for the identified enforcement personnel is being developed.

The assessment reports have been finalized, and the draft legislation is undergoing internal review. This project is being implemented in collaboration with the Sint Maarten Development Fund Foundation (SMDF) and is in its final stages, expected to be completed by February 2025. The draft legislation was finalized at the beginning of December and is currently under review and processing.

The Minister has indicated as a priority, an update on the carrying capacity of this country. The faction supports this and mentions that there are many studies on the shelves. The faction thinks that a fair maybe to address these studies head on would be the lack of the resources necessary, however it does believe that an implementation plan for some of these studies, and several of them are under the ministry of TEATT, is a good tool to move forward.

Following the COVID pandemic, we had a specific study done by the World Bank on Sint Maarten's tourism recovery. There was a priority action plan in that recovery plan. Is this still relevant in terms of some of the actions that were proposed in that study?

The Minister affirms the relevance of the World Bank's study on Sint Maarten's tourism recovery, conducted following the COVID pandemic. This report remains a key reference for the Cabinet and the Ministry in formulating their actions. Notably, it supports initiatives such as the establishment of the St. Maarten Tourism Authority and the development of a Tourism Master Plan and Carrying Capacity Studies. These efforts are aligned with the recommendations from the plan and aim to ensure a strategic and sustainable approach to tourism management in the country.

The faction states that the spatial development strategy 2030 mentions about the carrying capacity of the country in general. The faction also refers the Minister to a dissertation that was done by Mr. Alberts called Small Island Tourism Economies and Tourism Area Life Cycle. That study was with specific reference to Sint Maarten and Aruba. In fact, the subtitle of that study is why Aruba and Sint Maarten have exceeded their carrying capacity. The faction believes that some of these conclusions in that study would be worthwhile to take note of.

The faction continues and also refers to the study of 2022 regarding the investment policy and diversification strategy for Sint Maarten. This is information that is there and can be used as now specific items are being looked at in terms of our tourism product.

The Minister acknowledges the relevance of the documents referenced by the faction, which include the Spatial Development Strategy 2030, Mr. Alberts' dissertation on Small Island Tourism Economies and the Tourism Area Life Cycle, and the 2022 study on the investment policy and diversification strategy for Sint Maarten. These documents, which provide insights into the carrying capacity and tourism dynamics of Sint Maarten and Aruba, build upon the last Tourism Master Plan and Carrying Capacity Study.

The Ministry is committed to taking these conclusions into account as specific items related to the tourism product are being reviewed. The objective is to commence actions based on these insights in January, reflecting a commitment to the timely and effective execution of these critical initiatives.

The faction mentions the matter of the lottery LB to establish the implementation date of the LBHAM on the lottery. The faction would like clarity on the mention that it will still be at the Governor for decision making. Why? Why would it still be with him?

The Minister explains that the implementation of the LBHAM on the lottery remains pending because it is still with the Governor's cabinet and has not yet been signed. This is why clarity is sought regarding the delay in decision-making at the Governor's level.

Ministry of Justice

The faction mentions with the increase in the reckless drivers from mostly scooter riders, we see most of them are underage. The faction thinks that it is about time that we start holding parents accountable. In a lot of other countries, when youth commit crimes, parents

are called in, and some type of measures are taken. If parents are told that in the event that your child commits a traffic violation then you could potentially be liable. The faction believes that that may make a difference.

The faction mentions the delegation of the Committee of Justice that went to the Point Blanche Prison. Rehabilitation is a big topic and it is spoken on a lot. The faction doesn't think we need to wait until a new prison is built to give courses on rehabilitation. The faction thinks that rehabilitation is much more than just building a gym or having classes. You can provide all these lovely things, but if the mindset of the inmates at the time is not where it needs to be, you will either continue down this road or this is where you will end up. The faction believes that a lot of rehabilitation doesn't necessarily need money. There are persons in the community that are willing to go up and speak with the inmates and have real conversations. A lot of them lack mentorship, and that could also be done. Mentorship programs can be something that could be easily implemented now instead of waiting until there is a new prison.

The faction indicates that the following questions and comments are about going forward. The faction asked the Minister of TEATT regarding the role of the ministry of Justice's role in the execution of the law on the ban of single-use plastic bags. Actually, this law is not yet in effect because the Government is holding it back for reasons such as manpower in terms of the control of whether a person should be trained and whether there was money in the justice budget for those persons to be trained to do the control.

The faction would like to know if the Minister has had the chance to look at this matter and, if not if the Minister can look into it and respond.

The Plastic Free SXM project started officially in January 2023. The aim of the project is to address the management of single use plastic and Styrofoam items to contribute to the protection and preservation of marine biodiversity on the island. To accomplish this goal the project conducted assessments of the local drivers and impacts of these products, implemented an outreach and awareness campaign as well as developed draft legislation to adequately address the local issues. The project will also develop a training manual for the identified enforcement personnel. The assessments reports are finalized, and the draft legislation is currently being reviewed internally. The project is being implemented in collaboration with the Sint Maarten Development Fund Foundation (SMDF) and is currently in its last stages, scheduled to be completed in February 2025 explained the Minister.

Draft legislation was finalized at the beginning of December. As such, the legislation is currently under review and processing.

The Ministry of Justice plays a pivotal role in ensuring the enforcement and compliance aspects of the draft legislation on single-use plastic bags. While the exact implementation date and final legislative framework are yet to be determined, the Ministry will likely be tasked with developing and executing compliance measures, such as monitoring, fines, and public awareness campaigns, to ensure the law's success. As the government continues to vet and refine the draft, the

Ministry's responsibilities will become more defined, aligning with the finalized provisions of the legislation.

The faction would like to know if the Minister has had the chance to wrap the ministry's head around where the prison project stands today. Have you had the time to apprise yourself of the current issues at and with the prison? That includes all of them. Has the Minister been able to receive that type of overview, and if you have, if you can share this with the Parliament?

The minister did not get had a chance to do to do a complete assessment of where the prison project stands today other than she has discussed earlier because she has not received a complete overview of where the project stands other than having a meet and greet with staff at the prison.

Court of Guardianship. The faction has understood from some foster parents as well as prospective foster parents that the amount allocated for taking care of the children could hardly get them by for a week, let alone a month, given all of the costs involved. The faction would like clarity on this.

The Ministry acknowledges the concerns raised by foster and prospective foster parents regarding the insufficiency of the current stipend in adequately covering the costs of caring for children in foster care. In response to these challenges, legislation is currently being drafted to increase the monthly stipend for foster parents.

The faction noticed that the Minister of Justice mentioned the abandoned scooters or bikes in the police station and that the plan was to destroy them. Has it been thought of to auction them or sell them to the public? Even if they are not auctioned to local St. Maarteners, maybe other islands will take them as a means to generate revenue.

Interestingly, this very idea came up during meet-and-greet session with KPSM. While the concept of auctioning abandoned scooters, either locally or off-island, has merit, we must carefully consider the potential risks.

A key concern is whether auctioning these scooters might inadvertently result in them being brought back into circulation and potentially misused again. This risk requires thorough evaluation to ensure that any action taken aligns with public safety and the Ministry's broader objectives.

The suggestion is appreciated, and the Minister will ensure it is further explored as she finalizes plans for the confiscated scooters.

The faction also heard that there are approximately 1300 residency permits pending. When the faction thinks about that, it also thinks about 1300 more cars on the road. What are the thoughts of the Minister on immigration? The faction believes that Sint Maarten is overpopulated. Does the Minister believe that Sint Maarten is overpopulated, and if so, will

that have any impact on the way the Minister handles immigration and the granting of residency permits?

Immigration is a multifaceted issue that requires a careful balance between national interests, economic development, and social cohesion. The backlog of 1,300 residence permits underscores the need to improve efficiency and streamline processes within the Immigration Department, which the Ministry is actively addressing.

While illegal migration is a concern, overpopulation as a direct result of these flows has not been conclusively determined. The Ministry has not observed a significant number of residency applications from individuals unable to demonstrate legal arrival on the island. To fully understand the impact of migration on Sint Maarten's population density and resources, a thorough, data-driven study would be required.

We do recognize issues such as traffic congestion, but these are not solely immigration-related and require broader solutions. Tackling such challenges will necessitate difficult and potentially unpopular decisions, but it is essential that we make choices based on accurate data and long-term planning.

The question of whether Sint Maarten is overpopulated is complex and depends on factors such as infrastructure capacity, economic opportunities, and social services. While population growth presents challenges, it also offers opportunities for development when managed responsibly.

The Ministry remains committed to adhering to strict policies and legal frameworks when granting residence permits, ensuring that each application is assessed fairly and transparently. Moving forward, we are focused on strengthening immigration processes to align with the broader needs and capacity of the country.

This is a critical area of focus, and the Minister remains committed to addressing it with a balanced, data-driven, and forward-looking approach.

Ministry of Education, Culture, Youth, and Sport

The faction mentions revenues to the ministry of Education, Culture, Youth and Sport. We all know that ECYS is a very large ministry and that the ministry is always in need of funds. The levy of one cent on gasoline and diesel was posed many times before by other Ministers and Members of Parliament with the last Government. The faction believes that a policy needs to be put in place. The faction would like to know what the priority of this being put in place is because it will bring the ministry much-needed funds.

The Minister's immediate predecessor, in the budget amendment debate when asked why this 1 cent levy went dead by MP York said, "it was never alive, so it could never have died." He further elaborated that the legislation to make this possible was not finalized and that is where it remained. It's the Minister's intention to, with all relevant stakeholders, pick

this discussion up in Q1 2025 and see what feasible next steps are possible. The Minister hopes to be able to update Parliament in late Q2 2025 on a way forward.

The faction would like to know which universities abroad we have a running agreement with. How many students at these schools with which we have an agreement? What exactly does the agreement entail? The faction believes that in 2023, a budget amendment was proposed, passed, and accepted, which had to do with subsidies to the dance schools in Sint Maarten. The next year, which would have been this year, the faction was informed in the first budget for 2024 that that program was ongoing. The faction would like to know what the status is of the money allocated to assist dance schools on Sint Maarten. How far did we get with that?

MOU Institutions	Students
American University of the Caribbean	6
Concord University	1
Flagler College	1
Florida A and M University	26
FSU Panama	0
Indian Hills Community College	0
Keiser University	0
Monroe College	20
Nova South Eastern University	14
Tallahassee Community College	20
University of Nebraska Kearney	5
University of the Virgin Islands	2
Total	95

Based on these agreements, Sint Maarten student receive discounts on their study related expenses. Discounts can range from in-state tuition rates, merit scholarships, and matching funds scholarship whereby the university matches amount awarded by the Government of Sint Maarten.

These funds are available to dance institutions on a request basis; however, the budget has been reduced from ANG 200,000.00 to ANG 100,000.00 due to budget cuts.

Can we continue to pay attention to some of our national traditions and the national dress of wears being one of those. Are we getting anywhere with that? The faction is sure that the Minister is quite aware of the interest that the so-called national cultural parade has gotten. How can the Government continue to assist that movement in terms of the national parade with the national dress or dresses?

The Department of Culture was instrumental in establishing the organizing and execution of the National Cultural Parade and has supported the S'Maaten National Cultural Parade Foundation annually since its inception.

The Department of Culture executes through the impact goals of the Ministry of ECYS. IMPACT GOAL #3 "Nation building, social cohesion and identity development through education culture and sport".

The Department of Culture operates through these platforms to build awareness, supports in after school activities that brings attention to these National traditions.

The faction has spoken to some students who are studying in the United States. The difference between studying in the States and Holland is a financial cost. Some students in the States are struggling to continue their education, even though they are receiving a scholarship from the state. As a suggestion, can we assess the student and the family situation to continue paying for the education for the whole four years of their tenure?

The Minister also attended school in the US; one of the schools that had a MOU with Sint Maarten, St. Thomas University. The Minister will look into students being guided to universities where it is difficult for them to pay. What the Minister has seen is that students look into the list of universities where MOUs exist and decide to go elsewhere. If students go elsewhere, even if the university is a state university, the costs are higher. If there is no MOU, students are paying international student costs, not in-state tuition costs, which is why the Minister tries to advise students to find a school with an MOU.

The Minister had a brief discussion with the Division Head of Study Financing because the Minister would like to expand the list of schools in the US that we have MOUs with and try to explore other states outside of Florida, because even that is something to think about when exploring these agreements. That is something the Minister will work on in 2025 and hope to come back to Parliament with an update.

When it comes to the hair legislation, the faction is glad that the ministry is going to tackle that.

The faction is also glad to hear about the prioritizing of the gasoline levy. When it comes to supporting our local athletes, Sint Maarten is a very unique place when it comes to our sports scene. We have a lot of different sports because we're diverse.

The faction suggests creating a sports achievement fund. It doesn't necessarily have to be named that, but a fund where these revenues will go directly there and we can assist with things like gym membership, training summer camps, and basic support.

The Minister will explore the sports achievement fund and the faction's other recommendations with the Department Head of Sport and with the Federation. As the Minister mentioned, the Minister is hoping to meet with them in the new year so that everyone can be on one page moving forward.

The faction mentions the CBA/ the public high school. The Minister mentioned that the budget for the high school is going to go over to 2025 or was it 2026, but also mentioned that the faction guess, the CBA project did not have the drawings and whatever else have you and that that will be put off until all necessary requirements, pre-requirements are met. Is the proposal that was presented to Parliament for the CBA still on the books, but certain requirements need to be made? Or is the CBA project going to be taken up in the plans for the public secondary school?

The faction would like to know of the CBA plans, specifically with this issue of a national theater.

CBA's plans were presented, the Minister was in Parliament and was also confused and had some of the same questions that you had. Ultimately, what the Minister learned after entering the Ministry and in consultation with the relevant stakeholders, is that the lack of drawings is for a public high school. CBA did send in documentation; however, public money cannot be used to build what is at its core a private school. Even though it is subsidized, they are still not a public school. We can build a school and decide if we would like it to be used by a subsidized school, which is what the Minister believes happened with the Protestant school (SPCOBE) in the past.

Can the Minister give Parliament her view on the matter of a national theater? The faction is aware of how the CapEx of Government is and the scarcity of funds. But maybe the idea of a national theater could be a public-private partnership with someone who might have such a facility that the Government can then get and use.

The Minister would love to see a national performing arts center constructed in our lifetimes, particularly as the Minister has attended three graduations where all the students were performing musical renditions and spoken word pieces at a level that did not really exist when the Minister was in school, so the Minister commends them on that. The scarcity of funding and land is also an issue, which is a conversation the Minister had with the Minister of VROMI in the past and something that the Minister hopes to pick back up once we've completed budget handling. We need to see if it is something that we can set as a goal to work towards from a CapEx perspective. We also need to see if a land purchase needs to be made to find somewhere that can accommodate a properly developed structure with a maintenance plan, parking, and all of the things that need to be considered to bring it to code.

Ministry of Public Health, Social Development, and Labor

The faction would like to know what plans the ministry has to promote preventative health initiatives. As we know, health is wealth, and we know that the population suffers from

a lot of health-related issues and that it is also a huge cost for the Government to send individuals away. We see that sports is picking up and physical activity has been increasing since COVID-19, but that alone is not enough.

The faction believes that initiatives starting in the school will definitely show great results as our children get older and they're able to live healthier lifestyles but understanding through some initiatives. What is the Minister's plan regarding this?

CPS conducts school visits through their Health Observance Calendar, where the staff, that includes a nutritionist, promotes healthy lifestyles, through eating well and physical activity. Additionally, collaboration can be further sought with the Ministry of ECYS to structurally promote sports & physical activity within secondary schools. But note must be taken of the fact that there are limitations on resources and so, the Ministry will continue to do the best it can with the available resources.

The faction mentions the different queries that it has had regarding the issue of vaping and the responses that have been received in the past from the ministry of VSA and the ministry of ECYS. There is supposed to be a working group of the two ministries, ECYS and VSA, and maybe even Justice, that is looking into the matter and is supposed to advise on the matter of curbing the possibility for young people to be able to purchase these devices. The faction would like to know where matters are at with that issue.

While resources and capacity challenges within VSA have temporarily slowed progress on this initiative, the attention on the matter is appreciated. The Ministry will reconnect with ECYS and Justice to identify ways to move this important initiative forward.

Where are we with the issue of the HAP? We know, of course, there was the only one that was started in Simpson Bay with a lot of hope and a lot of good intentions, and then something went amiss. Where is the ministry with that matter? Do we have any data with respect to what such an institution could mean for the alleviation of emergency room at the SMMC?

The recommendations received on the HAP alludes to the fact that a HAP is needed. A plan on the proper implementation of such a service is expected to be received within the first quarter of 2025.

The faction mentions the so-called reparation legislation for the SZV that was at the Council of Advice for a while, that would include the coverage of persons who now fall between the cracks in terms of medical coverage, such as the sole proprietors, the vendors, the taxi and bus drivers. The faction would like an update on this.

Advice was received from the council of advice, the further rapport is currently being drafted. There is a delay in this process due to the fact that there was a change in the consultant hired to draft this legislation.

The faction also took note of the increase in the minimum wage based on the indexation on the basis of the cost-of-living inflation. This will go into effect as of the 1st of January 2025, for which the faction is sure many persons will be very happy. The faction continues and states that the welfare is based on the minimum wage. It could very well be possible that with the increase in the minimum wage, some persons' welfare, financial assistance/"onderstand" will have to be adjusted.

When this was asked the last time, the minimum wage was increased, the faction was told that this was to take place. Has the review of the financial assistance based on the increase of the minimum wage taken place? What has it yielded? Were the financial assistance amounts of some persons adjusted based on the increase of the minimum wage? Can the Minister give some numbers as it relates to this?

The financial aid calculations takes into consideration the minimum wage, as the minimum wage increases so does threshold for income for applicants, as the income for applicants is pegged to the minimum wage. The increases to minimum wage does not affect the total financial aid paid out to beneficiaries! The increase in minimum wage simply increases the income threshold allowed for applicants to qualify for financial aid so that there is no negative impact with the increase of the minimum wage. This is based on article 6 of the Landsbesluit, Houdende Algemene Maatregelen, houdende regels ter uitvoering van de Landsverordening financiële bijstand for referencing.

Are the STEPS results in? What are these?

The STEPS survey was finalized in October 2024. The data is currently being cleaned and prepared for processing. In total 2014 valid interviews were completed, and 775 blood tests were carried out. The initial results from the preliminary data analysis will likely be completed in late January-early February 2025. A preliminary report may be drafted in late February or early March 2025. The final report should be completed by April 2025.

Is the ministry pursuing, and if so, how far are they, with respect to the changes to the civil code as far as labor contracts are concerned?

The updates to Book 7 Title 10 of the Civil Code that governs labor agreements was last updated in 2022. A monitoring period is necessary to properly evaluate its effects. Once this is completed it can be evaluated and further determined if a change is warranted. If that is the case, assistance of the Minister of Justice, who is the responsible party for the Civil code will be sought. During this monitoring period the Ministry will increase awareness & controls which will also ensure that workers & employer rights and responsibilities are guaranteed.

The faction continues and references a letter regarding the feeding program for the elderly. The faction looks forward to the response of the Minister on that letter.

A response to the letter was sent and received by Parliament on December 19, 2024.

The faction also mentions a recent visit to the White and Yellow Cross during which the need for a facility or expansion of facility for the services executed by the White and Yellow Cross, amongst other things to look after persons with dementia, became clear. The faction also indicates that the waiting list for persons seeking admittance in that program is large. The faction understands that it is a matter of getting approval from the SZV. The White and Yellow Cross is able to make an investment. Has any progress been made in this regard? Are we really looking at that list of persons in order to assist families? Can the Minister clarify this? Can we get an overview of where things are at right now? What are the plans for the foreseeable future?

The White and Yellow Cross recognizes the urgent growing need for specialized care in our community. To meet the demand, they are currently in the process of increasing their capacity by implementing a phased expansion approach over a four-year period. White and Yellow Cross submitted their 1st request for expansion of services, which was granted in October 2024 and will lead to an increase of 20 clients who can receive psychogeriatric care.

It is good to hear that the ministry is prioritizing preventive initiatives when it pertains to health, and the faction is aware that the Minister said that resources are limited, as with most ministries. The faction suggests that when it comes to the school system if you share the idea with the community, there are a lot of individuals who will volunteer their time to share this type of information, especially when it comes to our youth.

The faction thanks the Minister for his willingness to pick up this issue on vaping amongst our youth, which has only gotten worse since the faction started to champion the issue some years ago to the Government at the time. Can the Minister explain who is doing the evaluation or assessment with respect to the "Huisartsenpraktijk" (HAP)?

Evaluation committee exists of representatives of Family doctor's; SMMC; pharmacy association and VSA.

The Minister indicated that based on the increase of the minimum wage that, no "onderstand" recipient amounts need to be adjusted. They could have been falling just above the minimum wage threshold, but with the minimum wage going up you could have some cases who would need to be reassessed because of the increase in the minimum wage. Can the Minister confirm that this has been done and that there are no such cases to be amended because of the minimum wage increase?

Thank you for allowing the Ministry the opportunity to remind the applicant that they can reapply.

As soon as the information of the STEPS survey is cleaned up and can be shared with Parliament, can that be done please?

Yes, this will be shared with Parliament once the process is completed.

The faction would like some further explanation as to the issue and the concern regarding the cannabis legislation.

Due to an ongoing legal issue, the Ministry is currently unable to provide transparency regarding the matter in question.

Can Parliament receive some labor stats in terms of unemployment as well as whether there have been any queries and complaints from employees regarding their rights as the last changes to the labor contract law that were passed here by Parliament, such as the increase in maternity leave, paternity leave, and the changes of company?

The Ministry is currently compiling all relevant documents. Once received, The Ministry will review what can and cannot be shared in order to comply with your request.

Ministry of Public Housing, Spatial Planning, Environment, and Infrastructure

The faction mentions the entire matter of the road hard surfacing project and the overall issue of drainage. In reviewing questions and concerns as expressed on this topic by the faction, the faction found back a letter to the predecessors of the Minister of VROMI which goes back to 2015 regarding the issue of the drainage master plan for Sint Maarten, as well as amendments to the zoning ordinance to regulate the issuance of permits for infrastructural works. The faction also references a letter of 2016 on the same topic asking questions. Since then, the matter of the ACROBATX report has been one that the Parliament of Sint Maarten has sent to the Government and the Minister of VROMI, in particular, asking the Ministers' and the ministries' take on that report.

Despite the initiatives decided upon in 2015, funding was limited to bring the drainage initiatives to fruition, with the exception of the "Road Hardsurfacing Program," which is being executed in 2024.

The Minister would like to note that on October 2nd, a meeting was held with Mr. Julien Ripert of Acrobatx to discuss the current state of affairs regarding the development of higher elevations. Following the rain events in November, the Minister contacted him again, and he is currently assisting the Ministry in assessing the reasons behind and identifying a sustainable solution to the recent landslides in the Valley Estate.

In the latest letter from a Member of the Faction to the ministry it was the CAPEX highlights were highlighted in which it speaks of the secondary dirt roads island wide. The

faction would like to receive the answers to the questions in the letter referring to the matters mentioned in the capital investment 2024 as far as the road surfacing is concerned.

As agreed, the answers to the letter will be provided separately in writing.

In the letter, the Well Road is specifically referred to. The faction learned from newspapers that some repairs are being done. Are these repairs to the Well Road on the basis of the hard surfacing project or is it because of the recent additional potholes that have been caused by the rain that we had a couple of weeks ago?

The recent repairs to the Well Road were carried out in response to the heavy rains in November which severely deteriorated an already problematic road. While This was deemed urgent by the Ministry as the road deteriorated in the last month. Well Road will be tackled with a permanent solution, not being part of the current resurfacing or hard surfacing project.

The faction continues and mentions that in the budget, in section 1 CapEx highlights of the project design and build concrete hard surfacing program 2023-2024 secondary roads, it states that preparation works are being done for Ackee Tree Drive. The other roads in section 1 are pending the preparation works for drainage in the area (which are ongoing). The faction would like to know which other roads in Cole Bay are pending the preparation works for drainage in the area. Which drainage projects are ongoing in the area of Cole Bay leading to Union Road? Can the Minister give an in-depth overview of section 1 of the CapEx highlights?

During the 2024 budget debate, the then Acting Minister of VROMI stated that the roads in Section 1 were pending preparation work for drainage in the area and that this work was ongoing. However, upon inquiry with the New Projects Department, the Minister learned that drainage in the side roads, which connect under Union Road, will be implemented at a later date due to a lack of funding at this time.

List of side roads:

1. Ackee Tree Drive
2. Cockspur Tree Road
3. Fountain Tree Road
4. Guiro Road
5. Manjack Drive
6. Parallel Rd Rubber Tree Drive
7. Rubber Tree DriveSandbox Tree Road
8. Sea island Cotton Road
9. Silk Tree Drive

The ministry of VROMI in 2022 announced receipt of a plan for a comprehensive approach to Storm and Wastewater. In that plan that was presented to the ministry, it mentions that, under stormwater, in 2005, two lives were sadly lost because of flash flooding that happened in the Cul-de-Sac area. Hard surfacing of (newly to be develop areas) will cause storm

water to be discharged very fast and thus forming a great threat for low-lying areas. The goal is to avoid huge amounts of stormwater from flowing down very quickly and dragging everything along with it. Besides that, a quick rise of water levels may cause a lot of damage to buildings. The faction continues quoting from the report from the ministry of VROMI, which states that the policy document for stormwater includes a set of. What has been done differently with respect to the road program now on the way?

The Honorable MP is correct; the policy document states that hard-surfaced areas should be limited to significantly reduce water flow to low-lying areas. This is one of the reasons the Minister has been critical of the hard-surfacing project and has been closely monitoring its progress. Over the next few days, the Minister will review the current state of the project and announce a way forward in 2025.

Was any note taken of the serious concerns raised in a plan commissioned by the Government of Sint Maarten? What has been done differently? What differently has been included in the project to hard surface roads.

Over the years the Ministry has been focusing on the hard surfacing of the existing drainages with the inclusion of retention basins to retain the storm water, by means of "slow release" to the lower lying areas in order to prevent flooding of these areas.

Can the Minister inform what the status and plans are for Orange Grove Rd? The faction continues and mentions the attempts to have a drainage at the foot of Orange Grove Rd. What are the other plans, if any, for that road?

The design and engineering plans for upgrading the Orange Grove Road, including the implementation of drainage leading to the Lagoon, were finalized a few years ago. While funding challenges have delayed the implementation, these well-prepared plans are ready to move forward as soon as resources become available.

What we saw on the Orange Grove Rd. was frightening and it showed exactly what the report was talking about and for what care needed to be paid.

The faction learned some months ago that it was the intention of the ministry of TEATT and the ministry of VROMI to basically combine their efforts and their existing policies to come to a beach policy. Have those efforts yielded any results thus far?

This initiative was led by the Ministry of TEATT. VROMI gave feedback to the policy, however, the exact status can be requested from the ministry of TEATT.

The faction has heard from the ministry of VROMI, over the years and months, that the project for the zoning of the different districts, will not be pursued but rather the plan for an island-wide zoning is what is now under consideration or under works. Can the Minister give an update with respect to that zoning.

The plan for a singular comprehensive zoning plan is ongoing. **TIMELINE?** While this is taking place, individual (draft) zoning plans are being used to advise when developments are proposed. These draft zoning plans have also been published on our website.

Are there any intentions by the Government to have some type of a development plan for the Maho, Mullet Bay, and Cupe Coy areas? The faction thinks that this is now more urgent than ever given the situation surrounding Mullet Bay and the already announced plans to sell that property. Can the Minister give his views on the development plans for that area in particular?

The Ministry has drafted a preliminary plan and map for the zoning of all areas to be preserved and protected. This “Green Zoning Plan” will encompass natural areas, including coastal and hillside regions, waterbodies, and other areas deemed essential for climate adaptation and mitigation. The Mullet Bay area, including the Mullet Bay Pond, is included in this plan.

There are important prerequisites for establishing and implementing such a zoning plan, which the Ministry is currently addressing. While capacity—both human and financial—remains a key factor in the success of this project, the Minister has publicly announced intentions to advance this initiative, particularly in support of MP York’s motion.

It is the Minister’s intention to share the aforementioned map in the meeting that will follow up on the subject of coastline zoning and protection.

The faction mentions a statement made by the Prime Minister that the PJIA loan will come back and benefit infrastructural projects. The faction would like to know what and how, and if there is already a plan of infrastructural projects to which this money will be applied. Can the Minister of VROMI give that overview with respect to that loan becoming applicable to infrastructural projects.

The Ministry of VROMI has a listing of various infrastructure projects that can be executed, ranging from new Links, main roads upgrading, Drainage projects, sewerage projects and districts upgrading projects, among others. Once the decision is finalized on the fund, a decision will be made on priorities.

The faction also mentions someone making mention of the ministry of TEATT making available garbage bins. Is this a project only for Philipsburg? Is it a project for the entire area? What is the understanding with respect to garbage bins and the garbage haulers? Who is responsible for what part of supplying garbage bins?

Minister provides context to this initiative. While solid waste is the responsibility of the Ministry VROMI, in the last administration, the Minister TEATT, not the Minister of VROMI took it upon himself to initiate this project. A public tender was issued for this project, with scope solely for Philipsburg. In a general sense, VROMI is responsible for the purchase of bins. To make distribution fair, haulers are supplied with bins and they in turn make these available to residents. Although this is an existing procedure, it is the intention to bring about changes to this to ensure proper logging of locations of bins take place.

The Minister responded to some of the questions in a letter from a Member of the faction, and the faction would like the Minister to respond to the entire letter going into the Public meeting. Can the Minister explain when a road is considered a private road? Can the faction receive a map of the roads mentioned in response to the question of the faction that are on the list to be fixed.?

As agreed, the answers to the letter will be provided separately in writing.

What is the ministry's plan for the drainage situation in St. Peter's, specifically on the main road and Retreat Estate?

Indeed, drainage falls under the Minister's purview; however, the question relates more specifically to sewage. Sewage management is part of the broader wastewater reform projects for the island, of which Dutch Cul-de-Sac is a component. This project is supported by the World Bank through the Solid Waste Management Project (SWMP).

The Party for Progress-faction has taken note of the draft with interest and has the following questions and remarks.

Ministry of Finance

The faction states that it heard the Minister in her presentation mention the subsidized schools, which the faction would like to commend the Minister for making sure they were included in this budget. In order for the payment to be processed for the subsidized schoolteachers, is there anything else needed for that? Is there anything pending for that? Is it something in the foreseeable future that we will never have the delay again in their payments? The faction would like to know if this is a permanent fixture in the budgets going forward or if there's still work pending from the ministry side in order to make that a permanent fixture in the budget?

The Minister of Finance confirmed that it is included in the budget 2025; however, the Ministry of Education must still fulfill its responsibilities to ensure timely payment. The process within government ensures that advice must be prepared as a check and balance to verify that there is sufficient budget. Once the necessary signatures are obtained, the payment can then be processed.

As such, while the funds for subsidized schools, including the vacation allowance and indexation, are budgeted, the Ministry of Education must still fulfill its part by drafting and finalizing the necessary advice. This applies to other entities and ministries as well—though amounts are included in the budget, the respective ministries must draft and finalize their advice before payments can be made.

The Minister of Finance strongly advise all ministries to commence drafting these advices immediately after the budget is approved. Even if payments are to be made quarterly, having these advices finalized in advance will ensure there are no delays in disbursing funds.

The faction also took note that in the presentation the Minister mentioned that there is a 15 million arrears of the harbor. The faction states that the harbor was actually going to be one of the government-related entities that the faction was going to focus on. If we're talking honestly about our government-related entities, they are all really in a dire state, and so the last one that kind of went under the radar was the harbor because nobody was really paying attention to it. When you listen to the Minister of Finance, and she says that there are 50 million in arrears in the concession agreement, red flags are going to start going off in the sense of: are we going to be worrying about another one? The faction believes that with everything we are doing from the side of Parliament as well as from the side of Government, is making sure that we will not have any issues with these government-owned companies going forward. The faction wants to make sure that the harbor can continue as a going concern. We really need to make sure that we are focused on the viability of it.

Is the harbor in arrears because a ratio wasn't met or is it just in arrears because they weren't in a position to pay the concession agreement?

The Minister of Finance clarified that the arrears are related to the period after Irma. At that time, a decision was made to defer the concession payment for five years from 2017 up until 2019. The specific reason why this amount remains unpaid to date is unclear and will require further investigation. However, it is worth noting that the harbor has stayed current with its annual concession payments since 2019, despite not always achieving positive financial results, particularly during the COVID-19 period. A discussion will be held with the harbor to determine an appropriate approach for the collection of the outstanding concession fees for the years 2017 through 2019.

The draft dividend policy is being developed for all government owned entities, and as you rightly mentioned, it is key to note that profit does not automatically guarantee a dividend. As indeed for certain companies reinvestment is key, or compliance with certain loan covenants are needed.

The faction mentions page 78 in the budget, where it is talking about the overview of the rental and government buildings. The faction would like to know if it is the ministry of

Finance that is compiling the information as it relates to completeness. The faction mentions that it doesn't see the tourist office on this list.

The Minister of Finance clarified that the list is provided by the Ministry of AZ and included in the budget by the Ministry of Finance, the ministry of AZ will provide further elaboration.

The faction would like to know why the tourist office isn't on this list. If it is in here, the faction would like to know under what category it is included.

The rental for the Tourist Office is listed under the category Tourism and Economics. The office is located on Front Street, with the rental amount totaling USD 27,307.23/month.

As regards the list of rental properties that the Government has enlisted in the budget, the faction also would like to know if, indeed, the question was transferred to the Prime Minister as the question wasn't directly asked to the Prime Minister.

The real estate property list will be re-verified to ensure it remains up to date inclusive of any name change or ownership change.

Ministry of General Affairs

The faction comments that there are three departments within the budget that have increased on the personal costs. The faction would like an explanation as to what the anticipation in the department for 2025 is that will justify the increase. These are the Fire Department, Legal Affairs and Legislation, Facilities, and also ICT.

Most departments within the Ministry of General Affairs have experienced a budget increase. Notably, the Department of Facility Services and the Fire Department account for the highest number of personnel. However, critical budgeted vacancies within the Department of Legal Affairs remain unfilled and must be retained in the budget.

The increase in regular personnel expenses is attributed to standard salary increments. While it may appear that Facility Services and the Fire Department have seen a significant budgetary increase, this is directly related to the size of their workforce. There are no substantial changes in personnel numbers for these departments.

As it pertains to the real estate and rental properties, the Minister indicated that the rent for the tourist office, which is now on Front Street across the arcade, is under tourism economics, and it's at a rent of about 26,000. Is this ANG or USD? The faction doesn't agree that this is in this overview. Because the 2024 budget that was presented in April had 18,000,000 total that we have as responsibility to pay in rent. The amended budget that came recently went down to 14.8 million. Now, this 2025 budget goes right back up to 18.2 million, which is the same amount that was presented in the April 2024 budget. The faction believes that the information is lacking here.

The rental amount of \$27,307.23/month for the Tourist Office on Front Street is in US dollars. This is reflected in the budget under the name of "Economics and Tourist". In the overview of "huur gebouwen" rental buildings, it is listed as number 76, "Vineyard Private Fund Foundation", should have been "EFB properties."

The faction points out that the list in the substantiation in the budget, it shows who the owners are. The owner does not pop up for what the faction believes is the tourist office. The faction is concerned about this because this is an incomplete list.

The rental for the Tourist Office is listed under the category Tourism and Economics. The office is located on Front Street, with the rental amount totaling USD 27,307.23/month.

The faction knows that we've not been there long, but expected that for the next year, which would have been 2025, which would have been a full year, it would have had the full year of rents in this list and properly updated. In the corrected version, the faction would like to see that the list is complete and includes everyone.

The real estate property list will be re-verified to ensure it remains up to date inclusive of any name change or ownership change.

This budget is cleaner and has less information. But the fact that it is less information doesn't mean that we have to stop improving the quality of the data or the information that's found in the budget. The faction is constantly seeing inconsistencies in the budgets.

Ministry of Tourism, Economic Affairs, Transport and Telecommunication

The faction is of the opinion that if you read what the Minister VROMI announced, it was to raffle the processing fee, which is the amount of 200 guilders, which is the amount that everybody has to pay to get your building permit processed—not the building permit fee but that 200 guilders.

If indeed there was a license needed for the said raffle that is going to take place, then the faction also wants to inquire if there was a license given when the NA-faction was raffling cars throughout elections a couple of years back. Because if we're talking about raffles, then like you said, it's a principle of equality, so let's do it across the board.

The faction continues and indicates that the Minister mentioned the Tourist Authority Foundation and that they were going to be doing a study. Is it already established, and if it is, where is it in the budget? If it is something that's in the works, do we need to budget for it in 2025?

The Minister explains that the implementation of the LBHAM on the lottery remains pending because it is still with the Governor's cabinet and has not yet been signed. This is why clarity is sought regarding the delay in decision-making at the Governor's level.

The faction is now clear on where to go to get the account related to the Tourist Foundation. The faction sees exactly where in 2023, you had 2.5 million, in 2024, 2.5 million, and then in 2025, 1.9 million. Is it still included in there, or is that the portion that's taken out, or there's something else that's related to the reduction in 2025?
The amount is still included in the 1.9 million.

Ministry of Justice

The faction wanted to touch a bit on the topic of the youth in regard to the Justice ministry because we know we have the Miss Lalie Center, which is to be seen as a youth detention center. However, there are several issues at the MLC. One of them, in the faction's opinion, is the age discrepancy. At the moment, people from ages 12 to 21 are accepted at the center, but then the question arises: when you turn 18 and become an adult, do you then get moved over to the "huis van bewaring"? The faction would like to know how that is really regulated.

The Miss Lalie Center currently caters to male clients between the ages of 12 to 21. There are currently no provisions in place to accommodate female clients. The rules and regulations on how the MLC is being run at the moment are currently being re-evaluated by the current Management and will be presented to the Minister at the end of these findings

The faction notes there is no provision for girls to be admitted into the MLC, but underage girls most definitely come in contact with Justice. The faction believes we had a situation not too long ago where a girl was severely beaten up in Dutch Quarter, and that court case also came up not too long ago. If the faction is not mistaken, the girls who actually committed this act only received community service, partially because there is nowhere to place them since they are underage. This is a phenomenon that needs awareness because of the fact that some of these underage girls are actually cognizant and aware that community service is the only possible penalty that they can get, which then lives on a life of its own.

The lack of a facility for female juveniles is a critical concern. As you rightly noted, girls in contact with justice often face limited consequences due to the absence of appropriate placement options. This creates a gap in accountability and rehabilitation, which must be urgently addressed.

What are the plans regarding the MLC and some of these issues? The faction would recommend the Minister, to have a personal walk-through at the youth detention center to see what the conditions are currently.

The Minister acknowledged the need for a comprehensive plan to address these issues, including the development of facilities and programs tailored to the needs of female clients.

Ensuring a safe, rehabilitative environment for all juveniles in contact with the justice system—male or female—is a priority.

The faction believes that the rehabilitation of the youth should be the number one priority. How does it work when it comes to underage children who are taken up there but, for example, need to go to school? Is there a system of electronic monitoring in place where the kids taken up at the MLC can attend school, which is by law, but can also be escorted back? What's the overall focus of rehabilitation, if any, at the MLC, and how are we focusing on getting these youths back into society?

For school-going children who are placed at the MLC, every effort is made to ensure their education continues without interruption. Upon their arrival, the center contacts the school the child attends to coordinate the delivery of their educational materials. The professionals at MLC work closely with these students to facilitate their lessons and ensure they can keep up with their studies until their release assured the Minister.

The faction wanted to inquire about the so-called HALT initiative. The HALT is known in Holland and focuses on minors who commit light crimes. The whole idea is that they receive a light penalty or other measures, but in the long run, it prevents them from getting a criminal record. The faction would like to know if this is in the Minister's plans to implement HALT within some of the organizations. If so, what is the plan to get that done?

The HALT intervention has been a recurring topic at JVO meetings for several years. To address the growing issue of petty crimes and prevent the criminalization of at-risk youth, the JVO established a Youth Prevention Task Force. This task force includes representatives from the BES islands, Sint Maarten, Aruba, and Curaçao, and has prioritized introducing the HALT intervention as a key strategy. The Ministry of Justice in the Netherlands (J&V) has pledged its support to assist the Caribbean Kingdom partners in this endeavor.

Currently two youth probation officers are expected to receive full training and certification in the HALT methodology. Additionally, the section head of youth probation was designated as Sint Maarten's representative for the task force's monthly meetings. To develop a practical implementation plan, the section head of youth probation engaged extensively with HALT Nederland. This collaboration included meetings to refine the approach for Sint Maarten and work visits to the Netherlands in March and April 2024. During these visits, the section head of youth probation consulted with HALT Nederland's legal advisors, methodology experts, and the Dutch Ministry of Justice's legal policy advisor.

The discussions with the latter also introduced the potential for additional resources from the J&V to support the implementation of HALT in Sint Maarten. Subsequently, the Court of Guardianship, in collaboration with the Ministry of Justice's policy advisor, is drafting a framework for implementation. While awaiting final approval from the ministry, plans were made for an initial three-year pilot phase, tentatively set to begin in April 2025. The actual start date will depend on the timely completion of preparatory tasks.

What is the current trajectory for underage children who are removed from their parents for protective measures? The faction believes that currently a foster home is being used to house them, but what's the Minister's personal take on this? This doesn't seem feasible in the long run.

The use of foster homes to house underaged children removed from their parents as a protective measure is a necessary temporary solution given the current circumstances. While foster care provides immediate safety and stability, the Minister agrees with the MP that it is not a fully sustainable approach in the long run.

That said, we must also recognize the limitations of Sint Maarten's scale and resources. Establishing specialized facilities or large-scale child welfare systems, as seen in larger jurisdictions, may not be feasible for us. However, this does not diminish our responsibility to ensure that these children receive the care and support they need.

The Ministers personal take is that we need to work within our constraints to develop a structured and realistic system tailored to Sint Maarten. This includes strengthening the foster care framework by providing additional resources and support to foster families and exploring smaller-scale, community-based solutions that align with our size and capacity.

This issue requires collaboration across Ministries and child welfare organizations, and she is committed to prioritizing efforts to find sustainable, long-term solutions that meet the unique needs of Sint Maarten's children. Every child deserves safety, stability, and a nurturing environment, and we will continue working to achieve this within our means.

With all of these things mentioned about the youth, it would be remised of the faction, not to mention the Court of Guardianship, who in turn is legally responsible for regulating most of these matters. The faction states that the current situation there, with the workers, is the same as justice workers, if not worse. When it comes to their "rechtspositie," the faction believes they also have some stuff that needs to be regulated. They face the same issues because they don't have an LB. The faction believes that most of the staff working at the Court of Guardianship, even though they are permanent employees, is based on an "arbeidsovereenkomst van onbepaalde tijd."

The faction feels that it is troubling to find out that, for example, because of this formality, having a permanent contract with the Government who is actually the "rechtspersoon" mentioned in the contract, but not receiving an LB that now, for example, these staff members do not enjoy the protection of the LMA because they do not fall under "wat is een ambtenaar." Not only this, but these same staff members are the ones who assess situations when it comes to the youth. If they find a dangerous situation, they are expected to take these kids from their parents, as per protective measures, and then bring them back. What would be the legal basis behind this if they are not even employed by Landsbesluit? What would be the legal ramifications of that?

What is the current situation concerning the "rechtspositie" of all the staff members working at the Court of Guardianship, and what would be the plans to remedy this?

The Ministry can once again confirm that steps are being taken to address the issues surrounding the LIOL and their impact on the placement of staff in correct salary scales at the Voogdijraad. Specifically, the draft ordinance to amend the 'Landsverordening inrichting en organisatie landsoverheid (LIOL)' to formally incorporate the Voogdijraad has undergone substantial review.

As it relates to Court of Guardian's authority to intervene in family situations, including the removal of underage children from their parents, is grounded in the Civil Code of Sint Maarten. Specifically, Article 238-243 of the Civil Code outlines the procedures and conditions under which such protective measures can be implemented. Additionally, the Court of Guardian is working towards implementing a 'child safety code' to serve as a guideline for professionals in detecting and addressing child abuse, further strengthening the legal framework for child protection.

The faction would like an explanation of the 727 increase for the 2025 budget versus the prior year for the Police Force. The faction would also like an explanation for the increase of 326 thousand for the Prison and also for "Landsrecherche," whose budget went down by almost 400,000. The faction doesn't understand that "Landsrecherche" would be decreased by 390 thousand.

The faction is aware that for a long time, we've always talked about the shortages that we had across the ministry of Justice, so seeing a decrease is very surprising for the faction. Unless it's just a matter of us trying to really cut the cost from an unrealistic previous budget. The faction would like a substantiation for why those 3 decreases across those 3 departments.

KPSM - 727K Increase

The increase of 727K is related to two factors:

- **2% COLA Increase:** Reflecting the cost-of-living adjustment for the personnel.
- **Provision for 1 Increment:** Based on the possibility of a positive performance evaluation, an increment has been provided.

Prison - 326K Increase

Similar to KPSM, the 326K increase is attributed to:

- **% COLA Increase:** For the cost-of-living adjustment.
- **Provision for 1 Increment:** Based on the possibility of a positive evaluation.

Landsrecherche – 400k Decrease

A decrease of 400K has been noted due to the following:

- **Personnel Table Error:** Salaries for four individuals were erroneously deleted.
- **No Provision for Possible Salary Increment:** The initial budget did not account for a potential salary increase.

- **Adjustment for 2% COLA:** An adjustment for the 2% COLA increase has been made accordingly.

Ministry of Education, Culture, Youth, and Sport

The faction has the following question for the Minister of Education, Culture, Youth, and Sport. Truancy and the kids who skip school. What is the current situation when it comes to that, and what is the intention of the Minister in regard to addressing this? The faction believes that, at the moment, fines cannot even be issued to the parents when their kids skip school, yet education is compulsory. The faction would like to know the Minister's opinion on that.

Currently no fines are being issued. The Inspectorate has no certified BOA staff to issue fines. However, when patterns of skipping school arises, the respective schools are responsible to carry out their own controls and interventions. After exhausting all options, the respective schools can also submit an intervention form to the truancy unit at the Inspectorate for further handling and support.

As for the issuance of fines, the Minister believes that falls within the Ministry of Justice, and the Minister does intend to discuss this with her colleague, the Justice Minister, after the Budget handling.

The faction would like to know what the Minister's sentiment is in regard to reporting crimes at schools. The faction is not only talking about crimes involving adults towards kids but also kids among kids. The faction believes that, at the moment, schools tend to avoid reporting crimes that happen on school grounds to save face for the schools. The faction feels that this is very tricky and would like to know what the Minister's sentiment is on this. For example, the faction mentions that some students are unaware that sending nude pictures of other students is a crime and other situations like that. The faction is concerned about the education of kids on these matters. The faction would appreciate hearing the Minister's opinion on that.

As a member of Parliament, the Minister has expressed my personal opinion on this matter; schools should report crimes to the proper authorities and to the Ministry, in particular because teachers and students, whether public or subsidized, all move through one main ecosystem: education. It does not create a safe learning environment for anyone if an offense that is committed at one school is not reported and then that individual is moved to another school. It has to be noted that a crime is different from a regular disciplinary issue. The Minister continues to encourage schools to report when these incidents happen in their schools.

The faction continues and mentions in terms of cuts. If you look at the expenses on the education side, it's literally an exact figure moving from projects and activities within the innovation going over to the innovation moving from the study financing. So you see exactly where the in and out is in the budget. Is the transfer or the allocation of funds from one department to another still related to education projects around innovation? Can the Minister expand on that? The faction did notice that, for the most part, in ECYS, things are pretty

stagnant. You see bigger changes within the other ministries and especially across personnel most of the time.

The Minister thanks MP de Weever for providing clarity as to the question posed by MP La Croes on this topic. The funding was indeed not cut but reallocated to DEI for execution of the Strategic Educational Alliance project, to be used for priorities to strengthen and enhance the secondary school students to better prepare the students to transition to Higher Education in the Region and in the Netherlands.

The biggest change you saw within the ministry is the increase of 2.3 million across the subsidies. The faction would like some clarity on this. Earlier on the Minister of Finance talked about the fact that the subsidized schools increase was done. The faction would like to know if this 2.3 million is related to that.

The 2% indexation and the increase of 1% vacation allowance have not yet been legally formalized. The Ministry is prepared to process the indexation and increase in vacation allowance for the 2025 calendar year once the amendment to the BRA (Bezoldigingsregeling Ambtenaren) has been formalized or an instruction has been received to advance these amounts in anticipation thereof.

“Dienst Openbaar Onderwijs”. The faction mentions the 653 thousand increase in the personnel cost. The faction would like to understand what the increase is for.

The 2025 budget reflects an increase of NAf 653K in gross wages and salaries compared to the 2024 budget amendment. This increase is attributed to an additional 2% indexation in salary scales and the inclusion of salary increments across the department. With these adjustments applied to the 194 budgeted personnel, the resulting total increase amounts to the NAf 653K shown.

Ministry of Public Health, Social Development, and Labor

The faction understands the restrictions that we have a little bit creating this 2025 budget. The faction looks at increases, decreases, and certain things that stay the same, which warrant a lot of attention because it's staying the same, but then when you're comparing years, it's a drastic increase. One of those is the PP cards. The PP cards in 2023 were 17 million, in 2024, they were 22 million, and in 2025, it is at 22 million. The faction mentions that one of the things that it is concerned about the most is the number of persons that are in between the ages of 45 and 65 who are asking questions about how to get PP cards. They need insurance, but they're not working. We're having an issue if we are seeing that our older working population is having an issue being able to have insurance through work or privately through work or through work where they get a SZV card. The faction would like to know if the PP cards are realistic. Is there any wiggle room? Is the 2025 realistic? And if between 2023 and 2024, the

increase was 5 million, who is to say that that is not the same trend that we should be seeing in 2025?

Where can we make adjustments to support the realities of our ageing population that needs assistance with being able to get healthcare?

The faction mentions the PP cards once more and the answer as to what was included. The faction indicates that over the years, we have heard about us having additional doctors from other parts of the Dutch Kingdom practicing here. What is the status with that? Is it already open up to others? Is that why we are seeing or are going to see a decrease in medical care abroad and more of an increase here locally? One of the things the faction has been hearing a lot lately is persons that have complained to the length of time that they have to wait before they get to see a doctor. And this is a specialist. This is to see an eye specialist, a neurologist, to see an oncologist, etc.

The faction indicates that stress is a big factor in our care and in how any illness that we're dealing with is exasperated to a certain extent. Persons are getting stressed, and the faction believes that stress is the worst thing that you could have added on to being sick, and waiting so long for a doctor.

What is the status of the BIG register? Does it mean that we will get more doctors coming to the island from outside of the Dutch Kingdom?

Can the Minister explain what that impact will have on the timing of how long we have to wait to have appointments? The faction is aware that this is not directly under the Minister and that it is something that we are doing at the hospital. However, the faction believes that the Minister's influence on policies or legislative changes will have an impact on that.

The total amount in the budget is not a reflection of only the total PPK issued. The amount budgeted factors in cost related to the medical care. Medical referrals abroad have lessened, due to the availability of specialists on Sint Maarten. This is based on the information we received from the department of Social Services, who is confident that the budgeted amount is sufficient. Notice should also be taken that the actual expenditure for 2023 sits at 17 mil guilders ,showing that the 22 mil guilders remains an increased amount.

The BIG registration project will fall under the country package. This will broaden the opportunity to ensure the needed capacity in finalizing the legislation and developing an implementation strategy. The BIG on it's own, unfortunately may not influence the waiting time, as that is directly related to a global shortage of medical professionals. Regarding non Dutch educated medical professionals practicing on SXM. We currently do allow these professionals to practice. Their permission is granted after an is assessment is done of the CV executed by an institution charged with this responsibility in the Netherlands.

Ministry of Public Housing, Spatial Planning, Environment, and Infrastructure

The faction indicates that on page 34 of the budget, the faction believes they mention the "Huur Commissie", the rent tribunal. When the faction looks at the subsidized companies, the faction sees that only the Housing Foundation is subsidized, and their budget actually doubled this year. Meanwhile, the allocated subsidy for the "Huur Commissie" is still zero. The faction would just like to know from the Minister if an amendment would be feasible in order to discuss some funds going to the "Huur Commissie" or if there is a different plan of approach for the rent tribunal.

The budget for the Rent Committee is currently allocated under AZ's budget. The amount budgeted for 2025 is NAfls 246,840 and is listed under budget post 3204 of AZ. It is important to note that discussions are ongoing regarding the future placement of this budget, given VROMI's responsibility for housing.

The faction recalls when it was an opposition member asking on this floor of Parliament why there is not an LBham as per article 47 of the "Comptabiliteitsverordening" that basically regulates all tendering for Government, which is the law. The faction believes the former Minister's answer then was that he doesn't think we needed more financial regulation, which was not his choice, but it's in the law. Where are we with this trajectory?

While specific timelines for the completion and implementation of these ordinances are not publicly available, the Ministry of Finance has indicated that it is still committed to enhancing transparency and accountability in public financial management. The development of the LB-HAM is a priority and will be covered in the "Spear" Project.

The faction believes the ministry of Finance also took it upon themselves to create this LBham, which is very important when speaking about tendering. Because yesterday, MPs stated within their expertise, they think that stuff should have been re-tendered but if we don't have an LBham to regulate this, then all is just a matter of opinion.

The faction would also like to inquire about Landspakket E7. The faction believes that an amount of approximately a million euros was reserved for the Department of Domain Affairs with the Landspakket, and the faction would like to know if the Minister has received any indication as to when this trajectory can start. We can start looking at important things like the Didam Policy that needs to be established for long lease and to revamp the Domain Affairs Department, which is the department that creates the most revenue aside from the Infrastructure Management Department.

The work to be executed under Landspakket E7 has been subdivided into three TORs published to the public. Of these, one received sufficient interest to proceed to the next step in the process. The other two are in the process of being republished. Several factors can influence the actual start date of the project implementation. Based on today's status, the Ministry remains hopeful to begin within the first quarter of 2025 with project implementation.

The faction wants to make sure that when we are doing this that, there is a four-eye policy. In the expenses part of VROMI the last column is 2024 and not 2025. The faction would

like to make note that this is going to be a permanent change in the budget. Every other ministry is correct. The faction believes that this correction needs to take place in order for us to approve this one.

This error in the report is noted and will be corrected

The Soualiga Action Movement-faction has taken note of the draft and has the following questions.

Ministry of Finance

The faction states that the Minister mentioned that there is 12.1 million allocated for a new high school. The faction would like to know where this will be built.

The Minister of Finance provided a correction to her presentation: the school is currently budgeted for 2026, not 2025. This decision was made to allow the current Minister of Education time to review the project, as it was previously a building from CBA. She anticipates that it will be included in the 2026 budget following the Minister's of Education review.

In the last 4 years, when were the budgets presented to Parliament? Were they on time? What sort of delay was there? If the Minister is being criticized for bringing it too fast, the faction would like to know what the reason was why it didn't come as fast as well. Were they presented in a timely a timely fashion?

The Minister of Finance stated that the budgets over the past four years have not been submitted on time. Additionally, they were consistently overstated with unrealistic revenue projections, which repeatedly required returning to Parliament to make budget cuts based on negative article 12 advices received. This year, we have presented a conservative budget with realistic revenues and expenses, marking a significant shift toward more reliable financial planning.

The faction believes that if 97% of this budget is of the previous government, then this debate should be over. We should actually be going to the final report now and then into the public meeting where we can vote unanimously, and then we will be able to actually break a record in passing a budget very quickly.

In addressing some of the questions posed, Minister touched on several aspects of the award of contractors to a single a Chinese contractor. Minister repeats that a letter was sent to the NRPB on July 26, 2024, requesting a halt on such practices. These processes were already in place previously. Hence, the NRPB has been informed of Minister's concerns.

In response to the question of MP Meyers for an overview, I can inform Parliament as follows:

On behalf of the Government of Sint Maarten the NRPB is required to apply World Bank procurement procedures. Under those procedures, Sint Maarten is not allowed to give preference to local construction companies.

- To date, most construction contracts of the Trust Fund have been awarded to local construction companies.
- Recently, four tenders have been won by a single Chinese firm. These include tenders for school gyms repairs, the repairs of sport facilities, the construction of the Emergency Operations Center and the reconstruction of Sister Marie Laurence, which also includes the demolition of the old library building and the old Charles Leopold Bell school. The total value of these contracts is approximately 23 million US Dollars.
- Cancelling these tenders will likely result in claims that would be for the account of the Government. In addition, it is uncertain but probably unlikely that the Trust Fund would be able to finance the relevant activities if the tenders would be cancelled. In the absence of alternative financing sources, these activities would thus come to a full stop.
- The tenders are being executed in accordance with the applicable procedures of the World Bank, and complaints are being handled accordingly. Worth noting is that the World Bank has its own separate complaint mechanism, meaning that complaints can be addressed to the NRPB but also directly to the World Bank.
- To date, no contracts with the relevant firm have been signed. The reason for this is that the contractor has to fulfill a number of pre-contractual conditions, such as proof of insurance, performance securities, an approved environmental and social management plan and a proposed updated schedule of works including the contractors mobilization plan.
- The Government of Sint Maarten will treat the respective company in accordance with the laws of Sint Maarten, and expects this company or any company for that matter to act in accordance with our laws.
- The Government is aware of the concerns of construction companies on the longer term impact of a foreign company working on SXM.

The Government is carefully reviewing the situation and is in discussion with the Netherlands and the World Bank on the concerns voiced by local contractors.

Ministry of General Affairs

The faction would like an overview regarding this whole issue with the Chinese contractors and the NRPB. Can you give the Parliament a full explanation of the procurement of those funds? Those funds were given by the Dutch government to the World Bank and then projects were facilitated through the NRPB. The faction also believes that the advantages that the Chinese companies have is an unfair advantage to the local companies, but at the end of the day, those funds are on international bid by the World Bank.

Ministry of Tourism, Economic Affairs, Transport and Telecommunication

The faction would like to know what the marketing budget for the Caribbean region is. The faction thinks that it is important that we market within the region as well. Although we know we do not have the numbers like the US and Europe, but in the Caribbean region there's 44 million people.

The Minister confirms that the marketing budget allocated for the Caribbean region is NAf 200.000.

The small hotel operators in Sint Maarten. There are quite a few small hotel operators. The faction would like to know the plans of the Minister to incentivize them moving forward.

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The Minister explains that plans are underway to incentivize small hotel operators in Sint Maarten through the assistance provided by country packages. Various methods are being explored to support and assist small and medium-sized enterprises (SMEs), including small hotels. These efforts are part of a broader strategy aimed at supporting local businesses to ensure their growth and sustainability. The details of these initiatives will be shared once they are finalized.

The faction believes that the Minister needs to make something abundantly clear to the people of Sint Maarten because there is a total misconception as to government-owned companies and the government being the shareholder of those companies.

Is the management and board of the airport responsible to the company, or are they responsible to the shareholder?

The Minister clarifies that the management board of a company, such as the airport, reports to the supervisory board of that company. There seems to be a misconception that government-owned companies, like the airport, are directly responsible to the government as the shareholder. However, the operational responsibility and accountability lie with the supervisory board to which the management board reports.

In the role of Minister of TEATT, which, of course, is the shareholder representative for the airport, can the Minister expound on what the role of the shareholder representative of government-owned companies is and what role the Minister plays?

In the role of the Minister of TEATT, who acts as the shareholder representative for government-owned companies such as the airport, the Minister's role includes overseeing the strategic interests of these companies. This involves ensuring that the companies align with government policies and objectives, safeguarding the government's investments, and ensuring

accountability and transparency in their operations. The Minister does not involve themselves in day-to-day operations but focuses on governance and strategic oversight.

The faction indicates that there is a general misconception, and maybe that comes from the name of a government-owned company, that they are actually the ministry and the Ministers are actually the ones that do the appointments, the hiring and the firing, and such. Can the Minister explain this?

The Minister clarifies that there is a common misconception regarding the role of government-owned companies, as many people mistakenly believe they function like ministries. However, the Minister is not involved in the recruitment process, including appointments, hiring, or firing within these companies. These aspects are managed internally by the companies' respective management and supervisory boards, rather than by the Minister or the ministry.

The faction would like the Minister to give a presentation in the future as to the angle and the approach the Minister would like to take as far as the small hotel development and the Caribbean region goes.

The Minister is open to delivering a future presentation on the strategies and approaches intended for small hotel development within the Caribbean region. This can be arranged to provide insights into planned initiatives and how they align with regional growth objectives.

As it regards the benefit of the CTO, can the Minister give a ballpark as to what that amount is that they are claiming?

The Minister of TEATT is busy assessing the benefits of CTO as they have gone through changes, as well as negotiating the amount due.

Ministry of Justice

The faction states that based on the questions being asked, Justice was one of the ministries that has been neglected. It was the only ministry, when we received our separate status, that had to be built from scratch. There was no Commissioner of Justice, there was always just a Minister of Justice of the Netherlands Antilles. As such, the faction believes that 14 years later, we are still trying to get Justice where it is, and that's why it's important that, moving forward, we put people in place who are not only capable but have the best interest of the justice workers at heart.

Ministry of Education, Culture, Youth, and Sport

Ministry of Public Health, Social Development, and Labor

The faction mentions the Patients' Bill of Rights and that it was something that the ministry had started to work on years ago. While our patients, when they are sick, they don't seem to necessarily have legal rights to decide, "Well, I don't feel that I'm getting the necessary where I want with this doctor, or I would do this." There should be something in which it is outlined to let the patients know what their rights are as a patient. The faction believes that this is important.

The faction suggests that the Minister of VSA come up with a comprehensive plan, and when we have the Public meeting, the Minister can present what it is he wants to do with the ministry.

The faction has heard a lot of suggestions in regards the 1 cent on the gasoline and the sin tax. The faction proposes that the CoM, in that decision making, all ministries, instead of it going into the general coffers, make a policy that all revenues that are generated by ministries, per ministry, that be done as a surplus and can be then directed directly into that ministry the following budget year. If the Minister can propose something like this to Parliament, the faction believes we would be on the right track.

[The Ministry will certainly examine the matter closely, and seek collaboration with other Ministries, and, if possible, present it to Parliament.](#)

Ministry of Public Housing, Spatial Planning, Environment, and Infrastructure

The National Alliance-faction has taken note of the draft and has the following questions and remarks as it pertains to this national ordinance.

Ministry of Finance

The faction would like to know, as it regards Mullet Bay and the status thereof, what the steps were that were taken since leaving Parliament with the approved addendum which we, as Parliament, were made to understand that once the addendum is approved, that Sint Maarten would get first right of refusal to purchase Mullet Bay? The faction noted then that hopefully it can be done based on a fair market value with an independent appraisal report. How far are we in those discussions? Since then the faction has realized that there have been different discussions from the Prime Minister and from the Minister of Finance where those sentiments sort of wavered a bit in terms of not being in line with what was said before. The faction would like an answer to share with its constituents.

[The Minister of Finance stated that discussions are ongoing with key stakeholders with regard to the possible private public partnership in purchasing mullet bay.](#)

The faction thanks the Minister for the presentation and is happy to hear that the other Ministers will be presenting a detailed presentation in January. The faction believes that the

population deserves that. If you watch budget debates in any country, the budget debate is one of the biggest meetings we have. It also gives hope for the population of what to expect and addresses a lot of concerns that they have going forward. The faction was hoping that we would actually end the year with the presentations from the different Ministers, so we knew what to expect in 2025, not that we start in 2025.

In the presentation, the Minister mentioned that the budget went to CFT on September 13th, also JZ&W. In a meeting we had here a couple of weeks ago in Parliament, a coalition Member said that a Member of the faction is a fibber because the faction questioned the fact that the budget did not get a proper review from the JZ&W.

The faction has stated before that it doesn't matter how the information comes; what matters is the truth. This is concerning for the faction because all legislation in Government is supposed to go to the legal affairs department first before it leaves the building. That is typical because you get the proper feedback first. If we don't get reviews back on the most important legislation it has in Government, then we can leave the other legislation pass too. So, if we have other laws to come, why does it have to go to the department? The faction would like to know if we got a review from JZW, going and coming. So also, on its way back out after we got advice from the Council of Advice. The faction requests the advices to be sent to Parliament?

The Minister of Finance confirmed that the budget 2025 did not skip the review from JZW. As mentioned, the budget was submitted to JZW for their review on the 13th of September and received their advice on October 16th, 2024. After the budget was returned from council of advice it also went to JZW prior to going to COM. Unlike the Council of Advice's recommendation, the advice from JZW is internal. According to Article 10 of the National Ordinance on Open Government, the Council of Advice's advice is made public by the Minister of General Affairs when the draft national ordinances are submitted to Parliament. However, there is no similar legislative disclosure procedure for JZW, as it is an internal advice.

The faction continues and mentions the working environment within the Government. The faction took note of a URSM article that came out. The article was very, very concerning to the faction. The article referred to a process in Government of hiring, and the faction mentioned that during a meeting persons referred to this Government as nepo babies. The word nepo, comes from the word nepotism and refers to a political figure whose rise and success are rooted in nepotistic practices, relying on inherited network from wealth and opportunities available to them from their parties, or a politician whose career is largely attributed to their familial ties rather than merit, riding the coattails of a well-known political family or dynasty, without proven independent qualifications or achievements.

The faction would like to know if there is any truth related to that article that came out regarding the hiring process within the tax office. A lot of civil servants approached the faction about that, and they had grave concerns. How do they know next time when applying for a job that they would be fairly given a similar opportunity, and a Minister wouldn't come and say, the Minister wants the Minister's family or friend to get a job? The faction would also like for

that advice to be sent to Parliament. The faction believes that we have to be able to set the integrity and build back the trust within the civil service regarding the hiring process.

Another reason why that's concerning is because in the third-quarter report it mentions the Government's concerns of lack of skilled personnel, capacity shortages in departments such as Finance and project management.

The Minister of finance thanked the honorable MP for the question and the opportunity to address this today. She stated that she is committed to a principle she hold dear: when it comes to putting the people of St. Maarten FIRST, she makes no apologies. The people entrusted those in government, with the responsibility to correct long-standing wrongs and to prioritize their well-being above all else. That is why we are here. That is why she is here.

The Minister of Finance stated that over the past few days, there has been much discussion about civil servants who has been in an acting position for several years. Without the vacancies being published. She stated that it is unbelievable and unacceptable. It does not matter who the individual is—this is a practice that we, as a government, cannot and must not allow to continue. Minister welcomes this question on the floor of Parliament today because the people deserve answers, and she is here to answer to the people of St. Maarten. Minister makes it very clear: Minister will not now or in the future answer to ghosts or anonymous Facebook posts. The people's business is serious business, but she will not be distracted from my duty by baseless accusations made in the shadows. Minister places on record that the person in question is no way related to her. Now let us return to the core issue: if we are unwilling to actually put these hardworking individuals that have been in these acting positions for years in the position, then let us remove them from these positions and assign them roles where they can be supported and fairly treated. But what we cannot and must not do is use and abuse our people. This cycle of abuse must end. How can we justify keeping individuals in acting roles for such prolonged periods without providing proper compensation or formal appointments? Are any of us in this Government acting ministers or acting parliamentarians, serving without the salaries and benefits that come with our titles?

Absolutely not! So why, then, should we allow this inequity to persist within the civil service? Have we considered the long-term consequences of these decisions on our people's pensions, their retirements, and their livelihoods? The lack of proper appointments and compensation has a direct and profound impact on their futures, and what we are creating is a demotivated civil service, and yet we wonder why more are leaving than coming. This is not just about salaries, it is about dignity, fairness, and justice for our hardworking civil servants. Across various areas of government, far too many people remain stuck in acting positions. This is a systemic issue that demands immediate and decisive action. As Minister of Finance she stated that she have both the obligation and the determination to address this issue and make it right. She also stated that she makes no apologies for standing up to ensure that we do better for our people. The people of St. Maarten deserve better. They deserve a government that values them, recognizes their contributions, and treats them with the respect they have earned.

The faction continues and states that the Minister, in a couple of interviews, mentioned that persons don't even need to file. The faction would like some clarity on that.

Is there a legal basis to file? Because the faction would like to know, based on the Minister's two interviews, has that position changed, or is that still so? Do persons have to file their taxes?

Minister of Finance stated that her position did not change, there are stipulations in the tax legislations indicating situations in which no income tax return needs to be filed or in whereby wage tax can be considered as a final levy.

For example, based on article 41b of the Income Tax Ordinance in conjunction with article 7 of the General Tax Ordinance, there are situations in which no income tax return needs to be filed.

Article 7, paragraph 5 of the General Tax Ordinance stipulates that the taxpayer does not need to request an income tax return form to be issued if it can reasonably be assumed that, after deduction of advance levies (like wage tax), no tax is due.

However, based on article 7, first paragraph of the General Tax Ordinance, if the Inspector nevertheless issues an income tax return form to the taxpayer, the form issued must be submitted.

Thus, based on the procedure of the Tax Administration to issue income tax return forms to all taxpayers, the forms issued in accordance with article 7, first paragraph would then have to be submitted to the tax inspectorate. So based on the applied policy whereby the Tax Administration issues letters to all taxpayers they are then obligated by the law to file their taxes.

However, this policy is not efficient for neither the tax administration as well as for the taxpayers, as form do not always arrive at the correct address and especially for older years, it is difficult for the Tax Authorities to prove that a return form has been sent to the taxpayer.

With the transition of the Tax Administration project, this process will be reviewed and made more efficient for both parties. Currently, due to outdated tax systems, it is not possible to perform a simple cross-check between a company's payroll summary and individual taxpayer records. However, with future system upgrades, this functionality will be enabled, eliminating the need to send income tax forms to all taxpayers in Sint Maarten. These inefficiencies highlight the urgent need for modernization within the tax administration.

The faction believes that Members of Parliament need to hold not just each other accountable but also the Government accountable for the things that we say on the campaign trail. The faction plans to hold all accountable, including the Ministers for things that they said. Is there a legal basis for the public to file?

In that same interview, the Minister also mentioned about tax returns, and that the Minister would like persons to be able to get their tax returns faster. Has there been any improvement in terms of payments of tax returns? Can the Minister show the measurement tool being used for that? The faction advises of one way that it could be done, namely by showing what has been the budgeted amount for the last six months in terms of tax return payments. The faction would like the budgeted amounts for the years 2023 and 2022.

The Minister of Finance stated that the amount budgeted for the last 6 months: is 3,500,000.00, for 2022: 6,000.000.00 and 2023: 7,000.000.00. A budgeted amount of 500K is paid out monthly for tax returns. The Minister clarified that her statements on tax returns was not pertaining to the budget it was pertaining to the current process where individuals must request their tax refunds to have them paid out. I am actively discussing this with the Receivers to explore ways to improve the system. My stance remains that it is unreasonable for individuals to have to formally request funds that are already owed to them. This is an area that requires urgent attention and reform. While as a government we pay an amount of 500K out per month my stance is that persons should automatically be placed on the list if funds are owed to them and not that they have to come to the tax office to ask to be placed on a list. In the meantime, improvements have been made to ensure that those who request their tax returns are paid out in proper sequence, addressing concerns about individuals being prioritized over others.

The faction mentions the article from the Prime Minister regarding the Christmas voucher, and the faction thought it was very interesting. The previous administration increased the Christmas voucher in 2023 to 250 guilders, and they had to go through a procurement process.

The faction saw a survey come out from the Government stating, "Where would you like to get your Christmas voucher?" So, that means you're bypassing the procurement process. In the end, the Government decided to put the money directly into the accounts of the civil servants. The faction thinks that this could be a good move. It also states that that would be tax-free; it would be untaxed, which the faction thought even more interesting because we have the workers of TelEm that are complaining about their payouts that they're getting, and they are fighting to get it tax-free, and they're being denied. How is it possible that the Government could decide for itself, 2,000 employees, getting it tax-free but that availability to the staff of TelEm is not possible?

Can Parliament receive the national decree that was used to be able to execute this? Also, has the Governor signed this LB already? The faction would hope that we didn't use an MB to circumvent the legal process that we typically follow to be able to execute this. Can Parliament have the national decree that the Government used to be able to execute this payment of 250 guilders? And is it indeed tax-free?

The Minister of Finance stated that the funds were paid based on a Council of Ministers (CoM) decision. There was room in the budget 2024 to allow for this payment. It is important

to note that, under the tax law, both Christmas vouchers or net Christmas payments are treated in the same way. In other words, there is no difference between the current payments and the vouchers issued previously. Both vouchers or payments received are taxed. In the Netherlands there is a law whereby certain payments made as Christmas gift are tax free up to a certain amount. However, this law we do not have in Sint Maarten. As such whatever is given to civil servants be it vouchers, or direct payments are taxed.

The Audit Chamber's report highlighted several observations regarding the process of issuing vouchers last year, such as how the bid was executed. Concerns on if each individual actually received their voucher etc. These issues have been reviewed and therefore the process has been adopted by this government to ensure improvement, fairness and compliance. As Government did not hire a third party through a bid, no landsbesluit is needed.

The faction continues and mentions that during the summer, the Minister and the unions had a back-and-forth regarding the COLA and the vacation pay. The Minister at that point in time said that no, she's not going to get locked up for anyone; there needs to be a legal basis, there needs to be legislation to be able to execute the payment of the COLA and vacation pay.

Six months later, the faction is happy that the COLA and vacation pay that was started by the former administration, were executed. But where is the legislation now? It's been six months later. It has been executed and not just being executed; it has also been budgeted for in Budget 2025 without legislation.

The technical support within the ministry is busy making adjustments to the legislation as it continues to take the necessary route for its final completion.

The Minister indicated that in the past Government, we put the tax—we put the tourist tax in the budget, and there's no legislation to back it up. The faction would say that the Minister has made the same mistake by putting the COLA and vacation pay in Budget 2025, and there's no legislation there. How are we paying it out? Going forward, you have budgeted for the payments, but there is no legislation.

The technical support within the ministry is busy making adjustments to the legislation as it continues to take the necessary route for its final completion.

In addition to that, because the vacation pay and the COLA were already paid out, that means you already started to execute on the draft legislation that the past Government presented, which would also mean that the Minister is enabling the other acts of that legislation.

Persons have been coming to the Government requesting their jubilees—the 15 years, 20 years, and 25 years. The faction is asking the Government to please execute that also. The Why is the Government taking a stance on only executing part of the law that we have and not the others? The faction would like to know from the Prime Minister and Minister of Finance if the jubilees for 2024 will be paid out. How many jubilees do we have based on the legislation? So, the 15, 20, 25, 30, 35, 40, even 45 years—how many persons are entitled to that in 2024?

This question was handled previously by the Minister of Finance as this remains under her purview as Minister of Finance

In regard to the amount of persons entitled to it, the breakdown is as follows,

Response on the amount of persons per ministry for 2024:

Ministry	15 Years	20 Years	25 Years	30 Years	35 Years	40 Years
VSA	3	1	-	-	1	1
FIN	5	1	2	4	2	-
GA	3	12	5	4	8	2
VROMI	-	1	2	-	-	-
TEZVT	-	2	1	-	2	-
ECYS	4	1	3	-	2	1

It will be paid in 2025 when the law is implemented.

In the quarter three report, it is stated that the debt of GDP ratios is approaching or exceeding recommended thresholds, raising alarms about fiscal sustainability. That was quarter three of 2024, yet still, the Government took on another loan, which is the GEBE loan, that was not part of that time, the quarter three report. What is our position now if, in quarter three, we already thought that was a risk? What is our position since then? Can we break down this risk? Can we add a percentage of the risk level?

It also mentioned that there is limited fiscal space for additional borrowing without jeopardizing the country's creditworthiness. Since then, the Government has taken on the loan

of GEBE, so how much more has this risk increased the creditworthiness? And what is our current creditworthiness?

The Minister of Finance stated that In the Q3 report, the debt-to-GDP ratio stands at 44% for the entire collective sector. For Small Island Developing States (SIDS), the International Monetary Fund (IMF) generally considers a debt-to-GDP ratio of 60% or lower to be reasonable and sustainable under normal economic conditions. For SIDS that are frequently exposed to natural disasters or economic shocks, a ratio closer to 40%-50% is often seen as more prudent.

In Sint Maarten case, the current ratio falls within this prudent range, and this will remain the case even when accounting for the loan for GEBE.

Can we get an update on the tax systems? The faction has requested these from Parliament and the TWO reports but does not believe they've gotten them.

Can we get an update on the tax system since there was no appeal done? What is the current timeline for the new tax system? Is there another or a new bid going to go out? Are we going to just hand-select who we want? Are we going to start a whole new process? Can we get a detailed update on the current tax system?

The Minister of Finance stated that in accordance with the court verdict received the previous tender was retracted and in order to safeguard the financing via TWO the tax system has to be retendered, with the new tender expected to be published in the first quarter of 2025.

The faction states that the budget for 2025 has a significant increase in revenues in comparison to 2024. In the presentation of the Minister, though, it was stated that there are no new policies, and specifically, let's say tourist tax, among others, were mentioned. So where does these millions of revenue come from? If there are no new policies, where are we generating this revenue from?

The Minister stated that as outlined in the elucidation book, the increase in taxes is primarily attributed to economic growth. These expected growths are from the IMF and CBCS forecasted economic projections which are estimated at 5% however the impact on tax revenue is at 3% for the year 2025 compared to 2024. As such not because there are no new policies it means there is no growth in revenue.

When the faction looks at the quarterly report, the risk for the Government is the capacity to be able to collect funds. It also states that Government needs to be able to put pressure on individuals to pay their taxes and hold them accountable.

So, there are no new policies. How is Government increasing millions of guilders in revenue? What new additional pressures, what additional controls, how much additional controls are we planning to execute within the next few months to be able to generate this revenue?

The Minister of Finance stated that the Ministry is actively engaged in several projects under the Tax Transformation initiative, which includes improving business processes to enhance revenue generation. While the full rollout of the new tax system and processes is planned for 2028, we are currently focusing on implementing several quick wins to improve the efficiency and effectiveness of the tax administration in the short term. These measures aim to strengthen controls and optimize revenue collection over the coming months. In addition, we will be engaging SBAB to assist in compliance and collection efforts.

The faction would also like to know what the current cash on accounts for Government is.

The Minister of Finance stated that the current cash on government accounts is reflected in both the budget and the Q3 report, which include detailed information on cash flow, liquidity, and projections. It's important to note that cash balances fluctuate on a daily basis, depending on various factors that affect the government's financial operations. These reports provide a clear picture of the government's financial position and allow us to manage resources responsibly. While we are operating within tight financial constraints, we are taking proactive steps such as enhancing tax compliance, controlling expenses, and pursuing economic growth initiatives, to ensure the government continues to meet its obligations and provide essential services to the people of Sint Maarten.

The faction would also like to get the top 15 entities that we owe and the amounts.

The Minister of Finance stated that to get an entire list of the 15 entities will take some more time but she can indicate the top 5 that have been outstanding over the last years.

SZV	outstanding 113.7 mln (unaudited)
APS	outstanding 11.2 mln
SOAB	outstanding 1.8 mln
SKOS	outstanding 3.1 mln
Telem	outstanding 3.4 mln

The faction mentions the loan and inquires if we paid the loan payment in October. How did that affect our cash flow? What are our cash flow projections for the next 3 to 6 months?

The Minister of Finance stated that the cash flow projections for the coming months are detailed in the Q3 report, and she can confirm that the loan repayments and interest were successfully paid in October and December.

The faction inquires about the financial statements of the government-owned companies and how much these are taken into consideration when it comes to the income of the Government.

For example, one in particular is BTP. The faction would like to know if the Minister has read the financial statements from BTP and the comments from the auditors. What is the risk that BTP faces, and what is the Minister's opinion on those risks in particular?

The Minister stated that the Ministry has reviewed the 2023 Financial Statement of BTP. However, the Independent Auditor's report does not specifically highlight any risks for BTP. The audit opinion issued was a clean unqualified opinion.

Does the Minister believe that payments from certain entities that are outstanding and owed to the Government—let's say, for example, casinos—should be waived in any way? The same question applies to any other entity reflected in the financial statements of these different government-owned companies.

The Minister of Finance stated that to be able to waive fees, it is essential to determine whether the law permits such waivers, as this is not always possible. However, from a collection perspective, less effort in pursuing very old debts might be justified. This is because the cost of collection may outweigh the potential revenue, making it an inefficient use of resources. Additionally, over time, locating businesses responsible for these debts becomes more challenging, as they may have moved, ceased operations, or become insolvent. However as previously mentioned this is to be determined on a case to case basis.

As Minister of Finance, she believes it is more beneficial for the government to focus its efforts on strengthening overall compliance and ensuring future tax efficiency, rather than expending resources on unlikely recoveries. This approach will yield better long-term results and enhance the stability of our fiscal framework.

The faction continues and states that upon perusing the budget, the faction found the budget to be something easy to like but very hard to love for the following reasons. Easy to like. In the sense 99% of the projects that the faction is seeing in it are that of the prior Government, but harder to love in a sense of, as the Minister alluded to, there were no new policies. The faction understands on one half yes and the other half no to why there were no new policies because yes, the new policies that need new laws drafted, the Minister didn't have enough time to do it, and no one had enough time to do those. But the faction is of the opinion that not all new policies need new laws. The faction is a bit perplexed as to why zero new policies were in the budget.

The Minister of Finance stated the following. Regarding the revenue, it is important to note that all collections are based on legislation. Tariffs are always established through legal provisions, and the government cannot collect revenue without a proper legal basis. As previously stated, the current budget does not include any new policies, emphasizing the term "new." This means that all ongoing initiatives and policies are still accounted for within the budget. From a sound financial management perspective, only initiatives expected to materialize are included. For instance, the indexation measures, which are in their final stages,

are anticipated to be implemented next year. However, initiatives over which we currently have limited control, such as the tourist tax under review by the SER, have not been included, as we are still awaiting their advice. Once there is greater clarity on the timeline for implementation, these initiatives will be incorporated through a budget amendment.

The faction is a bit perplexed as to why zero new policies were in the budget.

The Minister of Finance stated that in the budget elucidation, Chapter 2, spanning pages 23 to 83, provides a comprehensive explanation of each ministry's plans for the upcoming year. This section outlines the priorities and initiatives for every ministry in detail. Traditionally, Central Committee meetings focus on technical aspects of the budget, such as figures and allocations, while policy-related discussions are typically addressed in greater depth during the public meetings.

The faction notes that it gets more information on what this Government, and the ministry of Finance wants to do moving forward from newspaper articles than from this budget. So, the faction thinks we could have done things a bit differently.

The faction continues and mentions the debt-to-GDP ratio and the interest-to-GDP ratio. The faction would like to receive those from the years 2010, 2015, 2018, 2020, and 2024.

The Ministry does not have this information readily available from all those years. However, the Minister stated that following Hurricane Irma, there was an increase in debt levels due to the liquidity loans received at that time. During the COVID-19 years, we observed a significant rise as a result of the liquidity support provided during the pandemic. Currently, the government debt-to-GDP ratio stands at 34%, and for the entire collective sector, it is at 44% which is the highest compared to previous years given the increase in debt in comparison to increase in GDP.

As it pertains to the tax-to-GDP percentage, the faction would like to know what the Minister's plan is because the faction is seeing a lot of, ad hoc plans for taxation: transaction tax, the new vehicle tax, garbage tax from the Minister of VROMI. What is the long-term plan as it pertains to the tax-to-GDP percentage? The faction mentions that Sint Maarten is 27%, Aruba is 35%, and Holland is 39%. We know where we don't want to go, but the question is, where are we going? The faction doesn't believe it is the intention to implement all these tax ideas and then to find out what our percentage is. The faction thinks that we'll be at a surprise at that moment, and the faction thinks we're working backwards if we were to do it that way.

The Minister of Finance stated that her plan is to increase tax revenues through improved tax compliance and the introduction of new taxes, such as the tourist entry tax. Both measures are expected to contribute to an increase in our tax-to-GDP ratio, strengthening our overall fiscal position.

The faction continues and mentions the vehicle tax plan that the Minister shared in the paper. The faction didn't get the complete gist of what the Minister wanted to do when it came

to the article. So, if the Minister can clarify this—because how the faction read it, it's going to be based on weight, and the weight classification begins at 3,500 kg.

The Minister of Finance stated that during press briefing, she highlighted the possibility of adjusting the vehicle tax in the future. However, this adjustment requires careful consideration and proper assessment, she did not provide any categories as yet because this has yet to be researched. Which is why she emphasized that implementation cannot occur before 2026. It is essential to gather and analyze data to determine the most effective approach and fully understand its potential impact on revenue. This serves as a clear example of an initiative that demands thorough research and analysis before being incorporated into the 2026 budget in a well-substantiated manner.

The faction would like to know who the Minister consulted with. Which external experts did the Minister consult upon coming up with this vehicle taxing based on weight? Was the Minister of VROMI consulted in the matter?

The Minister of Finance stated. This is her intention; however, further deliberations are necessary. This underscores the reason why no new policies are included in this budget. It is crucial to conduct thorough research, gather the necessary data, and, once the data is available, include it in the budget if the legislative timeline allows.

For this specific matter, inclusion in the 2026 budget will only be possible if the data is finalized by Q2 2025 and demonstrates that the adjustment will lead to increased revenue. If the data does not support this, we will not proceed with the adjustment. Additionally, the legislative trajectory must be realistically achievable.

This principle applies to all new policies—there must be substantiated data to justify any increase or decrease, and the measures must be implementable within the required timeline. These steps are essential to ensure responsible and effective policy development.

The faction mentions statements regarding transaction tax, changing the vehicle tax, and garbage tax. The faction is of the opinion that these are all good initiatives if done the right way. But the faction is concerned as it does not see anything that pertains to reforms in taxes—wage tax. As well as stimulating grant taxes or incentives when it comes to small businesses, as well as tax incentives for electric vehicles (EVs), etc. What is the Minister's stance on sin tax?

The reason why the faction is naming these four different forms of taxation is that these are in the manifestos of the majority of the parties that are in the coalition. The faction is seeing articles being written on all different types of taxes except the ones in the manifesto that they ran on and promised. The faction would like to understand what the plan is as it pertains to those taxes, and what the plan is for tax reforms moving forward.

The Minister of Finance reiterated, from the moment she took office, her priority has been to implement a tourist tax, increase the room tax, and reduce both profit tax and wage

tax. Additionally, she would like to look into sin tax; however, this will require further research and cooperation with the French side.

The faction would like to know the Minister's stance on indirect taxation.

The Minister of finance stated she did not change her position, and as previously stated the necessary research has to be done.

The faction thinks the Minister explained it in short during the previous budget debate, but the faction expected to see more or hear more about it going forward. What are the short-term plans?

What is the projected expectation for the change in the vehicle tax? What is the Minister expecting to collect in difference once that is changed, compared to what it is now?

There is no anticipated change in vehicle tax for the year 2025. Any potential changes for 2026 have yet to be fully substantiated with underlying data and reviewed. A decision on this will be made and incorporated into the 2026 budget once the necessary analysis is completed and the expected increase in revenue is known.

How far are we since the approved addendum for the ENNIA agreement left Parliament. The response was discussions are ongoing with key stakeholders. The faction believes that this is pretty vague. It was stated that discussions are ongoing with key stakeholders for a public-private partnership.

Can this mean that the Government is discussing with other individuals to buy it? Does this mean that the Government is in discussions with the Curacao government and Sun Resort to acquire the property? Can more context be given to this point?

The Minister stated that she currently has no additional context to provide, as preliminary discussions are ongoing with key stakeholders. Once these discussions progress to a more advanced stage, I will be able to arrange a closed-door meeting with Parliament to share detailed information, following consultations with the Council of Ministers.

The faction is happy to hear the Minister attempt to clarify, but it didn't answer the question in the end. The question was not regarding acting positions and so forth. The faction agrees with the Minister and knows there are a few other acting positions in the ministry.

In this case, the article stated that there was interference in the process of the hiring. Now, the vacancy for this same position came out while the Minister was there, so that means if the Minister wanted this person that was acting to be placed, the Minister just had to write an advice to put them in position. The faction agrees with that. The faction encourages the Minister to continue to work on that process. However, in this instance, the Minister put out a

vacancy for that position, so the Minister did not consider the person that was acting; not the department.

Is there any truth to the article? The faction would like to know if the Minister sent a letter to P&O saying, "Stop this process and appoint this person."? Did P&O say, for example, "Hey, this is the person that won fair and square, but since you want to appoint this person, we'll oblige"? The faction indicates that it posed the question to the Prime Minister as well.

In the past P&O clearly stated that they don't change their advice. You can put "niet akkoord" and hire who you want, and the faction would respect that. The faction believes that the power was by the Minister to appoint the person and make them permanent.

The Minister of Finance clarified that the vacancy was published weeks after the person in question submitted their resignation from the acting position, citing feelings of being unappreciated after having served in that capacity for more than six years.

While the person in question applied for the vacancy, just to be clear as Minister she does not put out vacancies this is done by the head of the department, the vacancy process was followed as required. Each step, including the advice, was conducted in accordance with the established procedures, with the Minister ultimately responsible for making the decision after taking all advice into account. In this instance, Minister indicated 'niet akkoord' on the advice and provided a legal substantiation for my disagreement with how the process was handled. This decision falls under my responsibility as Minister.

As such, the Minister stated while she can confirm that the process adhered to the regulations, she reiterates that there are civil servants who have been in acting positions for years, which amounts to an abuse of their service.

She repeated her my earlier statement: she is committed to a principle she holds dear—when it comes to putting the people of St. Maarten FIRST, she makes no apologies. The people entrusted those in government with the responsibility to correct long-standing wrongs and to prioritize their well-being above all else.

The tax office has her full attention. She has held meetings with various employees and assure you that their concerns have been heard. Addressing these issues is part of our collective responsibility, and it is why we are here—and why she is here.

When it came to the vouchers, the Minister indicated that they were not taxed, but the pay slips came out today. The money is in the account, and it's not taxed. The civil servants and unions are asking for clarity. Is it taxed or not?

The Minister also mentioned some law. Which law is it?

The Minister of Finance stated that the amount of 250 was paid out net; however, when filing your income tax, it is everyone's responsibility to comply with the law. These money benefits received, including those in kind (such as vouchers), must be included in your income when filing your tax return.

With regard to the payout procedure, Gratifications cannot be compared to the Christmas payment, as gratifications and certain allowances are regulated under the LMA. Therefore, gratification payments have to be in compliance with the applicable legislative and policy stipulations, while this is not the case for this Christmas payment.

The Minister further mentioned that no LB or MB was used, but it was a CoM decision. The faction is of the opinion that this means that for dark hours for ambulances, for justice workers—any payment that you need to make happen, just use a CoM decision. No ministerial decree, no national decree was used to make the payment.

The faction is happy for that, however the faction believes that this means that the Minister doesn't have any excuses going forward when it comes to payments of other civil servants, especially justice workers.

Regarding the filing of taxes. The Minister mentioned article 41b of the Income Tax Ordinance and that citizens don't have to file based on this article. The Minister also said that based on the policy of the Tax office, legislation supersedes policy. So in the end, in 2025, persons do not have to follow this procedure because law supersedes policy.

The Minister of Finance reiterated that if the tax office sends you a form, you are required to file in accordance with article 7 of the general tax ordinance. However, if you do not receive a form and you meet the requirements stipulated listed in article 41b of Income Tax Ordinance, then you should not be obligated to file.

That said, if you have any additional deductibles, it is in your best interest to file your taxes to ensure you receive any eligible refunds. As not filing might not be in your benefit.

Based on article 41b of the Income Tax Ordinance in conjunction with article 7 of the General Tax Ordinance, there are situations in which no income tax return needs to be filed.

In Article 41b of the Income Tax Ordinance lists situations in which wage tax can be considered a final levy.

These situations are:

Article 41B

1. An assessment will not be assessed and withholding taxes will not be settled unless:
 - a. the tax due exceeds the total withholding taxes by more than NAf 300;
 - b. a reduction in payroll tax has been granted on the basis of Article 8, fifth paragraph, of the National Ordinance on Payroll Tax;

c. the taxpayer has filed a tax return within 18 months after the end of the tax year.

2. In the case referred to in the first paragraph, section c, the assessment is set at nil and no settlement of withholding taxes will be made if the total of those withholding taxes does not exceed the tax due by more than NAf 150,-.

3. Without prejudice to the provisions of the first and second paragraph, a refund or collection of a tax assessment will only take place if the amount to be refunded or claimed exceeds NAf 50,-.

Article 7, paragraph 5 of the General Tax Ordinance stipulates that the taxpayer does not need to request an income tax return form to be issued if it can reasonably be assumed that, after deduction of advance levies (like wage tax), no tax is due.

However, based on article 7, first paragraph, of the General Tax Ordinance, if the Inspector nevertheless issues an income tax return form to the taxpayer, the form issued must be submitted.

In this case it is not a matter of a policy superseding a law, however, in this case, the policy is reflecting one law, without taking the other law into consideration. As a policy must indeed facilitate the laws, the policy should be amended to be in line with both laws, in a manner that in situations stipulated in article 41b, the Tax Inspector will not issue an income tax return form. Because once the tax inspector issues the income tax return request that means in accordance with the specific law the individual has to submit their taxes.

The faction mentions the posed question regarding the plans as it pertains to the elimination of taxes for seniors. Can this question be answered with a timeline for completion?

The Ministry is currently gathering the underlying financial data to support the proposed law. Once this information is received and confirms the feasibility of the adjustment, a realistic timeline can be established.

The Minister mentioned that she doesn't put out advertisements for job vacancies. However, the faction would like to remind the Minister that she is responsible for everything that happens within the ministry. The Minister is "eindverantwoordelijk". Maybe the Minister might not be technically sending it out, but someone within the ministry is acting on the behalf of the Minister. The faction is of the opinion that once a person is in an acting role, the minute they apply for the job it then goes into the role of the recruitment process. Is this wrong?

While it is true that this matter was addressed during the recruitment process, the Minister retains the responsibility to evaluate the fairness and integrity of the process. The Minister must also consider all relevant facts and based on this assessment, make a well-informed decision—this responsibility was duly fulfilled.

The faction is of the opinion that as a government, you have to have a vision and a goal. To say that that is not there is very worrisome. Without vision the people will perish.

The Minister of Finance would like to clarify that not including unrealistic revenues in the budget does not imply that the government lacks vision. As the Minister of Finance, it is crucial to adhere to sound financial principles and present a realistic budget. However, it is important to note that having a vision and maintaining a realistic budget are two distinct matters. Once specific aspects of the vision can be translated into measurable financial impacts and implementation timelines are established, they will be incorporated into future budgets.

Ministry of General Affairs

The faction would like to thank the Minister of General Affairs and the Government for continuing the disaster fund that was started under the previous administration. The faction would like some clarification regarding the GEBE loan that is right now on the table, which was approved in the 2024 Amendment. The faction would like to know what conditions are tied to that with respect to the operations of GEBE. The faction notes a disaster with the airport as it regards years of CFO and an agreement being made. Is that the case here?

Coincidentally I was informed this morning that the technical teams are busy working out the final details on the loan and I am looking forward to formally receiving it to be handled in the Council of Ministers. The entire Council of Ministers will continuously be involved.

What is taking so long with hiring three Os, O's two Os, O's or one O? The faction knows that that process was concluded quite a while back. The faction would like to get an update on that. Or is it being held off until the money comes, and then we have to appoint someone? Is that a discussion that is taking place?

Minister wishes to confirm that the results of a recruitment process were presented to the shareholder earlier this year. However, the Council of Ministers has expressed reservations regarding the manner in which the recruitment process was conducted.

A detailed presentation on the next legal steps concerning this process and the appointments was delivered to the Council of Ministers a few weeks ago. The Council is now awaiting the decision paper to proceed accordingly.

The faction would like some clarity from the Prime Minister because every time the Prime Minister speaks, he talks about being less dependent on the Netherlands, but the actions prove otherwise with respect to the different loans. What is the stance of this current cabinet with assistance? We all know how the CFT and all these things are set up, but the faction finds it a bit misleading to the general public. At one point the Prime Minister is saying we are too

dependent and that we need to move away, yet the Prime Minister is putting us in more debt with the same party.

Ministers expands on this crucial matter.

What Minister spoke of today is not just a proposal but a vision—a vision for a truly autonomous and resilient Sint Maarten. It is vital that Parliament understands this is about charting a future where Sint Maarten stands strong, self-sufficient, and prosperous.

Currently, we find ourselves heavily reliant on the Netherlands, particularly for addressing our financial challenges. Let me be clear: this is not about opposition to the Netherlands. It is about the development and empowerment of Sint Maarten. My vision is for a country that reaches a level of maturity and capability where we thrive independently while fostering collaborative relationships [within the Kingdom—relationships built on mutual respect and clearly defined agreements.](#)

[As a Small Island Developing State, Sint Maarten remains open to support in achieving its development goals. However, that support must be delivered in ways that are equitable and genuinely beneficial to our people. This includes assistance from the Netherlands, provided it aligns with our shared commitment to Sint Maarten's sustainable progress](#)

The faction would like to know if the Prime Minister can provide an overview of all the vacancies for the "brandweer". The vacancies that are needed and also highlight those that are critical and may be the reason why they are not filled. Is it budgetary concerns? The faction states that if we need to make any amendments, we can do that. The reason for this question is because within the fire brigade, there are persons that are held back given the fact that they cannot get their promotions for quite a while now. The faction would like to know how the Government is dealing with those cases.

Vacancies:

- 1 Hoofdmedewerker Rampenbestrijding ---**Critical**
- 1 Administratief Medewerker
- 1 Medewerker Materieel Logistiek
- 1 Monteur Materieel en Logistiek
- 1 Monteur Persoonlijke Bescherming
- 1 Sectiehoofd Repressie --- **Critical**
- 2 Ploegchef
- 1 Medewerker Repressie
- 7 Junior Medewerker Repressie
- 2 Medewerker PPO

Currently, the positions identified as the two most critical for the Fire Department are the [Hoofdmedewerker Rampenbestrijding \(Disaster Management\)](#) and the [Sectiehoofd](#)

Repressie (Section Head Repression). Despite efforts over the past few years, the department has been unsuccessful in filling the Section Head Repression function.

Additionally, the Hoofdmedewerker Rampenbestrijding function became vacant following the resignation, a few months ago, of the person who was previously appointed in that function. The department is committed to addressing this gap and aims to fill this function shortly.

The approval of the function book will address the current challenges in promoting personnel. At present, there are no available FTEs to facilitate promotions. Once the function book is finalized, employees will be able to receive the well-deserved promotions they have been awaiting.

The faction mentions the resettlement and the concerns with paying out of persons who have occupied land illegally. The faction mentions that in two instances, there were persons who were, in the opinion of the faction, not paid out in the right way. The faction would like to know, based on those two very clear cases that stood out, if any resolution has been made for the persons who filed complaints via the Government and also at the NRPB in terms of getting their payout.

The faction would like to get an update regarding the three complaints that came in, the status of those complaints, and if they are being addressed.

The National Recovery Program Bureau (NRPB) has informed the Government that there are no outstanding complaints regarding cash compensation for project-affected persons under the Resettlement Action Plan for the neighborhood adjacent to the landfill.

This matter one such case was officially closed in April 2024, during the tenure of the former Minister of Public Housing, Spatial Planning, Environment, and Infrastructure (VROMI).

In line with what the faction mentioned earlier to the Minister of Finance regarding nepotism, the faction mentioned that Millennials and Gen Z refer to the current Government as "nepo babies." Another term that comes to mind is cronyism, which refers to the practice of favoring friends, associates, or close acquaintances when appointing individuals to positions of power, employment, or granting privileges regardless of their qualifications or merit and what happens is that it undermines the fairness, transparency, and efficiency, as decisions are based on personal relationships or the party.

The faction loves the lights on the lamp poles; they are beautiful. The faction loves the Christmas atmosphere and the feeling that it brought. But it doesn't change the fact that it's cronyism and nepotism. No matter how good of a feeling that the faction has, it doesn't change that fact. The Prime Minister has a letter that endorses a particular foundation to be able to operate and decorate the lamp poles.

The faction's question to the Prime Minister is: are you going to do this endorsement letter for every entity? The Aquatic Foundation just came from Budapest the other day. They needed a lot of donations to be able to travel. Are you going to write an endorsement letter for them so they could also get funding for their sport? Having an endorsement letter from the

highest body and the highest person in the country in terms of power carries a lot of weight. Is the Prime Minister going to write an endorsement letter for the Football Federation, the Soccer Federation, the Flag Football?

Which other entity is allowed to come to the Prime Minister to get an endorsement letter to be able to get funding from the community? The faction guarantees that the Prime Minister writing that letter is a lot stronger than the average person on the street writing a letter.

When you do write this endorsement letter and they are applying for a subsidy for Government, the power is in your hands. The power is then in your hands or the relevant Minister's hands. So how do you now, as Prime Minister, write an endorsement letter to the Government, for example, and then deny their subsidy request or support?

How do you separate the entity that got the permission? Why couldn't it be, let's say, Funtopia or another foundation, or the Home Foundation? Why this particular entity? Maybe another entity could have done it even cheaper. So maybe the donations that they got could have been tripled or doubled in terms of value. Maybe Funtopia already has a certain amount of lights; maybe they could have added more flair to it. So how did the Minister determine that this one entity can do it best?

The faction would like to know if the Council of Ministers approved this. The faction also understood and saw in a letter, a previous letter, the Wever Works Foundation. Why didn't they get it? There's another good entity that works around the clock.

The faction would like to know if the Council of Ministers approved this letter before it went out. Because then the faction would want to hold the other ministers accountable going forward.

On top of that, this isn't only the opinion of the faction but this is also the opinion of the Minister of TEATT.

The faction would like to know if the Prime Minister feels in any way responsible. Does the Prime Minister feel in any way that this was cronyism? Does the Prime Minister feel the fact that the colleague Minister has called you out on this and said, "Hey before you continue down this line"? Because Minister Heyliger- Martin, she was also doing the Christmas lights, right? Why is there so much competition? Why can't she execute what she has to execute? Why can't we support her in getting the lights done?

The faction really respects the Minister of TEATT for making her position clear and even after doing that, still being a team player and saying that we did this together.

Minister will now address the personal allegations of nepotism and cronyism that have been directed at me during this 2025 budget debate. While Minister recognize that this

chamber is a place for spirited discussion and debate, these claims strike at my character and integrity as Prime Minister, and I must respond directly and unequivocally.

Let me be absolutely clear: my actions as Prime Minister are rooted in principles of **fairness, transparency, and service to the people of Sint Maarten**. These values guide every decision I make, and I reject any suggestion to the contrary.

The suggestion that I, as Prime Minister, have engaged in nepotism or cronyism is not only false but also a distraction from the real issues facing our island. Any decisions attributed to my office have been made with the utmost regard for merit, competence, and the greater good of Sint Maarten. I have always upheld the highest standards of ethical governance in both my personal and professional life. Integrity is not just a word to me—it is a value I live by every day.

My focus remains steadfast on the critical challenges before us—resolving the energy crisis, advancing climate resilience, fostering sustainable development, and ensuring the well-being of every citizen. These are the priorities that guide my leadership, not favoritism or personal agendas.

I understand that political discourse can be passionate, but personal attacks serve only to divide us at a time when unity is paramount. I urge my colleagues in this chamber to focus on what truly matters: approving a budget that reflects the aspirations and needs of the people of Sint Maarten.

Finally, Madam Chair, I welcome accountability. Leadership is not about avoiding criticism but about facing it with dignity and ensuring that the truth prevails. I am confident that my record of service, guided by integrity and purpose, speaks for itself.

Let us not lose sight of why we are here. The people of Sint Maarten are watching, and they expect us to work together to build a brighter future. I remain fully committed to that goal and to serving my country with honor and transparency.

Madam Chair,

I appreciate the opportunity to address the question regarding the endorsement letter for Christmas decorations. Allow me to clarify this matter fully, as transparency and accountability remain at the heart of this government's operations.

Let me state unequivocally, **no government funds were used** for the initiative referenced in the endorsement letter. The letter was issued solely to support a community-driven effort aimed at enhancing the festive spirit of Sint Maarten during the holiday season. Any suggestion that public funds were allocated for this initiative is categorically false.

The endorsement was provided to recognize the efforts of an entity dedicated to promoting the cultural vibrancy of our island. It carried no financial commitment from the government, nor was it tied to any subsidy. Such endorsements are issued in good faith to foster partnerships and encourage activities that align with our shared values and cultural heritage.

For full transparency, I emphasize that this endorsement was formally booked in with a **Div**

number, ensuring proper record-keeping and traceability. This process reflects the government's commitment to accountability in all official communications issued under my office.

Concerns have been raised about why this particular entity was endorsed. This was simply done to deliver on the vision for the decorations, as well as its alignment with the objective of fostering community spirit during the holiday season. It was not a tendered contract nor a competitive bidding process, as it did not involve public funds.

Madam Chair, I also wish to make a critical distinction: an endorsement letter does not equate to financial support and it does not bind government financially nor administratively. Subsidy requests are a separate matter entirely, evaluated by the Council of Ministers based on established criteria, budget availability, and alignment with national priorities. In this case, no subsidy was requested or provided.

Finally, the use of government letterhead reflects the significance of official communications. While this endorsement carried no financial implications, it was issued in accordance with internal protocols and properly documented

The faction also asked the Minister of Finance regarding the letters to the civil servants. The faction appreciates the Prime Minister giving civil servants days and the 250 guilders. What the faction didn't appreciate was that the Government had a survey go out requesting: do you want days, do you want Christmas vouchers, do you want this, do you want that? And the majority of persons actually wanted the two weeks days, the two weeks days that the Prime Minister offered. But little did they know that they were never going to get two weeks because we were going to have budget debate. So why offer things to make the civil servants feel as if they were going to get it, knowing that it was never going to happen?

Can the Prime Minister indicate how it is possible that the 250 guilders become tax-free if it's a gratification? The faction would like to know if this LB went to the Council of Ministers. The faction would like to know if the Governor signed it off if the Government did an MB. Is there any advice from Legal Affairs? The faction loves it when precedence is set. Because when the other institutions come and say, "I would like to be paid out tax-free," when TelEm staff comes and says "I'm being paid out," please let it be tax-free for me also. How do you separate who gets what and who doesn't? Why not just do what we always do, give them the voucher instead of putting the vouchers at risk?

This question was handled by the Minister of Finance

The faction states that all the questions regarding the vacation pay and so forth, the legislation, the bra 8, the questions that the faction posed to the Minister of Finance also relates back to the Prime Minister because the faction knows they have to work on it together. Where is that legislation and how is it possible that we're going to execute half of it, for example

vacation pay, Cola, but not execute the part of the jubilees? Is the Minister going to pay out the jubilees in 2024 since they are also entitled to those?

This question was handled previously by the Minister of Finance as this remains under her purview as Minister of Finance

In regard to the number of persons entitled to it, the breakdown is as follows,

Response on the number of persons per ministry for 2024:

There was a contract for SZV and maintenance of the building. Is the Government continuing with that? The faction doesn't see that reflected in the budget for 2025. There were three options: ABC, one was 2 million guilders, one was a little above, and one was even higher than that. Because the Government had a history of not maintaining, etc., SZV was taking over the total maintenance and so forth. Is the Government going to continue with that, or is the Government saying no, we're going to handle everything ourselves?

If they are planning to continue with it, where is that reflected in the budget?

As there was no specific maintenance contract in place previously for the Government Administration Building, the government is currently engaged in negotiations regarding the maintenance contract for the Government Administration Building. While the amount for this contract is not presently reflected in the budget, an amendment will be made to include the agreed amount once the contract is finalized and signed.

However, we would like to provide the following clarification on maintenance responsibilities that are currently carried out:

1. Major Maintenance:

The responsibility for major maintenance of the building lies with the landlord. This includes:

- Structural repairs of the building
- Repairs and replacement of large infrastructure components
- Exterior facade repairs and upkeep

2. Regular Maintenance:

Regular maintenance tasks fall under the responsibility of the government. These include:

- Cleaning and janitorial services
- Hazard management
- Maintenance of HVAC systems
- Elevator maintenance
- Fire system maintenance
- Plumbing repairs
- Electrical system upkeep

- Landscaping and groundskeeping
- Pest control

The faction would like to know if there are any investigations happening within the Ministry of General Affairs. How many, what type of investigations, and why? HR-related, fraudulent, criminal, any of those, any investigation.

The Ministry of General Affairs confirms that ongoing investigations are currently underway. At this time, specific details cannot be disclosed in order to safeguard the integrity of the investigative process.

The faction noted in the presentation from the Minister of Finance in reference to vehicles and gas that now research is going to be done, and then it'll be put in the budget, but we've been monitoring this already. The former Minister of Finance would send detailed reports on gas usage to every Council of Ministers via the secretariat. Every Government vehicle has a card, and the usage could be checked online.

The faction indicates that MP Wever mentioned about vehicles being on the French side and so forth. The former Minister of Finance established a team of individuals that would check on a monthly basis; for example, if there are 10 vehicles in VROMI supposed to be doing inspection, why is L55 at 300 guilders and everybody else is at 100 guilders? The team was then able to zoom in and hold those persons accountable. Why has that stopped?

The former Minister of Finance also did that, for example, with the phones. The previous Government cut all of the post-paid phones and made everybody go to prepaid, and that saved us a significant amount of money. And even there, we would use the data to say, we could cut people lower or increase. Why is this Government not continuing with these measures that could, one, save you money, and two, hold persons accountable?

The faction doesn't see any kind of measures where we could already start to save money or generate money.

The gas card and phone systems remain active; however, gas cards have been deactivated for unauthorized individuals and private vehicle owners. A comprehensive review of the vehicle and phone policy is currently in progress.

The faction noted the comments of MP Meyers regarding governments falling, and that's a reason why persons, entities, and businesses would not want to invest in Sint Maarten. But the faction is of the opinion that a real reason why persons would not want to invest in Sint Maarten is for one reason: the statement by the Prime Minister that Sint Maarten is bankrupt. That's a severe reason why persons would not want to invest in Sint Maarten. When, you have the most powerful figurehead stating the country is bankrupt, which is not true, which was later corrected by the Minister of Finance.

The faction appreciates the idea regarding the Christmas lights. What the faction doesn't like is basically the manner in which the Prime Minister went about it. The document signed was written in the last week of August, which means the Prime Minister had enough time to do a small little tender and do it the right way. Include the Minister TEATT or do a cross-ministerial something. "There's no limit to the amount of good you can do if you don't care who gets the credit." And the faction thinks this is a perfect example. If it was done the right way, we wouldn't be here talking about it right now. Moving forward, the faction thinks everybody would appreciate it if the Prime Minister were to just respect the protocol and do things the way they should be done.

[This is a statement, and it was addressed in the response to MP Irion](#)

In February, in the Minister's opening address, the first thing he said as a Member of Parliament, was that for the rest of 2024, he will make do with the budget put forward by the outgoing Government. But as of 2025, he will be presenting a super budget. Seeing that this budget, the 2025 budget, is basically 90% to 99% of the projects from the prior Government. No new policies from the current Government, no new revenue generation ideas—nothing from the new Government—is this what the Prime Minister meant, with a super budget?

[The Minister does not recall labeling it a "super budget," he can assure this honorable body that our government is fully committed to delivering a budget on time, complete with the relevant policies to guide our nation forward. As highlighted in his introductory remarks—and further elaborated on by several Members of Parliament, including MP Meyers—the current circumstances are well known and have been thoroughly discussed. Of course, it remains within the right of any MP to overlook or dismiss these realities. That said, he reiterates: the Minister of Finance has been unequivocally clear about the intended amendments to this budget and the reasoning behind them.](#)

Government-owned companies. What is the idea for the sitting Government as it pertains to shareholder representatives? Is it going to stay under the Council of Ministers, or will it go back to the individual ministers, such as, for example, the Minister of VROMI for GEBE, the Minister of TEATT for the airport, etc., etc., or will it stay under the Council of Ministers—basically, the Prime Minister himself? What is the vision of the coalition moving forward as it pertains to that?

[In previous meetings of parliament, Minister already elaborated on this. Currently, there is a national decree which annulled all the previous national decrees assigning ministers as shareholder rep to the various government owned companies. Therefore, this Council of ministers' acts as a whole as the shareholders rep. The possibility always exists that during our term, as council of ministers we can have a different sharing of the responsibilities.](#)

The faction indicates that at the last budget debate, the faction asked the Prime Minister, what is the update on the appointing of a management board, seeing that right now there are no statutory directors, and because of that, the current director is functioning with a

mandate from the supervisory board. The supervisory board is under the Council of Ministers and the Prime Minister himself. So basically, the Prime Minister is running GEBE, indirectly. Considering that this Government prides itself on good governance—at least says that—the faction would like to know when the proper steps will be taken to appoint a management board. Especially when it comes to making long-term plans when it comes to GEBE and what stands before them? What are the plans for the management board?

At the budget amendment, there was a motion presented by the now MP Ottley for relief and passed. It had enough votes to pass, but the Prime Minister was against it for whatever reasons. He has a right to. Also against it was the President of Parliament. But the President of Parliament then asked the Prime Minister to come with his own ideas or with the Government's ideas within two weeks to Parliament. Three weeks later, after the two weeks, at the press briefing, where the Prime Minister was asked about his plans to return to Parliament, seeing that it was over a week overdue at the moment, the Prime Minister said that Parliament is not serious and that he isn't going back to Parliament until Parliament gets serious.

The faction doesn't know what the Minister considers serious. The faction sees this two ways. The faction sees that as a disrespect to Parliament but namely as a disrespect to the President of Parliament.

The faction doesn't know if that is standard practice moving forward or if the Prime Minister thinks that's normal. But the faction would still like to know what from the motion has been executed or is in the works.

The faction would also like to know what the Prime Minister is for. What's your idea, or what is the Government's idea as it comes to GEBE relief? At the end of the day, the bill is still coming, the people are still suffering, and even though we differ in opinions, we are here for the people.

The faction mentions that one of the main things on the URSM's Manifesto is GEBE relief. The faction heard the Prime Minister mention just now that his new cabinet has been sitting since the 26th of November, but the faction would like to remind the Prime Minister he has been sitting since May. Seven months later, the faction would like to know what the update is as it pertains to the GEBE relief.

[Minister refers the MP to the response provided to MP Lewis in regard to the motion.](#)

[In addition, Minister can assure the MP that the avenues for relief are still being handled by the Council of Ministers and the relevant stakeholders. Ultimately, it remains a desire of this government to determine ways to provide relief to the people of Sint Maarten.](#)

[In regard to manifestos, it is important to remember that no single party's agenda can or should dominate the conversation. Instead, we are committed to true collaboration which](#)

includes dialogue and compromise as we set aside partisan interests to form a unified governing accord that is focused on the best interests of Sint Maarten which will include relief wherever possible.

The Christmas voucher. The faction mentions once again that it is a good idea. Although the faction knows that subsidized schoolteachers are not 100% civil servants, what about the subsidized schoolteachers? Are they not due something? The faction knows they fall under the school board, but what are the plans for the subsidized schoolteachers?

This has been answered by the Minister of Finance.

What is the Prime Minister's vision for national health insurance in Sint Maarten? The faction knows what he's against. He was against it in 2018. Seemingly, the SAAHA has not been executed, so he's against aspects of the SAAHA. The faction would like to know what the Prime Minister is against exactly pertaining to the SAAHA. What would the Prime Minister like to change pertaining to the SAAHA? If the Prime Minister doesn't like the SAAHA, no problem, what is the alternative? The faction believes we are kicking this can down the road further and further, and the state of SZV is not getting better.

My vision for the SAHAA is to build a healthcare system in Sint Maarten that is not only affordable but also resilient and sustainable for generations to come. Achieving this requires a sharp focus on ensuring the financial sustainability of the SAHAA as the foundation of our healthcare goals. We must also enhance the base of the premium contributors. These critical concerns will be addressed comprehensively during the Council of Ministers meeting, as we work collectively to secure a healthier future for our country.

Seven Seas. The faction would like to know what is the frequency of the maintenance schedule, so basically, how often are the plants maintained, and does GEBE have an overview of these costs?

When was the last time that a maintenance audit of the water plant was done? So, the one in Cupecoy, the one in Point Blanch, and the one in Cay Bay. The faction questions how GEBE can make long-term plans if they don't know the financial state of the water plant every year. How can they incorporate the water plant in their plans if they don't have an overview of the financials? By them not having these things, they have basically no leverage every time the contract is up for Seven Seas.

In regard to maintenance of the tanks, inspections are carried out regularly with water level checks done daily along with daily inspections of tank. Factory standards for maintenance is 7 years.

The faction is of the opinion that you can go two years, three years not knowing what the maintenance plans are, if it's being maintained, what's the financial expenditures. And all Seven Seas needs to do is come with a nice plan. If you sign on the dotted line, we're going to

do this, that, and the other. The faction believes that this takes all the leverage away from GEBE.

If the Government wants to meet with Seven Seas pertaining to GEBE and the water plant, who is in attendance at these meetings?

The faction continues and mentions that the water plant in Cay Bay, is about 30 years old. Point Blanch is a little younger. Cupecoy is in a deplorable state, to say the least. What are the plans when it comes to the maintenance of the upkeep, other than the machines, of the plant itself, so the exterior building?

Seven Seas is busy with the maintenance and the upkeep of water plant in Cay Bay. Currently, Seven Seas is busy changing the trains of the water plant.

In regard to the water plant Cupecoy it is too small for the area. However, Seven Seas is planning to relocate the water plant next to the tank. The tank is not being used and water is being distributed directly instead of storing water in the tanks. Seven Seas still has to approach the Government to discuss how both parties can collectively collaborate to investment to relocate the water plant.

The Saba Bank. During 10-10-10, there were a lot of things divided up, one of them being the percentages of Saba Bank. The faction thinks Sint Maarten got 8% of the Saba Bank. If it's not that, the faction would like to be corrected. What are the essential minerals? What minerals are in the Saba Bank? Is it fisheries? Is it oil? What is it exactly?

Allow me to clarify, it is not the 8% referenced. Sint Maarten has part ownership of the Saba Bank as a shareholder. Sint Maarten holds C shares totaling a 21.67% ownership along with D shares that it holds with Curacao and the Netherlands for a total of 35% ownership of the Saba Bank. Of this 35% Sint Maarten owns 18.75% which is 6.56% of the D shares. This is a total of 28.23% shares

Two exploratory drillings have been done in the past in which gas has been detected. Once gas is detected there should be oil in the vicinity. However, no proof of anything significant has been found to date.

The faction would like to know if Sint Maarten received an offer from the Dutch Government pertaining to the shares of the Saba Bank. Did Sint Maarten receive an offer, and if they did, how much was the offer?

No formal offer has been presented from the Dutch government.

The faction would like to know what the plans are of the Prime Minister as it pertains to the road network in Sint Maarten. The faction knows it doesn't fall under the purview of the Prime Minister, but in one of his recent speeches, the Prime Minister spoke about plans for the

road in the speech given at the groundbreaking of the repairs for the Carnival Village. Can the Prime Minister elaborate more on that?

The context in which Minister referenced the road network pertains to its connection with the establishment of the Disaster Reserve Fund. Specifically, the financing for this initiative is derived from the reflows of the interest payment of the loan airport, the interest payment of which will contribute to the funding of the Road Fund. The implementation and execution of this initiative, however, fall under the purview of the Minister of VROMI.

Rest assured, all my plans, as well as those of the government, are firmly rooted in serving the best interests of the people of Sint Maarten.

The faction is seeing a lot of different ideas of taxation. Everything from transaction tax, vehicle tax, garbage tax, and all types of taxes that were not part of any of the parties' manifestos. One that was a part of the manifestos, in particular of the URSM, is the elimination of taxes for all senior citizens. The faction would like to know what progress the Government has made on that. Is the Government busy with that, and what are the long-term and short-term plans pertaining to the elimination of the taxes for the seniors?

The MP knows or at least the Minister assumes that he knows how it works when a new coalition is formed. Next to the governing accord, there will be a governing program and during the negotiations to agree on a governing program, the priorities of all the political parties forming the new government will be discussed and added in the program together with the plan to execute it.

The faction would like to have a "meetbare" answer, so basically not that it is being looked into, but more of by this and this date, we expect to be this far.

What is the Prime Minister's stance on zoning of Sint Maarten? In particular as well, what is the Prime Minister's stance on zoning of Mullet Bay? If yes, what is the time frame that the Prime Minister has when it comes to that?

This matter falls under the purview of the Minister of VROMI and will be addressed within the Council of Ministers at the appropriate time.

The faction mentions the situation with NRPB and this Xing Yang company from China. Does the Prime Minister understand the economic impact that this decision, or lack thereof, is going to have on the island of Sint Maarten? Because it's easy to say, "Oh, at least the projects are going to get done." But what is going to happen in the aftermath?

The faction indicates that this is not something that's unique to Sint Maarten. This has happened in other countries; look at Jamaica. The company will come in. It is subsidized by the Chinese Government. They're mobilizing and still submitting costs for projects that are 30 to

40, sometimes 50% cheaper than the local competitors. Something makes no sense. Then, once they come to Sint Maarten and they have all the major projects, eventually, the local labor market will be dependent on these projects.

Minister understand the concerns voiced by local construction companies, and that there may be a significant impact to market conditions if a new competitor enters the market. As Government of Sint Maarten, we are carefully reviewing these concerns in the context of the applicable procedures and are in discussion on these concerns with the Government of the Netherlands and the World Bank.

It is worth mentioning that this is the agreement on which the Trust fund was established since 2018. We are implementing the requirements of the World Bank as this was a preexisting agreement. However, we must reflect on the procurement procedures for Sint Maarten so that we can apply our own standards that are for our unique local context.

This government is currently doing that.

Minister acknowledges the concerns expressed by local construction companies regarding the potential market impact of a new competitor entering the industry. The Government of Sint Maarten is actively reviewing these concerns within the framework of the applicable procedures and engaging in discussions with the Government of the Netherlands and the World Bank to address these matters.

It is important to highlight that the current approach aligns with the agreement under which the Trust Fund was established in 2018. The Government of Sint Maarten is adhering to the procurement requirements set forth by the World Bank as part of this pre-existing agreement. Nonetheless, we recognize the need to evaluate and refine procurement procedures to better reflect the unique local context of Sint Maarten. Hence, a letter was sent to the NRPB on July 26, 2024, requesting a halt on the awarding of the contract so that further evaluation could take place.

This administration is fully committed to ensuring that these considerations are addressed as we move forward.

If you tender and you get awarded a project 40% cheaper than the local competitor, you can only imagine what those hourly rates are for that company. What is the ratio of foreign to local workers coming in? Is it 80/20? Is it 50/50? And even if it's 20 or 50% local, what will these locals be earning?

For example purposes, if a tradesman is making \$100 a day, but when this company comes in, they disrupt the market and now that person is making \$60 a day, what's going to happen by the time this company leaves Sint Maarten with the few local companies that actually survive it? Because if you think after you work for \$60 a day, you're going back to making \$100 by the old company, it doesn't work like that. The faction would like to understand if the Prime Minister understands the economic impact this can have on Sint Maarten.

In regard to the ratios of foreign workers to local workers, this information cannot be known at this time as the contractor has not finalized its work plans.

The faction has understood that no contract has been signed, but in Holland, that same Chinese company has their heavy machinery and materials on the harbor to be shipped to Sint Maarten. The faction would like to know what the exact situation is when it comes to this. The faction knows the Prime Minister is aware of this since June. What is the Prime Minister going to do about this particular situation that threatens the economy of Sint Maarten?

Minister cannot comment on the business decisions made by the respective company. However, I can confirm that the Member of Parliament is correct—the NRPB has not yet signed a contract with the Chinese company in question. In accordance with established procedures, several letters of award have been issued. The contractor is currently in the process of completing the necessary prerequisites for contract signing. These include providing proof of insurance, performance securities, an approved Environmental and Social Management Plan (ESMP), and a proposed updated schedule of works, which includes the contractor's mobilization plan.

As it pertains to the water plant, what are the plans to expand on the buffer period that we currently have? Because right now, if a crisis happens with the water plant, the current buffer capacity we have, in Maarten could last 8 hours with the tanks. The faction understands that St. Thomas has a buffer capacity of two weeks. The faction would like to know what the plans are to increase the buffer capacity. If we are talking about resilience and long-term planning, the faction believes that the buffer capacity of the water is a very integral part of that.

Yes, there are plans to increase the buffer. A tank is being built in South Reward. It will be completed and commissioned in January 2025. The water tank in Mount William Hill will be replaced with a larger tank in 2025. Increasing the water buffer is one of GEBE's goals for 2025.

The faction would like to know what the current status is of the function book for the firefighters.

The function books have been approved in the council of ministers and are on their way to the Governor for ratification.

The faction poses the following question once again. Is the Prime Minister willing to also make endorsement letters for other entities when they do come to the Prime Minister for non-government-subsidized money? Period. Are you going to do that for every entity—not only foundations, every individual, every entity that comes to you for that?

- Minister will not hesitate to write a letter of endorsement—or take any necessary action—if it aligns with the best interests of our people and contributes to the growth and prosperity of our beloved country.

- Minister makes this perfectly clear: his only agenda is to serve the people of St. Maarten. Minister has no personal business interests, no hidden motives—his sole purpose is to work tirelessly for the betterment of our great country. At no point and time were any funds solicited, via his endorsement letter.

The faction was going through some governance standards and ethical review standards. One of them states, for example, especially in a position of power as the Prime Minister: neutrality. Public officials must remain neutral and avoid any action that could be seen as endorsing one private entity over another. That's corporate governance, ethical governance.

Another one is perceived favoritism. Endorsing a private entity can create a perception of favoritism, as the faction mentioned before, particularly if the entity benefits from government contracts and policies or not—which is not in this case.

Undue influence. As Prime Minister, endorsement carries significant weight and may pressure the private entity to comply with requests, leading to concerns about coercion.

The Minister of Finance mentioned that the 250 guilders was paid out net. That means a "bruto" amount was paid out. In the letter to the staff, the Prime Minister mentioned that 250 guilders will be paid, but obviously, the amount is different because a "bruto" amount was paid out seemingly or had to be paid out so that they could have received it net. On the pay slips of the civil servants, the wage remains the same, and the "netto" 250 is there. So, what is the "bruto" amount that has to be paid?

The net amount of Naf. 250 has been disbursed. However, it is the responsibility of each individual to comply with the law when filing their income tax. Monetary benefits received, including non-cash benefits such as vouchers, must be reported as part of your income when submitting your tax return.

Regarding the payout process, it is important to reiterate that gratification payments cannot be equated with the Christmas payment, as they are fundamentally different. Gratifications and certain allowances are governed by the **Landsverordening Materieel Ambtenarenrecht (LMA)**. As such, gratification payments must adhere to the applicable legislative and policy requirements, which do not apply to the Christmas payment.

The Minister of Finance also mentioned that the civil servants are now responsible to make sure that they file properly the 250 guilders. Also, if you look at the amount of civil servants that we have, let's estimate at 1,800 at 250, that's between 450,000 guilders to half a million guilders. Anything above 50,000 guilders needs a national decree. The faction would like to know if a national decree was used in any way to make this payment.

Did this Council of Ministers only use a CoM decision to make a payment? Because then we can't have excuses for other payments that need to come.

The decision by the Council of Ministers (COM) authorized the payment to proceed. As is widely known, most decisions of the Council of Ministers and Ministers are regulated by law. Using the example of gratification, it is clearly outlined in regulations how such matters should be addressed. This is not the case for this extra pay by the Government. Therefore, the decision of the Council of Ministers was the necessary step to enable the payment to proceed.

The faction continues and mentions the jubilees. The Minister mentioned how many persons needed jubilees for this year, but the Minister also mentioned that he is not going to talk about payments because that's under the purview of the Minister of Finance. The Minister of Finance said it's under the purview of the Prime Minister. Who's going to make the payments to the civil servants that you mentioned? The faction thinks it's 40 of them this year—the jubilees: 15, 20, 25, 30, 35, 40, 45 years. Are you going to make these payments this year? The Government made payments in vacation pay and payments in Cola. That means you're executing the legislation, and all you need is a CoM decision to make the payments. Is the Minister going to make the payments for the jubilees this year?

It will be paid in 2025 when the law is implemented.

As it relates to the cronyism and the Christmas initiative, the Minister mentioned full transparency. Since we're talking about transparency, can we get an indication on how much money was raised for this initiative?

And the lights, when they are done, will they be going to Government? Will Government be able to get these lights? Will they be stored so next year we wouldn't need an endorsement letter from the Prime Minister again? We will just use the ones that we have now to continue to decorate.

Madam Chair, this is another question designed to distract from the purpose of an endorsement. The amount of money raised is at the discretion of the business community and the organization responsible for the Christmas light project. How much was received or what they did with the funds raised does not fall under my responsibility and or purview. The lights are not and will not become the property of Government as the sole involvement of government was an endorsement.

As it relates to the Chinese company and the NRPB, the faction has the following comments and questions. One minute, the Prime Minister is saying that no contracts are signed—which is true, no contracts are signed. Next minute, the Prime Minister says the companies that were awarded the contracts are now going through another process when it comes to the final stages before you sign a contract, meaning the contracts were awarded. The Prime Minister even named the projects of which the contracts were awarded, to the very same company that has not signed a contract as yet, only because they're going through certain procedures before they're able to sign.

Then the Prime Minister says that they are having dialogue with the World Bank and the Trust Fund about their concerns. Which concerns? What is the goal of this dialogue? What is the intended goal?

As previously communicated, both verbally and in writing to the Director of the NRPB, the social and economic consequences of the current situation are highly undesirable.

It is important to highlight, however, that prior to the initiation of this bidding process, the project in its current form had already been ratified by the previous administration. Consequently, during the project's development phase, the government at that time should have given due consideration to the established criteria and their implementation.

Thus these are the points we would like to address as this current Government , with the NRPB, the World Bank and The Netherlands.

In the same breath, the Prime Minister is saying canceling the tenders will result in claims to Government. In another breath, the Prime Minister is saying, once the company is here, we will treat them with the same respect as it pertains to the local laws.

The faction is of the opinion that the Prime Minister is saying we could jump high, jump low, they are coming. At the end of the day, the faction believes it's being masked by the fact that some projects local companies did not sign in for.

The faction continues and mentions, let's just look at Marie Laurence for a bit of context. Contractors requested critical project details from the NRPB in the final stages of their bids. Instead of getting timely responses, they received delays and incomplete answers, leaving a 25-page list of unanswered questions before the bid deadline. In the final days of the submission, the criteria of which these companies have always performed and submitted the bids under were abruptly changed by the NRPB and raised by the NRPB, to which the local companies found themselves unable to meet the new requirements—companies that have been working with the NRPB from since its inception.

How are these requirements and criteria abruptly raised, and then hides behind the excuse of no one signed up? Of course, no one signed up—you raised the bar. The faction would like to know based on what was this bar raised.

How can a foreign company who has to mobilize their heavy machinery, has to mobilize their workers, has to pay for room and board, has to pay for everything that has to do with mobilization, and still bid on a project when it comes to materials and execution—still bid 30 to 40 to 50 percent lower than the local contractor?

And then, it's said there's no proof that they are government-subsidized. What kind of research was done? The faction would like to know what kind of research was done and what kind of third-party entity was brought in by the Government or whomever, NRPB, to investigate the matter.

Furthermore, are there any questions posed to the NRPB as it pertains to any kind of affiliation with anybody that works with the NRPB with this Chinese company? Have these questions been answered? Have these questions even been posed?

Minister repeats his answer given to the previous questions asked on this subject. But he wants to be clear that he is not in agreement with the result of the bidding process. However, with this project already ratified by previous government, change of scope will be challenging. Nevertheless, this matter has my utmost attention, as mentioned in my letter to the NRPB on July 26th, 2024

In regard to investigations done, NRPB indicated that as part of the tender and subsequent award process bidders have to provide documentation on their eligibility, discounts offered and the beneficial ownership of the relevant company. Furthermore, the World Bank has specific procedures in place for state-owned enterprises or institutions.

This documentation is carefully reviewed to ensure compliance with the instructions to bid, and with the applicable procurement regulations of the World Bank.

To date, from information submitted by the relevant company under the applicable procedures, there is no indication that the relevant company is either owned or subsidized by a foreign government.

There is also no indication that the company is subject to a debarment imposed by the World Bank Group, nor is there any indication that there are any grounds on the applicable laws or procedures to challenge the eligibility of the firm.

The faction asked the Prime Minister for his opinion on the stakeholder representation of government-owned companies—not the definition of what a stakeholder representative is. The faction asked for the Prime Minister's opinion on how he thinks it should be moving forward.

In my previous response, I did not provide a formal definition of a shareholder or a shareholder representative; rather, I outlined the current operational framework. The Member of Parliament inquired whether this responsibility would continue to reside with the full Council of Ministers (COM) or revert to individual ministers. I clarified that, at present, it remains under the purview of the full COM. However, I also noted that there is potential during the term of this Council of Ministers for a reallocation or adjustment in the distribution of responsibilities. For example, by appointing a point of contact for a government owned company.

As it pertains to the criteria being changed, whether or not anything was ratified by the previous Government—which the faction does not see how something going on during the summer has to do with the previous Government that left office since May. Criteria is made clear prior to bidding on a project. So, if anything was ratified by the previous Government or

any government, it would have been done and made clear prior to the bid, and not during a bid.

These funds, provided by the Kingdom of the Netherlands and administered by the World Bank, were designed to rebuild the nation, strengthen local capacities, and empower the people. The faction does not see from that mission or vision how anything that's happening now complies with that of the World Bank and Trust Fund.

The faction mentioned that the case was closed since April with the previous Government that was sitting there regarding the NRBP payout. The faction urges the Prime Minister to get all the relevant documents so that he can be abreast of the situation.

The Minister of TEATT mentioned that although the scope of works changed the marketplace didn't have to retender, while the Prime Minister said that once the scope of work change you have to retender. The faction is of the opinion that the Prime Minister is 100% correct. The faction would like some clarity on the point for the marketplace not being retendered from the General Affairs perspective.

Ministry of Tourism, Economic Affairs, Transport and Telecommunication

The faction mentions the Sint Maarten Tourism Authority and would like the Minister to give an indication as to what are the bottlenecks that are stopping this from coming to fruition.

The Sint Maarten Tourism Authority (STA) has faced several bottlenecks that have hindered its establishment. These include the need for draft legislation development and strategic planning. The draft legislation will involve research to determine the best structure for the STA, taking into account competition and critical variables. Additionally, a Tourism Master Plan and Strategic Plan will be developed to guide the STA's functions and long-term goals. These efforts aim to create a well-structured, dynamic, and strategic National Tourism Organization for St. Maarten, especially in light of changes in the sector due to Hurricane Irma and the COVID-19 pandemic. The reestablishment of the Tourism Authority Foundation (STAF) is currently under review and is expected to play a key role in overcoming these challenges.

Is there an update on the organizational structure of the Sint Maarten Tourist Bureau? We know that many staffers are working outside their function. Is that the case with all other departments within the ministry, and how is this being dealt with? Persons that are working outside their functions, are they being properly compensated for such?

Upon assuming office, a review of the organizational structure of the St. Maarten Tourist Bureau and other departments revealed certain issues. Specifically, within the Tourism Bureau, there are currently five individuals working outside of their designated functions. Out of these, two have had advice sent to the Personnel and Organization (PNO) for handling, while three have advice currently being drafted. In other departments:

- The Department of Economic, Transportation and Telecommunication (ETT) has two individuals in a similar situation. One of them has received an LB (Legal Basis) and is being properly compensated, while the other is still undergoing the process with PNO.
- The Department of Statistics has one individual working outside their function, who has been issued an LB and is receiving compensation for additional tasks.
- The Department of Inspection has one employee in this situation, and they are also in the process with PNO.

These actions and processes are part of efforts to ensure that employees working outside of their functions are recognized properly and compensated accordingly.

The faction mentions the process of the appointment of the CEO and COO of the airport. Does the Minister align herself with the decision made by the airport board regarding these appointments? It is the understanding of the faction that vacancies have been advertised indicating preferred candidates. Is this so? Does the Minister perceive this as a fair and transparent hiring process? What actions have they taken since these concerns have been made public?

The faction points out that the CEO function was advertised publicly, while the COO function was done internally. The faction believes that consistency is key and notes that you have the same board making different decisions for a similar type of position. What is the policy where that is concerned, and does the Government endorse this type of behavior if this is the case?

The Minister of TEATT was not informed of the change in the COO position at the airport to a non-statutory position. According to Mr. Perry Wilson, the Managing Director of the Airport Holding Company, the COO role is now a senior-level internal management position reporting to the Managing Board and no longer part of the Management Board. The company maintains the right to advertise jobs internally, as was done with the COO position, which is not unusual for the airport, as it has conducted internal recruitment for various roles in the past and plans to continue doing so.

Regarding whether this process is perceived as fair and transparent, the response suggests that internal recruitment is a standard practice at the airport.

The Marketplace. The faction recalls there was a very nice ceremony with the groundbreaking, but since then, the work has remained stagnant. The faction has heard different reasons as to why, but nothing convincing. The faction notes that in Sint Maarten, when we do temporary things, they end up lasting for years. The faction hopes that that is not the case because you would have those persons over in the Old Government administration building parking lot, basically not making any money and not making ends meet. The faction

feels that that is quite concerning and mentions that if it wasn't ready, then we should not have moved them.

Once the scope of work changes in a project in a tender, and it is decided to use a different material, does the tender have to go out again? The faction believes this is the case. The faction notes that the scope of work has changed with this whole Marketplace, but a new tender was never put out. Is this the reason why the work has halted? If so, when will the new tender be going out? Was this communicated to the public?

The work on the Marketplace has seen aesthetic changes based on consultations with vendors to enhance its functionality and aesthetics. The project remained within the approved budget, and a variation report was submitted by the contractor after consultation with the new works department of the Ministry of VROMI.

According to the FIDIC Yellow Book Clause 51.1, the Engineer has the authority to issue instructions for variations and alterations in the scope of work without needing a new tender, provided these changes do not exceed the budgeted amount. Therefore, the halting of work is not due to the lack of a new tender since the changes are considered variations within the existing contract terms and budget.

The faction mentions calibration. Based on the complaints the faction has been hearing, the faction would like to know if all the pumps at the gas stations are properly calibrated. Has there ever been any thought via the ministry of TEATT to add a small fee for the calibration of the different instruments? Not only by the gas station but around the different scales as well. The faction knows that this is a task that is executed by the department, but it is kind of a loss similarly to when persons import animals. The faction believes that we are the only place in the world that doesn't charge for that, while it does take an administrative process.

The faction believes that there are different ways we can generate revenue, but we just have to be willing to do it.

The Minister indicated that all gas station pumps were calibrated as of December 2024, and this calibration process is conducted on a quarterly basis. If consumers suspect any issues with fuel dispensers needing recalibration, they are advised to request a detailed receipt of their purchase and verify the calibration date through the government-issued calibration sticker on the dispenser.

Regarding the idea of introducing a fee for the calibration of gas pumps and other instruments, the response acknowledges that these are potential revenue-generating measures and indicates that they will be considered for implementation next year.

The faction knows that the issue of illegal barkers has been something that has been plaguing the country for quite a while, and even most recently with a very disturbing video on

one of our local beaches. What steps have been taken or will be taken to deal with these types of situations?

The issue of illegal barkers, although the recent incident occurred on the French side of the island, has the attention of the relevant ministry. In November, a meeting was held with the Public Prosecutor's Office, involving both KPSM and TEATT, to discuss a joint enforcement approach.

The strategy being developed will include:

- Installing signage in areas with high foot traffic to deter illegal activities.
- Implementing joint enforcement controls.
- Conducting targeted controls in identified hotspots.

The faction has taken note of the publication announcement of the opening days of business on December 25th, 26th, and also on January 1st, but the faction was informed that it's only in Philipsburg. The faction is hoping that this is a typo because the faction would see this as a sort of discrimination. If this is only for Phillipsburg, does the Minister intend to send out controllers on Christmas Day, Boxing Day, and January 1st to do these controls?

The minister stated that, based on standard operating procedures, KPSM assists on designated closing days to ensure that businesses not exempted from closure remain closed, while exempted stores must close by 6:30 PM on those days.

The faction would like to congratulate the Minister, the ministry, and the staff, but in particular, the tourism office, STB, regarding Sint Maarten Flavors. The faction thinks it's a good initiative. The faction would also like to congratulate the French tourism office for their St. Martin Gastronomy Festival. What the faction would like to know is if it's any way possible to be able to do it as one. The faction thinks we have to start to be able to pull our resources together and have a bigger impact. The faction would prefer to see one St. Martin Food Festival celebrated on both sides of the island. It would have a much bigger impact, and it also was very confusing for some tourists. The faction thinks we should just do two big weeks of a grand festival; it would have a lot more impact and the marketing would be bigger. So, can we please next year not have Sint Maarten Flavors but have one big collaboration and have one St. Martin Food Festival with music, food, and competitions on both sides of the island? The faction believes that it'll generate a lot more revenue and a lot more eyeballs, and the marketing will be a lot easier.

Initially, the plan was to have a unified festival when both events began three years ago. The ministry will revisit this idea with their French counterparts, agreeing that a collaborative effort would be more beneficial. It is in the best interest of both the North and South to work together on this initiative.

The faction has mentioned in a previous discussion that this is a DP-led Government and is being led because of the Minister of TEATT. The Minister sees other ministries not doing things, and the Minister just does it.

The Marketplace. The faction wants to be certain, because your colleague, the Minister who you're helping out with the garbage bins, said that once you change anything of a tender, if you change the design or whatever, you have to do it over. You can't just change the tender. So, please, because you mentioned you're changing designs and so forth, has the Minister had this discussion with the Minister of VROMI on the possibilities of this?

As the Market Place project is considered a new works project, the Ministry of VROMI is fully involved in all aspects of the project through the Department of New Works in VROMI.

The only thing the faction is a little disappointed in, the faction wishes the Minister didn't do this a few months ago. The Minister has a tender out. The deadline was supposed to be September 13th, 2024. The faction continues and states that the Minister put out a tender for consultancy services. What does that say? What are consultancy services? What do you want the person to do? One of the tasks is availability to travel on behalf of the ministry on short notice. The faction continues and mentions the requirements: a large professional network, strong financial economic background, results-driven. This is probably the most subpar tender the faction has ever seen from Government—ever—and the faction questions why. The faction doesn't want to assume, but it tinkers on the whole crony nepotism thing.

The faction would like to know who got the tender. What was the amount budgeted for this tender? Did this tender go through the Council of Ministers? What was really the goal of this tender? What kind of services did the Minister want from this tender? So, the company, the name, the person, the individual. The faction would like to know, seeing that the deadline has already passed, so who initially was chosen to execute this tender?

It is important to clarify that it is not uncommon for Ministers to engage consultants to provide specialized technical expertise. In this instance, a public tender was issued to ensure transparency and adhere to the principles of good governance. Following the evaluation process, which was based on criteria including price, relevant knowledge and expertise, proven track record, and trust, Gilgen was selected for this consultancy. Their proposal represented the lowest bid.

The faction notes the claim of MP Kotai on the amount of TOT tax to be paid by Front Street and Back Street. The faction would actually like the Minister of Finance and the Minister of TEATT to be able to provide that information. What is an estimate of what that revenue looks like? Because the faction knows that, for example, a lot of our revenue comes from businesses like insurance and banks and stuff like that.

Please let us know what that computation looks like so that the faction can also compare to other areas, like maybe Simpson Bay or Cole Bay, and see that maybe those areas

also need beautification, especially if that data shows—and the data could be there—that those areas might be generating more because of the type of businesses that are there.

To gather this information, a substantial effort is needed, involving collaboration between the Chamber of Commerce and the Tax Department. The necessary steps include obtaining a comprehensive list of all businesses registered in Philipsburg from the Chamber of Commerce and then cross-referencing this list with the Tax Department's records to ascertain the gross figures.

The faction takes note of the comments of the previous speaker about proper policies and actually being okay with what is being done within VROMI because, at the end of the day, the faction hopes that the ministry of VROMI does exactly what the announcement says. The faction would like them to set precedent going forward so that January coming, the faction can bring its own motion of disapproval. Because once VROMI does that, then the faction is going to require the ministry of TEATT to go and raffle business licenses also. Where is it going to stop?

In Curacao, the Minister of Finance put information on Facebook. The judge said—it is as good as publishing in the "Landscourant." That's how powerful it was, where the Government lost over 10 million guilders because a Minister was too fast to put things out without again dealing with legal affairs, and the Government lost. The faction is happy with our legal mind inside of here agreeing with the Minister executing it. The faction wants the Minister to execute it because the faction wants to see then how you're going to do it for others.

The faction believes that it has to be on an equal basis. The faction doesn't believe that you can go and raffle away a process. So, where does this stop?

The minister stated that no permit for license was issued.

The faction recalls a publication on the famous marijuana legislation. What exactly is covered within marijuana legislation? How many suppliers will be supplying the island with marijuana? How many licenses will be dispensed to be able to sell it legally, and how does someone apply for a license? In the past, and decades ago, we all know how licenses like these would go. So, to make sure there's a transparent process, the faction would really like to know how someone applies for these licenses.

The legislative framework and required systems are currently under development, following a contract signed by the sitting Minister of VSA in April 2024. An interministerial workgroup, with members from TEATT, VSA, and Justice, has been established to manage, oversee, and provide guidance throughout the creation of the legislation and legal framework. Specific details regarding the number of suppliers, licenses, or the application process are not yet available at this early stage. However, these aspects will be addressed as the legislation progresses.

Jet Air. Jet Air went bankrupt a while back. The faction recalls that there were conversations with EZ Airways, and then WINAIR got upset, and then the faction didn't hear about anything again. The faction would like an update on this. Currently, if someone is going to Curacao or Aruba, the tickets are almost twice as expensive as they used to be. WINAIR has a monopoly right now, and it doesn't really help with pricing. The faction questions if this is going to stay the way it is or is WINAIR going to expand, thus being able to drop the prices, or if another airway is going to take part in that route.

EZ-Air was granted authorization on September 2, 2024, to operate flights to St. Maarten until April 30, 2025, allowing them to comply with St. Maarten regulations. Despite this opportunity, EZ-Air chose not to fly the route. Instead, they have opted to pursue legal action to see if the court would challenge St. Maarten's decision.

The faction is aware that Goddard Concessions already used to cater to the major airlines at the airport, and now, since the reconstruction of the airport, this company has procured, not one, not two, but three, and allegedly even more, concession stands at the airport if you include the VIP lounge. The faction would like to understand how such a thing happened.

The Minister stated that as per response provided by the PJIA, Goddard was initially offered the VIP lounge as part of a business strategy. Following this, they applied for additional restaurant concessions and presented the most competitive commercial package, resulting in their selection. They are also responsible for providing catering services, despite only Air France restocking through SXM currently. Nonetheless, having a catering service is considered vital for PJIAE. The selection process was conducted by a committee, and presently Goddard has control over five outlets in addition to the catering service at PJIAE.

The faction recalls in the previous budget debate the faction explained at lengths the reports done years back as it pertains to the gambling affliction on Sint Maarten and the various research documents and the reports on it. The Minister then promised to look into it. Seeing that we are two months further, the faction would like to know the update and if the Minister kept her promise.

The Minister indicated that there is a wait for the Gaming Board to assist with this matter. Once the Board is established, they will proceed with addressing the gambling affliction reports as promised.

The faction mentions the departure tax at the airport. The faction believes it is currently \$60 per ticket, per person, or lower.

Right now, the revenues from that solely stays at the airport. Is there a reason for that and why a certain percentage doesn't go directly to the government coffers?

The departure fee collected at the airport remains with the airport itself, as it is used to service loans, fund building expansions, and infrastructure development. This arrangement is part of the concession agreement between PJIAE/PJIAH and the Government of St. Maarten.

The faction has been, over the last couple of weeks, hearing everything about tourist tax, garbage tax, vehicle tax, and transaction tax. Every other day, it would seem like a new minister is in the newspaper unveiling their tax initiatives. All of these taxes, except for the tourist tax, can't be found in any of the manifestos. The faction did not see, in particular, the DP-named ones—any publications on those taxes. These are the taxes as it pertains to helping job creation, taxes as it pertains to reforms for small businesses, and taxes as it pertains to new ideas for the wage tax, sin taxes, indirect taxation, as well as taxes when it comes to alleviating tax for electric vehicles. All of these are taxes that were named and campaigned on by the DP, but the faction is seeing none of them back in any ministry DP-related articles. So, can the Minister explain if there are plans for the other types of taxes? As it pertains to the tourist tax, when would that be implemented? Does the Minister have any long-term or short-term plans as it pertains to that?

The Minister has indicated that fees generating approximately NAf 200,000 per year will be implemented to create additional revenue for the government. The Ministry is also working on additional revenue-generating measures.

The faction continues and states that the one thing, with the exception of the tourist tax, that all of these taxes have in common with one another is that they all affect the small man. The faction would like to know what taxes or revenue-generating ideas does the Minister have as it pertains the lottery fees law. Will that be raised? Will we collect more money from the lottery booths? The casinos. What are the plans for this?

The faction would like to know how much revenue was collected from the lottery booth fees in 2024 to date.

The legislation concerning lottery fees is still awaiting the Governor's approval, and therefore it has not been implemented yet. Consequently, there hasn't been any collection of additional revenue from lottery booths under this new legislation for 2024 to date.

The faction commends the Minister on her cross-ministerial initiatives. This is what the faction meant with cross-ministerial cooperation.

As it pertains to shareholder representation, the faction would like to know the Minister's stance on that. Does the Minister believe it should go back to the various ministries—for example, the airport would then fall under TEATT and the harbor, etc.—or should it remain as is in CoM and thus under the Prime Minister?

The Minister agrees with the official decision regarding shareholder representation for government-owned companies, where respective ministers are designated as shareholder representatives.

The Caribbean Tourism Organization (CTO). The faction mentions that the Minister recently attended a CTO meeting, her first, and was pinned with a CTO pin. What do we owe CTO in terms of money? The faction can only imagine being part of such an organization is not for free. What kind of benefits do we have as members of the CTO?

Since 2019, the St. Maarten Tourism Bureau (STB) has been in communication with the Caribbean Tourism Organization (CTO) to prepare for the payment of outstanding obligations. However, no Minister has yet finalized and signed the official letter to formalize this payment arrangement.

The current Minister has engaged in discussions with the CTO to address the outstanding debt. The exact amount owed is being verified, so a definitive figure cannot be shared at this time. The Ministry is committed to resolving this issue promptly to uphold St. Maarten's commitment to regional partnerships.

As for membership benefits in CTO, while specific benefits aren't detailed in the current information, organizations like CTO typically offer networking opportunities, industry insights, advocacy, and support for tourism development among member countries.

The faction believes that because we're always focusing on beautification is why we have a parking problem today. What are the sustainable plans for Philipsburg moving forward as it pertains to parking and any other initiatives that Philipsburg stands to benefit from?

The plans for addressing the parking problem in Philipsburg involve collaboration with the Ministry of VROMI, alongside ongoing beautification efforts.

St. Martin Taxi App. What does the ministry have planned for that in collaboration with the owners? Does the ministry have plans for the taxi app? Does the ministry want to work with the taxi app—maybe not as it is, but does the ministry have any vision for that? If so, how does the ministry plan to incorporate that and help boost the company as it pertains to putting commercials on the flights for tourists to know what to download as they land?

Is the ministry in contact with the owners, and when last did the ministry speak to the owners?

The Ministry of TEATT aims to modernize Sint Maarten's passenger transportation industry through digital innovation, aligning with broader policy objectives to improve regulatory oversight, enhance user experience, and promote economic development. The chosen initiative will consider the unique cross-border context of Sint Maarten and Saint-Martin. The ministry has been working on its own initiative prior to learning of the SXM Taxi App. The intended chosen solution will offer robust regulatory features and scalability. The Ministry was given a presentation by SXM Taxi App on November 7, 2024.

The faction would also like to know about the backlog in business licenses. What was the status of the backlog when the Minister entered the ministry? What was the state of affairs with the business licenses then? What was the size of the backlog then, and what is the size of the backlog now? How many business licenses were signed in the last six to seven months?

The current details on the business license backlog are as follows:

- A total of 786 business license requests have been received.
- Out of these, 413 applications have been completed.
- 208 applications have been processed but are awaiting final review and approval.
- 165 applications are pending, requiring third-party advice or additional information from applicants.

Due to the BLIS system not readily providing approval dates, checking each file individually contributes to the backlog and requires significant manpower. Moreover, a lack of manpower has affected the efficiency of processing licenses.

Efforts to address and reduce the backlog are ongoing through quick fixes and structural changes, including simplifying processes and reviewing practices from other countries in the Kingdom to prevent future delays.

However, the specific size of the backlog when the Minister entered the ministry, as well as the exact number of business licenses signed in the last six to seven months, is not provided in the current information. The focus remains on addressing the current backlog and improving the process efficiency moving forward.

The faction mentions the Marketplace and the FIDIC and states that when it comes to the FIDIC, there's a pre-awarding stage and a post-awarding stage. In the post-awarding stage, you can't just go and change the rules. Then, you also have to have the clauses already in your contract, if you want to make changes. The faction wants to confirm: were those clauses to make any aesthetical changes to the Marketplace already in the contract?

If you go through FIDIC and look at the guidelines for bid changes, it also has, areas when it talks about the deadline's submission. It also talks about equal treatment so that every other contractor needs to have an equal opportunity.

The faction also wants to confirm that with the FIDIC, based on the contract and the TOR that went out, aligns with your vision to make the changes, that it is allowed legally and that it is even allowed with our laws.

The contract for the Marketplace, based on the FIDIC Yellow Book, does allow for post-award changes through variations instructed by the engineer. This means that while post-award changes must adhere to the contract, not every potential change needs to be explicitly predefined in the original contract.

The contract includes provisions consistent with FIDIC guidelines, allowing for aesthetic changes to be made to the Marketplace. These provisions align with the Terms of Reference (ToR) and ensure that any changes made are legally permissible and compliant with local laws.

Regarding bid changes, FIDIC guidelines emphasize equal treatment and deadlines for submissions, ensuring that all contractors have fair opportunities. Therefore, the contract and process align with both the legal framework and the vision for making changes to the Marketplace.

With respect to the CEO and COO appointments, the faction heard the Minister mention that these are no longer statutory positions. The faction also heard the Minister mention that internal recruitment has been done before. The faction agrees with internal recruitment but doesn't agree that sometimes we do it and sometimes we don't do it based on the preferred candidate.

What is the policy when we do internal recruitment? Is it so that because it is no longer a statutory position, it can be done internally? In that case maybe the CEO position could have been done internally as well.

The Minister stated that during her tenure as a member of parliament, the individual consistently requested the recruitment policy of PJIA. This effort continued after taking office as the Minister of TEATT. However, to date, they have not received the policy nor received confirmation regarding whether the policy exists.

Marketplace. Once you change the aesthetics of something, the price changes. It either goes down or it goes up. It can never be that the price remains the same, and if that's the case, then the faction would like to get some documentation in terms of the new agreements that were made to substantiate such.

The Ministry of VROMI's new works department is actively involved in the process, having instructed the contractor to submit a variation report. This report, which is currently in progress, will likely provide the necessary documentation and details on the financial implications of the aesthetic changes to the Marketplace.

The faction would like a timeline as to when these acting positions will be dealt with. When will these advices be handled off?

The Minister indicated that a definitive timeline cannot be provided at this time, as these appointments depend on recommendations from the personnel department. However, the matter is receiving attention, and further updates will be sought from the department to expedite the process.

With respect to the opening for the 25th, the 26th, and the 1st, the faction would like to know if this is for stores in Phillipsburg only. If so, how do you then handle discrimination?

Where does it stop? Does it stop by Prince Bernard Bridge? Does it stop by Sundial School? Can the Minister give clarity on this?

The exemption for openings on the 25th, 26th, and 1st applies specifically to stores in Phillipsburg. The Ministry acknowledges the concerns of the MP and clarifies the geographic boundaries. Phillipsburg is defined from Prince Bernard Bridge to Emmaplein, including Pondfill, Cannegieter Street, Front Street, Back Street, and the Boardwalk.

The intention behind granting this exemption is to facilitate economic activity due to the arrival of several vessels at the Port. Balancing economic and social concerns is a complex challenge. The Ministry assures that these considerations have been taken into account and will ensure clear communication to the public regarding the scope and rationale of the exemption.

The faction notes that the Minister stated that no permit was given for gambling on the boardwalk. However, the event is happening on the 21st and the 22nd. The faction would like to know how this differentiates with a situation that happened a month ago in the village, where this person was stopped for similar activities. This was a citizen. Is the Minister saying that the Government is allowed to do what it wants?

The Minister indicated that the matter will be reviewed.

The faction knows that based on the bingo event permit guidelines, you have to fill out an application form. Was this application form filled out by the Minister of VROMI?

The Minister clarified that no request for a raffle was received.

During the last budget debate, the faction implored the Minister to look into the gambling affliction reports and studies done years back. The Minister promised she would, but now the Minister is stating that she is waiting on the Gaming Board for their perusal of the gambling affliction reports. The faction asked for the Minister's opinion.

Sint Maarten is characterized by an exceptionally high density of gambling opportunities, with over 2,600 options available within its 16 square miles. This situation adversely affects vulnerable groups, such as low-income households, youth, and the elderly, largely due to a lack of responsible gambling measures and weak enforcement. The social and economic harm is pronounced, particularly on single-income households and families, where women make up 51% of the population.

Efforts under Country Package Measure H2 aim to establish the St. Maarten Gaming Authority. This body should prioritize regulating gambling, minimizing its harmful effects, and safeguarding vulnerable demographics. To achieve this, policies and enforcement strategies will be informed by comprehensive census data, ensuring targeted and effective interventions.

Referring to other questions, the faction heard, especially about the CEO/COO appointment, basically the shareholder being the Government, that the Government was not informed of the change in statutory director. Basically, Government is saying, "I don't know."

The articles of Incorporation being changed without Government knowing and basically Government owns the airport, is basically Government saying, "I don't know."

The airport now has a CEO and a CFO as directors. Why was this changed, and who's the advocate of this change?

The change regarding the CEO and CFO appointments at the airport, and the associated changes to the articles of incorporation, was based on recommendations from the I-Team and the 2022 Council of Ministers. The intention behind these changes was to align the company's structure with the I-Team's recommendations. The decision was made by the 2022 Council of Ministers, which had established the I-Team to provide such guidance. The director of the Holding company conveyed this information, indicating that the adjustments were part of a strategic alignment process recommended by the I-Team.

Ministry of Justice

The faction would like to know from the Minister of Justice how many persons within the ministry of Justice have done a document verification course and what level are they on. How often do they participate in refresher courses? The faction believes this is quite important as we have heard of different situations of the past where this was quite necessary.

Documentalist level 1 is 72 persons at Immigration

Documentalist level 2 is 6 persons at Immigration

Documentalist level 3 is 2 persons at Immigration/ Falsidesk of which 1 is an immigration officer and the other a technical assistant.

Sint Maarten is the only country within the Dutch Caribbean that has a Falsidesk. Weekly refresher trainings are offered to all chain members

How many critical vacancies does the ministry of Justice have right now, and how does the Minister foresee the fulfillment of these departments?

There are a total of 45 critical vacancies within the ministry.

Only 3 were budgeted for, fulfillment of these departments will require us to think outside of the box while maintaining the essence of our responsibilities and may require a budget amendment.

The faction would like to know how the Minister sees the opportunity for former uniform officers, once they retire, to carry a firearm for up to 5 years before they have to "herkeur"?

The current legal framework restricts firearm possession, and licenses are only granted under specific circumstances. Self-defense is not considered a valid reason for obtaining a firearm license under the law.

While the Minister understands the MP's concerns regarding the safety of retired uniformed officers who may have built up enemies over the course of their careers, it is also important to consider that these individuals are no longer active police officers and therefore are not subject to the same ongoing training and operational requirements.

This is a sensitive issue that requires a careful balance between public safety and the personal security of individuals. The Ministry is committed to upholding the law while ensuring that any exceptions or amendments are considered only after thorough review and consultation with all relevant stakeholders. The Minister will take the MP's concerns into account as part of any future discussions on this matter.

The faction notes that we have seen a rise in gun violence, especially over the last couple of months. The faction mentions that it brought the topic of a gun amnesty program up already. You would not only be able to bring in your firearm but also have a job placement company on site to provide opportunities at the same time. The faction believes that a gun amnesty drive, attached to a recruitment drive, would help and then you would at least have provided more options for your population who find it difficult to find work.

This topic will be thoroughly discussed during the upcoming *Driehoek* meeting scheduled for January 2025, which will include the Public Prosecutor, the Chief of Police, and the Minister. The aim is to ensure that the program is well-structured and effectively addresses the issue of illegal firearms in our community.

What are the plans moving forward, long-term and short-term, for the scooters and two-wheelers overtaking in the traffic, whether on the left or on the right side? Especially seeing that the faction doesn't think there's been a week in the last couple of months without a motorcycle accident. What are the short- and long-term plans as it pertains to curbing that and vehicle safety on the road, as it pertains to four wheels and two wheels colliding or two wheels on two wheels?

Reckless scooter and motorcycle riders pose significant safety risks to themselves, other road users, and police officers during pursuits. This is a serious concern and has my full attention.

KPSM has confiscated over 200 scooters that were either not roadworthy or stolen, many of which remain unclaimed due to a lack of proper documentation. Storage for these scooters has been a longstanding issue, and plans are underway to destroy those that are unclaimed or unlawful to prevent further misuse.

While enforcement actions, including traffic controls, are ongoing, limited resources, poor road conditions, and the lack of service motorcycles make high-speed pursuits impractical and dangerous. To address the issue effectively, KPSM is also collaborating with French counterparts, as part of the challenge stems from cross-border riders.

It is important to note that not all scooter riders engage in reckless behavior. The problem lies with individual riders, and a broader approach that includes education and adherence to traffic laws is necessary. This matter was recently discussed with Chief John, and the Minister will continue to prioritize solutions that balance enforcement, prevention, and safety.

The faction knows the law isn't there yet, but if someone is on a bike doing a wheelie going down a road and collides with another bike, causing an injury and a casualty, and that person dies. The faction believes that in the current law, the person is not held liable for that person's death. Moving forward, what are the plans for that? The faction is of the opinion that the ramifications and repercussions are not to the level that they need to be. The faction is of the opinion that the laws are quite outdated. Does the ministry have any plans or vision where that is concerned?

The Minister indicated that under the current legal framework, incidents involving negligent or reckless traffic behavior resulting in death or injury are addressed in the Criminal Code:

- **Culpable death (article 2:284):** Negligent behavior causing death can result in up to 4 years of imprisonment or a fine of the fourth category, increasing to 6 years for reckless behavior
- **Culpable injury (article 2:285):** Negligent behavior causing serious injury or temporary incapacitation carries a penalty of up to 2 years imprisonment, increasing to 4 years for reckless behavior.

In addition to criminal accountability, victims or next of kin may seek civil compensation for damages under Article 162 of Book 6 BW (Civil Code), which governs unlawful acts.

The faction continues and mentions that when it comes to the retired uniform officers, the question was more geared towards if there is willingness to adjust the law to suit our situation because a lot of these legislations come from the Netherlands then to the Antilles and we just inherit them as is. We have our unique situation. Self-defense is a justifiable reason, once given all the proper criteria that is set in a policy to allow a retired uniform officer to have a firearm. The faction hopes that the Minister can reconsider.

The faction would like clarity on the 45 critical vacancies. Where is the majority of these vacancies, and can we consider, then, based on the fact that you mentioned, Minister, that there are only three that are budgeted for, that we increase that number? Because if we don't plug these holes, you will continue to have increased sick leave because you're forcing staff members to work double and longer than double shifts in certain instances. The faction believes that finding funds for this is essential.

The majority of the vacancies are at KPSM, which totals 15. Additionally, 10 are at Coast Guard, and 6 at the prison. As mentioned, the Minister looking at all ways to fill these vacancies and is engaging with the Minister of Finance and our Kingdom counterparts in the coming weeks on the matter. The Ministry acknowledges and underscores the negative consequences these reductions will have on the Ministry and we intend to address this through a budget amendment.

Ministry of Education, Culture, Youth, and Sport

The faction mentions that there is a situation where if a child is born on October 1st, they are considered to be born late. The faction continues and states that imagine somebody born on September 30th and somebody born on October 1st have to start the school year completely after. The faction finds this quite unfortunate but understands there has to be some sort of cut-off. Some schools allow you to do a sort of test to see if you are up to the level and then allow you to continue. Has the ministry already been working on some sort of way to make this a structured policy to at least allow the child to display their skills because the faction believes the date is between October 1st and December 31st, for which they will be considered born late? Is there any consideration being put into changing this structure?

The Minister thanks MP Doran for his question because as someone who had to hear “thank goodness you born September 4 and not later in the month”, the Minister never understood the point of the whole rule. But, in fact, there is no policy. The existing national ordinance, *landsverordening funderend onderwijs* states in article 2 lid 1: *Het funderend onderwijs is het onderwijs bestemd voor kinderen vanaf 4 jaar.*

This basically explains that the day that a child turns 4 they are *leerplichtig* and must start group 1. To the recollection of several parents, one subsidized school board began with this October 1st ‘policy’ and others followed, taking advantage of the fact that parents are not always cognizant of this law and thus simply follow what the school boards say. But essentially, to clearly answer the first part of your question regarding policy: the Ministry cannot make policy when the law is already clear on this topic.

Regarding the second part of your question, about the Ministry’s thoughts, the Minister can state that an amendment related to the admission criteria for students in the first year of primary education is forthcoming. Provisions are currently made in the draft National Ordinance on Education Supervision, one of our legislative priorities this term, which includes amendments to the National Ordinance on Foundation Based Education, and includes the following:

The amended second and third paragraphs in Article 19 of the National Ordinance on Foundation Based Education regulate additional moments of admission of four-year-old children in the first year of primary education. Children who turn four in the period from the first day of school up to and including 31 December can be admitted on the first day of school. Children who turn four in the period from 1 January up to and including 30 June can be admitted on 1 January.

This will make it clearer on what the law of the land states.

The faction mentions NIPA and the allocation of land to NIPA to expand the campus by the former Minister of VROMI. This initiative was aimed towards developing skilled labs, a modernized kitchen, and a potential dormitory for students. The faction believes that it is important that we support and facilitate the advancement of the students in the technical and vocational skills. As has been echoed for years, the traditional methods of calculating the subsidies, based on the student headcount, do not adequately address the higher operational cost of the technical and vocational institutions across the island. Given the significant increase in material costs since Hurricane Irma, the faction would like to know if the ministry has adjusted the subsidy calculation to ensure that these schools receive fair and sufficient funding. Can the Minister provide a comparison of subsidy allocations before and after Hurricane Irma?

The Ministry of ECYS is engaged in a comprehensive assessment of the LSS in collaboration with SOAB, which includes the streamlining of accountability processes and the establishment of an evaluation framework for educational funding. This will allow for a holistic assessment of the adequacy and efficiency of the funding provided to schoolboards. In addition, the initial phase of this review will focus on quick wins by conducting an assessment to identify areas of improvement to the Lump Sum calculation based on indexation and actualization of the parameters and line-items applied for the calculations to be included in the model.

The priority throughout this process is to strengthen the accountability processes as, of course, a subsidy is public money and any institution, even necessary ones, must comply with reporting on public money.

Recognizing that the technical and vocational schools incur expenses beyond the mere student numbers, such as cost for materials like cement, and food items, the faction would like to know if the Minister agrees that a review of the subsidy framework is necessary to reflect these unique operational costs. If yes, what steps, if any, has the ministry taken or plans to take to ensure that these institutions are adequately supported? If this is the case, can the faction get a timeline as to when it is expected? If not, can the faction get a timeline as to when some consideration can be put into this point?

The funding provided to schools is based on the existing legal framework established in the LBham Bekostiging Onderwijs. The Minister agrees fully that a holistic review of the Lump Sum System (LSS) is needed, and the review process is ongoing.

This holistic review includes several elements of which increased compliance, accountability and quality assurance all form essential parts in this process. This process aims to establish an evaluation framework to regularly evaluate the educational funding provided to school boards. The Ministry has prioritized a preliminary review which aims to address the more immediate concerns related to e.g. the impact of the increased cost of consumption and

categorical deficiencies encountered by schoolboards. The Ministry aims to advise on the preliminary by 2026 and on the comprehensive evidenced based assessment by 2029.

The faction has seen recently that we have had a lot of athletes that have done great things. The discussion has always been that we are not doing enough for our athletes as a country. The faction agrees wholeheartedly with this statement. The faction would like to know if there is some sort of plan already within the Department of Sport to not only acknowledge but add some sort of substance to what we do for our athletes. Are there any thoughts within the ministry already, and if not, how can we assist as Parliament?

The Department of Sport in collaboration with the various sport organizations does acknowledge and recognize athletes who are returning to the island from regional/international events/tournaments. Just recently, the Minister joined them in welcoming back the two swimmers from the aquatic's foundation after their performance in Budapest. These athletes are highlighted on our social media pages prior to travelling and during their events once the information is made available by the relevant sport organization/federation. Upon return, the sport organization/federation takes the lead in organizing a welcome and the Department along with the Minister supports said welcome initiative.

The faction mentions the Monument Council. What is the status of the Council and putting another one together? The faction also remembers murmurs of a Monument Fund. Is that something the Minister will be working on moving forward?

The tenure of the previous Monument council came to an end. The process for the selection of new members has been executed. The Ministry is now in the process of appointing new Monument Council members. This will be made available to the public once we reach that stage.

The bidding process for establishing the Monument Fund was completed. The Department of Culture is now in the evaluation phase of the bids towards establishing the Monument Fund, and I hope to provide an update on this in Q1 2025.

The faction knows that the Minister believes in STEAM learning. Can the Minister further elaborate on exactly what STEAM Learning is and what elements the Minister wants to adopt?

STEAM education is an approach to teaching and learning that integrates science, technology, engineering, the arts, and math as pathways to guide student inquiry, discussions, and critical thinking. Currently the approach to STEAM has been somewhat disjointed depending on which school you're looking at; there is also a need to improve digital literacy in

general among students and teachers of all ages. The intention is to conduct tech skill assessments of both educators and students, and after meeting with the Division Head of Education Innovation, I can state that there is an upcoming STEAM-centric project targeted to teachers. Improving the tech skill sets of educators is something I firmly believe in, particularly when we look at the proliferation of artificial intelligence in education, the world over.

The faction also noted that the Minister would like teachers to attend yearly CPDs (Continued Professional Development courses). Is the Minister planning to implement this? If yes, how does the Minister intend to monitor this?

Yes, the Professional Development Program already provides a framework for ongoing professional development. The Ministry of ECYS, through the PDP, has emphasized the importance of continuous learning and upskilling for teachers to meet evolving educational standards and enhance the quality of education on Sint Maarten.

The monitoring process is detailed in the PDP and involves multiple stakeholders:

- School Boards and Public Education Division: Conduct needs assessments to identify training requirements for their staff and ensure the participation of teachers in relevant programs.
- Department of Education: Oversees the implementation of the PDP, evaluates its effectiveness, and advises the Minister on course renewal or updates based on progress reports from the Division of Educational Innovations (DEI).
- Division of Inspection OCJS: Tracks teacher completion of training programs and includes these evaluations in the annual State of Education report.

What are the consequences if teachers do not comply? Who is paying for these courses, and how does this fit into their hours?

Non-compliance could have professional implications, as the PDP emphasizes a shared responsibility between teachers and school management. While consequences are not explicitly punitive, teacher appraisal and career progression might be tied to their participation in CPDs as part of their professional growth.

Funding for CPDs is covered by government through structural funding or through incidental funding by Government with varying provisions.

Teachers, in consultation with their school management, are expected to balance their professional responsibilities with the training requirements. Needs assessments conducted by school boards will ensure that training schedules are aligned with the teachers' workload to minimize disruptions.

By addressing these areas, the CPD initiative will be integrated into the broader professional development goals of the Ministry of ECYS, ensuring that teachers are equipped to meet contemporary educational demands while maintaining alignment with the legal and operational frameworks of the PDP.

The faction read of mandatory enforcement of IEPs (Individualized Education Programs) for students with specific needs. How can the Minister ensure the effectiveness of this if, currently, we have compulsory education but we do not have compulsory testing?

The Minister can ensure the effectiveness of Individualized Education Programs (IEPs) through structured monitoring and accountability mechanisms outlined in the Special Needs Education Policy. It's important to note that if a child isn't referred for an assessment, then testing is not required. What you can do, and this is where teacher training comes into play, is ensure that educators can spot certain markers that signal that a student may have specific needs and then use those markers to refer said student for testing. The Ministry is developing a training in collaboration with the NRPB that will give all in-service educators the basic foundation to allow them to spot these markers.

The faction mentions sports. Does the Minister have any short-term plans as it pertains to the Sports Federation, seeing that they have a new board and there are currently no funds?

Funds have previously been made available to the new board. Moving forward, the St. Maarten Sports Federation has been encouraged to present their overall plan and make a request for financial assistance, once this has been submitted it will be processed. The Minister has met unofficially with the Federation prior to swearing in and communicated to them that the Minister will be meeting them officially once we are through the holidays and there is more space in everyone's schedule.

What are the Minister's plans as it pertains to incorporating Eco Learning into the curriculum?

Presently the Ministry has no plans to incorporate eco-learning in the curriculum, but it's my intention to explore introducing such a curriculum as a module under an existing subject, for example, science. The Minister does not have a timeline for that, as there are other education-related items that need resolution first.

Additionally, the Minister has stated before that Government should aim to be a facilitator and not always the initiator; there are several existing programs in the community that provide eco-learning programs to students, from our farmers to the Nature Foundation. In early 2025 it's the Minister's intention to meet with these entities to discuss support needs and how ECYS can lend feasible and sustainable support.

Ministry of Public Health, Social Development, and Labor

The faction would like to know what is the Minister's vision on Mental Health. The faction thinks that this requires a lot of structural change, manpower, and finances. Is there an implementation? Has the ministry already been working on one?

During the public meeting, the Ministry will clearly outline the Ministry's vision on Mental Health, emphasizing our commitment to supporting current staff, addressing the opportunities and limitations of our society in terms of manpower and finances. This issue is a high priority for the Ministry.

What are the top five priorities of this Minister in terms of his vision for the ministry of VSA?

Preventative healthcare

- Mental health care
- Poverty alleviation
- Elimination of AOV tax in collaboration with the Minister of Finance
- A way forward with the SAAHA

The Health Bus. What is the vision for the Health Bus moving forward? A significant amount of money was invested in 2015, and at the time it was something state-of-the-art. However, over the years, it has lost its status.

In theory, both buses were a great avenue to bring health care closer to the community. However, the reality is that the mobile bus is fairly large and is not able to navigate into smaller streets and neighborhoods. This resulted in holding community sessions/screenings where space allowed for the mobile bus to be parked (i.e. Festival Village, Telem Parking Lot). The dental mobile, which is somewhat smaller, was used for school dental visits and community health outreaches. At this time however, both buses need extensive repairs and based on preliminary assessments that were provided from the Ministry the cost of these repairs far outweigh the possible return on investment and as such possible alternative solutions are being sought to move forward with community outreach in 2025.

As it pertains to youth healthcare and data collection, what are the plans for the digitalization of that department? How can the Minister ensure that certain things can be looked up with the click of a button?

The Ministry have met with the department head on a number of CPS urgent matters, The Ministry also have a meeting planned with CPS staff to discuss not only personnel related challenges in CPS, but also issues such as this. The ministry itself has been busy with this process for a while. The Ministry is expecting to be able to make a decision moving forward on this matter in January.

My colleagues alluded to the last couple of weeks—your second day on the job, and you were bombarded with a lot of labor issues.

The faction mentions the alleged problems at CPS. What are the Minister's concrete plans to resolve that issue or at least coming to the bottom of it? The faction indicates that

there have been reports done a couple of ministers ago – what has come of those reports? What are the conclusions of them, and what are the steps moving forward?

As a former frontline worker and VKS officer on leave, he has firsthand experience of the stress and pressure faced by colleagues from various ministries and VKS officers who risk their lives daily, many voluntarily. It is widely recognized that adequate safety nets are lacking for frontline workers, essential workers, and first responders. Specifically addressing VSA employees, the Minister stated that there is no distinction in his view between frontline workers, essential workers, and first responders, regardless of titles. These workers tirelessly navigated challenges such as Hurricane Irma and the COVID-19 pandemic without proper recognition, mental health assessments, or sufficient recovery time and support, which has also been reflected in the results of a recent government employee survey.

In addition to the frontline workers, essential workers, and first responders, the “non-first” responders within the Ministry of VSA have been working diligently to meet to navigate the challenges of a bureaucratic organization, the Country Package, and World Bank processes, procedures, and deadlines to ensure the execution of programs and projects. Addressing these personnel-related concerns is a priority of the Minister.

Since taking office, the Minister has worked to ensure that VSA civil servants feel heard. The Minister is working closely with the cabinet, the Secretary-General, department heads, the union, and external stakeholders to address mental health and personnel challenges. Due to the sensitive and confidential nature of mental health issues, the Minister asked Members of Parliament to respect the fact that further details cannot be provided at this time.

In response to a request for written answers, the Minister asked for patience, noting that several action plans, either underway or set to begin in early January, have not yet been fully communicated to all VSA employees. The Minister stated that, out of respect, he intends to update the hardworking civil servants of the Ministry first before sharing further details with Parliament.

The Minister expressed gratitude for the concerns raised and shared the commitment to fully addressing these issues. They highlighted ongoing efforts, including meetings with department heads, planned and unplanned visits to departments, and meetings with the union and VSA employees, with more scheduled in the near future. The Minister affirmed that building morale, fostering team spirit, and tackling mental health issues within the Ministry is a personal priority, citing the recent participation of the Ministry of VSA in the "Beat the Marines" challenge as an example of such efforts.

The faction is aware that the Minister is an astute proponent of mental health, but the faction doesn't know if the Minister is aware that 90% of the staff on the first floor are currently seeing a professional regarding their mental health state and the workload they have been under for the past couple of months and years. What are the Minister's short-term plans as it

comes to morale in the department and the understaffing? The faction indicates that the clinic dealt with 4,500 students and 250 babies this past year, and they have a staff of three. The faction finds this a very alarming situation and is curious to the Minister's vision moving forward.

The faction is asked to see previous response.

The faction would like to know if the Minister intends to push forward with the SAAHA. If not, what is the Minister going to change in it? If it's not this, then what is your vision?

The Honorable Members of Parliament were informed in recent meetings regarding the SAAHA that the draft legislation is currently by the SER for review. It is expected that this advice will be received within short. As soon as this advice is received; the legislation with all accompanying documents will be thoroughly reviewed by the Minister and the Ministry. It is important to note that as the Minister of Labor, prior to giving a stance on this proposed legislation a comprehensive analysis of the impact on

- 1) SZV and its staff
 - 2) private insurance employees who handle health portfolios and
 - 3) the entire healthcare sector
- is needed.

The SAAHA forms an integral part of the entire health care reform that is urgently needed and as such I expect all parties to cooperate, as together we need to find a sustainable solution moving forward. SAAHA is an urgent matter that has to be dealt with!

The faction continues and mentions the situation at the Flamingo Hotel at the Hilton. The faction would like to know what the concrete steps are moving forward, what you're going to do, how you're going to do it, what you've done already, and what you would like to do. The faction knows some things aren't always achievable, but the faction would like to know the plan and where the Minister would like to take it.

The Minister has spoken to several individuals who wish to stay anonymous. They expressed their grievances to him and it has become clear that several allegations were made that relate to labor matters. The labor inspectorate was asked to investigate the situation, and it has their utmost attention. Prior to the involvement of the labor inspectorate the assistance of the Government's mediator was requested. The Government mediator, followed up with the relevant departments within the Ministry of VSA that would handle complaints, namely, the Labour Affairs Agency and the Inspectorate of VSA, who were, at that time, not aware of any labor unrest. Additionally, the Union who (formally) represented the workers was contacted, but they too were unaware. Therefore the report of the labor inspectors will need to be awaited and thereafter, if necessary the mediator can assist in the matter. The individuals who have not yet come forward can contact the labor inspectorate and rest assured that their conversation with the labor inspectorate will be confidential.

The breakfast programs. In the past, these programs have always fallen under VSA. Why is it under VSA and not under Education? Is the Government planning on keeping it that way?

By law the Ministry of Education Culture Youth and Sports (ECYS) is responsible for such. The Ministry will allow the Minister of ECYS to go into details as to what ECYS is currently doing as it relates to breakfast programs. However, it must be stated that on Sint Maarten we are faced with a poverty reality. Over the years NGO's, private businesses and civilians play a pivotal role in contributing to a variety of meal program initiatives in schools, after school programs, etc. the former Minister of VSA, now the honorable MP Ottley also had a pilot program as Minister of VSA. As the Ministry ultimately responsible for alleviation of poverty on Sint Maarten, The Minister considers it his responsibility and that of my Ministry to work together with ECYS on this matter. The initial conversations with Minister Gumbs, has already taken place.

General Healthcare and vector control. What is the status of the vector control unit and what are the plans of the Minister for that moving forward? Just a couple of days ago, there was an article based on a mosquito disease somewhere in the British Islands in the Caribbean, and warnings were issued. Years ago, there would have been fogging, so spraying of insecticides. The faction hasn't seen that in a while and mentions that the vector control unit used to handle that. The faction doesn't know if there is still a unit or if there are certified people in that unit who just aren't in the unit. In 2013-2014, there were three people who passed the BAVPol, but they were never sworn in, and nothing was ever done with them.

Vector control falls under the responsibility of Collective Prevention Services, who in 2010, took over some of the tasks and personnel of the then hygiene department; this included the existing team of 2 assistants in Gele Koorts en Muskieten Bestrijding (GKMB) or what we call today- Vector Control. These staff members undergo job related training on an almost yearly basis. As it pertains to fogging, this was last done after IRMA. However, it should be noted that fogging alone only helps with the adult mosquito's and so it by itself does not solve the problem. It should be a multi-faceted endeavor that is approached from multiple angles. Information ads that provide education can be used in this type of campaigns.

As it pertains to the CPS, the faction would like to know if CPS workers are seen as frontliners. During COVID, they were, but now they're not front liners anymore. The faction would like to know officially whether they are seen as frontliners, and if not, why not?

Please see previous answer regarding frontline workers and essential workers.

The faction continues and mentions that thinking about revenue generation – has the Minister ever considered CPS as a separate entity which is government-subsidized? Right now, CPS does not charge for anything. For example, a COVID-19 vaccine on the French side is \$150, and on the Dutch side, it is free. If CPS were to be its own entity, it could charge for adult vaccines, COVID-19 vaccines, yearly contributions, flu vaccines, vaccination records, or even charging tourists for yellow fever shots. The faction believes that these are all things that can

generate revenue sources that could go back into the government coffers. Is this something the Minister is thinking about or would consider moving forward with?

Further assessment will have to be done concerning this matter before a decision like this can be made because of the far-reaching potential consequences on public health.

What is the Minister's opinion on the idea for revenue generation?

The Ministry is exploring ways, particularly within Labour Affairs, to generate more revenue.

The digitalization plans for the departments, in particular youth healthcare. The faction would like clarity on this.

The Ministry believes that a digital approach aligns well with the youth when it comes to mental health, as it is familiar to them and easily accessible. Currently, the Ministry is exploring how to best implement this approach, considering the existing mental health system in Sint Maarten.

The Minister mentioned the buses, but the faction didn't get if that is in the plan of the Minister moving forward as it pertains to the rejuvenation, renovation, or repairs of those buses.

At this time however the buses require extensive repairs and based on preliminary assessments that were provided from the Ministry the cost of these repairs far outweigh the possible return on investment and as such possible alternative solutions are being sought to move forward with community outreach in 2025.

As it pertains to the Flamingo case, the faction would like to request a hands-on approach from the Minister in this particular matter. Because, as has been understood thus far, there are a lot of trust issues, and the faction is not directing this to any particular entity or person, but it thinks this requires a hands-on approach from the Minister.

The Minister assures that the Flamingo case has his attention.

And as it regards the cannabis legislation, the faction feels that it can't be that two Ministers are working on the same legislation—or have to do with the same legislation— and give two different answers. When you read what's in the written media, you get one impression, and when you ask a question face-to-face, you get a totally different answer.

The Minister cannot speak on behalf of the other Ministry that has addressed this topic and maintains the previously given response that, due to an ongoing legal case, he is unable to make any statements on this matter at this time.

What are the ministry's views on the whole situation with rotating specialists? If we're faced with certain situations, we have to adjust in order to make sure that there's continuity, but the faction believes that the rotating specialist project has caused more harm than good. Is it the intention to cut out the whole rotating specialist? What is the plan where that is concerned? Is it because we don't have enough volume?

Can the Minister please give an indication as to what are the ministry's views in terms of how that is going to continue?

Medical referrals abroad. Sometimes, someone starts their treatment in Panama, then they end up in Colombia, then they back in Panama, then in Santo Domingo, and then in Colombia. What is the intention of the ministry where that is concerned?

What is the long-term plan moving forward where that is concerned because it can be quite bothersome for the patient. The faction is of the opinion that the continuous change can never be good.

The Ministry understands the concerns as it relates to both matters and the impact this may have on the relationship between patient and their doctor. This being said, this is a matter that will be prioritized in the health tripartite meetings, between SZV, SMMC and VSA.

Ministry of Public Housing, Spatial Planning, Environment, and Infrastructure

The faction would like to know the position of the Minister of VROMI on the side road project. That was an initiative that was started by the former administration, and during the months of June and September, there were a lot of different hiccups. It started back full speed, and we see the hiccups again based on the complaints within the community. What are some of the challenges? What is taking place? What is your stance on it? What is the status of it?

There have been several challenges that caused delays to this project in the past. For instance, some property owners requested walls to be built along their boundaries as part of the project scope, leading to prolonged negotiations and subsequent delays. Additionally, some homes have an overflow of sewage and grey water flowing into public spaces. Finding a solution for this issue also caused delays, and due to the absence of public sewage infrastructure in the area, these problems were not addressed within the project's scope.

Can the Minister of VROMI provide a schedule for the side road project so that persons could be at ease in knowing when, how, where, and what? Also, is there a particular emergency hotline number that people can use to contact VROMI?

See appendix 1

The ministry is committed to issuing a press release to the general public early in 2025. Since taking office, it has been observed that general email addresses and phone numbers are not always the most effective in getting information. This is one of the reasons for the commitment to rebuilding trust. The press release will include a comprehensive list of contact points within the ministry, featuring both email addresses and phone numbers.

What is the latest on the housing project that was earmarked for Hope Estate? What is the current status of it? What is needed from our end as Members of Parliament in order to get it back on, if it is off? The faction knows that this project is a great initiative and guarantees that it is very much needed.

This project was lost under the mandate of the previous minister, not the current one. In terms of what Parliament can do, it is believed that Parliament has a role to educate and uplift. It is very common to take matters that politicians know very well and spin them to benefit politically. This may get them elected, but it won't get Sint Maarten where it needs to be. Therefore, what Parliament can do is often support and encourage opportunities to move ahead with the housing project via the Minister of VROMI.

What is the Minister's position on the Vineyard Heights project? That was a project that was initiated quite a number of years ago, and it was halted. It was brought to court by some of the persons of concern, and the ministry won the court case. How are we going to proceed with that project? The faction believes that it is a great opportunity to allow persons to own their own home. Will the Minister be starting something completely new? Will the Minister dust off the project that was there, already written, brought by the New Works Department, Permits Department, and also the Domain Affairs Department and the Infrastructure Management Department?

The discussion within the Ministry still has to take place on a new plan of approach as a result of the recent Court case and ongoing issues in regards to the landowners.

The faction mentions the lower part of Over the Bank that is inhabited at this moment with all the structures that are there. There was a town hall meeting about two years ago, and the idea was to issue the land to those persons that have been occupying it without any legal permission and legalize their situation. What is the update on that? If not, how does the Minister view this in terms of allowing those persons that have already been living there, in some instances over 20 years, to be able to own the property that they have their home on?

At this moment there is no follow up activities ongoing on this initiative.

The faction mentions the road works and that the former administration left about 6 million guilders in the capital expenditure budget. Is it the intention of the ministry to just

continue to do the patchwork in Sucker Garden until a more permanent solution is done in terms of the complete resurfacing? Or is it to leave it as it is right now until next year to continue with that?

The Sucker Garden Road received urgent patch work which has since been completed. This was necessary to improve the traffic flow as an immediate solution. Major work is scheduled for the Sucker Garden Road, including drainage improvements, when the resurfacing program resumes in 2025.

The faction referenced an article from July 10th of this year where the Minister mentioned that since taking office, his focus has been on building trust within the ministry to the public; as such, several policy measures are being implemented. One way in which Gumbs indicated this trust can be rebuilt is by providing quality infrastructure to the people of Sint Maarten. The article further goes on to say that for too long, the focus has been on quick fixing and paving roads without priority given to the sustainability and the quality of the road; under my mandate, this is going to change.

The faction would like to know if the change isn't happening because of finances or does the Minister plan to do this next year or the year after. The impression that the public was given is as though the scope of works, in terms of the quality of the work, would be different or better, but it is just the same. Those public tenders already took place.

The change has already begun.

The faction heard the Minister mention a more long-term SLA. Is it the intention to put it on a bid instead of one year, two years, or three years, as it's done with other bids? If yes, how, and if not, why not? Because one of the complaints is that the one year is done in no time so it doesn't give room for investment, so the faction would like to know the Minister's thought process where that is concerned.

The concept of a SLA for road maintenance is an idea of mine as Minister as a solution to ensure regular road maintenance on Sint Maarten. I have discussed this internally, receiving positive feedback, noting that such an initiative can also help to reduce costs. The framework for such a SLA need to be developed and once finalized will be announced to the public for consideration.

Little Key. The faction saw an article on November 15th where Princess Beatrix was here and it was mentioned that a letter of intent was signed to put Little Key as a protected area. The faction was a bit confused about this, because in July of 2023, the former Minister of VROMI released an article via the ministry that the Council of Ministers approved Little Key as a protected area. The follow-up trajectory that had to take place is that after the approval the Prime Minister would then have to submit the letter of presentation to the Governor. The faction would like to know what the Minister signed.

During previous administration, the Council of Ministers gave approval for the Ibham Little Key to be sent to the Council of Advice. Since then, the CoA has given feedback on the Ibham, and Govt has drafted the Nader Rapport. The file has to now be brought further in the legislative process and may even consist of some legal errors based on the advice from the CoA. Note, that the Ibham little key has not established as yet, as such it is not yet a protected area. Hence, the letter of intent also mentions the Ibham Little Key, in addition to the overall intention of the VROMI to better protect and preserve our nature and environment through improved policies and legislation.

The faction mentions that in 2020, there was 0 CapEx, 0 guilders, and 0 cents. The faction indicates that the former administration left the ministry with 9 million for roads alone. The faction is not seeing the work being carried out to match up to that amount. What is the reason that the processes, when it comes to, in particular, road repair, are taking so long, given the fact that the bid was already done? When the new Government took office on May 3rd, the bid was already completed. It was just a matter of starting the works. The intention was to start the work in April and then it was moved to May. What was the cause of that delay? Was it manpower?

The tender for resurfacing took place in November 2023. The evaluation of the bids only took place in April 2024. As such, through you Madame Chair, works could never start in April 2024, as stated by the MP. Two weeks after taking office I signed the agreement to commence road works. Going forward, the Ministry will be implementing the use of software to evaluate public tenders and manage contracts. The software provider is MERCELL and this system is already in use at other Ministries with positive results.

The faction took note of an article a couple days ago with VROMI securing 1.9 million euros for the stormwater infrastructure pumps. The faction would like some clarity on this. Are these the same pumps that were being negotiated with BZK and the Department of New Works, as well as the consulting company that was assisting? The faction would like to know if this is that money or something totally different.

The 1.9 million subsidy from BZK comprises two components: The first, 1.4 million of the 1.9 million, is allocated to building capacity. This initiative was started under the current administration, noting the severe capacity issues in VROMI. The request for this began in June and was submitted in August. The second component, 500,000 of the 1.9 million, is related to the request for support for the storm water pumps initiated during MP Doran's term as Minister. It is recalled that the initial tender failed in the first quarter of this year. Yes, this is the same project funded by BZK for the two storm water pumps, one in the VROMI yard and the other at the pumping station adjacent to Rolandus Canal on Sucker Garden Road.

The faction continues and mentions that in 2019, MP Irion presented a motion that was passed trying to exempt first-time homeowners from paying certain taxes in terms of transfer fees. The former administration revived the Mortgage Guarantee Fund and was able to get

persons to resign and appoint certain individuals. They then hit a roadblock in different areas. The faction knows that this is a great thing and that it can definitely help our citizens in terms of homeownership. Would the Minister consider dusting off those plans and continuing with the Mortgage Guarantee Fund in order to make sure that there are opportunities for our people to own homes? What would be the ministry's plan concerning the development of homes and also the implementation of the fund? The faction would also like a timeline on this.

As announced in the media this week, there is every intention to continue with the Mortgage Guarantee Fund. For those who are not aware, the fund was established in the 1990s to support the realization of homeownership. The last administration revived this initiative with support from the NRPB. As this is considered a great initiative, there is no reason to put it back on the shelf. To that end, discussions have already begun with the NRPB, and there is an intention to retain members appointed by the former administration, where possible, for the sake of continuity and success.

The Ministry is working on an overall housing policy as part of the country packages and as part of the disbursement conditions originally identified in the housing project. This policy will provide the blueprint for housing, including allocation, regulatory, and management policies. From this perspective, one of the key focuses with any available funding should be the realization of affordable housing. Why is this important? A large part of the current housing stock is for social housing and provides very little in terms of affordable housing, leaving a significant portion of the middle class either unable to afford a house in the regular market or in social housing, which is designed for the most vulnerable. It is believed that focusing on this will free up social housing and provide more opportunities to address the needs of the middle class more effectively.

Does the Minister see anything wrong with the raffling of the process? Is the Minister planning to retract this officially? The Minister has a lawyer next to them who has also been working a lot with the Government and on good corporate governance, among others. Does the Minister see anything wrong when it comes to Government accepting sponsorship?

The faction also advises the Minister to look at any of the integrity documents from the Integrity Chamber that have come to Government in the past regarding gift policies, among others. Also, regarding receiving funds and the reason why. In addition, what legal basis did the Minister use to be able to even accept or want to accept sponsorship?

The faction wants to confirm if this will be retracted. Does the Minister have a license or permit to be able to do this? Does the Minister believe in any way that this puts certain citizens at a disadvantage when it comes to this raffle?

The Minister will address the comments of both MP Doran and MP Irion regarding three matters:

1. **The allegations of unfair treatment.**

2. **The allegations of gambling by the Minister of VROMI.**
3. **The sponsorship of the event by a private business.**

Context of the Event

To provide context, the idea for the Ministry's presence on the boardwalk originated from the Minister. This initiative aligns with the Minister's vision to enhance public engagement, given that one of the most frequent complaints about the Ministry is the lack of response and delays in addressing requests. This led to the decision to have a booth at the event to address these issues directly.

On Allegations of Gambling

The Minister wishes to clarify the distinction between a "raffle" and a "lot." While "raffle" is often used as a catch-all term, there is a significant legal difference. A raffle involves wagering money or an item of value for a chance to win something of greater value. A lot, by contrast, is a selection method used to ensure fairness when a limited number of opportunities are available.

This initiative was a lot, not a raffle, and therefore does not constitute gambling, as suggested. The purpose of the lot was to provide applicants an equal chance to have their applications processed with a waiver of the processing fee. While the term "raffle" was used for simplicity in public communication, it does not reflect the nature of the initiative. Consequently, no permit was required for this activity.

On Allegations of Unfair Treatment

The Minister asserts that offering an opportunity through a lot—without requiring payment for participation—is inherently fair, open, and transparent. To provide further context, examples of unfair treatment might include allocating government land to relatives while many applications remain unanswered or appointing associates to boards of government-owned companies, only to remove them after recommendations from the Corporate Governance Council. Such actions are clear examples of unfair and disadvantageous practices.

This initiative, by contrast, was based on open and transparent criteria, ensuring equal opportunity for all eligible participants to access a public good. It aligns with the policies needed to comply with the **DIDAM ruling**. The Minister believes this approach marks a significant step toward fairness and transparency, particularly in light of past allegations against the Ministry regarding land distribution practices.

However, it is important to acknowledge **Article 12 of the Landsverordening**, which requires the payment of processing fees. While certain provisions allow for deviations from this article, there are varying legal opinions on its application. In light of this, the Minister has decided to cancel the lot until clear legal advice is received to ensure future initiatives comply fully with the law.

On Sponsorship by a Private Entity

To address the matter of sponsorship, the Minister clarifies that the private entity in question did not transfer funds to the government, pay a third party on behalf of the government, or cover any fees related to the initiative. The entity simply donated 240 KitKats for distribution during the event, where civil servants staffed the VROMI booth to address questions related to permits and long-lease applications.

A more accurate term for the entity's involvement might be "partner" rather than "sponsor." However, given the political spin surrounding this issue, the Minister has decided that the Ministry will cover the full cost of the KitKats to avoid any potential backlash against the business. For the record, the value of the KitKats—USD \$216.70—is negligible compared to the value of public goods unfairly allocated in past practices.

Final Remarks

The Minister acknowledges full responsibility for this matter. Mistakes, while unintentional, provide an opportunity for reflection, correction, and improvement.

In the past budget debate, the amendment of 2024, but also on radio, among other things, the Minister mentioned that they're doing things differently and how the asphalt has to be a certain number of inches. The faction happened to be at two locations, not the last one where the Minister was, and saw when they cut the road, and did a little measurement, and it wasn't what the Minister said it was going to be. It was exactly what was done in the past. So, in the last few projects where the Minister did the asphalt, was it 6 to 8 cm or inches, as the Minister mentioned, or was it the same way that it has always been done after roadworks, heavy rainfall, etc.?

The present method of laying asphalt is thicker than before, as is the way the roads are aligned. MP Irion, if you have observed this as different, you are invited to write an official letter indicating which road you were present on, as stated, and at what time. Your submitted evidence will then be brought forth to the contractor.

What is the current update and timeline for the stoplights? The action noticed that two of them were on, which was a little confusing. There are no signs indicating that the stoplights are not working, so some individuals were actually stopping. The faction advises that some signs be put in place so that people know it's just a test.

The new stop lights are currently being tested and will be functional before end of year 2024.

For the last budget the faction asked for the amount of long lease, the top 10 offenders. The faction is hoping that since then, the Minister has gotten that information. What are the amounts for the top 10 outstanding offenders when it comes to long lease? The Minister cannot

talk about revenue generation, etc. if this information is not available or cannot be accessed. The faction would appreciate this information being submitted.

Indeed, this question was recently addressed during the 2024 budget amendment meeting, where the ministry provided a comprehensive explanation. In short, the Receiver's Office is responsible for collecting long lease canons. They reported that, among the top ten accounts, a total of 1,036 million guilders were outstanding. However, this data is a snapshot from 2022.

Since the 2024 budget amendment meeting, the ministry has met with the Program Manager for the Financial Management program under the Ministry of Finance. The ministry of VROMI has committed to participating in and integrating with the overall finance program. We expect that this will provide the ministry with access to financial systems and reporting tools, enabling more real-time accounting data in the future.

How many building permits did the Minister deny during the time that the Minister was in office? Not just holding back from the process, but how many building permits were denied and sent back to start over? The Minister also mentioned that building in the hills or stopping construction in the hills has to be addressed. Is that a plan for 2025? We cannot continue to say things on the radio, etc., but when it comes to execution, there's nothing. Is it going to be a selective area where construction can happen or not?

As to date, the minister has approved the denials of 4 building permits .

The faction would like to know about the policy the PFP championed regarding the construction pause and if that is going to happen in 2025.

Through you, Madame Chair, it has been stated on several occasions that the position is one of sustainable development. In so doing, if a proposal is not in line with those principles, it will face additional scrutiny. Moreover, there are some areas that are extremely vulnerable, and more attention is given to proposals in such areas. This includes along the coastline and in the hills.

The faction would like to know what the Minister's plans are for traffic congestion, specifically in the L B. Scott Road, Ebenezer, and South Reward Area. Furthermore, the faction would like to know the top three priorities that the Minister would like to complete in 2025.

This question was similarly asked by MP Wever and answered earlier.

Traffic congestion is an inter-ministerial initiative. In recent discussions with colleague ministries, six initiatives were presented to address this issue. Some of these initiatives fall under the mandate of the Minister of VROMI, while others fall under the purview of the

Ministers of Justice, Finance, and TEATT. As Minister of VROMI, the role primarily relates to the provision of a sufficient road network and spatial development. In this capacity, discussions have begun with the United Nations Office for Project Services (UNOPS) on a comprehensive plan of approach that will address the matter of congestion, encompassing regulatory as well as infrastructural interventions. The scope includes immediate solutions such as traffic redirection, increased fees, and increased parking facilities. Parliament will be kept abreast as the project evolves.

In my inaugural address I set 3 broad areas of focus: conservation and decent living, waste reforms and drainage, and governance. Within these 3 areas my three priorities for 2025 are drainage, housing, and zoning. Equally as important if i can squeeze in a fourth which can encompass all of these is the digital transformation of our Ministry.

The faction mentions criteria for the roads. What are the criteria that the roads are judged on when it comes to the main road resurfacing project and selecting roads? The faction has seen a road selected that the faction had some questions on, so the faction is curious about the criteria behind selecting the roads.

The criteria for roads to be repaired or resurfaced is primarily based on the following:

- How Busy the Road Is
- How Badly Damaged the Road Is
- How Important the Road Is for Daily Life
- How Safe the Road Is
- Fairness Across All Areas of SXM (to ensure each district sees infrastructure improvements)

The criteria are vetted by the departments of VROMI and presented prior to final selection.

The faction would like to know what the Ministers' plans are for now as it pertains to flood-prone areas that are well known and what are the steps towards a master plan for that.

The Ministry will rely on the existing drainage masterplan and look at increasing capacity for managing storm waters. This includes increased mechanization of management and working to finalize the new building code.

The faction remembers inquiring a couple of months ago about St. James Estate and whether it was still on the list to be resurfaced. The Minister mentioned that it was, and it also came up that the overhead lines were a hindrance to anything being done and the Minister made an inquiry at GEBE. The faction never heard back from the Minister on that matter and, therefore, would like an update on that.

The St. James Estate Road is still on the list to be hard surfaced, pending a meeting with the Community Council, this is being planned. The removal of the low hanging cables will be coordinated with the Utility companies.

The faction would like a list of all preparatory resolutions that expired in the last three years and those that are still current.

In the last three years there were only preparatory resolutions in place for Middle Region and Dutch Quarter (so not for any other districts). The preparatory resolutions for MR and DQ expired in April 2021. After that, the resolutions were not extended and they (by law) were not allowed to be extended anymore. There are no preparatory resolutions in effect currently.

Garbage tax. The faction would like the Minister to explain exactly how this would look like and how it will be collected. The faction has heard rumors that it might be added to one's GEBE bill, and the faction would like clarity on whether that is true. The faction is vehemently against it, as long as we still have a fuel clause problem.

Support has been received from the VNGi on this matter, and they are in the stage of delivering their final report for phase 2 of their project. One of the deliverables of phase 2 involves the possible financial framework for waste management on the island. Yes, one of the alternatives explored is the establishment of a waste management fee/tax that could be collected via the utility bill. The report with their findings and advice will be reviewed in early 2025.

The faction continues and mentions the new vehicle tax idea that was released by the Minister of Finance. The faction would like to know if the Minister of VROMI was consulted on this and if he had any say on the idea that is on the table right now.

As earlier stated in response to MP Wever regarding plans for addressing congestion, several initiatives were proposed during discussions with fellow Ministers, one of which was a graduated vehicle tax.

What are the plans of the Minister as it pertains to revitalizing the Housing Foundation, in particular their debts.

As part of the conditions for the housing project, a new performance agreement with the housing foundation was required for the disbursement of the USD 20 million. The realization of this agreement is critical in outlining not only the expectations of the foundation but also the relationship between the foundation and the government, especially as it relates to its reporting obligations as part of its subsidy conditions. Once this framework is in place, a formal discussion on debt can commence.

Drainage. The faction would like to know what, from the projects that have been done up to now, like the Long Wall Road, Point Blanche Road, and LB Scot Road, drainage solutions

were implemented during these times? The faction points out that tilting a road does not fall under the category of drainage. What ideas does the Minister have for upcoming projects?

Tilting and sloping of a road that previously lay flat, preventing water runoff, is considered an improvement to drainage. It is worth mentioning that the current ToR does not specifically include unit rates for drainage-related works; however, decisions have been made during project execution to improve drainage at each project carried out. Across all mentioned projects, the road surface has been tilted more than in the previous situation, allowing runoff to better flow into the existing drain. In some locations, where necessary, the existing drains have been lowered, which also improves water runoff.

What are the unpopular decisions that the Minister is prone to make in his tenure? Can the Minister clarify this?

Examples of possible unpopular decisions are the increasing road tax, there's also the realization that we have to also use environmental impact studies, there also the reality that we are not going to allow anymore building in certain areas there's also considerations of a moratorium/quota on the number of vehicles that we import in collaboration Minister TEAT. There's also a discussion around a public transportation system that will of course review the issuance of existing bus licensees.

The faction believes that the Bethlehem Estate is one of the only development projects, that has been done the right way, in the opinion of the faction. In the faction's estimation, they haven't gotten the sufficient backing from the Government to complete their project, especially as it pertains to the exit and connection on the Belle Plaine Road. The Minister, in his prior function, knows a lot about that.

The project of Bethlehem is very well known, as correctly indicated by MP York, given the previous role as Director of Foreign Relations and the part that this property played in the border negotiations. From the side of General Affairs, under which Foreign Relations falls, discussions were ongoing on a secondary access via Belle Plaine. The Prime Minister has been briefed on this and discussions will continue with colleagues on the French Side, and in The Hague and Paris should this become necessary. From the side of VROMI, allow me to offer some context. Several permits have sat in the Ministry for over a year, at some points even becoming lost. Permits related to this project are among them. Since taking office, efforts have been made to address the backlog, especially in cases such as this which only fuel frustration and undermine trust in government. Moreover, the impact of this project in the revival of the Dutch Quarter and Belvedere areas, the commitment to proper road and drainage infrastructure, and its role as a template for future large-scale developments are significant. This week, a meeting was called with the developers and the Ministry, and the finalization of related permits will be completed shortly.

The faction believes that we have to realize, aside from the fact that it's a local family undertaking this project, they need the Government's support. However, the Government has needed them many times in the past for various projects dating back decades. The faction believes that now, as they are waiting for assistance to expedite their project, it is important to remember that in the future, the Government will need them again, especially in regard to specific links. The faction knows that without their involvement, one of those links will never happen. The faction would like to know what is the Minister's plan to assist where possible, whether it be cross-ministerial efforts.

[This question has been addressed in the previous answer.](#)

The faction mentions the garbage tax once more. What is the Minister's projection for revenue as it pertains to the garbage tax? How much does the Minister expect to collect once it is implemented, and is it on its way?

[The proposed garbage tax/solid waste levy, among initiatives are all part of the EDMP project. The project is not yet at the phase to offer financial projections, but as part of the social change that will have to come, I found it important to start the public discussions about what is to come as we work to make sustainable the manner in which we handle our waste.](#)

The faction makes mention of the question regarding the recently publicized article from the Minister of Finance and if the Minister of VROMI was consulted on the vehicle tax idea/plan prior to the article being released.

[As earlier stated in response to MP Wever as it relates to plans for addressing congestion, in the discussions with my fellow Ministers, several initiatives were proposed one of which was a graduated vehicle tax.](#)

The faction is seeing a constant trend of justifying current actions with alleged wrongdoings from the past. And in the same breath, the Minister alluded to not constantly looking back at the last 5, 10, 15, 20, 30 years as we move forward. So how can the Minister say that in one breath but then justify, not explaining—justify current acts by comparing them to comparable alleged wrongdoings in the past?

[Let it be prefaced that in life, one must look back because history repeats itself if one does not know their own history. It was indicated that what should not be done is to measure right or wrong with the same measuring stick.](#)

The United People's Party-faction has taken note of the draft and has the following questions and remarks.

Ministry of Finance

The faction would like to know the true sentiments of this budget from the Minister of Finance. Does this budget reflect Marinka J. Gumbs?

The Minister reiterated, as stated in her presentation, this is a conservative budget designed to minimize risks by being more realistic. Considering our current capacity, taking a conservative approach and refraining from adding new policies ensures that we remain focused on achieving our objectives. This approach also safeguards proper financial management and promotes responsible fiscal planning. The benefits of this conservative approach include ensuring financial stability, preventing excessive debt accumulation, and maintaining fiscal responsibility—principles that she fully supports as Minister of Finance.

To address the question, does this budget reflect me? Yes, this budget does reflect Minister Marinka Gumbs. Once we have more substantiated data, we will initiate the process of a budget amendment.

Can the Minister of Finance calculate what would be the financial impact for 2025 and 2026 incoming projections if the profit tax was reduced to 15% and it was implemented on January 1st? What would it mean for implementation at the tax office? Besides legislation, what else needs to be done?

The Minister of Finance stated that the current amount included in the 2025 budget for profit tax is NAf 45 million, calculated based on a rate of 34.5%. A simple estimate shows that reducing this rate to 15% would result in a projected decrease in profit tax revenue of approximately NAf 20 million.

It is important to note that this is a general estimate, as the taxes included in the budget are based on the actual expected cash income to be collected in 2025, making them as realistic as possible.

Furthermore, the intention is to implement a phased approach to the reduction of the profit tax. It is essential that any reduction in profit tax is accompanied by an increase in revenue from other tax streams to maintain overall fiscal balance. These adjustments will need to be incorporated into the tax system to ensure alignment with the legislation.

The faction mentions the ENNIA saga and that it was stated that no agreement will be signed unless a prior agreement is signed with Central Bank guaranteeing Sint Maarten first right of refusal. Can this agreement with the Central Bank, which guaranteed us the first right of refusal, be provided?

The Minister of Finance confirmed that as stated during the meeting, I have followed through on exactly what she committed to doing. The matching rights document was signed off prior to any other documents. This signed document will be shared with Parliament confidentially, as the draft had already been shared during the Ennia parliamentary meetings under the same confidentiality terms.

The faction mentions that during the budget amendment, the faction echoed numerous times that a meeting should be held, a brainstorming session, between the Council of Ministers and the Members of Parliament on revenue-generating ideas.

There were a couple of them that were mentioned. The faction saw that the Minister of Finance herself mentioned the personalized number plates. The faction believes the idea about the weight for road tax is also a good idea, as it is also used in the Netherlands. In the meantime, the faction has heard nothing from the Ministers and neither from the Presidium when it comes to putting that meeting together, which would help the whole country.

And in a meeting like that, the faction believes you would definitely have not just a coalition but also the minority bringing ideas. Seeing that that didn't take place, the faction could not expect anything else than a budget that will have almost nothing when it comes to extra monies coming into the coffers.

The Minister of Finance stated that as previously mentioned during the budget amendment debate in October, she appreciates the suggestion and she is open to it. While she fully agrees with MP Lacroes on the importance of coming together to brainstorm ideas for generating revenue, it is worth noting that as members of the legislative branch, every MP also has the ability to initiate legislative proposals that can contribute to increasing revenue.

Projects that are now in place. Can the Minister of Finance give us an idea on what and why these projects were chosen or prioritized above the others? What is the return on investment on any project that is pending now?

For the Ministry of Finance, significant investments focus on the implementation of the new tax system. This initiative, combined with streamlined business processes, is designed to improve efficiency and effectiveness within the tax office, resulting in enhanced revenue generation.

Moreover, the introduction of a new financial system and optimized business processes aims to reinforce financial management. These improvements will provide better control over public finances and enhance accountability to our stakeholders such as Parliament.

When a project is actually paid for by Government, whose responsibility is it that that project is properly executed?

The Minister of Finance stated that each Ministry is responsible for overseeing and ensuring the execution of projects within their respective areas of responsibility. Finance is only responsible for obtaining the loan when it comes to Capital Investments and executing the project under the ministry of finance.

The faction would urge that the Government goes back between today and 2010 to every Government that has been in place since country Sint Maarten and review all projects and if they were properly executed or even executed at all. There's one or two that the faction is aware of that need revising.

The faction would like to know the Minister of Finance's stance on the idea of purchasing one or two buildings in the Netherlands to house our students. Would that be possible? Can something like that come out of CapEx? Seeing that the students who are living in the building themselves are the ones who will be paying it through study financing, the faction believes that collection of those funds won't be too difficult.

If the Government decides to purchase these buildings, the expenditure would need to be classified as Capital Expenditures (CapEx). While this is not currently a priority of the Minister of Finance, she is open to considering it if a well-structured and viable investment plan is presented.

The faction truly likes the idea that Member of Parliament Webster-Jansen mentioned concerning the visit to the Point Blanch House of Detention. The faction will definitely be looking forward to that date when we do something like that.

Will the Minister of Finance be for or against the idea of a sin tax on Sint Maarten? This is the taxation of alcohol, tobacco, gambling, winnings the proceedings of that, prostitution, and sugar products. The faction is of the opinion that these are all revenue-generating to the country.

The introduction of a sin tax would be something the Minister of Finance would be glad to delve into, however, it is important to acknowledge that we share the island with the French side. Therefore, collaboration with our counterparts on the French side is essential to ensure that entrepreneurs on the Dutch side are not put at a disadvantage. Furthermore, the taxation of gambling winnings is a key component of our broader tax improvement initiatives.

The faction is happy that the Minister mentioned her thoughts on the tax refund and, when the tax office needs to pay back taxes, and that it should not be something that is requested but that it automatically happens.

As it regards the tax office, the faction indicates that it did mention that because of the post office problems, a lot of letters are being sent months and months after. Can the Minister look into this?

The Minister thanked the MP for his remark. The Minister provided some clarification and address the concerns raised regarding the post office.

First, by law, the post office is responsible for delivering local mail within a two-day timeframe. Despite the challenges they face, she must commend the hardworking mail delivery personnel who consistently go above and beyond to meet this obligation. However, there are several systemic issues that hinder their efforts:

1. **Address Registration:** Many residents are not registered at the addresses stated on official documents. This creates significant delays, as there is currently no system in place to ensure that updates made at the Census Office are automatically reflected at the Tax Office.
2. **Mail Delivery Challenges:** The absence of proper mailboxes and accessible gates often results in mail being left in fences, under rocks, or in some cases, simply undelivered. Even

when mail is properly placed in mailboxes, it is often ignored due to assumptions that it contains tax bills, when in fact it could be a refund or other important correspondence.

3. Street Naming Issues: The lack of proper street names further complicates the delivery process. I understand this is an issue my colleague minister is actively exploring, and I am confident progress will be made in this area.

Regarding the concern about predated mail, the post office would not have knowledge of this, as the mail is sealed upon receipt, cancelled and then delivered within the two days. Nevertheless, the Minister takes this concern seriously and will ensure that the matter is researched thoroughly to identify and address any discrepancies.

The faction mentions the sin tax once again and that the Minister of Finance said that we would have to look into how it would work with the French side. The faction believes that if that is the case, we will get absolutely nothing done. The faction believes that the French side will not follow taxes or what Parliament decides here on this side.

The Minister of Finance emphasized that this is the reality we face—we live with open borders, and whether we like it or not, this must be taken into consideration. This is precisely why we are exploring measures such as the tourist tax and other revenue streams that do not rely on the French side.

We must take into account our unique circumstances and implement solutions that work specifically for Sint Maarten. This is also why I have emphasized that we cannot compare ourselves to other islands, as our situation is distinct and requires tailored approaches.

The faction has seen a lot of things come from Parliament. In almost every Public meeting, the President of Parliament poses questions concerning the plastic ban. It has been years that this has been going on. The faction reiterates that the reason for asking for a meeting with the Council of Ministers and Parliament is to make sure that if Parliament starts working on something, that it is also in line with what the Government sees and that they could see themselves executing the plan. Otherwise, the faction is of the opinion that it makes absolutely no sense. Parliament could come up with a hundred wishes and motions like we've seen numerous times before.

The Minister reiterated that she looks forward to the upcoming meeting, and following that, I am eager for us to work together—both the government and the legislative branch—in executing the outcomes effectively.

The faction hears the Minister speak of exploring the option to make pension tax-free. Is this reflected in the budget as a priority? How much was allocated for the draft? Has the process begun, and what is the legal trajectory?

Is it in the works, or is it being explored?

The Minister of Finance stated that they have commenced drafting the law and are in the process of gathering relevant data to substantiate and determine its potential effects.

To clarify, AOV benefits alone are not taxed, as the total income typically falls below the taxable income threshold for the year. However, when pensioners receive additional income, the AOV is currently included in the taxable income calculation.

The intention of the drafted law is to ensure that only the additional income is taxed, while the AOV itself is excluded from taxation. This adjustment acknowledges that, given the low amount of AOV benefits, most recipients have no other option than to rely on supplemental income to meet their basic needs.

The timeline will be forthcoming to parliament once this is established as we need to discuss and determine this internally. And will then be provided to parliament in writing.

The faction cannot believe that this budget 2025 reflects the Minister of Finance. There are no policies, no nothing, and therefore, the faction cannot believe that it reflects the Minister of Finance. Although amendments will come, and should, the faction is being asked to approve a budget with hopes. To approve a budget that's not showing anything but stuff from 2024. We will hope that an amendment happens, hope that policies are added. The faction indicates that there is a surplus of 1.6. and that other Minister could have also put policies or priorities that they wanted.

The Minister of Finance stated as the Minister responsible for the financial management, it would be irresponsible of her to submit a budget to Parliament that is unrealistic and knowingly unachievable with unrealistic wishes and policies that are not realistically achievable in 2025. Including revenue projections in the budget without a reasonable certainty of collection would be both imprudent and counterproductive.

Upon assuming this role, her first priority as it pertains to the budget was to finally have a budget approved on time. All efforts were made to meet the December 15th deadline and I was prepared to do so.

Many of the legislative initiatives in question still need to be explored or initiated and will not be ready for implementation in 2025. Including these items in the budget would essentially amount to creating a wish list rather than a practical financial plan.

She emphasized that the fact that these items are not included in the budget does not mean the government will not be working on them. Our approach ensures that only when we are confident in our ability to implement these initiatives will they be added to the budget through a budget amendment. Budgets are meant to be realistic not unrealistic wish lists.

To be able to include the increase of room tax in the budget the Minister stated she would need to know what the financial effect will be on the revenue without this information for room tax, vehicle tax it will be irresponsible of her to include random numbers into the budget.

Instead of glamorizing an inflated budget, she instead chose a more conservative approach, ensuring continuity and stability.

The 2025 budget isn't meant to impress or delude the public with overly ambitious goals. It is meant to provide a realistic framework for the country's finances over the next 12 months. That goal has been accomplished.

The faction continues and indicates that it noticed that 750 thousand guilders have been taken from the budget of Parliament. Parliament needs means and ways to do our job. We need extra budget allocated for legal assistance and more in Parliament. To have one person and 15 Members of Parliament, the faction believes that the budget should be reallocated back to Parliament because it's too long and too much. The faction hears from other parliamentarians that we do not have the means compared to the Government. The faction hopes that the Minister will support a budget amendment that would allow more funds to be allocated to Parliament, whether it's extra hiring. This will allow Parliament to present more additional laws and help the process go very smoothly.

Parliament members hold the authority to amend and approve the budget of the country.

The Minister said the following as it regards the collection of outstanding payments in tax: "From a collection perspective less efforts in pursuing old debt may be justified. This is because the cost to collect outweighs potential revenues, making it an inefficient use of resources. Additionally, over time, locating businesses responsible for those debts becomes more challenging, as some may no longer be operational or become insolvent. As Minister of Finance, I believe it is more beneficial for Government to put its efforts in strengthening compliance and ensuring future tax efficiency rather than expending resources and unlikely recovery." The faction indicates that this is exactly what the faction meant with GEBE. The faction hopes now that this is understood. If we put our resources into ensuring compliance moving forward, we would see how much more revenue would be collected.

The Minister of Finance stated while she is unsure if this will affect her standing as a "favorite Minister," she cannot agree with your comparison between the Government and GEBE.

When she speak about uncollectable balances, she is specifically referring to amounts older than five years, not those from the previous year or even two years ago. This distinction is critical in understanding the context of my statements. Gebe never indicated that the current receivables are uncollectable.

Also, what is important to note is, unlike the Government, GEBE includes receivables in its financial statements, whereas the Government does not account for tax collectibles as revenue. Government agencies record revenue on a cash basis, not an accrual basis.

The key difference lies in operational practices: Gebe not collecting would run the company into the ground. While the Minister appreciates the analogy, it is similar to comparing apples to oranges—while both are fruit, they are inherently different.

The faction mentions that it was stated that the 250 guilders was paid net. If that is the case, what is the "bruto" amount that was paid?

The amount of 250 guilders was paid out to each civil servant. Civil servants received the complete 250 guilders. As stated previously, when filing their income tax, it is everyone's responsibility to comply with the law. These money benefits received, including those in kind (such as vouchers), must be included in your income when filing your tax return

Ministry of General Affairs

The faction states that the budget reflects 95% of the previous government, but the 5% is very critical. The faction warned against this in the 2024 budget amendment. We cannot just take the CapEx from 2024 and shift it to 2025 as if it's guaranteed. The faction asked the Minister of Finance if it's guaranteed, and she stated no. When you reflect now, in the 2024 Amendment, it was stated, for instance, that Charlotte Brookson High School would move to 2025 CapEx, the new phase one of the Cay Bay project, finally addressing Cay Bay, would move to 2025 CapEx, and land purchasing of 18.2 million would move to 2025 CapEx. This includes home projects, cemetery purchasing, and expansion. The faction states that we have limited capacity to almost none right now for burial. We are at a crossroads right now with capacity and land.

The faction would like to point to answers from the 2024 budget, when asked specifically for revenue generating projects it was stated by the Prime Minister, that this is a budget amendment and that the revenue generating projects will be in 2025 budget. Now we're in 2025 budget and this is a line taken directly from the budget: no new initiatives and revenue enhancing initiatives will ensure that the surplus for both years remain limited. The 2025 draft budget only considers initiatives that started in 2024 and that will be taken to 2025. The faction would like the Minister to be very cognizant of the answers. The faction believes that with no initiatives, it shows a lack of vision to move this country forward.

The faction mentions that there is an uproar at the airport. The faction would like to know the sentiments of the Prime Minister to the uproar with the CEO selection or pre-announcement of a CEO selection at the airport. What is the update on the placement of the management of GEBE? The faction believes that it is about time that we start to shift from this temporary management when a whole assessment was done. What is the holdup at this moment?

Though note may have been taken of speculation in the press, no official communication has been received by the Council of Ministers in order for this to be handled formally.

Minister refers to previous answer on this subject given to MP Doran

What is the update with TelEm's CEO and the CFO? What is the update on placing the director? Is the contract for Mr. Dupersoy up? Who will replace him, or has that process started?

In accordance with contractual arrangements the current contract of the CEO of TelEM is coming to an end in the first quarter of 2025 and it is not being extended. The recruitment process has started.

The faction mentions capital investments and would like to know what the 50,000 guilders increase for new investments is by SG of AZ. Please provide an update on the agreement between the Netherlands and Sint Maarten as it pertains to the 75.6 million guilders. Is there a draft? Is the Minister of VROMI involved in these discussions? The faction would also like to know the amounts spent for, specifically, the Minister of AZ's cabinet for travel for 2024.

The Secretary-General (SG) of the Ministry of General Affairs does not operate with an independently allocated capital budget.

The budget allocated for the minister and the minister's cabinet was NAf 67,000 and NAf 51,500, respectively.

A portion of these costs can be attributed to activities and obligations carried over from my predecessor.

The faction mentions the Minister of General Affairs and that he is popping up at the hospital, in meetings with the police, and at every other ministry, but the faction is lacking him at AZ. The faction is lacking the real responsibility. Not just to come and tell us that we have to take loans, but tell us where we can have access to additional funding. The faction indicates that we just came back from the Netherlands, and in the discussions, there were different avenues where the islands can obtain funding. This is what the faction needs to hear from the Prime Minister. Where can we obtain grants?

In the first quarter of 2025, the Department of BAK will establish a funding desk to centralize and streamline access to donor funding opportunities. This initiative will provide comprehensive information, standardized templates, and criteria, available to both internal and external stakeholders, with a particular focus on EU funding envelopes. Additionally, the digital desk will facilitate awareness, offer training, and provide support in navigating and securing donor funding. In addition, I will ask the Minister Plenipotentiary to collaborate with BAK in this initiative.

The faction needs to feel, and the civil servants need to feel, that the Prime Minister is taking their interest at heart. It is okay to send gifts and gratifications, but when we talk about longevity, the updating of the scales, and the placement, That is what the civil servants need. How are we going to make government more attractive? Let us focus on what we can do to enhance that aspect.

The Country Reform Packages have specific measures that focus on improving several aspects within the public administration. These measures range from improving services such

as digitalization, improving internal processes and procedures for Government housing as well as purchasing, notwithstanding employment arrangements that will support enhancement of internal knowledge and growth. Also, revision of Human Resources policies such as the hiring process

The faction mentions the visit to the prison. There needs to be a lot of attention on prison guards for security and safety measures. There are prison guards that have been working for many years without LBs. The faction believes that we need to update that situation.

The faction would like to clarify that just like the budget there's no revenue generating measures just like our wishes there's no way forth unless it seems to be that we set the trend or motion, therefore patiently waiting for a relief brought forth by the government that is considered more feasible and more reasonable.

The faction has gotten some concerns from businessmen, especially when it comes to the construction sector on Sint Maarten. The following questions to the Prime Minister are all related to the Trust Fund monies that each Sint Maartener has to pay back in the form of taxes eventually and what is happening with these monies.

According to the budget, the Sustaining Program Effectiveness and Advancing Resilience (SPEAR), which is financed by the Trust Fund, aims to improve the institutional capacity and effectiveness of the NRPB and the public administration of Sint Maarten, so that the project results are sustained after the closure of the Sint Maarten Trust Fund. The faction continues and mentions that the project consists of two components. The objective of component one is to improve the effectiveness of the NRPB operations so that the remaining projects financed by the Trust Fund can be successfully completed before the official closure date. This component finances agreed operational expenditures for the implementation, management, and monitoring of the Trust Fund projects. Component two focuses on strengthening government institutions and systems. A total of 23 million has been allocated for this project—approximately 20 million for component one and 3 million for component two—over a five-year span, 17 million from the Trust Fund, and 6 million from the government of Sint Maarten. This is to be broken down over 5 million per year per component.

What exactly is the money geared towards? Personnel? To improve the NRPB? How is this specifically?

The SPEAR project is anticipated to be the final initiative financed by the Trust Fund.

Currently in its early preparatory phase, the SPEAR project is being developed in close collaboration with the National Recovery Program Bureau (NRPB) and the relevant line ministries. The selection of activities to be financed under this project is still under technical review and will be finalized following the decision-making process by the Council of Ministers. Further details regarding the project will be communicated to Parliament in due course.

The faction would like an update on what has been done regarding the unfair bidding practices of the NRPB with the awarding of contracts to the Chinese contractors. Has this company been exempted from TOT? From payments to SZV?

How many work permits were granted for this company? Did this contractor contribute to the NIPA via the SOS policy established under the former Minister of VSA?

The National Recovery Program Bureau (NRPB) serves as the project implementation organization for most Trust Fund projects on behalf of the Government of Sint Maarten. It is important to clarify that the NRPB does not determine project selection or establish the procurement procedures.

The procurement procedures utilized by the NRPB are those mandated by the World Bank. These procedures are legally binding under the existing agreements between the Government of Sint Maarten and the World Bank, and both the NRPB and the Government are required to adhere to them.

Any procurement-related complaints are managed by the NRPB and/or the World Bank in accordance with the established procedures. It should be noted that while some may question the fairness or impact of these procurement rules on Sint Maarten, failure to comply with them could result in expenses being deemed ineligible under the Trust Fund. This would ultimately obligate the Government to bear the full cost of such expenses.

Regarding inquiries about Turnover Tax (TOT) exemptions and work permits, all such requests from companies are handled in strict accordance with the laws of Sint Maarten. Foreign companies operating in Sint Maarten are required to comply with local laws. Under these laws, all Trust Fund projects are, by default, TOT exempt, regardless of whether the work is performed by local or foreign contractors.

In terms of work permits, I can confirm to Parliament that no such permits have been issued thus far, as the company in question is still in the process of establishing itself in Sint Maarten.

Concerning the economic implications of allowing foreign contractors to operate in Sint Maarten, the Government acknowledges the concerns raised by local construction companies regarding potential impacts on the open market. The Government is carefully assessing these concerns and is engaged in ongoing discussions with the Government of the Netherlands and the World Bank to determine the appropriate next steps.

How does the NRPB ensure alignment with the National Recovery and Resilience Plan (NRRP), particularly the focus on supporting the local workforce and the economy?

The selection of projects funded by the Trust Fund is guided by the National Recovery and Resilience Plan (NRRP) and determined by the Steering Committee. Each project is carefully

aligned with the objectives outlined in the NRRP. Decisions within the Steering Committee are made by consensus, and Sint Maarten's representative is required to obtain a mandate from the Council of Ministers before approving any allocation of funds to specific projects.

The National Recovery Program Bureau (NRPB) operates within the parameters of the approved projects and established guidelines. As such, it is not authorized to make exceptions or adjustments to accommodate specific considerations for the local workforce or economy outside of these frameworks.

The faction hopes it is understood what is actually happening. The faction indicates that a Chinese company places a bid on a project on Sint Maarten, that is funded partially by Sint Maarten and the Trust Fund. This company does not pay any taxes. Most probably, this company will also bring the materials from China, so the local vendors of materials will definitely not get a piece of that pie, which in turn means that Sint Maarten will not collect TOT on those materials. This is a problem for the faction.

Can the Minister confirm if the local contractors are being sidelined in favor of foreign companies? Specifically subsidized Chinese contractors. Can the Minister explain how this aligns with the goals of the Trust Fund?

The applicable procurement rules have resulted in the selection of foreign contractors for the specific Trust Fund activities.

For some of these activities, no local contractor submitted a bid, for other activities, the bid of a foreign company won the tender based on the applicable procedures.

Based on budget estimates prepared by locally established firms, the respective foreign company presented the most advantageous bid. There is no official information or indication that any of the winning companies is subsidized by a foreign government. As to the alignment with the goals of the Trust Fund, as mentioned, the Government is reviewing the impact of the applicable procedures and is in dialogue with the World Bank and the Government of the Netherlands on the concerns voiced by local construction companies.

Why was there a second bidding round for the smart shelter project initiated by PAHO, when local contractors had already submitted their bids since January 2024?

What measures are in place to ensure transparency and fairness in the bidding process, particularly when foreign contractors are involved?

Why were local contractors not informed about the status of the initial bids for the smart shelter project despite repeated inquiries? The faction understands how frustrating it must feel for them, asking questions over and over and not getting any replies.

This question has been sent to PAHO to provide official response.

Is the NRPB taking into account the long-term economic impact on Sint Maarten's local construction industry when awarding contracts to foreign entities?

This is not the mandate of the NRPB. As mentioned, NRPB is implementing projects under pre-defined rules by the world bank. As mentioned already, the Government is reviewing the impact of the applicable procedures and will continue to discuss the pressing concerns of the local construction companies with the World Bank and the Government of the Netherlands.

What is the government doing to mitigate the potential loss of revenue and employment for local contractors and suppliers if subsidized foreign contractors dominate the market? Right now, there's a company that has to send home 40+ employees who were working on a hospital, because a Chinese company came in. That sounds like a problem to the faction.

Has an economic impact assessment been conducted regarding the use of foreign contractors like Xing Yang Number Two Construction Engineering Co. LTD in these projects?

The Government is conducting a thorough review of the applicable procedures of the World Bank to assess their impact. At present, an economic impact assessment has not been conducted. However, this can be considered by the Ministry of Tourism, Economic Affairs, Transport, and Telecommunication (TEATT) as additional information becomes available.

Why have the compliance requirements for local contractors repeatedly been made excessively stringent, potentially excluding local companies from participation?

Under the applicable procedures of the World Bank, tender requirements are the same for all bidders, irrespective of whether they are local or international. As to changes in requirements between tenders, there may be different reasons for this such as the scope or size of the assignment, or changes in the applicable procedures. That being said, for the sake of clarity, requirements have not been made excessively stringent. They have been similar for all tenders issued by the NRPB.

How does the NRPB justify allowing foreign contractors to bid on projects without attending mandatory site visits as required for local bidders?

As mentioned, the NRPB follows the applicable procurement procedures of the World Bank. Under these procedures, site visits are not mandatory for any bidder. In other words, companies can submit a bid, irrespective of whether they attend any of the site visits.

Is it consistent with the intentions of the Netherlands as a donor for funds from the Trust Fund to be channeled to foreign contractors, potentially undermining Sint Maarten's local economy?

While Minister cannot speak for the Government of the Netherlands, it is his understanding that the Second Chamber has recently adopted a motion requesting the Government of the Netherlands to prepare an annual report on the economic, political and technological influence of China on Aruba, Curacao and Sint Maarten, including measures to decrease that influence. The Government of Sint Maarten looks forward to reviewing the first report.

How does the government ensure that funds provided by the Netherlands for rebuilding and resilience efforts remain within the local economy?

Some Trust Fund projects, like the Emergency Income Support and Training Project or the Enterprise Support Project have the explicit objective to stimulate the local economy. For the construction projects, the objective is to rebuild public infrastructure. In other words, to repair, improve or acquire assets for Government of Sint Maarten that will stay in SXM after the Trust Fund closes. There are many positive spill-over effects of these projects for the local economy, including additional government taxes.

The faction received a message inquiring why we don't add a 2% tax to all monies that leave the country, like Rapidito and MoneyGram. The faction has been thinking about it and considers it unfair for locals who already pay taxes and then have to pay \$2 to send out money; the faction believes that this is "dubbelzinnig." However, when it comes to foreign contractors taking jobs of locals and getting exemptions, the faction believes that yes, something is wrong there.

Has there been any review or oversight mechanism to evaluate the NRPB's decision-making process and its alignment with the NRRP?

Minister refers the MP to the answer provided to question 3 regarding the NRPB's alignment with the NRRP

What is the government's position on the involvement of foreign contractors subsidized by their home government in projects funded by the Trust Fund?

To date, nearly all construction contracts financed through the Trust Fund have been executed by local construction companies. The award of contracts to foreign companies is a relatively new trend and is in line with the applicable procedures of the Trust Fund.

At the moment there is no indication of any such subsidies to relevant foreign firms. The Government is aware of the concerns of local construction companies and is in dialogue with the World Bank and the Government of the Netherlands on these concerns.

The faction states that the Integrity Chamber in 2021 took 1.1 from the budget, in 2022 2.4, 1.5 million in 2023, 2.4 in 2024, and now 2.5 in 2025 totaling 9.5 million over a five-year span. Based on article 39 of the Integrity Chamber, the Minister of General Affairs, in consultation with the Integrity Chamber, shall send a report to the Parliament of the

effectiveness and effects of the national ordinance in practice within four years of the entry into force of the national ordinance. Six months before the expiry of the term referenced to in the first paragraph, an evaluation committee shall be established by national decree to investigate and determine whether this national ordinance has led to the anticipated improvement in the policy of the general promotion and integrity in the country. The committee shall also be charged with preparing the report referred to in the first paragraph and shall advise the Minister of General Affairs on this matter no later than three months after the date of establishment referred to in the first sentence.

The faction would like to know if this has taken place. If not, can this assessment, as per article 39, be taken up in this budget, please?

This will be looked into further as the evaluation process and criteria needs to be determined.

The faction would like to ask the Prime Minister, did anybody in your term of hiring require dispensation to work in your cabinet, and if they require dispensation, was this requested?

Members of Cabinet that derive from outside of the organization are hired by means of contract. In the event that a civil servant goes to a cabinet, this is done by means of transfer to the Cabinet, through a national decree.

What is the role of a caretaker government? What can you do and what can you not do?

A caretaker government typically focuses on maintaining day-to-day operations and handling ongoing matters, commonly referred to as 'lopende zaken'. Additionally, it is understood that during this period, Parliament has the authority to provide guidance to the Council of Ministers regarding its expectations for the caretaker administration. It is also well-established that a caretaker government refrains from initiating new projects or policies that could obligate or compromise the incoming government.

As it pertains to GEBE, anything over 50,000 guilders that is not budgeted for requires board approval. The faction is pretty sure that the purchasing of some generators was not budgeted for, and we needed urgent action. Therefore the faction would like to see the contractual date on the purchasing of the first 10 generators. When was that agreement signed?

The faction would like to see the date, confidentially, of the board's approval that allowed the purchasing of these generators or the transfer of funds for these generators.

The Supervisory Board of Directors authorized the temporary manager of GEBE to finalize negotiations and enter into a rental agreement to rent the 10MW Generators on June 24, 2024.

The rental agreement was countersigned on June 27, 2024. Initial down-payment was processed and authorized for release on June 28, 2024.

Since we cannot ask for the amount of money that was received for the Christmas lights, the faction is asking, confidentially, for a list of the sponsors that these letters were sent to, on behalf of the Prime Minister. Not the amount, but the persons, the sponsors that the Prime Minister sent the letter to. Did CoM approve the letter?

The endorsement letter was solely submitted to the organization that requested the endorsement letter.

The Council of Ministers (CoM) did not approve the endorsement letter, as this is not unnecessary. Individual members of the Council of Ministers are at liberty to endorse activities or projects within the community at their discretion. At no point and time were any funds solicited, via my endorsement letter. It was solely to endorse the project as a whole and to bring Holiday cheer to the people and visitors of Sint Maarten

Ministry of Tourism, Economic Affairs, Transport and Telecommunication

The faction would like to know what the update is or the plan for pre-clearance. Last time we were in discussions, the faction noted a split between parties in the Coalition on pre-clearance. Pre-clearance is something that the faction also approves. Thus, the faction would like to know what is the status. Is this eventually going to be in the governing accord?

The Ministry's primary goal should be to maintain St. Maarten's competitive position within the region, particularly considering recent developments on neighboring islands. Before finalizing any approach to implementing pre-clearance, several factors must be carefully evaluated to ensure we maximize the benefits for our island. These factors include conducting a carrying capacity study of St. Maarten as a tourism destination, ensuring reciprocity in the terms and conditions agreed upon between the US and St. Maarten, and preserving its autonomy once pre-clearance is implemented. Regardless, the process of establishing pre-clearance will be a lengthy one.

The Minister of TEATT is working closely with the Prime Minister and other members of the Council to reestablish an interministerial committee on US Pre-Clearance. This committee will address the economic impact of US Pre-Clearance, and a meeting scheduled with CBP during the first quarter of 2025.

As Minister of TEATT, is there a collaboration to provide some type of reassurance to not only Front Street and Back Street but also people in general? The faction would like to focus on Front Street, Back Street and touristic areas such as Maho. Is there a collaboration with the Minister of Justice to bring some sort of comfort, especially during Christmas time? The faction warned and said that it is customary to see an increase in these types of robberies during this time.

The faction is not seeing that hunger that the Minister had when she first came in as it pertains to revenue-generating measures, policies, and activities. The faction misses the

pictures where it states that the Minister of TEATT increases flights here. The faction isn't seeing updates on new cruise line expectancies. The faction believes that it is very important and that it is reflected in the budget of 2025. With the increased revenue-generating policies through the ministry of TEATT, we can ease the burden of taxation on our people.

The Minister is fully aware of TEATT's vital role in revenue generation for the country, and is completely committed to fulfilling this responsibility. In fact, during her time as an MP, she made several suggestions to her predecessors focused on generating additional revenue, and she fully intends to follow up on those recommendations. When it comes to attracting visitors to these shores, engagement with airlines, cruise lines, and other key industry stakeholders is an ongoing effort, managed through the Ministry, the Tourism Bureau, and its representatives abroad. That being said, the Minister did mention before, a new carrying capacity study is essential to determine the best path forward for St. Maarten's tourism marketing strategy.

The faction would like an update on the health levy. Is it still at the SER? It was sent as "spoed" and thus the faction would like to know if a response was given back. The faction would like to know if the Minister is in favor of this.

As mentioned before, to date, the Ministry have yet to see the Tourist Tax, as it is currently with the SER. Therefore, unable to provide any comments at this time.

The faction advises the Minister not to take it upon herself to think that she can control the ministry, the ministry is controlled by the workers. They have policies that are ready to go. The faction mentions the red carpet policy, the lottery booth fees, and the safety fee. The faction is waiting to see when the airport is going to pay the Government that.

This is expected to be paid Q1 of next year.

The faction asks the Minister of TEATT to remove the TOT added in the breakdown from the Government; the Government is, therefore, committing an illegal act. TOT is not supposed to be passed on in the invoices. The faction would like the Minister of TEATT and the Minister of Finance to remove this from the gas breakdown. It was 87 cents per liter this month.

The faction would like to congratulate Sint Maarten, the Minister of TEATT, and the Harbor on the FCCA conference. What was the cost to carry out this?

The total cost was \$ 1.5M of which the Government of St. Maarten paid USD 400,000.00

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The faction would like an update on the water park.

Royal Caribbean Group and its partners are currently in the midst of negotiations regarding the water park and boutique hotel. All parties are fully committed and actively working on the project, and they look forward to having further detail as planning progresses.

The faction would like to hear the vision of the Minister to bring Sint Maarten ahead. We see that Anguilla is catching up. They just need to follow us, and we need to be innovative.

The faction believes we can do things to remain ahead. What is your vision and innovation to keep us as the mecca?

The Minister of TEATT's vision is to revitalize St. Maarten as a leading global destination through innovation, collaboration and sustainable development. This means elevating the country's tourism product by addressing cleanliness and infrastructure, diversifying its tourism offerings and economy, modernizing outdated policies and processes, and forging stronger public-private partnerships. The aim is to create a St. Maarten everyone can be proud of as a true leader on the world stage, as it once were in several aspects.

The faction would like to see the fire of the Minister rekindled where the Minister is focusing on bringing more tourists to this country.

The faction mentions the budget amendment meeting, where, once again, the faction had a lot of ideas, and at the time, it seemed very much receptive by the Minister, but the faction hasn't heard anything yet concerning a meeting to put these in place.

In meetings with the CFT, one of the things that came right at the faction was the return on investment on anything that Government does. This is not shown and reflected back into the budget.

How does the ministry plan to diversify tourism beyond traditional markets? What specific outcomes are expected from the 5 million ECOTourism investment?

The Ministry requested for this to be specific as we are not aware of any 5 million eco-tourism investment/project.

Are there detailed timelines for the Philipsburg Improvement project?

Yes, the Philipsburg beatification will begin with the creation of a masterplan. The masterplan will encompass 3 phases being;

- Phase I Comprehensive Analysis and High-level outlook, this will be due two weeks after awarding.
- Phase II – draft concepts and detailed outline, this will be due three weeks after Phase I approval.

Phase III Final Development Masterplan which will be due nine weeks after the initial awarding.

Are there detailed timelines for the Philipsburg Improvement project?

How will the airport expansion of 12 million address long-term regional competition?

The Minister asked for further clarity on this.

What percentage of the marketing budget, the 8 million, targets niche markets like luxury tourism?

The Minister is not aware of a Market Budget for 8 million. The budget allotted to marketing is for 3.9 million. Clarity is needed.

Is the Government collaborating with private stakeholders for the Philipsburg Marketplace?

The Market Place project is done in collaboration with the Port and the Royal Caribbean Group.

The faction applauds the Minister, because during our previous meeting, the faction made it known that there were already discussions with the tour buses to be able to stop at the marketplace, and the faction has seen a couple of buses stop already.

The faction would like to know how the ministry ensures accountability in spending on promotional campaigns. What plans exist to address environmental concerns with increased tourism?

The promotional campaigns that are executed are all digital and are measured and reports are provided:

- Engagement metrics see how audience interact with the campaign content. Click through rates, likes, shares etc.
- Conversion tracking to determine how effectively the campaign drives the desired actions, such as conversion rate, cost per conversion.
- Audience reach and impressions,
- ROI and Revenue analysis.
- Brand awareness metrics.

Why is there no significant investment in cruise tourism beyond infrastructure?

The Minister requested clarification from the MP.

Are there projections on return on investment for the 15 million Harbor development project?

How are public-private partnerships being utilized for tourism initiatives?

One key example is the collaboration on marketing campaigns. By partnering with platforms like Expedia and other online travel agencies, they leverage their reach and data-driven insights to target potential visitors effectively. These campaigns are designed to showcase St. Maarten's unique offerings, from pristine beaches to cultural experiences, ensuring maximum visibility and impact. They also engage in special events and festivals, which are integral to our tourism strategy. Through PPPs, they co-organize and sponsor niche market events such as culinary festivals, yacht shows, and cultural celebrations. These events not only attract visitors but also highlight local talent, culture, and cuisine, creating a vibrant and authentic experience for tourists while boosting the local economy.

Can the ministry provide metrics for success in increasing airlift?

The Minister asked for clarification from the MP.

What measures are in place to ensure equitable benefits to small businesses?

The Ministry of TEATT ensures equitable benefits for MSMEs through several focused initiatives, as outlined in the **MSME Development Policy 2021** and operationalized via the **Small Enterprise Development Center (SEDC)**:

Simplified Processes (E6 Measure):

- We are actively working to simplify procedures such as business registration and permitting through the E6 measure, reducing administrative hurdles for MSMEs.
- The SEDC serves as the hub for guiding entrepreneurs through these processes with clarity and efficiency.

Capacity Building & Handholding:

- SEDC provides **training, workshops, and one-on-one mentoring** to empower MSMEs with critical skills and knowledge.
- "Handholding" ensures businesses receive continuous support from startup to growth, bridging gaps in expertise and confidence.

Monitoring & Feedback Mechanisms:

- The SEDC collaborates with stakeholders to establish systems that track progress and collect feedback, ensuring programs remain relevant and effective.

Collaborative Efforts for Maximum Impact:

- Partnerships with entities like **Qredits** (for financing) and **NRPB** (for resilience funding) ensure MSMEs can access diverse resources, maximizing their chances for success.

The Ministry, through the SEDC, is committed to creating a supportive ecosystem for MSMEs, focusing on streamlined processes, capacity building, and collaborative approaches to ensure equitable benefits for all.

Is there a strategy on leveraging the Caribbean regional market for tourism? How does the ministry mitigate the risk of overspending on marketing campaigns?

The St. Maarten Tourism Bureau (STB) has developed a strategy to strengthen its presence in the Caribbean market, focusing on key marketing initiatives and partnerships to attract regional travelers.

Key components include:

- Hosting promotional events and pop-up stores in markets like Guadeloupe, San Juan, and Trinidad, and partnering with regional festivals to position St. Maarten as a cultural hub.
- Collaborating with airlines for co-op marketing and promoting direct flights and regional connections.
- Using social media, influencers, and creative advertising to connect with local communities.
- Building databases for targeted campaigns and using raffles and giveaways to enhance marketing efforts.
- Working with French St. Martin and neighboring islands for cross-border promotions.
- Collaborating with influencers to increase visibility in specific markets.

This strategy aims to increase Caribbean arrivals and solidify St. Maarten's position as a regional travel hub.

The faction noted while leaving Panama on the strip to go to the airport, the faction saw one big sign that said, "Make Barbados your next vacation destination," The faction believes that this is very efficient because it's the last thing you see when you're leaving a country, and you're already thinking about where your next vacation destination will be. This is something the Minister could look into. Just imagine sitting at the airport in Curacao and seeing a big billboard saying, "Make Sint Maarten your next vacation destination." That would definitely mean that, at least, if we catch 10% of those people to come here to Sint Maarten, it would make some sense. The faction remains open to having dialogue, bringing some ideas, and seeing how we could move the country forward.

When a project is paid for by Finance but it's a TEATT project, once it's paid, whose responsibility is it to actually make sure that the project is properly executed once there's a change of guard?

In the context of continuity of government, when a project commences, it is the responsibility of the respective departments within government to ensure proper execution of the project, even in the event of a change in leadership.

While projects may require the minister's approval, the actual oversight and execution are managed by the departments, which provide continuity regardless of changes at the ministerial level. This structure ensures that projects are carried out effectively, maintaining institutional knowledge and accountability within the department.

The faction noted a couple of days ago that there was a robbery in Philipsburg. This robbery was not with motorbikes as they usually do, but it was a car. This means that a car drove on Front Street and was able to drive straight out of Philipsburg. Now, there's a project that cost the country a little over \$370,000 USD to place cameras in the Philipsburg area, but also along all the side roads, traffic booms were to be placed. The faction has seen the cameras come up but has never seen the traffic booms. It was paid in its totality. So that would not be something too difficult to find.

In the technical meeting with the Finance team, a comment was made that most of the money that comes into the coffers comes from taxes. At the time, the faction inquired how taxes could be collected if there are no businesses, no jobs, and no building permits. The first step is the issuance of business licenses, managing directors' licenses, vendors' licenses, operation licenses, and work permits. Is the Minister aware that if a business license was requested in January 2024 and to today it is not issued, that we have lost one year of business license fees, one year of managing director's license fees, taxes, and SZV, AOV?

Over the last week's meetings were held, and a plan is being established to handle the backlog as well as streamline the process of new requests.

The faction advises the Minister to please request a full view of all business license requests that come into the ministry and a timeline on how long they take to reach the

Minister's queue to be approved because it climbs up really quickly. 150 to 200 business licenses or permits being awaited upon is a loss to the country.

The faction would like to know of the opening positions at the Harbor and the hiring process at the Harbor. Can the Minister explain the hands-off approach? Is the Minister or the ministry involved with any hiring process with the Harbor?

Ministers are not involved in the selection process or recruitment of employees at the Harbor. It is a privately run company, and decisions, regarding positions are made the company. Hiring at the Port is based on internal policies and gives persons equal opportunities. Vacancy ads are posted internally for two weeks first followed by public posting through the newspaper and social media.

Current and vacancies published are:

- crane operator
- customer experience
- sales and services
- pilot
- security officer
- maritime coordinator

What are the thoughts of the Minister of the Government taking over the loan for the Cause Way bridge? The faction thinks that the opportunity presented itself and that it is one that we missed. It can be a good opportunity for the Government to acquire the loan and then receive on a lower interest rate. We can then use it as an asset. In turn, it would free up the Harbor for more investments and opportunities.

However, the Minister emphasized that any decision of this nature requires thorough review and analysis.

Ministry of Justice

The faction mentions that it realized that Sint Maarten has an issue with undocumented persons living here and, especially those that were born here. The working population was smaller than the pension population, which means that the working could not sustain the pension. Inevitably, it will run out. In that seminar we learned the importance of allowing persons to obtain, whether it's residencies, so they can curb the abuse of working under the table. Can the Minister indicate how many persons have made use of article 3, first paragraph, under I of the National Ordinance of admission and expulsion?

The scenario based on the abovementioned occurs rarely. However, there is an avenue for persons after 5 years to obtain their Dutch nationality in Sint Maarten. This is encountered more often than article 3 paragraph 1 under subsection (i) indicated the Minister.

How many persons have obtained Dutch nationality by making use of the aforementioned articles? How many are minors?

Requests for Dutch citizenship are handled by the Cabinet of the Governor and registered at the Civil Registry; this question is better suited for General affairs.

Can the Minister indicate to what extent the recommendations stated in the report "Situation Analysis on Children and Adolescence on Sint Maarten 2020" have been taken into account?

The Minister provided a response to this in writing.

Is the Minister familiar with the report "The Rights of Undocumented Children in Curacao as a Shared Responsibility 2021"? Have the recommendations in this report been followed by Sint Maarten?

The Minister thanked the MP for bringing this report to her attention. She was not previously aware of the *"Rights of Undocumented Children in Curaçao – A Shared Responsibility (2021)"* report; however, she understands it was published in response to the challenges arising from the Venezuela crisis that affected Curaçao.

While the report focuses on Curaçao, aspects of its findings and recommendations may be relevant to Sint Maarten. These include ensuring access to essential services for undocumented children, raising awareness and providing training for frontline workers, and fostering collaboration to establish minimum protection standards.

The Ministry will review the report in detail and assess how its recommendations can inform and enhance our policies. Relevant aspects will be considered for inclusion in our future plans to ensure Sint Maarten continues to meet its obligations under the UN Convention on the Rights of the Child and strengthens protections for all children, regardless of their legal status.

Can the Minister indicate how many undocumented persons are on Sint Maarten? How many are minors?

The exact number of undocumented persons, including minors, on Sint Maarten is not readily available due to the nature of undocumented migration and the lack of centralized data on this population.

Can the Minister provide the data of the number of applications for resident permits that were submitted by stateless individuals in the last 5 years? How many of these applications were approved, denied, or are still pending?

The residency category for stateless persons is not currently a distinct option within the system for residency purposes. As a result, applications submitted by stateless individuals are not recorded separately, making it difficult to provide specific data on the number of applications submitted, approved, denied, or pending for this group over the past five years.

However, when a case involving a stateless person arises, the application is processed in coordination with the Department of Social Affairs to ensure appropriate handling and compliance with applicable policies and international obligations.

Are there any existing partnerships with international organizations, such as the UNHCR, to address the situation of statelessness and undocumented persons? If so, what are the outcomes of these collaborations?

Dialogues are held between IBPS and UNHCR when persons on the island are seeking protection against forcible removal.

Collaboration with the Court of Guardianship has produced a working arrangement to protect children during evacuations in the event of a calamity. There is a draft MOU between the Court of Guardianship and IBPS to facilitate border crossings.

Are there any ongoing legislative or administrative reforms aimed at addressing the challenges faced by stateless and undocumented individuals? If so, can the Minister provide a timeline for implementation?

Currently, an assessment of procedures regulated immigration legislation are underway to identify gaps and opportunities for improvement. Following this comprehensive review, concrete actions will be taken to enhance the effectiveness and efficiency of the Immigration and Border Protection Service (IBPS) to better address the challenges faced by undocumented individuals and stateless persons.

Ultimately the responsibility to regulate one's immigration status rests with the individual migrant, in accordance with existing laws and policies.

Most recently, the Ministry took proactive steps to prevent individuals from becoming undocumented by adjusting the *Richtlijnen* (Guidelines), which provide clearer pathways and procedures for residency applications.

These efforts are part of my larger mission to improve the quality and accessibility of services provided by the Ministry of Justice. By addressing these challenges and enhancing our systems, we aim to provide a more effective and transparent experience for all individuals engaging with the Ministry.

Timelines for the implementation of any new reforms will depend on the outcomes of the current legislative and procedural assessments, ensuring that changes are both well-informed and effective. The Ministry remains committed to addressing these issues in alignment with our legal and international obligations.

The faction continues and mentions security. The Minister of Justice is responsible for the safety of the country. What are the plans of the Minister of Justice to address and combat

crime? The faction states that we have seen an increase in gang violence or shootings. What are the plans of the Minister to tackle that?

Addressing and combating crime, including gang violence and shootings, requires a comprehensive and collaborative approach. The Sint Maarten Police Force (KPSM) has developed a strategic plan of action that incorporates intelligence-based policing and focuses on key areas such as:

1. Utilizing intelligence to identify high-crime areas, individuals involved in criminal activities, and peak times for criminal incidents. This allows for targeted actions, including arrests for gun-related crimes, increased surveillance, and preventive weapon controls.
2. Community Police Officers (CPOs) play a critical role in KPSM's strategy. They engage directly with communities to build trust, gather valuable information, and address specific issues unique to each neighborhood. By fostering closer relationships with the public, CPOs help strengthen the connection between law enforcement and the community, making citizens active participants in creating safer neighborhoods.

It should be noted, however, that crime is not solely a Justice issue—it is a societal issue that demands an inter-ministerial approach. The root causes of crime, such as economic disparities, lack of education, and social challenges, require coordinated efforts across multiple Ministries to address effectively. While the Justice chain plays a vital role in prevention and enforcement, long-term solutions depend on addressing these underlying factors.

It is important to recognize that law enforcement cannot be everywhere at all times, nor can prevention and repression completely eliminate crime. However, through intelligence-led strategies and targeted interventions, KPSM diligently works to prevent crimes and apprehend suspects in real time.

A key element of the strategy is empowering communities to take an active role in their safety. By making law enforcement more approachable and ensuring communities are involved in every plan, the Ministry aims to create a shared sense of responsibility for safety and security. The Ministry of Justice is fully committed to supporting KPSM in these efforts while ensuring an integrated approach involving all relevant stakeholders and Ministries. Only by working together can we effectively tackle the causes of crime and create a safer Sint Maarten for everyone.

The faction would like to congratulate the head of the Justice Committee for putting forth a fruitful meeting in such a short time at the Point Blanch Prison, where we got an in-depth look at the situation. We actually saw the living conditions of the cells, and we actually were able to hear not only the prison's grievances but to see the shortcomings of the prison guards. The faction states that we often see various ads go out, and we don't normally see ads for prison guards. What is the plan of the Minister as it relates to the prison guards, their situations, and ensuring that many of them get their LBs?

This week, we received the final report from the consultant appointed to assess and finalize the placement of the prison workers. A thorough review of their roles and responsibilities was conducted, leading to the completion of the final placements.

We are currently preparing the official communique regarding the outcomes of this review to the affected employees. We anticipate that this dissemination of information will be completed by mid-January, ensuring that all individuals are informed promptly of their new placements. Following the issuance of the letters, LBs will be drafted and submitted for further processing. Our primary objective is to ensure that the placement process is successfully completed for the prison workers.

What is the timeline of the new prison? The faction noted an increase was added to the amount of a new prison and would like to know what it is for.

The construction of the new prison is progressing according to the established timeline. On December 7, 2022, the Government of the Netherlands and UNOPS signed the Project Agreement for Phase I of the project. On the same date, the Government of Sint Maarten signed a Letter of Agreement to collaborate with UNOPS to facilitate implementation.

Phase I, which began in the second quarter of 2023, focused on identifying problem areas within the current prison system. Over its 20-month duration, the phase concentrated on the design and procurement of a sustainable and effective prison that meets international human rights standards and promotes the reintegration of inmates into society.

The Project Agreement for Phase II was signed on November 14, 2024, by the Government of Sint Maarten, the Government of the Netherlands, and UNOPS. This phase, to be implemented between 2025 and 2028, will involve the construction of a modern prison facility that ensures adequate, safe, and humane detention. It will also focus on analyzing inmate behavior and providing the resources and tools necessary for effective rehabilitation and reintegration. In the interim, while we await the completion of the new prison, the Minister concurs with the MP that we have a humane responsibility to those currently detained. These individuals will eventually return to society, and it is therefore imperative that rehabilitation remains a central focus.

Prior to becoming Minister, the Minister advised on the reintegration of ex-inmates into society, and this remains a personal priority for her. For 2025, she has requested an extension of an existing subsidy from the Dutch Ministry of the Interior and Kingdom Relations (BZK) to continue implementing programs and repairs at the Point Blanche prison. Within that subsidy we have earmarked \$250.000 in 2025 for rehabilitation projects.

This combined approach ensures that we not only meet our immediate obligations to detainees but also invest in long-term solutions to reduce recidivism and promote public safety.

In the meantime, while we await a new prison, life is continuing at the Point Blanch Prison, and we have a humane responsibility to those in there. Many may see they are criminals; however, due to the fact that it is not customary to offer life sentences, we have to realize these persons will return to our society. If we do not rehabilitate them, we all are affected. Jail is not made for animals; it is made for humans. The faction is of the opinion that we have a responsibility to ensure that the human rights standards are met.

The faction would like to know the plans of the Minister to strengthen border control. The faction is aware that this is a very difficult task considering we share open borders with the French side.

The Ministry has a comprehensive plan to strengthen border control, recognizing the unique challenges posed by open borders. Key initiatives include:

1. Country Package H11:

Through subsidy assistance from the Kingdom of the Netherlands under the Country Package H11, Sint Maarten is developing a comprehensive plan of approach to enhance border control. This initiative is being implemented across all countries in the Dutch Caribbean.

2. Collaboration and Coordination:

- a. The Protocol on border security, signed by all Ministers of Justice in the Kingdom, underscores the collective commitment to strengthening border management.
- b. Joint initiatives include the execution of the Franco-Dutch Treaty at Princess Juliana International Airport (PJIA), joint patrols in the Simpson Bay Lagoon, and operations coordinated from the Cole Bay facility targeting cross-border and undermining crime.

3. Intelligence and Technology:

- a. The Immigration and Border Protection Service (IBPS) has established the Intelligence Research Center (IRC) to gather and share intelligence across the justice and migration chains. The IRC forms part of the Intelligence Center Sint Maarten, which pools intelligence from all border-related entities.
- b. A dedicated Intelligence Center Grens (IC Grens) will integrate border intelligence, enhancing coordination and response capabilities.
- c. The Ministry has also procured new processing systems to support and modernize border operations.

4. Dutch- French Cooperation:

A treaty for law enforcement with French authorities enables cross-border intelligence sharing, enforcement, and investigations. Additionally, a draft operational protocol is under development to facilitate joint maritime controls with French counterparts.

The faction would also like to know the task of the Minister in finally paying the police officers. What is the amount needed to pay the police officers?

Retroactive payments for justice workers still awaiting their Landsbesluit has been budgeted for 2025. Please note that this only relates to Phase 1, which is the period January 1, 2023 – present. Phase 2 retroactive payments covering the period of 10-10-10 through December 31, 2022, will take place at a later date, in accordance with agreements previously made.

How many LBs are remaining to be signed?

There are currently 240 Landsbesluiten (LBs) remaining to be issued out of a total of 508

The faction has the following questions and comments for the ministry of Justice. As regards the prison, what is the timeline for the completion?

Construction is estimated to be completed in 2028

How is the 6.5 million prison allocation distributed? Are there programs for reducing recidivism among inmates?

A total amount of ANG 75.785.160 (USD 42.102.866) has been reserved on the capital expenditures on the 2024 approved amended budget for phase 2 of this project. Of this amount, ANG 43,200,000 (USD 24,000,000) will be a loan requested by Sint Maarten, and an amount of ANG 32,585,160 (USD 18,102,866) will be financed by the Ministry of the Interior and Kingdom Relations (BZK).

An amount of ANG 10.464.352 (USD 5,813,528) has been included in the multi-annual budget of the 2024 approved amended budget for phase 2 of this project and will be included on the capital expenditures for the Draft 2025 budget hereby covering the total costs for phase 2.

What steps are being taken to combat youth crime?

Addressing youth crime requires a collaborative and proactive approach. KPSM is actively working to gain insight into criminal youth and youth groups in order to develop a comprehensive plan of action to combat these issues.

Programs are being implemented in schools by Community Police Officers (CPOs), and soon, a school resource officer will be trained in Miami to enhance school safety through close cooperation with school staff and parents. Additionally, when juveniles are arrested, a tailored approach is determined during youth case consultations involving the public prosecutor and the juvenile probation department to ensure the most effective interventions.

The Minister takes youth prevention seriously and consider it one of her priorities in tackling crime at its root. With this in mind, she intends to collaborate with her colleagues at the Ministries of Education, Culture, Youth and Sports (ECYS) and Public Health, Social Development and Labor (VSA) to develop an inter-ministerial, multidisciplinary plan of approach. Youth crime is not just a justice issue—it is a societal issue that requires the involvement of schools, families, and various Ministries to address its underlying causes effectively.

By working together, we can create preventive measures and interventions that address youth crime at the front end, promoting safer communities and brighter futures for our young people.

What's the ministry's plan to address the understaffing in law enforcement?

This matter has the attention of all within the Ministry of Justice. As we are faced with the reality of a decreased budget, we are discussing ways to make efficient and effective use of our limited human resources. This will require us to think outside of the box while maintaining the essence of our responsibilities.

The faction has always said that a country where you pay your justice workers poorly will have high corruption. They will easily be enticed to do things that they shouldn't be doing. Are there any plans to look at a different pay structure? The faction knows everyone wants their LB, but they have heard some of those salaries from justice workers, and most of them need an extra job on the side to be able to take care of their families.

Since 2016, much has been invested in establishing camera surveillance in and around Philipsburg. The second phase of this project began in 2022. This phase aimed to expand the number of cameras and increase the number of camera surveillance officers. In the last quarter of 2022, the department was expanded with 6 officers. The number of cameras continues to be expanded around the island. There will also be investment in AI technology in the cameras starting in 2025.

Without going into too much detail, technological developments that support crime investigations are being used in various ways within KSPM. Various software licenses have been purchased through the Board of Police Chiefs in recent years for the benefit of the investigative and information divisions.

There is still a long way to go to fully use AI within the Justice chain as the possibilities are great, however the budget is limited.

What role does technology play in improving law enforcement efficiency?

Can the ministry ensure accountability in community policing initiatives?

It is unclear what is exactly meant by this but there has been very much invested in Community Policing in recent years. CPO's have been hired and trained through the Miami School of Justice. Creating action plans in consultation with stakeholders for their specific neighborhoods, the CPO's seek to address local problems and minimize the police's distance from citizens. This involves both prevention and repression measures.

How does the disaster management funding integrate with national security?

The Sint Maarten Police Force (KPSM) operates under the *SGBO principle*, which involves advanced planning and linking budgets to these plans.

These budgets are submitted to the responsible Minister for approval and reconciliation, ensuring financial planning for emergencies is aligned with national priorities. Additionally,

transparent reporting on expenditures during such scenarios is a key component, providing accountability and facilitating better preparation for future emergencies.

What measures exist to improve response time for emergencies?

To improve response times for emergencies, Police Dispatch utilizes GPS technology to identify the nearest available patrol vehicles and dispatch them to 911 calls as quickly as possible. However, traffic and road conditions, as well as limited staffing per shift, can sometimes delay response times when patrols are occupied with prior incidents.

To enhance emergency response capacity, four new vehicles were purchased by the end of 2024 specifically for emergency response, along with one additional vehicle designated for neighborhood officers to strengthen community-based policing efforts. These measures aim to improve overall efficiency and reduce wait times for citizens in need of assistance.

Are training programs adequately funded?

A budget of NAF 677.500 has been allocated for training purposes; however, this amount falls short of adequately meeting the training needs across all departments. Each department independently organizes training programs in collaboration with various partners within the Kingdom.

While the majority of these training initiatives are funded by the Ministry of the Interior and Kingdom Relations (BZK), the Ministry of Justice contributes by covering participant per diems when required. Efforts are ongoing to maximize the impact of available resources and ensure training programs continue to address critical needs effectively.

How does the ministry ensure equitable distribution of resources?

The Ministry recognizes the importance of ensuring equitable distribution of resources across all departments. While current efforts focus on addressing critical needs, steps will be taken to further strengthen this process.

Moving forward, we will implement a more structured and transparent approach to resource allocation, guided by data-driven assessments and alignment with the Ministry's priorities. Continuous monitoring and evaluation will be key to ensuring fairness and efficiency in the use of resources.

Is there a long-term plan to phase out outdated equipment?

In collaboration with ICT-central (ministry of general affairs) the plan entails the following:

1. *new firewall to protect incoming traffic*
2. *new monitoring system software to monitor the network*

3. *new server to store all department data*
4. *New WiFi access points to provide secure WiFi and coverage throughout*
5. *new data backup plan to secure all data within the ministry*

What partnerships exist in improving correctional services?

The Ministry has established key partnerships to improve correctional services, particularly through an ongoing agreement with the United Nations Office for Project Services (UNOPS) for the construction of a new prison at Pointe Blanche.

How is the ministry addressing corruption in the justice system?

This Ministry recognizes that addressing corruption in the justice system requires not only combating its manifestations but also understanding the underlying causes that allow it to occur. Corruption often stems from systemic weaknesses, such as insufficient oversight, inadequate resources, and gaps in accountability, as well as broader societal challenges like Economic pressures and limited trust in institutions.

To address these root causes, the Ministry is implementing a multifaceted strategy:

1. By strengthening oversight and accountability:
 - a. A Code of Conduct is being drafted to establish clear ethical standards across the justice chain.
 - b. Complying with the recommendations of oversight bodies such as the Ombudsman, Law Enforcement Council, and Integrity Chamber.
2. Improving institutional capacity:
 - a. The Ministry is prioritizing the appointment of leadership at the National Detectives to strengthen its investigative capabilities and address systemic vulnerabilities.
 - b. Internal controls, including financial oversight by the Stafbureau, to prevent irregularities and misuse of resources.
3. Identifying systemic vulnerabilities:
 - a. The National Risk Assessment by the FIU and Central Bank has highlighted areas of weakness, providing a roadmap for mitigating corruption risks.
 - b. The CFATF Mutual Evaluation has offered guidance on improving compliance with international standards to reduce corruption and financial crimes.
4. In 2025, a criminologist-led resilience scan will assess vulnerabilities in the justice system and broader governance structures, enabling targeted reforms to strengthen defenses against corruption.

Are there provisions for mental health services in correctional facilities?

A forensic care working group has been established in the last held JVO meeting.

Forensic Care: with the "Koninkrijksbrede JVO Werkgroep Forensische Zorg, TBS en PIJ" a Final Draft "Meerjarig Programma Forensische Zorg" is in place. This policy document will be put on the next JVO agenda to be held in June 2025 for approval.

Mental Health has always been a part of the services provided to the Prison.

What is the waiting time for residency permits? How many residency permits are pending today as we speak?

Currently 4-6 months, when all required information has been received in good order for processing.

The faction mentions that it was extremely happy three days ago, on Cole Bay Hill by the roundabout, when there were three or four police officers directing and helping with the traffic. That made so much sense, and it helped a lot because, coming from the Simpson Bay area, it went really fast. The faction would love to see this more often. The faction understands that there is a problem with the number of police officers, but "ter informatie" for the Minister of Justice, some time back the TEATT inspectors were the ones that helped direct traffic. The problem they had with it was that they felt no one respected them. The then administration pushed to make sure all were BAVPol'ers. The faction believes that this is something the new Minister can look into and see about the cooperation from that department. It makes a lot of sense, especially in the Cul-de Sac and St. Peters areas in the morning.

The faction asked specifically about the budget to pay the police officers. The Minister indicated that it was in the budget, but the Minister didn't say the amount.

Ministry of Education, Culture, Youth, and Sport

The faction mentions "Ministerplaatsen" for students that we have abroad in the Netherlands that have to go through "loting" for crucial education streams that are needed here on Sint Maarten. Can the Minister look into that and let the population and the faction know how that works and if it still exists.

The 'Ministersplaatsen' program was originally introduced to ensure that students from the Dutch Caribbean had access to enrollment in programs with a numerus fixus. However, this practice was later abolished. Recently, the Education Ministries of the four countries within the Kingdom have been discussing its reinstatement during the Four Country Consultations (4LO).

Research conducted by the 4LO highlights the benefits of reintroducing this program in the short term. By implementing a framework that grants access to 'Ministersplaatsen' in areas with significant labor market shortages, the Caribbean parts of the Kingdom would experience substantial capacity building.

In April 2024, the Dutch Second Chamber approved a motion to reinstate this practice. Although the motion was passed with a narrow majority of 78 votes to 72, the timeline for implementation remains unclear. The motion was requesting the government to reinstate the 'Ministersplaatsen' or establish a similar regulation. The Minister believes the motion's approval demonstrates a growing interest in addressing this issue and we can continue to advocate for progress through our Four Country (4Landen) deliberations.

There is a study that was done, and it speaks of the financial struggles that our students in the Netherlands have compared to those in the U.S. and Canada. Could we get that report from the Minister? The faction would like to know if the Minister has any plans when it comes to dealing with that.

Unfortunately, the Ministry is not aware of the report being referenced. Kindly provide additional details related to the exact name of the report and author so that a further review can be done. However, the Minister is aware of the challenges these students face, particularly in the Netherlands when it comes to financial matters.

As the faction has mentioned multiple times, the idea of housing in the Netherlands for our students. Whether by means of purchasing a building or a floor and slowly but surely increasing the housing for our students from Sint Maarten. The faction believes that this is extremely important.

Due to budget cuts, minimal resources are available for new projects. Assistance was requested from Sint Maarten's Minister Plenipotentiary in the Netherlands to facilitate agreements with student housing cooperatives; however, to date, little to no progress has been made.

Currently, there are no plans for capital investments in housing for students in the Netherlands.

During the Minister's own time in the Netherlands, this is a topic that was raised to the Government of Sint Maarten by myself and the organization the Minister founded while there, to make an agreement with the housing cooperatives, and the Minister has already met with the Minister Plenipotentiary on this matter. Both Ministers are in consultation on how this initiative can be supported as this is something that the Minister has been wanting to establish for the students for quite some time.

The faction notes that the scholarship fund was cut by 572,404 guilders. Could the Minister elucidate why?

The Ministry received funding for a project focused on studying in the region, which was approved by the Ministry of Education, Culture, and Science in the Netherlands. From 2012 to

2023, the Ministry implemented this project, providing study financing to students pursuing education locally and regionally.

At the conclusion of this period, a new agreement was established, and a project file was submitted in alignment with the countries' agreements under the Strategic Education Alliance (SEA) project. The new project focuses on priorities aimed at strengthening and enhancing secondary education to better prepare students for the transition to higher education.

Recently, the Ministry received funding from the Netherlands for projects under the Strategic Education Alliance and is currently preparing to execute the associated activities.

Concerning capital investments, why was the ICT hardware and software for the Department of Education cut by 68%? This is a little over half a million guilders—522,000 to be correct. Was this for the digital tracking system for the school buses?

There has been no cut to ICT software for the Department of Education. As it relates to the investment for Digital Fleet tracking system for student transportation this CAPEX item has been approved and is currently in the final stages of completion where implementation is scheduled for 2025.

The faction knows that because the ministry of Education is not a ministry that produces money for the coffers of government, it is quickly sidelined. The results are that our kids, when it comes to sports, youth, and Education, they suffer. This is a ministry that is dear to the faction. The faction would like to know why those cuts were made. Did the Minister have any say in those specific cuts in the budget?

Upon swearing in on 26 November 2024, budget 2025 was pretty much underway. Therefore, the Minister didn't have any say in the cuts but as stated in the Minister's inaugural address and elsewhere, the Minister does not support further cuts to the ECYS budget, as the Minister is a firm believer in the vital importance of this Ministry for the further positive and progressive development of this nation.

Why has the government not included investments taken out of the capital investment budget for 2024 in the recent amendment for the Charlotte Brookson Academy?

The Naf. 12 mln CapEx investment pertained to the building of a public high school and not the CBA. This investment was not re-included in the draft 2025 budget proposal due to incomplete required supporting documentation such as the required plans, architectural drawings, and land allocation details for the project. Instead, the CapEx investment has been shifted to be included in the draft 2026 Capital Investment Budget, pending the completion and inclusion of the necessary supporting documents.

The faction knows the Minister will do her utmost best and pass by every school to have a dialogue because that's the only way to hear exactly what is happening and where the struggles are. The faction cannot understand how a school could have no printing paper, ink, or toilet paper and that they have to go out and seek donations. That is not something the faction would like to see happen any longer.

The government of St. Maarten, being the only source of funding for the public schools, means that choices will have to be made regarding what can be acquired and when based on a budget. This is why it is always unfortunate when this ministry faces significant cuts when cuts are required; operating expenses are consistent and persistent, so it's tough to know that each month you need to purchase x amount of cases of printer paper but your budget cuts mean you can only purchase y amount. Additionally, where it pertains to donations, all schools were informed that they are not independent entities and all donations to public schools must be handled directly via the office of the Minister ECYS with DPE in a coordinating role. There are, however, still instances where this protocol has not been strictly followed, and steps are being taken to remedy this and streamline all public-private partnerships for the public schools via the Office of the Minister of Education, Culture, Youth, and Sports. And the Minister wants to note that she understands; it is frustrating to see schools struggling to meet basic operational needs but there are reasons why initiatives have to go through the Ministry, via DPE.

The Minister sincerely hopes that this is a frustration we hold onto when deciding where to allocate funds from revenue streams in the future.

Ministry of Public Health, Social Development, and Labor

The faction mentions the request for the Minister's intervention in certain matters. The Minister was told that the intervention did happen. The faction noted that the hospital workers are no longer wearing black, so whether its by the Minister's intervention or pressure on the management, the unions were heard and an agreement was met up to this point.

The faction was also made to understand that there was a meeting with the Hilton group. Can the Minister provide an update on such?

The Ministry has spoken to several individuals who wish to stay anonymous. They expressed their grievances. It has become clear that several allegations are made that relate to labor matters. The labor inspectorate is investigating the situation, and has my utmost attention.

Is the mediator involved in this Hilton dispute between the workers and the management?

Before the Minister spoke to the individuals that wish to stay anonymous, The Minister had requested the assistance of the VSA mediator. The VSA mediator followed up with the relevant departments within the Ministry that would handle complaints, namely, the Labour

Affairs Agency and the Inspectorate of VSA, who were, at that time, not aware of any labor unrest. Additionally, the Union who (formally) represented the workers was contacted but they too were unaware.

As it pertains to VSA, what is the update on the SAAHA? The faction would like to know the Minister's opinion on the SAAHA.

The Honorable Members of Parliament were informed in recent meetings regarding the SAAHA that the draft legislation is currently by the SER for review. It is expected that this advice will be received within short. As soon as this advice is received; the legislation with all accompanying documents will be thoroughly reviewed by the Minister and the Ministry. It is important to note that as the Minister of Labor, prior to giving a stance on this proposed legislation a comprehensive analysis of the impact on

- 1) SZV and its staff
- 2) private insurance employees who handle health portfolios and
- 3) the entire healthcare sector is needed.

The SAAHA forms an integral part of the entire health care reform that is urgently needed and as such I expect all parties to cooperate, as together we need to find a sustainable solution moving forward. SAAHA is an urgent matter that has to be dealt with!

What is the update on the SZV 1b that can offer insurance to sole proprietors, bus drivers, and taxi drivers? This is something that has already been worked on and went to the Council of Advice. This is a piece of legislation that is much needed.

The advice was received from the council of advice, the further rapport is currently being drafted. There is a delay in this process due to the fact that there was a change in the consultant hired to draft this legislation.

Regarding the increase of minimum wage the faction would like to know if this was done by indexation. Will it be done by LBham, MR? Is this using Q2, which in the legislation gives more time to adjust? Are you using Q2 for this calculation? As it pertains to the increase of the pension, the faction is very happy with this. The faction looks forward to January 1st, 2025, to see the minimum wage increase become a reality and the pension increase become a reality.

After receiving legal advice from several sources both within and outside the Government apparatus, the Minimum wage was indexed utilizing a Ministerial Regulation that was approved by the Council of Ministers, taking into consideration the second Quarter CPI as provided by the Department of Statistics as is required by law. As such the Minimum Wage which will take effect January 1, 2025 will be NAF 10.86. Note must be taken, however, that although this increase is approved, it is in the humble opinion of the Minister, that focusing

solely on the minimum wage, without considering other factors that impact the living conditions of individuals or families, may not yield the expected outcome. Therefore, it is the Minister's intention to explore the possibility of forming a poverty alleviation workgroup responsible for assessing and advising on the most effective ways to combat poverty.

The tourist health levy was led by VSA. The faction would like to know who is taking the lead. Is it Finance, TEATT, or VSA?

The current cabinet has not seen the current draft of the ordinance as it is currently at the SER. The Ministry of VSA is taking the lead.

Cannabis legislation. The faction is happy to see the revenue-generating measures. The Minister of TEATT put out an article, but the faction points out that the opium legislation falls under VSA. The faction would like to know if the Minister of VSA is taking the lead in such.

That is a good point. However, due certain ongoing developments with possible legal consequences, the Minister is currently not at liberty to provide information on this topic.

In the 2022 census, it indicated that the category for 65 plus has increased over the past 10 years from 5.3% to 12.8%. Many 65-plus persons are completely dependent on AOV and need additional assistance. What initiatives does the ministry of VSA have planned to improve the lives of the elderly?

The Ministry will work diligently to address the needs of the elderly, with an emphasis to ensure a cross collaboration between key executing agencies. Initiatives will be forthcoming, to include projects that will help the elderly and other vulnerable groups in our society to acquire their basic needs. Additionally, the Labor and Social Security, which are part of Country Package measures E1 & E4 respectively, are being actively worked on. The Ministry of VSA is in the finalization stages of its strategic implementation plan in which reforms for both Labor and Social Security measures. Once completed and approved, they are intended to be implemented in 2025 and beyond. The sustainability of the AOV/AWW funds as well as the benefit to the pensioners are top priorities for the Ministry. However, be that as it may, solutions are not solely a VSA matter. In the larger scope of things St. Maarten is faced with brain drain in which there is not a large enough working class contributing to the AOV/AWW funds needed to sustain said growing elderly populous, as mentioned in the Census 2022. There is also a dire need to reform our immigration laws in which people migrate to the island at a later age, thus not having accrued enough of a "livable" pension in their elderly years. These are just some examples that show how all reforms must be looked at from a multidisciplinary approach, rather than a silo approach.

The faction would like an update on the Sint Maarten General Hospital. Is the date of completion the same?

Based on information received during an introduction meeting held with SMMC, it was indicated that the project is approximately 200 days behind schedule, and as such the expected date of completion for the main building is May 2026, and the date of overall completion is scheduled for February 2027.

The faction states that SZV is very important. The faction would like to know the Minister's plans to curb the bleeding of SZV.

During the Tripartite meeting, it was decided to install a healthcare cost containment workgroup who will be responsible for reviewing the current health financial situation and propose new measures to contain the sharp increase in healthcare costs.

What are the plans of the Minister as it pertains to the OZR payments and the plans as it pertains to the tariffs?

Due to the current situation of the healthcare funds, an increase in tariffs can only be accommodated after having fully implemented the health care reforms.

We have seen that the doctors are screaming for an increase in tariffs, but tariffs have not been changed for a long time. What is the position of the Minister and the ministry as it pertains to the tariffs?

Alongside the above statement, the implementation of healthcare reform remains imperative. These reforms include but are not limited to:

- the improvement of quality of services, through improving service delivery on a primary care level (developing and implementing care and treatment protocols);
- implementing the Pharmaceutical Cost Containment plan (pre-defined mark-up on pharmaceutical prices; updating pharmaceutical registry);
- Implementation of the healthcare professional registry (BIG)

The faction indicates that 98% of VSA is just spending; however, the 2% is work permits. That is where the little bit of revenue can come in.

The faction mentions that it has prepared an amendment to the National Ordinance regulating foreign labor and an LBham. Unfortunately the LBham cannot be submitted through Parliament. Therefore, it was sent to the former Minister and the ministry for review. The ministry has responded and indicated that they have no current plans to make such amendments at this moment. A lot of the aspects that was put into this amendment was based on discussions with the NESC and their visions to help curb and open up those bottlenecks.

The faction believes that this would be a good opportunity for Government to create additional revenue as they have expedited fees and different aspects in this LBham. If the Minister is open to such, the faction will gladly send the LBham whereby the staff of the Minister can review. If the Minister is open to such, it can be implemented and therefore additional fees can be brought to the table.

The faction states that in discussions with the business communities, many have stated that they would pay an expedited fee to get through and expedite this process. And according to the country package, one of the number one reasons for the illegal hiring of foreign workers was the process. The faction believes that if we find a way to curb the process, but ensure that this is only done once you have maximized the ability to hire locally, then we can have a win-win situation.

[The Ministry is always open to receiving and subsequently reviewing draft LbHAM's.](#)

Does the Minister have any plans for dealing with the mental health of our kids on Sint Maarten and also those studying abroad? The faction believes that it is imperative that the Minister puts a plan together. There are a lot of studies done and many ideas that come from all corners of Sint Maarten. The faction encourages the Minister to grab them and put a plan together. One that will actually work.

[Mental health amongst our youth is a high priority for the Ministry, and some research has already been conducted within the cabinet of the Minister. What has become clear is that this area is still insufficiently organized. The strategic plan on mental health includes the establishment of a multi-disciplinary workgroup responsible for promotion and prevention. The ministry of ECYS is one of the stakeholders with whom the Ministry can collaborate on this.](#)

The faction would like to know how many work permits are now pending in the office of the Minister waiting for his signature.

[The number of employment permit advices pending is approximately 50.](#)

Are there any requests in the Minister's office for the opening of a new elderly people's home similar to what we call the White and Yellow Cross? The waiting line at the White and Yellow Cross is extremely long, and a lot of our elderly are left out in the cold. If there are none, does the Minister have a plan for expansion or for encouraging other businesspeople to move forward with opening a new White and Yellow Cross?

[There are currently no pending requests for a new elderly home. However, the White and Yellow Cross recognizes the urgent growing need for elderly care in our community. To meet the demand, they are currently in the process of increasing their capacity by implementing a phased expansion approach over a four-year period. The White and Yellow Cross submitted their 1st request for expansion of services, which was granted in October 2024.](#)

The faction notes that the Minister mentioned having a meeting with the employees from the Hilton and used the word "anonymous" numerous times. The problem remains that an employee is being abused by a group or feels abused but does not feel comfortable enough to come and file a complaint at the labor department—a department that should actually be there for the employees. Because that information will, one way or the other, get back to their employer, where they will then feel victimized. It is not the first time that people are complaining concerning this entity. It is also not the first time that an investigation has taken place or questions were asked.

The faction understands that the Minister doesn't want to divulge too much of what is being done or what the Minister is actually doing, but it does expect that the persons who brought this information to the Minister are kept informed—whether or not on the floor of Parliament.

The Minister has taken note of the comments. The Inspectorate will report directly to the Minister. Regarding the Hilton situation, the Minister assures that it is unrelated to the Department but is instead connected to trust issues within the Hilton organization.

Furthermore, the Minister acknowledges the concerns raised and kindly requests that any hard evidence be submitted for further investigation. However, the Minister emphasizes that making statements without factual basis makes it more challenging for individuals to approach the Ministry and report any type of abuse.

The Minister would also like to take this opportunity to address the general public, encouraging them not to fear filing a complaint. The Inspectorate hotline can be reached at 1721-5247247. This service is confidential, and individuals are urged to utilize it if needed.

Can the Minister let Parliament know where one could receive the information to be able to open a facility like the White and Yellow Cross? What is the procedure?

The documentation regarding the procedure has been included as a separate attachment in the submission of the final report on the National Ordinance Budget 2025.

The faction continues and mentions the sin tax. The faction didn't hear the Minister mention his sentiments on a sin tax —the taxation of sugar products, alcohol, tobacco, gambling, and prostitution. The faction believes that this would be something that would benefit the ministry of VSA the most. What are the thoughts of the Minister on this?

The Minister agrees that what is referred to as the "sin tax" is of importance and should be a matter for further discussion within the entire government apparatus. The Minister considers this to be one of many income-generating avenues that should be seriously explored and addressed through a multi-ministerial approach.

Something as important as the health levy and the tourist tax, the answer that was stated is that the cabinet has not seen it yet and that it's at the SER and in DIV. This is one of the most important tools that is being mentioned as revenue generating by this Government. It was brought by the previous Government, but it one of the most important tools you are hearing by this Government. It was started, and it was paid for under the ministry of VSA. The faction suggests that the Minister has his staff review and ensure, because it was viewed to be as well as a health levy. Once the money goes into the coffers, the original intention within Government was to allocate a certain amount of funds to SZV to deal with that backlog. The faction would like the Minister to take control and ensure that he protects SZV.

AOV is not taxed; it's lower than the to-be-taxed threshold. Because it is so low, our pensioners who receive AOV solely are suffering and those who can receive extra income are taxed.

AOV is not taxed; it's lower than the to-be-taxed threshold. Because it is so low, our pensioners who receive AOV solely are suffering and those who can receive extra income are taxed.

As it relates to cannabis, the faction would like a meeting to be called where a clear overview can be given to the new Members of Parliament and the public to go through everything and every aspect of the cannabis legislation. The process hasn't even started. The company needs to sit with each ministry and go through and prepare the legislation. Nothing can happen unless Parliament approves.

The Minister stated that he cannot speak about it for legal purposes. What legal purposes? The Minister of TEATT is clearly spearheading it and speaking about it. The faction supports this because it's a revenue-generating measure.

The Minister cannot speak on behalf of the other Ministry that has addressed this topic and maintains the previously given response that, due to an ongoing legal case, he is unable to make any statements on this matter at this time.

Ministry of Public Housing, Spatial Planning, Environment, and Infrastructure

The faction mentions sewage and persons in the South Reward area who have sent letters. The conditions are extremely horrible.

Let it be prefaced that in life, one must look back because history repeats itself if one does not know their own history. It was indicated that what should not be done is to measure right or wrong with the same measuring stick.

The faction continues and states that after the rainfall, the presence of the Minister was not felt. The faction is of the opinion that the road repairs were not quick enough. We have persons who are still dealing with issues of excessive water in their houses. The faction indicates that the Sucker Garden Road is horrible.

The faction knew that VROMI would run into problems as it pertains to the budget amendment. VROMI took some massive cuts, such as almost 47 million guilders.

The faction would like to know what the update on housing projects is. What is the intention of the Minister?

See appendix 2

The Minister has addressed this matter in several capacities—both as a political candidate, as Minister Plenipotentiary, and as Minister of VROMI. In all instances, the Minister has stated that the USD \$20 million for the housing project was lost in April of this year. This was consistently denied, even up until the last budget amendment, despite the provision of minutes and letters to the Government at the time expressing severe concerns over the feasibility of the project. To that end, the Minister requested a letter from the World Bank clarifying the status of this project and will now read it for the record. Having said that, the Minister hopes that this will put to rest any further discussion on the matter and that efforts can now be directed toward finding solutions on how to move forward, which the Minister has already begun to do.

The faction would like to know if the Minister of VROMI is involved in the discussions with the Netherlands as it pertains to the 75 million that has to deal with GEBE. Last time it was noted that the Prime Minister was spearheading it, but the Minister of VROMI said that discussions would be had so that VROMI, who is the responsible Minister of GEBE, could assume that role back. What is the update?

Discussions between the technical teams have begun. VROMI and the wider COM have not yet received the conditions for loan. Once we are at this stage all relevant stakeholders will be involved.

The faction mentions that it has seen throughout the past year that the residents of Simpson Bay have been having many town hall meetings and meetings against the development and ensuring the protection of the Simpson Bay beach. The faction is not against development, it is pro development but also for protection of what is there, especially our beaches. Have those discussions been brought to the office of the Minister of VROMI? What is in place to ensure that the residents of Simpson Bay know that while the permits were given, they can rest assured that the protection of the beach and the residents of Simpson Bay are considered?

Yes, discussions have reached the Cabinet and we are in regular contact with the Simpson bay community.

The faction would like to know what the update is with building permits. Are building permits now on halt pending GEBE's restoration? Or is it that only for major projects at this moment is what seems to be on halt? If so, why?

As part of statements made earlier in the Minister's term, GEBE is to be consulted by the Ministry of VROMI to support proper spatial planning. The Minister is in consultation with GEBE on all developments requiring their feedback. To date, only two requests requiring such consultation have been received, and they are still under review. As such, no building or civil permits are currently halted due to the GEBE restoration process.

The faction mentions the Cay Bay project and the Middle Region Phase 2 project. The faction noted that it was moved from CapEx 2024 to CapEx 2025 and shifted to CapEx 2026. While the faction understands that GEBE was a crisis, we have many other crises that we are facing. The faction is of the opinion that VROMI is taking the biggest hit.

Does the ministry of VROMI have any tenders in the pipeline? Any infrastructure or new works?

The Ministry has multiple Civil works and New Projects in their backlog, many which have been proposed for budget allocation within 2025 CAPEX. The proposals that made it to the draft 2025 CAPEX are:

- * the completion of Dutch Quarter development to the tune of 3.1 mln
- * and side roads hard surfacing budgeted for 1.8 mln
- * Upgrade to prince Bernard bridge at 0.5 mln

Proposals that did not make it to the draft 2025 CAPEX are:

- * the introduction of Link 3 and Link 6,
- * the implementation of the Coralita trench
- * and several sewage projects

What is the update on the Ring Road? Is it the intention of the current Minister of VROMI to continue the Ring Road? Is it an idea that the Minister would like to facilitate and move forward with? If the Minister has a different idea in mind, the faction would like the Minister to inform of this.

The Minister began by clarifying the status of the Ring Road. Over several administrations, parcels of land were allocated on the larger area known as the Ring Road. Upon reviewing the Ministry of VROMI's priorities for CAPEX, it was determined that no explicit allocation of funds for the Ring Road was ever made, as stated by the MP. The only related

option identified was the hard-surfacing program, under which the Ring Road is not listed. Over the past few days, the Minister has expressed an intention to revisit the Ring Road project, particularly in relation to developing a long-term solution to improve traffic flow, as originally intended.

What is the idea of the Minister on a racetrack?

The Minister of VROMI has no official position on the establishment of a racetrack on Sint Maarten. If a proposal requiring the Minister's consideration is presented, it will be reviewed fairly and in accordance with existing policies.

When does the Minister think we can get the Ring Road Project moving, even if it's 26 or 27?

The faction indicates that on page 42 of the budget, there seems to be an error in the amount that is there for new investment, one line shows a deduction in the new investment of 29.7 million and below with the total, there's a total different figure used that shows a deduction of 18.9 million. Which one is the correct one?

If it is the 29.7 million, we're looking at, that is 30 million less for projects that the ministry may have had planned. What impact does this deduction have on your plans?

This discrepancy was already clarified during the meeting. For the record, there was a typo which should've been Naf. 29,797,852. The decrease is mainly due to the removal of the 45 million which consisted of the 27 million from NRPB and the 18 million which was made over this year to NRPB for the expansion of the sewage network project. The securing of these funds and the payment thereof has been finalized reason why its not included in the 2025 CAPEX anymore. On the other hand, the 18.2 million for the purchase of land for various projects was added towards the 2025 CAPEX.

During the budget amendment meeting, there were a couple of discussions concerning two things. The first is the garbage pickup in the St. Peters area. The faction is of the opinion that it has gone from bad to worse. The faction has reached out personally, as a very concerned citizen of the St. Peters area, to the garbage company, and was told that their truck is down. That's why they're picking up with a different type of truck with two men by hand. It's actually very worrisome because it's not being done properly or not being done at all. Garbage has not been picked up in that area for about five days.

From July to date, ongoing efforts have been made to improve the consistency of garbage collection. VROMI's contract management team has noticed in the past two weeks that there have been considerably fewer complaints from the public about garbage collection, including in the St. Peters area. The Ministry is focused on maintaining strict compliance with the Terms of Reference which guides the deliverables of contract holders. Complaints about garbage collection can be emailed to the Ministry and follow up will be given.

In the last meeting, the faction also asked the Minister concerning the car wreck project and mentioned one or two roads. The people from those roads are still asking if anything will be done as they can't even get inside to their roads because of all the old wrecks parked up on those streets.

The Ministry continues to regularly collect car wrecks, as it is illegal to keep them on immovable property, as stipulated in Article 22 of the Waste Ordinance. From January 2024 to date, close to 250 car wrecks have been identified, tagged, and disposed of by the Ministry. While it may appear that no action is being taken, this is not the case. The Minister remains open to receiving notifications; however, notifications via word of mouth or WhatsApp may sometimes be overlooked. Therefore, the Minister encourages individuals to contact the Ministry via vromi-infrastructuresectioncontracts@sintmaartengov.org or submit a letter addressed to the Minister through the receptionist at the Government Building. Upon receipt, the letter will be forwarded to the relevant department.

The faction continues and mentions the cut in the budget. The faction is somewhat perplexed because of how many building permits are still pending in VROMI. The faction would have thought building permits make money, so let's push those out so we can make more money and have less cuts.

The faction would like for the Minister to highlight his challenges and his plans on dealing with that, as it is very frustrating to many people who have taken loans and are waiting to build their homes.

The Minister wishes to share that there are multiple ways this matter is being addressed. For example:

Recently, it was announced that the department will implement a cutoff period for the acceptance of new permit applications. This is an annual occurrence and will run from January 2nd to January 20th, 2025. This measure will allow the department to focus its resources on processing pending applications and assisting those applicants.

However, the Ministry recognizes the need for structural improvements to prevent or at least reduce the chances of building an unmanageable backlog, ensuring a high level of service performance and compliance with existing laws. Discussions have been held with several stakeholders, including TWO, to explore opportunities within the Country Packages E7 or through a separate project. A key aspect of this initiative is the transition toward digitizing processes.

The faction also mentioned in the last meeting that a specific person who requested a building permit years ago was told that it was denied. They asked the faction to help him formulate a letter explaining that he no longer needs the building permit. That letter was submitted, and he's asking for a reply on the letter because he has the marshal delivering a bill

by him. That is also very worrisome for him. The faction feels that in the beginning, the Minister was very available, so the faction would like to encourage him not to lose that.

If the individual's permit was indeed denied then, the individual should not have been billed for the building permit fee. If the individual that requested the building permit no longer wants the building permit, but the permit was not denied they will still be required to pay the fee. Reason being that the process was fully executed and the service was provided by the permits department.

Can the Minister give a breakdown on how it actually takes place when someone files a complaint concerning a resident in a district that is running his or her sewage water onto the street, and it is constantly every day? Can the Minister give an idea and tell the public how the public could file a complaint? Is there a phone number and email address that pictures could be sent to, and how does the ministry take that complaint and move forward with it? Apart from garbage, sewage water is also a problem in the neighborhood.

Complaints regarding sewage or garbage disposal can be sent to VRMI-infrastructuresectioncontracts@sintmaartengov.org Complaints regarding homes connected to the sewage network, for instance, to report a blockage can be reported to this email address. However, for general septic tank issues, this should be directed to VRMI's inspection department.

The faction wouldn't have a problem with anyone charging for garbage because that is normal everywhere else in the world. However, the faction would like to see that some of those funds go right into the ministry directly and allocated to, for example, being able to hire more inspectors or train those that are there to become inspectors. There should be some type of oversight on the garbage disposal and how people throw their garbage outside. To charge for garbage and that it disappears in the bottomless pit of the coffers of government makes absolutely no sense to the faction, unless it's allocated to something that is going to benefit what it is collected for.

The realization of an independent waste authority, most probably in the form of a ZBO, will ensure separate financials from the general government ledger.

The Nation Opportunity Wealth-faction has taken note of the draft and has the following questions and remarks.

Ministry of Finance

The faction inquires about the specific measures implemented in the Budget 2024/2025 to improve the tax policy in Sint Maarten.

The Minister of Finance stated that from the moment she took office, she has been deeply committed to addressing the financial challenges facing our nation with a focus on fairness and sustainability. Her priorities include implementing a tourist tax, increasing the room tax, and reducing profit tax and wage tax, all while enhancing compliance and collection efforts to ensure a balanced and equitable approach to taxation.

During the 2024 Budget Amendment debate, she informed Parliament about the ongoing tax program outlined in the Country Package, which focuses on modernizing tax legislation. While external experts were engaged to draft the necessary laws, I acknowledge that progress has been slower than anticipated, as none of these laws had been formally submitted to the government.

In early November, she met with the Working Group on Tax Improvement to review the program's progress. At this stage, draft law proposals are being developed, reviewed, and finalized. However, she humbly acknowledges that key data and financial analyses are required to determine proposed reductions or increases are not yet fully completed. While we aim to finalize these efforts by the second quarter of 2025, she must be honest that we cannot yet provide a definitive timeline for when the Council of Ministers can initiate the legislative process.

On a positive note, the Department of Fiscal Affairs recently submitted a draft 'Nota van Wijziging' to the Department of Legal Affairs and Legislation for legal review. This amendment seeks to include the Audit Team Sint Maarten (ATS) in the Tax Law, a step aimed at improving compliance and ensuring fairness in our tax system.

Additionally, she is exploring ways to provide relief to our senior citizens by ensuring that AOV payments to pensioners are no longer considered taxable income for income tax purposes.

How will the Ministry of Finance focus on improving tax policy and contribute to strengthening the Country's economic position?

The Minister of Finance stated that to enhance Sint Maarten's tax system, the goal is to design a framework that considers the unique scale and specific circumstances of our nation, while meeting its social, financial, and economic needs. This vision is based on the following objectives:

1. Modernizing and Simplifying Tax Legislation:

- a. Expanding the local tax base to encompass a larger share of economic and substantial transactions.
- b. Stimulating entrepreneurship across the board, with a particular focus on innovative activities that contribute to diversifying Sint Maarten's economy.
- c. Enhancing and improving overall tax revenues to support national development.

2. **Boosting Tax Compliance:**

Strengthening the capacity of the tax authority to effectively promote compliance among taxpayers and conduct thorough quality controls, ensuring fairness and accountability. While I fully acknowledge the need to enhance our tax collection efforts, this cannot be approached with a one-size-fits-all policy. Every business operates under unique circumstances and should be treated accordingly. The current policy of requiring repayments within nine months, while labeled as such, does not align with the realities of today's economic climate.

We must remember the significant challenges businesses have faced: two devastating hurricanes in 2017, the long-lasting effects of the global COVID-19 pandemic that severely impacted our tourism-dependent economy, and the recent utility crisis with GEBE—a man-made disaster that further strained businesses and households alike. Given these compounded hardships, the question arises: shouldn't we approach these situations with compassion, empathy, and understanding?

Instead, what we see are auctions being called left and right, businesses being threatened with closures, and a focus on immediate payments that fails to account for the broader context. Meanwhile, inefficiencies within the Receivers' Office allow revenue to slip through the cracks. This "I want my money, and I want it now" mindset is not only unrealistic but counterproductive.

The truth is, no one enjoys paying taxes, but we all desire a clean, beautified, and thriving Sint Maarten—the Sint Maarten that once inspired our neighboring islands. Achieving this vision requires collective effort. We all have a role to play, but we must approach this with fairness, compassion, and understanding for the challenges our people and businesses face. Rest assured, Madame Chair, this balance of accountability and empathy is where my focus and attention lie.

3.	Digitalizing	Tax	Procedures:
Efforts to streamline the assessment and collection of taxes are underway by implementing digital solutions to make the process more efficient and effective for both taxpayers and the tax authority. While there are delays in implementing the much-needed new tax system, steps are being taken to improve existing processes.			

A new bid for the tax system is planned for release at the end of Q1 2025. In the meantime, the team is working on smaller but meaningful changes. For example, taxpayers may soon be able to digitally submit their income tax forms for 2024, a goal we aim to achieve in 2025.

Additionally, the vehicle tax can already be paid online, but payments are currently limited to credit cards. Efforts are underway to expand payment options to include Sentoo, which will allow payments through WIB bank accounts starting next year.

While major improvements are delayed, I am committed to making incremental progress wherever possible. Even small steps can lead to meaningful improvements in the tax system for both efficiency and accessibility.

4. **Aligning with International Standards:** Incorporating international minimum standards for transparency and proper tax legislation into Sint Maarten's laws, aiming to prevent tax base erosion and profit shifting, and to uphold global accountability.

By achieving these objectives, Sint Maarten will build a tax system that is fair, modern, and capable of supporting sustainable growth and development.

What is the Ministry of Finance's plan to reduce backlogs in debt collection and improve tax revenues?

Improving the tax collection process and updating policies are critical to achieving our goals the Minister stated. She reiterated, tax collection is not a one-size-fits-all approach. We cannot continue to reject payment plans from individuals who cannot meet the recommended nine-month term, as this approach is counterproductive to the ultimate goal: increasing collections.

Efforts are also underway to enhance operational efficiency. With limited staff, it is essential to maximize productivity. Currently, all income tax forms are manually reviewed, which is unsustainable. To address this, we are exploring the use of risk analysis tools and automated systems to streamline the process. Implementing thresholds will further reduce unnecessary manual work. These improvements are part of ongoing discussions aimed at modernizing and optimizing our processes.

While she does not believe in always comparing ourselves to Curaçao, there are areas where we can learn from one another. Curaçao successfully increased its tax revenue by ANG 170 million in 2024. During the Minister's of Finance recent visit, she received a presentation on their approach. Interestingly, similar strategies were previously proposed for our tax office but were never executed.

We will not reinvent the wheel; instead, we will leverage proven methods and strategies to improve our tax collection and policy framework.

Regarding training, the faction would like to know what types of training are being provided to the tax authority staff to improve their skills in tax collection and assessment.

The Minister of Finance stated that in 2023, the collection officers and the marshal received training in their line of work while the assessors received training in the general tax law. In addition, a university study is currently being provided to assessor that requested such. No other courses were provided in 2024 other than the Dutch language course due to lack of budget.

Regarding assessments, the faction notes that when people file their taxes, it is after some years that people receive the taxes assessed. What is being done to improve this? Can it be done in a more generic manner so that persons can receive the assessments faster than having to wait 2 to 3 years for an assessment from 2020 or 2021? What is the ministry of Finance doing to accelerate this process?

The Minister of Finance stated that the tax administration is collaborating with the vendor to update the software to enable systematic assessments, which will help improve efficiency.

The function books currently allow for six assessors, which is insufficient to meet the demands of the growing population. A review of the function books is necessary. The necessary adjustments to the function book will be made in the future to be able to accommodate the growing population.

Ministry of General Affairs

The faction inquires about the number of fire officers currently being trained through the Netherlands Institute for Physical Safety (NIPV). How will this strengthen the incident management capacity? The faction would like the Minister of General Affairs to clarify the expected impact of the commander training for noncommissioned officers on improving the leadership within the fire department.

At the moment Sint Maarten has one senior officer attending the Fire Officers Academy (NIPV) in the Netherlands. This person is being trained on all aspects of disaster and incident management. He is also being trained in tactical and strategic leadership and incident management, risk and safety management.

After successfully completing his training, he will join the management team and assist with the daily management of the department. Then 4 of the 5 management positions will be filled, as currently there are only 3 persons in management positions, thereby relieving the workload carried by the other managers.

This initiative enhances the capabilities of the incident command team by equipping them with the necessary skills and knowledge to assume leadership roles within the Fire Department as vacancies emerge. Additionally, it fosters professional growth and development within the department, promoting a culture of advancement and preparedness.

The trainings were given to help prepare personnel to climb the ladder within the organization and fill the necessary leadership positions once they become vacant and available.

What criteria are used to prioritize which government systems will be migrated to the cloud first? What steps are being taken to test and validate the migrated system before it goes live in the production environment?

There is a cloud readiness assessment provided by Microsoft that we use to first determine which systems are technically capable to be moved, as well as the interdependencies for other systems.

Once completed, the priority is done based on least impact and least complex systems first, so that more time can be focused on planning and if needed reconfiguring the more complex systems.

There is a phased migration plan, that starts with an assessment, then mirroring of the systems into a testing environment, followed by a scheduled switchover to production, once it's been determined that there is no further configuration needed.

Can the Minister of General Affairs provide a breakdown of the 129.600 guilders allocated for the cloud-migrated project, particularly regarding the SLA contracts, licenses, and other associated costs?

Microsoft's Cloud Pricing Calculator was used, which enabled us to approximate what the annual costs were going to be based on our existing local environment and the move to the cloud. The costs are not only for migrating our systems to the cloud but continuously running the systems securely in the cloud environment.

The breakdown of annual costs are as follows:

1. 1 Instance of workflow orchestration - \$2101.96
 2. 1 Instance of integration service - \$8240.53
 3. 1 instance of web application firewall - \$3279.74
 4. 50 instances of virtual servers - \$55,923.84
 5. Support - \$1200
- Total of \$70,746.08 (127,342.94 guilders)

The additional 2,257 guilders is a small buffer for small increases in resources.

What is the timeframe when documents are being vetted for turnaround at JZ&W? When documents are given to JZ&W, what is the turnaround for the next step? Seeing that it is a "bestuurorgaan," people request things from the ministry daily. Hence, when can the people expect answers when the Minister of General Affairs requests JZ&W to vet documents?

The handling time frame by JZW is dependent on the complexity of the case and if all relevant information has been submitted. The legislative lawyers' handling time is also dependent on the complexity of the matter and if all relevant information has been submitted.

It is important to note, that the lack of manpower and the complexity of the presented cases adds to the reality of any expected timeframe. Openings for the vacancies will be going

out shortly. However, in the meantime, legislative capacity will be strengthened in January with a new legislative lawyer.

The faction mentions GEBE and has the following questions. How has the Government addressed relief for the people of Sint Maarten in the Budget 2025 regarding GEBE issues? Despite previous assurances, GEBE still has outages and cuts during critical periods like the holiday season. What immediate measures are being taken to address the disruption and ensure reliable service? What long-term strategies are being implemented to improve GEBE's infrastructure and financial stability?

Although it is not mentioned in budget, Government is working towards bringing relief. We also mentioned that it cannot be at the detriment of the company. This means that we need to do a thorough exercise to come with the right relief taking the companies situation into consideration.

By letter, dated November 14, of this year, I requested on behalf of government the postponement of the public meeting to discuss the execution of the motion. As mentioned in my letter, I acknowledge that one of the resolutions of the mentioned motion is, "To revise and simplify the calculation of NV GEBE's Fuel Clause to ensure it solely reflects the actual costs of fuel, thereby providing more transparent and fair billing practices to the people of Sint Maarten."

I also informed the Chair in that same letter, that in order for Government to revise and simplify the calculation of the fuel clause, Government plans to meet with all the stakeholders involved.

I can inform parliament that together with the Minister of TEATT we already have communication with the stakeholders, and we assigned BTP to, after consultation with the stakeholders, present the government with options to handle/lower the fuel clause.

On the disruption and ensuring reliable service, Madam Chair, I can mention that the immediate, short and long term solutions have been extensively elaborated on here in parliament. I can inform Parliament that the latest update on the installation of the 20 MW container generator is as follows, GEBE has indicated that they are synchronized to the grid. However, the 20MW container generators are a contingency plan meaning that if an engine goes down the 20MW will be immediately put into operation.

The faction would like the Prime Minister could define the portfolio of Prime Minister/ Minister of General Affairs. It is very often said that the Prime Minister is in every Minister's portfolio, and we are not in a crisis.

The portfolio of a minister is determined through several documents such as the Landsverordening Inrichting en Organisatie (national ordinance structure and organization of

national government) as well as the organizational decree of the respective ministry. Of course, there are overlap and overarching areas.

In addition to the aforementioned, the Prime Minister is also chair of the Council of Ministers.

The relevant information I want to share with parliament is the rules of order of the council of ministers, in which it is regulated that the PM, as chair of the council of ministers, is the one who is the first spokesperson of the council of ministers. So, there may have been situations where the Prime Minister was sharing information concerning other ministries.

Does the water tank in Cupe Coy, across from Sapphire, have water to supply for the Lowlands area?

The water plant in Cupecoy is a mini-plant and does not have the functionality for increase of capacity. The intention is to construct a larger facility for that area. Usage of the current water tank, will reduce the flow in that area due to challenges with pressure. The to be constructed plant will increase the necessary capacity for the Cupecoy area

What function does the VDSM have when investigating a candidate for a 'vertrouwensfunctie'?

VDSM is charged with executing security screenings on individuals who will hold positions of confidentiality. A Declaration of no Objection by VDSM is required to qualify for such a position. Depending on the type of position of confidentiality the security screening is classified as level A, B or C. Level A screening can be regarded as the most comprehensive. Access to confidential information and susceptibility to bribery and/or blackmail are important considerations in security screening. Therefore, the screening also extends into the private lives of individuals and is a very in-depth process.

What is the situation with the Secretary-General position at General Affairs, which is currently vacant? When will this be filled? Can the Minister inform us of the reason that this position became vacant in such a short time? This question is posed to the Minister of General Affairs because the faction understood that this was because of victimization to the highest degree.

Minister wants to categorically state that there is no victimization of any kind between the Minister and the organization. The recent departure of the newly appointed Secretary-General of AZ this year was a personal decision. Our professional interaction, though brief, was pleasant and respectful. I am unsure where these allegations are originating from, but they serve no constructive purpose in this discussion. Let me be clear—this kind of unfounded speculation only fuels unnecessary distractions, and I will not entertain it.

The question regarding when the vacancy will be filled is indeed noteworthy. Within the organization, and particularly in the ministries of ECYS and VSA, there have been acting Secretary-Generals in place for extended periods—some reportedly for over five years. This highlights a systemic issue that requires immediate attention.

It is Minister's firm intention to engage with the Council of Ministers to address these critical staffing gaps. This includes not only permanently filling key vacancies but also resolving the prolonged situation of acting Secretary-Generals who have been serving in interim capacities for several years.

Minister reminds the members that the Minister of Finance also shared her views on the point of civil servants being in acting position for years.

Additionally, I must inform Parliament of the challenging state of the organization upon my assumption of office. Beyond financial constraints, I encountered a deeply understaffed, strained, and demoralized workforce. Many individuals had already resigned, and unfortunately, resignations continue to come in.

Rebuilding this organization is not just about filling vacancies; it is about creating a sustainable, productive, and harmonious working environment. This will take time, deliberate action, and strategic planning. Rest assured, this remains a top priority as we move forward.

Ministry of Tourism, Economic Affairs, Transport and Telecommunication

The faction would like the Minister to provide an update on the current personnel working within the EDC, including their roles and specific tasks related to implementing the approved investment policy and diversification strategy. Additionally, how does the ministry intend to evaluate the effectiveness of the annual subsidy provided to the EDC for activities such as creating a National Investment website, developing promotional materials, attending trade fairs, and engaging with major investors to ensure that these efforts yield measurable economic benefits?

The Minister provided an update on the current personnel within the Economic Development Corporation (EDC), noting that the organization is in a transitional phase. An interim director was appointed in August 2023 for a term ending in July 2024, and a secretary has been hired to assist with administrative functions.

Regarding the evaluation of the effectiveness of support for the EDC, it's important to clarify that the EDC does not receive a direct subsidy from the Government. Instead, it receives an annual payment from the Harbor, as per an agreement related to the adjacent property.

To ensure effective evaluation and accountability, a comprehensive audit has been deemed essential to assess past performance. Moving forward, the Ministry will adopt a three-pronged approach:

1. Establishing Clear Performance Indicators: These will be aligned with the national investment strategy to measure success effectively.
2. Implementing Regular Reporting and Monitoring Mechanisms: This will ensure ongoing accountability within the EDC.
3. Securing Dedicated Professionals: Experts with the necessary skills and commitment will be recruited to advance the EDC's mission. This ensures that activities—such as the development of the national investment website and investor engagement—will yield measurable economic benefits for the economy.

Can the Minister provide an update on the reconstruction of the marketplace? It was noted that the project would be completed before the peak season. However, there has been no visible progress or indication that the project is nearing completion. Every day, the faction hears the cry and frustration of the vendors who feel neglected, and they remain temporarily relocated to the back, with no timeline; when can they return to the front and continue to give their service?

The project initially aimed for completion before the peak season, but there have been some delays.

In consultation with the vendors and the Ministry of Public Housing, Spatial Planning, Environment, and Infrastructure (VROMI), changes were made to provide additional space for market vendors, optimizing the sales floor to enhance the visitor experience. Due to these changes, a new building permit is required, which is currently being finalized. The Department of Inspection is reviewing this permit.

The work on the marketplace is scheduled to recommence in January 2025, with an anticipated construction period of 4 to 5 months. To support the vendors in the meantime, especially in terms of attracting foot traffic, a "stop-and-shop" program has been implemented. This initiative promotes shopping in Philipsburg to cruise passengers, including visits to the temporary marketplace, and you may notice that the two passenger trains and various taxi and tour operators are now stopping at this location.

The Ministry is dedicated to promoting and marketing Philipsburg's vibrant shopping experience and ensuring that vendors can return to their original locations as soon as possible after the completion of the reconstruction.

The faction inquires how often the controllers inspect supermarkets to ensure compliance with the basket of goods and bread policy and how frequently reports are generated to indicate the level of compliance among these markets.

The Economic Controllers inspect supermarkets weekly to ensure compliance with the ministerial regulation that establishes the maximum prices for the reformulated basket of

goods, including bread. Reports detailing the level of compliance among these markets are also generated on a weekly basis.

To date, a total of 636 products have been checked, and fines amounting to NAf 7.500 have been issued for violations of the ministerial regulation. This highlights the ongoing efforts to enforce compliance and maintain fair pricing.

What are the strategies being implemented to improve data collection and marketing efforts to increase tourist arrivals and enhance revenue generation?

The Ministry prioritizes data collection as a key strategy to improve marketing efforts and increase tourist arrivals, ultimately enhancing revenue generation. In 2025, the Sint Maarten Tourism Bureau (STB) aims to finalize the hiring of a Market Researcher. This role is crucial for facilitating data collection, especially through engagement with stakeholders.

The objective of this initiative is to synchronize collected data with the marketing strategies that will be executed across various markets and sectors. By aligning data analysis with marketing efforts, the Ministry seeks to maximize the effectiveness of marketing expenditures, ensuring that efforts are targeted and efficient in attracting tourists and boosting overall revenue.

How does the ministry plan to create a more competitive tourism product that aligns with the increasing arrival and accommodation capacity of Sint Maarten?

The Ministry is focused on developing products that attract different market segments to diversify arrivals throughout the year, which by extension will minimize seasonality. This will be done through developed cultural heritage experiences, luxury experiences, event-based tourism such as sailing events, music festivals, carnival, culinary festivals that are promoted accordingly. The continued efforts to strengthen relationships with airlines and cruise lines alongside the continued aggressive marketing actions in USA, Canada, Europe, and the Caribbean should allow the island to remain competitive in the coming years.

Could the Minister elaborate on the concept of island hopping and how incentives like free services from hotels, such as free nights, free breakfast, and shuttle services, are being promoted to attract tourists to Sint Maarten?

The Sint Maarten Tourism Bureau (STB) implemented marketing strategies that are discussed and agreed upon with various stakeholders to ensure optimal return on investment. The Minister noted that early efforts in marketing, particularly with Online Travel Agencies (OTAs), have a positive impact based on the metrics used to measure success, which, in turn, reflects in the occupancy rates reported by the Sint Maarten Hospitality and Trade Association (SHTA) for the corresponding period.

Promoting the concept of the Destination Hub through campaigns such as "Twice the Caribbean" allows Sint Maarten to maintain its prominence among neighboring islands while leveraging each other's assets to collectively benefit from visitor arrivals.

What is the projected impact of the marketing campaign with MSC cruise lines for passengers departing from Sint Maarten before and after their vacations? How does the ministry plan to track and evaluate the success of this campaign?

The marketing campaign with MSC Cruise Lines aimed at passengers departing from Sint Maarten was initially discussed by Port St. Maarten and the Sint Maarten Tourism Bureau concerning marketing incentives. However, these proposals were not implemented, which means there is currently no projected impact of the campaign.

Can the Minister provide an update on the progress of cleanup and beautification projects, including signage improvements and border signage initiatives?

The Minister provided an update indicating that the cleanup and beautification projects are still ongoing, with steady progress being made. However, a specific timeline for completion has not yet been fully established.

Regarding the signage improvements, including border signage initiatives, these enhancements are part of the broader beautification project. The Ministry is focused on ensuring that the designs and installations align with their goal of creating a cleaner and more attractive environment. The public will be kept informed as milestones are reached and specific timelines are confirmed.

The faction mentions the Taxi App. Has the Minister engaged in any meetings with the TEATT inspection team in collaboration with the police force to discuss the enforcement and alleviation of the illegal transportation issues on the island, particularly involving gypsy cabs between the Harbor and the boardwalk? The faction indicates that it is very concerned about these developments because these have led to alarming conflicts with taxi drivers and resulted in inappropriate behavior in front of tourists visiting the island. Bear in mind that taxi drivers are ambassadors of Sint Maarten. The faction believes that such a negative light can lead to the detriment of our economy.

Due to capacity constraints and budget cuts, the TEATT Inspection Department currently has limited enforcement capacity. However, there are plans to enhance this capacity in 2025 by providing critical law enforcement training.

Additionally, the introduction of digital technology to improve regulatory compliance and supervision is a priority for the Ministry. The Ministry of TEATT continues to collaborate with the police force (KPSM) to address these issues and concerns from both a regulatory and policy perspective. This cooperation aims to mitigate conflicts between taxi drivers and illegal operators, as taxi drivers are viewed as ambassadors of Sint Maarten, and maintaining a

positive image is essential for the economy. The Ministry is committed to addressing these challenges to ensure a safe and welcoming environment for tourists and residents alike.

Ministry of Justice

The faction inquires about the Minister's plan for the ministry of Justice.

The Minister refers to same question posed by **The Unified Resilient St. Maarten Movement-faction**

The faction would also like to know which law firm currently represents the ministry of Justice, and how much this service is costing the Country.

For 'bezwaar' and 'beroep' in immigration cases, Mariflex Attorneys & Consultants and Bush Lawyers are retained by the Ministry for retainer amounts of NAf 37.800 each.

In addition, Gibson & Associates represents the Ministry from time to time. Further to that, the Law Firm (Duncan & Brandon) represented the Ministry as well, however, those services have been terminated. The total costs for both of the aforementioned will follow in writing.

How many civil servants' cases are currently pending?

There are 7 cases pending.

How many police officers have resigned in the past 9 years? The faction posed this question because people currently work longer at Burger King and McDonald's than at the police force. We have invested so much in our police officers, and we have seen them leaving after one or two years.

A total of 19 people have resigned as of 2016, most of whom went to work in the Kingdom. Only a few resigned to work in the private sector. In addition, 4 colleagues have also transferred to the Landsrecherche and (one)1 to General Affairs in the last 9 years.

The faction mentions that the former Minister of Justice contacted the Chief of Police when there were discussions on the rise in crime. The former Minister also instructed to put a multidisciplinary team in place between the Police and the Coast Guard as they all have special authorities. The faction mentions that the ministry did have several of these teams in the past, but that to date, we haven't seen that team put together to tackle crime: Customs, Police, Coast Guard, Immigration, etc.

The Coastguard possesses the same legal powers as the police, enabling effective collaboration in tackling crime.

Currently, multidisciplinary teams are operational at the airport and focuses on key areas such as human trafficking, human smuggling, and drug-related crimes. These teams work under the authority of the Public Prosecutor's Office, which leads all criminal investigations.

Further strengthening of cooperation between law enforcement agencies—including Customs, Police, Coastguard, and Immigration—is being explored to enhance coordination and effectiveness in combating crime. Steps are being taken to formalize these efforts and expand the multidisciplinary approach to address broader criminal activities.

The faction understands that there is a person in the Minister's cabinet who has worked in the Ministry of Justice in a Senior capacity. While the faction welcomes the knowledge and experience that this brings to the table and recognizes its value, and having no doubt that this is also the case here, the faction wants to ask the Minister if she has considered the possibility that there may be: a want to settle scores; and that this makes the Minister's personnel uneasy. How does the Minister intend to reassure her Justice workers that they will not be treated unfairly and without bias?

What is the Minister's plan to address victimization within the ministry? It is the biggest ministry within the government apparatus that directly has social issues. Does the Minister have an open-door policy? Does the Minister have an open-door policy and a listening ear so that their concerns and problems can be addressed adequately?

The Minister thanks the MP for his question and for raising the concerns. The Minister understands that perceptions and experiences within the Ministry can impact morale and trust, and I take these matters very seriously.

As a matter of principle, she does not believe that individual cases should be discussed on the floor of Parliament. However, she assured that she is committed to fostering a fair and unbiased work environment within the Ministry of Justice.

a. Since taking office, the Minister has prioritized the satisfaction and well-being of employees. She has already held meet-and-greet sessions where open communication, was not only encouraged but actively facilitated to build trust and ensure employees feel valued and heard. These sessions were not just introductions; they were purposefully focused on providing employees with the opportunity to share their immediate, urgent needs and concerns.

While the Minister was unable to complete all the meet-and-greets due to the ongoing budget debate, she assured everyone that this initiative will be picked up as a top priority at the start of the new year. These sessions are an integral part of her commitment to fostering a workplace culture that prioritizes employee well-being and actively addresses their challenges.

As part of this ongoing effort, she will also be holding a town hall meeting in the new year. This meeting will specifically address the process surrounding the issuance of Landsbesluiten and provide an opportunity for employees to voice any concerns or suggestions they may have.

This is part of a broader commitment to fostering a collaborative and transparent workplace culture, where employees feel empowered to contribute to the Ministry's goals and have their concerns addressed in a constructive and respectful manner. Her focus remains on ensuring that all Justice workers are supported, motivated, and equipped to perform their roles effectively, and she looks forward to continuing this dialogue in the months to come.

- b. While the Minister does not maintain a formal "open-door policy", she has ensured that there are always open lines of communication to both her Cabinet and her person. This accessibility allows employees to voice their concerns, seek guidance, and have their issues addressed promptly and adequately. Establishing clear channels of communication is a key component of my leadership approach to fostering trust and transparency within the Ministry.
- c. The Ministers overarching goal is to ensure that all employees are treated equitably and that decisions are made with objectivity and integrity. The Ministry's strength lies in its personnel, and she is committed to creating an environment where every worker feels supported, respected, and empowered to perform their duties effectively. This commitment to fairness is the driving force in every action she takes as Minister.

The faction mentions the recent comments in the media regarding the short staffing affecting the ministry of Justice. The Minister's comments were in response to a question posed to the Minister by a local media house. The faction commends the Minister for recognizing that it is the Minister's and the Government's responsibility to address the short staffing. The faction emphasizes that this particular responsibility is shared and calls on the Minister's colleagues to support the Minister in resolving this pressing matter.

As the Minister is aware, short staffing places a disproportionate burden on Justice personnel who consistently report to work faithfully, as it often requires them to take on additional responsibilities to compensate for absent colleagues. Too often, this happens with no additional compensation. This imbalance increases the risks of more sick leave in the organization. How does the Minister intend to keep the Justice workers, who continue to report for duty and deliver results despite these conditions, motivated and energized?

The Minister thanked the MP for these critical concerns regarding the challenges faced by Justice personnel and the impact of budgetary constraints.

Firstly, she acknowledges the dedication and resilience of the Justice workers who continue to faithfully report to work and take on additional responsibilities under difficult circumstances. Their commitment does not go unnoticed. To address this, she is actively exploring options to provide tangible recognition and support for their efforts.

1. Identifying and reallocating existing resources to provide targeted support in areas most impacted by short staffing.

2. Reviewing workloads across departments to ensure that responsibilities are distributed as evenly as possible, minimizing the risk of burnout and additional sick leave.

Additionally, given budgetary cuts imposed on Sint Maarten by our so-called partners, it is extremely difficult for departments to carry out their tasks effectively. The faction would like to know from the Minister what discussions are planned in the coming weeks with these partners to advocate for better protection of the budget of the ministry of Justice and to realize more financial flexibility in the ministry's budget and how it is allocated.

Regarding budgetary constraints, the Minister share the MP's concern about the difficulties these impose on the Ministry's ability to function effectively. In the coming weeks, she plans to engage in discussions with our financial partners to advocate for:

1. Emphasizing the critical importance of the Justice Ministry's work and the need to safeguard its budget from further cuts.
2. Highlighting the need for more autonomy in how the Ministry allocates its budget to meet operational demands effectively and respond to urgent needs.

These discussions will prioritize demonstrating how budgetary flexibility and support directly contribute to the Ministry's ability to maintain public safety, deliver justice services, and support the hard-working personnel who keep our system functioning.

The Minister emphasize that she is committed to ensuring that the concerns of Justice personnel and the Ministry as a whole are addressed with urgency and care and welcomes further dialogue on these matters to collectively identify sustainable solutions.

How does the Minister intend to ensure that the necessary resources are secured to uphold the safety and security of our Country and safeguard the tourism product, which is essential to our one-pillar economy?

Refer to refers to question posed by **The Unified Resilient St. Maarten Movement-faction**. Just last week the Maritime issue was swiftly addressed with our French counterparts to ensure the safety of visitors to our island

In the past, steps have been taken within the ministry to introduce and work on income-generating measures aimed at strengthening the financial position of the ministry and contributing to the Government's coffers. Despite these efforts, the measures have yet to be fully realized or implemented due to various challenges encountered. The faction would like the Minister to confirm whether these initiatives, such as the increases of the "leges" (fees) in the "Legesverordening"), and other income-generating initiatives for the ministry, remain a priority. And if so, how does the Minister intend to address the challenges that have hindered their progress and ensure their successful implementation?

The Ministry can confirm that initiatives aimed at increasing revenue, including the increase of fees under the Legesverordening, remain a priority. A draft national ordinance to amend the current Legesverordening has already been prepared and will soon be submitted to JZ&W for screening.

It is important to highlight that, in the legislative trajectory, amendments to the Legesverordening must cover all relevant Ministries, not just the Ministry of Justice. Ensuring that the legislation is comprehensive (*bestendig*) and accounts for the responsibilities and alignment of other Ministries is crucial. The readiness of these Ministries to implement the necessary changes may affect the timeline, as collaboration and coordination are key to finalizing the amendment.

What is the status of Batch 12, regulating the new salary scales and functions of the 25 justice employees? Before leaving office, the former Minister of Justice signed the advice, and the batch was delivered to the Governor. The faction understands that the batch is on the Minister's desk. Hence, the faction would like to know the status of Batch 12.

Batch 12 has been co-signed this week and is scheduled to be disseminated on Monday December 23rd

What is the status of Batch 13? The compilation was in progress. How far is that batch process?

The HR team is committed to ensuring a seamless transition in order to support the finance controller in conducting a thorough assessment. It is expected that Batch 13 will be ready to go to the Governor at the end of January 2025 anticipating there are no unforeseen delays.

What is the status of the function book ratification that allows the Justice employees to receive retroactive payments from October 10, 2010, to December 31, 2022? This was a pending matter of which the faction was informed that it was at JZ&W. The faction refers to the question asked to the Minister of General Affairs regarding the length of time that JZ&W has to give advice. The faction states that GovernmentGovernment should be continuous and believes that at this time in our history, we don't have the time for any more delays.

This process is still ongoing and being actively worked on.

What are the Minister's plans for staffing issues in critical functions at Point Blanche Prison? The majority of staff are females. The faction is of the opinion that more male staff need to be encouraged to work in the prison. The faction states that it is also known that the vulnerability of female staff with inmates do exist. Hence, the faction requests the Minister of Justice to look into this issue and come up with a plan to tackle this.

Staffing issues at the Point Blanche Prison, particularly in critical functions, are a significant concern for the Ministry. At present, the budget for filling vacancies has been set at zero, which

limits the ability to recruit additional personnel. However, discussions are ongoing to explore ways to address this challenge and allow these critical functions to be filled.

This remains a high priority, and the Ministry is committed to finding solutions that strengthen the capacity and effectiveness of the prison workforce.

What is the status of the function book for the employees of the Point Blanche Prison and House of Detention? The faction has seen the salaries, and staff shed tears because they collect almost nothing.

This week, the ministry received the final report from the consultant appointed to assess and finalize the placement of the prison workers. A thorough review of their roles and responsibilities has been conducted, leading to the completion of the final placements this week.

As part of the process of preparing the official letters that will communicate the outcomes to the affected employees. The Minister anticipates that these letters, including draft placement proposals, will be disseminated to all relevant individuals by mid-January.

The primary objective is to ensure that this placement process is completed successfully and efficiently. The Minister is committed to providing the necessary support and resources to facilitate the transition for all prison workers. Following the distribution of draft proposals, they will continue to work on preparing and issuing the national decrees that will formalize the final placements.

What are the plans to tackle the backlog at the immigration department regarding residency permits, general letters for dispensation, and visa exemptions, etc.? The faction indicates that during the tenure of the former Minister there were about 2000.

The Ministry recognizes the challenges at the Immigration Department, including the backlog in processing residency permits, letters for dispensation, and visa waivers. A key part of addressing these issues is filling the critical vacancy of Head of Admissions (*Hoofd Toelating*), which is currently at zero in the budget. However, the Minister is actively exploring ways to create budget room to fill this role, as strong leadership is essential for improving efficiency and addressing bottlenecks.

Additionally, she is conducting a comprehensive review of all processes within the Admissions Department to ensure legal compliance and streamline procedures. This review aims to optimize workflows and enhance the overall efficiency of the department, reducing delays and improving service delivery.

With respect to visa waivers, the Ministry is refocusing the practice to align with its intended purpose—emergencies. Over time, the use of visa waivers has expanded beyond this scope, and they are working to reestablish it as an exception rather than the norm. Clear and objective

criteria are being developed for visa waivers and exemptions to the 'uitlandigheidsvereiste'. These criteria will ensure transparency, fairness, and consistency in decision-making.

By addressing these critical areas, the Ministry aims to improve the functioning of the Immigration Department, reduce backlogs, and deliver more efficient and legally sound services to the public.

Has the back pay for police officers been accounted for in the 2025 budget?

Retroactive payments for justice workers still awaiting their Landsbesluit has been budgeted for 2025. Please note that this only relates to Phase 1, which is the period January 1, 2023 – present. Phase 2 retroactive payments covering the period of 10-10-10 through December 31, 2022, will take place at a later date, in accordance with agreements previously made.

Are there provisions in the budget to address staffing shortages or improve working conditions for law enforcement?

The police organization has included provisions in its growth plan to absorb 20 new personnel per year, and this request has been submitted. Additionally, the Capex budget will provide opportunities for acquiring vehicles and technological equipment to support law enforcement operations and improve working conditions.

What is the plan for funding overdue maintenance and upgrades to police facilities and equipment?

This will be addressed in the coming year with Gen affairs

Given the ongoing issues with the LIOL not being in order, which has impacted the proper placement of staff in the correct salary scales at the Voogdijraad, can the Minister provide an update on the steps being taken to resolve this matter and what measures are being put in place to ensure timely and accurate salary adjustments for employees transitioning within the ministry of Justice?

The Ministry can confirm that steps are being taken to address the issues surrounding the LIOL and their impact on the placement of staff in correct salary scales at the Voogdijraad. Specifically, the draft ordinance to amend the Landsverordening inrichting en organisatie landsoverheid (LIOL) to formally incorporate the Voogdijraad has undergone substantial review.

The Ministry of Justice has received the recommendations of the Raad van Advies, which highlighted key points for improvement. These include refining the legal basis for the Voogdijraad's inclusion in the LIOL, ensuring its formalization aligns with Article 1:238 of the

Civil Code, and addressing overlaps with existing regulations such as the Landsbesluit Voogdijraad.

The Ministry is now working on a thorough substantiation for this inclusion, analyzing potential alternative solutions and outlining the implications for existing legal frameworks.

The faction mentions that it is the Minister of Justice's prerogative to decide if an inmate can attend a family funeral. The faction is cognizant that the Prosecutor's office or other institution within the ministry might give negative advice, but it remains the Minister of Justice's prerogative to make that decision.

Refer to answer given to same question posed by United Peoples Party-Faction.

What is the status of the new uniforms for the Customs, Immigration, and Police Departments?

During our meet-and-greet sessions, only the Customs Department indicated an urgent need for new uniforms. We have assessed whether budgetary room is available for the remainder of 2024 to address this need and requested the department head to submit an advice for approval. We are currently finalizing this submission.

As for the Immigration and Police Departments, no requests for new uniforms have been submitted to date. If such needs are identified, they will be reviewed accordingly to determine feasibility and budget availability.

Have the funds budgeted by BZK been allocated to the ministry to refurbish the prison cells? If so, what is the projected timeline for the completion of this project?

The first phase of this project began in late November. ICE has taken several days of measurements and is in the process of making a comprehensive assessment. Based on that assessment, a new tender is being prepared for the renovation/improvement of the complex. Prognosis for the tender is the first quarter of 2025.

The Customs Department has been working diligently to intercept illegal substances, and the faction applauds their tireless efforts to protect Sint Maarten's borders. With the frequent seizures of contraband, there are growing concerns about adequate storage space. Can the Minister inform us if there is enough storage space for Customs?

Additionally, is the storage located in a secure area that does not pose a risk to the safety of the officers? If not, has there been any collaboration with other departments, such as the Police, to assist in storing confiscated items?

The Ministry is aware of the need to continuously assess the adequacy and security of storage facilities for confiscated items. This is an area that is actively being monitored, and discussions are ongoing to identify improvements where necessary.

Additionally, we are exploring collaborative opportunities with other departments, such as the Police Force, to address any challenges related to storage and to ensure that the safety of officers and the integrity of seized items remain a top priority.

The faction mentions that the Customs Department's main office is facing significant deterioration, including mold infestation. Can the Minister inform us if the ministry has taken any steps to improve the current state of the building? Are there plans to explore alternative office locations?

The Ministry, in partnership with the Ministry of General Affairs- Facility Affairs department, is actively working to address the ongoing issue of mold in our facilities. The Minister recognizes the serious health risks and structural damage that mold can cause if left unaddressed. As such, she is committed to thoroughly investigating the sources of the problem and developing effective solutions to mitigate its impact. She appreciates the importance of maintaining a safe and healthy environment for all and dedicated to resolving this matter as swiftly as possible.

The Simpson Bay police outpost is also in a deteriorating state. A simple lock on the door has been damaged for a long time. The faction does not understand why this is not fixed. Also, the fire extinguisher has expired since 2015. The faction believes that a serious walkthrough by the Minister is needed.

The Simpson Bay Police Station, which also serves as an immigration hub for vessel clearances, is in need of significant structural repairs. This has been a long-standing issue spanning multiple administrations. While assessments have been made and the matter remains under active review, no major repairs have been completed to date. Progress on addressing these repairs depends heavily on the Facilities Department, and additional resources will be necessary to move forward.

It is important to clarify that NAF 1 million has been earmarked for the Foreign Detention Center (FDC) through the Country Packages. These funds are specifically allocated to bring the FDC up to standards for hosting individuals awaiting deportation. However, progress on the FDC project has faced delays due to challenges in resource allocation and the need for a dedicated project manager to oversee the work and ensure the proper use of funds. The Ministry is finalizing the appointment of a project manager to expedite this process and address the delays.

While plans and funding are in place for the FDC, the Simpson Bay Police Station remains a distinct concern.

The faction mentions the LBham for the Coast Guards signed off 5 days before the former Minister left office which was handed over to the Prime Minister. The

"aanbiedingsbrief" had to go to the Governor. The faction understood that the letter did not go to the Governor. Hence, the faction would like an update on the status of this LBham regulating the salary scales/remuneration for the Coast Guards.

It was approved in the COM and submitted to the Governor for signing. As the dossier required additional adjustments to be made prior to submitting to the Governor.

The faction continues and has the following questions. How many CPOs, community police officers, does the ministry have? As it was mentioned that they also do training in Miami, the faction would like to know how long this training is and how much it costs.

Currently, KPSM has 8 Community Police Officers (CPOs) who work closely with stakeholders and the community across 10 districts.

The training for CPOs lasted a total of 6 months, including a two-week program in Miami that combined theoretical instruction with an internship at multiple precincts of the Miami Police Department. Additional online coaching was provided, and practical tasks were performed on the island itself.

The total cost of the training was \$145,000, covering 16 CPOs from all Caribbean islands within the Kingdom. This training was funded by the Board of Police Chiefs and supported by the Netherlands.

How many police officers does KPSM have compared to how many actual FTEs? This is for the police officers, not the staff. Police officers, detectives, etc., and also "Landsrecherche."

In response to the question, the Minister took a moment to provide some context regarding the overall staffing situation within the Ministry of Justice. The function book outlines a total of 968 FTEs for the Ministry, with an additional 22 FTEs allocated to the Court of Guardianship. Currently, only 494 FTEs are in service, representing 49.8% of the total positions.

Breaking this down further:

- At KPSM, there are 333 FTEs in the function book, of which 203 are filled. This equates to 61% staffing.
 - There are 140 police officers working as executive service members. Of that, around 80 are in patrol units on the streets and the rest works in different detective units
- At the Landsrecherche, there are 40 FTEs in the function book, with only 13 positions filled (of which 11 are detectives), representing 32.5% staffing.
This illustrates the significant staffing shortages across the justice chain, which directly impact the ability of departments to carry out their critical functions effectively.

What is the plan of approach for the police force?

KPSM has a growth plan aimed at capacity building in alignment with its function book. Additionally, several organizational issues have been addressed in various advisory documents submitted to the Ministry, including a "desirability budget" (*wenselijkheidsbegroting*). The *Raad voor de Rechtshandhaving* and the Progress Committee (*Voortgangsc commissie*) have also provided multiple recommendations to strengthen the police force. In 2025, creating a multi-year plan of approach in close collaboration between the Ministry and KPSM could be a viable step forward. Such a plan should include input from stakeholders and partnerships with (inter)national law enforcement agencies to ensure a comprehensive and effective strategy for capacity building and organizational development.

Who pays the personnel at the Prosecutors Office? Does Sint Maarten pay the personnel and the Prosecutor? And from whose budget does it come?

The budget of the Public Prosecution Service (OM) is formed by two components:

- the budget for the PG (Advocat-General) and the budget for the Sint Maarten Prosecutor's Office.

The budget for the PG, which includes personnel and housing expenses, is funded by SXM, CUR and NL (for the BES) in accordance with the "verdeelsleutel" pursuant to the Kingdom Act OM for CUR, SXM and BES.

The budget for the Parket Sint Maarten, covering both personnel and housing, is entirely financed by the country of Sint Maarten.

The same goes for CUR and BES (via NL).

Do we pay "huisvesting" for the Prosecutors, or is it incorporated in their salaries?

[See response to previous question.](#)

The faction mentions that the transparency of the Minister and initiative to have a Town Hall meeting is beautiful.

Regarding the statement in which the Minister mentioned that the Firm was terminated, the faction would like it to be clarified if they were actually terminated and why. The Minister also mentioned that the representatives that represent Government is Gibson and Associates. The faction would like to know what is going on and why. The faction has seen firsthand great representation from the Firm. Hence the question.

It should not be that the Government is just being represented because we are on a retainer, and nothing fruitful is coming out of that representation. "Dat is verspillen van geld".

One of the principles the Minister firmly stand for is adherence to the law and transparency. It is equally important that, as a taxpayer she, ensures that government resources are not used as a piggy bank and prudence is exercised in our governance and spending.

Upon taking office, the Minister requested a review of all legal consultancy agreements within the Ministry. During this review, she identified one agreement that, in her legal opinion, was not in compliance with the Accountability Ordinance. She subsequently requested that this specific advisory agreement be terminated and that the proper legal procedures for establishing such contracts be followed.

As a result of this specific termination, the attorney in question chose to terminate all other legal and related services being provided to the Ministry. To clarify, this firm was not terminated by the Ministry as a whole but ceased providing services themselves following the termination of the particular advisory contract.

While the Minister understands the concerns raised about value for money and proper use of government resources, she can assure the faction that these decisions were made in the interest of good governance. Moving forward, she is committed to ensuring that all agreements entered into by the Ministry are legally compliant, transparent, and provide clear value to the public. This approach ensures accountability and the effective use of taxpayer funds.

The faction requests the Minister to investigate the matter regarding no new uniforms and boots. Can the Minister do due diligence to ensure that the officers have proper attire to approach the people in a short time? The Police are in dire need of uniforms and other resources.

The Minister assured that she most certainly will look into this matter.

Ministry of Education, Culture, Youth, and Sport

The faction has the following comments and questions for the Minister of Education, Culture, Youth, and Sport. It is mentioned that a high school will be built. The faction would like to know if this is referring to the Charlotte Brookson Academy for the Performing Arts in Sint Maarten.

The high school in question was not associated with the CBA but was, instead, a public high school. The high school for public education was removed from CAPEX 2025 due to the lack of a building estimate provision.

The faction states that earlier this year, concerns were raised about the school's financial integrity and unaccounted-for funds. What measures are being implemented to ensure proper fund management for this project? Is this a loan for this institution?

The concerns surrounding the financial integrity of this particular school board has the full attention of the Ministry of EYCS where improvements in financial accountability are at the

forefront. Sanctions have been imposed due to non-compliance with reporting requirements and an operational audit is to be conducted by SOAB to identify risks in financial management. In January 2025, the Minister will be meeting with all subsidized school boards to discuss and address any discrepancies with financial reporting and accountability.

How does the 2025 budget address the shortage of classroom space or educational resources?

The CBA has not submitted a request for additional funding for classroom space or educational resources to the Ministry of ECYS, as such this has not been included in the 2025 Budget.

Ministry of Public Health, Social Development, and Labor

Ministry of Public Housing, Spatial Planning, Environment, and Infrastructure



**MINISTER OF PUBLIC HOUSING, SPATIAL
PLANNING, ENVIRONMENT AND
INFRASTRUCTURE**

Minister van Volkshuisvesting, Ruimtelijke Ordening,
Milieu en Infrastructuur

To: President of the Parliament
Sarah Wescot-Williams

Philipsburg, Thursday, January 9th, 2025

Subject: Status of Sint Maarten Housing Project
DIV nr.:13114-A

Dear Madame Chair,

There have been differences of opinion as to the status of the Sint Maarten Social Housing Project. To that end, I have requested a letter from the World Bank dated October 30th, 2024, clarifying this position. This document substantiates documentation referenced throughout my tenure and concludes that the project was under preparation until April 2024. I have attached this letter for Parliament's consideration.

Sincerely,

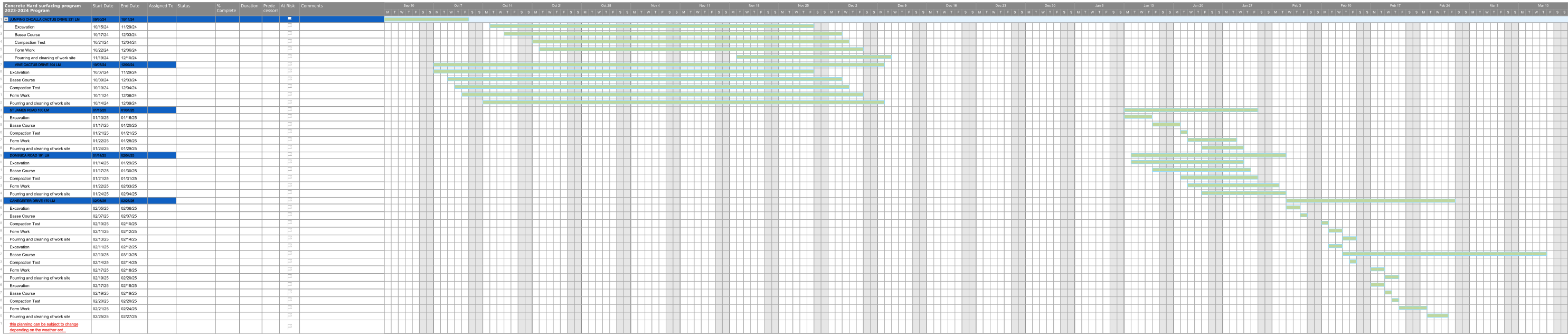
Mr. Patrice Gumbs Jr.

Minister of Public Housing, Spatial Planning, Environment and Infrastructure

Minister of PHSPEI / Minister van VROMI

Government Administration Building
Post Office Box 943, Philipsburg / Soualiga road 1, Sint Maarten
(E) minVROMI@sintmaartengov.org

Concrete Hard surfacing program 2023-2024 Program		Start Date	End Date	Assigned To	Status	% Complete	Duration	Predecessors	At Risk	Comments																																																				
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October 30, 2024

Honorable Luc F.E. Mercelina
Prime Minister
Minister of General Affairs
Ministerie van Algemene Zaken
Soualiga Road #1
Pond Island, Great Bay
Sint Maarten

Dear Honorable Prime Minister:

Re: Decision Regarding the Sint Maarten Social Housing Project

The World Bank acknowledges the concerns of the Sint Maarten Parliament regarding the Social Housing Project that was under preparation until April 2024. The decision to drop the project's preparation was not taken lightly, but only after due and deliberate consultations spanning many months.

The US\$20 million project was initiated in 2021 and faced three significant and complex preparation hurdles that demonstrated its lack of readiness and high risk of unsatisfactory implementation and completion:

- (i) The Ministry of VROMI and the Sint Maarten Housing Development Foundation (SMHDF) were unable to develop and sign the revised performance agreement within the agreed timeframe, a prerequisite for the Grant Agreement. The deadline for this action was postponed several times but was still not completed.
- (ii) The Ministry of VROMI could not fulfill the conditions for the land lease transfer to SMHDF within the agreed timeframe, also a prerequisite for the Grant Agreement.
- (iii) Architectural designs were unlikely to be completed in time to spark the interest of institutional investors expected to provide a proposed additional loan of US\$3 million.

Considering the project's challenging technical design and the insufficient time left for its implementation until the Trust Fund closing date in June 2028, the Trust Fund Steering Committee had no choice but drop the project at the recommendation of the World Bank. The Steering Committee acknowledged that social housing was a priority for Sint Maarten, and the World Bank and National Recovery Program Bureau (NRPB) teams had tried hard to get the project off the ground over a three-year period. However, the significant delays mentioned above made it impossible to proceed with it. The completion of the project appraisal in December 2023 reflects the concerted efforts of the NRPB and World Bank teams to move the project forward, but it encountered additional delays with

project negotiations in early 2024 for reasons beyond the Government and World Bank's control.

We would like to stress, at the same time, that although the project was dropped, some valuable improvements were achieved during project preparation. For example, it contributed to improving SMHDF's institutional standing and capacity and strengthened the Government's capacity to manage the low income housing sector. These achievements are critical reform areas that the government should continue promoting to ensure sustainable social housing investments in Sint Maarten.

We appreciate the Government of Sint Maarten's understanding of this matter and thank you for your continued partnership in ensuring the Trust Fund's success.

Sincerely,



Toyin Jagha
Program Manager
Sint Maarten Trust Fund Program
Caribbean Country Management Unit
Latin America and the Caribbean Region

Cc: Hon. Patrice Gumbs, Minister of Public Housing, Spatial Planning, Environment, and Infrastructure
Mr. Kenson Plaisimond, Secretary General for the Ministry of VROMI
Mr. Stuart Johnson, Chief of Staff to the Prime Minister
Mr. Frans Weekers, Netherlands SC Member and Netherlands Special Envoy for Reconstruction
Mr. Ronald Halman, Steering Committee Member, Sint Maarten
Ms. Saskia de Reuver, Director Countries, The Netherlands Ministry of Interior and Kingdom Relations (BZK)
Ms. Annecarijn Flens, Senior Policy Advisor, BZK
Mr. Wim Bekker, Program Secretary, BZK
Mr. Brian Varma, Senior Policy Coordinator, BZK
Mr. Claret Connor, Director, NRPB
Mr. Abel Knottnerus, Director of Operations, NRPB
Ms. Olivia Lake, Senior Program Manager, NRPB
Mr. Eugene Philip Rhuggenaath, Executive Director, The World Bank
Ms. Sharmila Bihari, Senior Advisor to the Executive Director, The World Bank

Task Name		Qty	Unt	Duration	Start	Finish	Timeline																																																							
							September 2024							Qtr 4, 2024 October 2024							November 2024							December 2024							Qtr 1, 2025 January 2025							February 2025							March 2025							Qtr 2, 2025 April 2025						
							28	02	07	12	17	22	27	02	07	12	17	22	27	01	06	11	16	21	26	01	06	11	16	21	26	31	05	10	15	20	25	30	04	09	14	19	24	01	06	11	16	21	26	31	05	10	15	20								
1	Concrete Hard surfacing Program 2024 (Secondary Roads)																																																													
2	* Approximate quantities, final call-off by supervisor WWR!!																																																													
3	Section 1 - Cole bay			280 day	Mon 15-01-24	Tue 04-03-25	Section 1 - Cole bay																																																							
4	Investigate drainage Union Road, in connection with new side road connections. Timeline still unknown!!			30 days	Mon 15-01-24	Fri 23-02-24																																																								
5	1. Sea Island Cotton Road	200	m	16 days	Tue 19-11-24	Tue 10-12-24																																																								
6	Cleaning up, groundwork and applying base course			7 days	Tue 19-11-24	Wed 27-11-24																																																								
7	Application of concrete swales (2x) + road	140	m3	9 days	Thu 28-11-24	Tue 10-12-24																																																								
8	2. Ackee Tree Drive	300	m	24 days	Tue 15-10-24	Mon 18-11-24																																																								
9	Cleaning up, groundwork and applying base course			9 days	Tue 15-10-24	Fri 25-10-24																																																								
10	Application of concrete swale + road east side	300	m3	15 days	Mon 28-10-24	Mon 18-11-24																																																								
11	Installment drainaige Union Road? GO/NO GO			0 days	Thu 28-11-24	Thu 28-11-24																																																								
12	3. Silk Tree Drive	64	m	13 days	Thu 28-11-24	Mon 16-12-24																																																								
13	Cleaning up, groundwork and applying base course			6 days	Thu 28-11-24	Thu 05-12-24																																																								
14	Application of concrete swale + road east side	58	m3	7 days	Fri 06-12-24	Mon 16-12-24																																																								
15	4. Manjack Drive	95	m	13 days	Mon 09-12-24	Wed 15-01-25																																																								
16	Cleaning up, groundwork and applying base course			6 days	Mon 09-12-24	Mon 16-12-24																																																								
17	Application of concrete swales (2x) + road	67	m3	7 days	Tue 17-12-24	Wed 15-01-25																																																								
18	5. Sandbox Tree Dr	71	m	12 days	Tue 17-12-24	Wed 22-01-25																																																								
19	Cleaning up, groundwork and applying base course			6 days	Tue 17-12-24	Tue 14-01-25																																																								
20	Application of concrete swales (2x) + road	71	m3	6 days	Wed 15-01-25	Wed 22-01-25																																																								
21	6. Fountain Tree Dr	72	m	13 days	Wed 15-01-25	Fri 31-01-25																																																								
22	Cleaning up, groundwork and applying base course			6 days	Wed 15-01-25	Wed 22-01-25																																																								
23	Application of concrete swales (2x) + road	51	m3	7 days	Thu 23-01-25	Fri 31-01-25																																																								
24	7. Rubber Tree Drive	150	m	15 days	Thu 23-01-25	Wed 12-02-25																																																								
25	Cleaning up, groundwork and applying base course			6 days	Thu 23-01-25	Thu 30-01-25																																																								
26	Application of concrete swales (2x) + road	150	m3	9 days	Fri 31-01-25	Wed 12-02-25																																																								
27	8. Parallel Road Rubber Tree Drive	320	m	22 days	Fri 31-01-25	Mon 03-03-25																																																								
28	Cleaning up, groundwork and applying base course			8 days	Fri 31-01-25	Tue 11-02-25																																																								
29	Application of concrete swales (2x) + road	?	m3	14 days	Wed 12-02-25	Mon 03-03-25																																																								
30	9. Cockspur Tree Drive	99	m	12 days	Mon 17-02-25	Tue 04-03-25																																																								
31	Cleaning up, groundwork and applying base course			5 days	Mon 17-02-25	Fri 21-02-25																																																								
32	Application of concrete swales (2x) + road	70	m3	7 days	Mon 24-02-25	Tue 04-03-25																																																								
33	10. Bishop Drive (Dutch Quarter)	?	m																																																											
42																																																														
43	Section 2 - Cul De Sac			200 day	Mon 08-01-24	Fri 11-10-24	Section 2 - Cul De Sac																																																							
44	1. Guavaberry Rd.	193	m	36 days	Fri 12-01-24	Fri 01-03-24																																																								
52	2. Cassava Rd.	200	m	52 days	Mon 08-01-24	Tue 19-03-24																																																								
61	3. Coco Plum Drive	108	m	25 days	Mon 04-03-24	Fri 05-04-24																																																								
64	4. Tania Rd	60	m	15 days	Wed 20-03-24	Tue 09-04-24																																																								
67	5. Dollisons Drive	230	m	26 days	Tue 23-04-24	Tue 28-05-24																																																								
70	6. Zagers gut Lane (vervallen)	111	m	9 days	Fri 05-04-24	Wed 17-04-24																																																								
74	7. Roses Road	237	m	28 days	Tue 16-04-24	Thu 23-05-24																																																								
77	Installment drainaige LB Scott Road? GO/NO GO			0 days	Mon 16-09-24	Mon 16-09-24																																																								
78	8. Burlap Road (cemetery)	247	m	20 days	Mon 16-09-24	Fri 11-10-24																																																								
79	Cleaning up, groundwork and applying base course			9 days	Mon 16-09-24	Thu 26-09-24																																																								
80	Application of concrete swale + road	223	m3	11 days	Fri 27-09-24	Fri 11-10-24																																																								
81	9. Tassel (additional work instead of Zagers gut Lane)	180	m																																																											
85	10. Fashion Lane (additional work instead of Zagers gut Lane)	80	m																																																											

Annex IV – Application form for healthcare institutions

For registrar only

Registration number:

Date and time:

Registration fee paid: Y N N/A



APPLICATION FORM FOR A HEALTHCARE INSTITUTION AND MEDICAL EQUIPMENT PERMIT

(AB 2013, GT no. 444)

1. GENERAL DATA

a. Name of legal entity:

b. Contact person:

c. Type of health care Institution:

d. Business address:

e. Business telephone number:

f. Business E-mail:

Exemption requested for (select answer):

Healthcare Institution ☐

Medical Equipment ☐

PROFESSIONAL EXPERIENCE

Please attach a signed and dated current curriculum vitae that describes the director or owners full experience history.

Consent and Declaration:

- i. I consent to the Public Health Authorities making enquiries of, and exchanging information with the health authorities of any state or country regarding matters relevant to this application.
- ii. I understand that information can be extracted from this form and used for the purpose of criminal history checking.
- iii. I declare that all documentation has been submitted in compliance with the requirements and required documents attached to this application form.
- iv. I consent to the information in this application being shared with the relevant assessment agencies for further evaluation if deemed necessary by the Minister of Public Health, Social Development and Labour.
- v. I understand that additional information may be requested during the assessment which requires my compliance.
- vi. I understand that an incomplete application will not be processed.
- vii. I declare that the above statements and the documents provided in support of this application are true and correct. I make this declaration in the knowledge that a false statement will lead to refusal or revocation of the application.

Institution name:

Full name of applicant:

Date: (DD/MM/YYYY)

Signature of applicant

REQUIREMENTS

- All questions in this application form must be completed and ensure all pages and attachments are included and submitted in one (1) pdf file.
- This application form may be submitted typed or handwritten clearly in block letters using black or blue ink.
- That the applicant must submit all the of the information listed below including the information required within the application form.
- That all documentation must be accompanied with an attached translation into English or Dutch by a sworn interpreter/translator is also required, unless the original document is in English or Dutch;
- Relevant documentation must be accompanied with a letter from the competent issuing institution (e.g., University, Registration board etc.) stating that they are the competent institution to issue the document, or the document must be notarized by a certified notary (located in the Netherlands, Sint Maarten, Aruba, Curacao, St. Eustatius or Saba).

REQUIRED DOCUMENTS

This application will be considered incomplete and will not be processed if all of the below mentioned supporting documents (insofar as applicable) have not been provided.

The healthcare institution application consists of:

- A completed application form,
- A copy of Sint Maarten ID or passport of the director or owner
- A copy of business or director's license
- An up-to-date curriculum vitae of the director or owner
- Business plan which includes but is not limited to:
 - Executive Summary;
 - Company Overview/Description;
 - Vision/mission/goals/objectives
 - Operational Plan;
 - Location;
 - Target population;
 - Services provided;
 - Formation;

- Staffing/ qualifications;
- Inventory/Equipment needed/used;
- Marketing Plan;
 - Research done to justify the need for your HCI
- Operational budget (including expected revenue and costs);
- Detailed floor plan of location(s), further describing the location of:
 - all equipment and cost;
 - environmental, health and safety measures (such as storage location(s) of any hazardous materials, ventilation and electricity/gas/fire safety measures);
 - water sources;
 - office and public spaces;
 - measures taken to ensure accessibility and;
 - waste management plan
- Excerpt from Chamber of Commerce
- Articles of association/incorporation of the proposed healthcare institution
- Annual accounts accompanied by an approving declaration from a certified public accountant or a registered accountant in the case of an existing institution, if applicable
- Healthcare institutions providing intramural care require a cooperation agreement with established care healthcare institutions providing the same service.
- Proof of payment of the processing fee of NAf 325,00 at the Receiver's Office

The application for requesting medical equipment consists of:

- Healthcare institution license, if applicable
- copy of Sint Maarten ID or passport
- A copy of business or director's license
- Excerpt Chamber of Commerce
- Description of the use for the equipment, what the equipment is, the costs and impact on current medical tariff, maintenance schedule and required technician, required (medical) operator of equipment and qualifications.
- proof of payment of the processing fee of NAf 325,00 at the Receiver's Office



Policy Establishment of Healthcare Services

Ministry of Public Health Social Development and Labour

Department of Public Health

Sint Maarten

October 2023

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1. Introduction

The field of healthcare is a dynamic one. Medical and technological developments, the care demand of the population, and the available funds to maintain the healthcare system are key factors that are subject to change and that determine the state of the healthcare system of the country. The Ministry of Public Health, Social Development and Labour strives to set the conditions for the best possible health outcomes for the population, in light of those key factors.

To this end the quality and quantity of medical professionals and healthcare institutions are regulated by law. Competency requirements for specified categories of medical professionals are established in various laws, and the establishment of medical professionals as well as healthcare institutions is controlled by means of a permit system. The objective is for the available healthcare funds to be spent in an effective and sustainable manner, and to ensure that the available healthcare is of adequate quality.

This policy provides guidelines for this permit system. Prior to this policy, the ‘Beleidsnota Zorgvoorzieningen Sint Maarten of 2005’ provided those guidelines. The present policy is the successor to the ‘Beleidsnota Zorgvoorzieningen Sint Maarten of 2005’.

Vision

A healthy Sint Maarten society where the people are empowered to make healthy choices and have access to the care they need, which is of the highest attainable quality, adequate and affordable.

Mission

To develop the framework and enable informed decisions, which will promote health and secure access to adequate, affordable and sustainable quality care, in an equitable and transparent manner.

Objectives

This policy aims to:

- Provide an overview of the procedures that apply to applications to the Minister for permits to establish and practice on Sint Maarten as a medical professional, as well as for healthcare institution permits;
- Establish the manpower planning for medical professionals, including updated guidelines on the need for medical professionals and the way in which those needs are met, considering the current care capacity, care demand, financial room and anticipated developments in the healthcare sector;
- Establish updated guidelines on the need for healthcare institutions and the way in which those needs are met, including the framework used for the assessment of healthcare institution permit applications.

Reader's Guide

The “Policy Establishment of Healthcare Services” is directed at the need for care, the planning of healthcare professionals and the establishment and distribution of medical professionals and healthcare institutions on Sint Maarten. The policy should lead towards an optimal connection of medical professionals and healthcare institutions, which as a result leads to a healthcare system which is more transparent, comprehensive, effective and efficient meeting the needs of the population.

The healthcare system on Sint Maarten is based on the following principles:

1. Access to care for all
2. Solidarity (through medical insurance)
3. Ensuring high quality of care
4. Restriction on the freedom of establishment of medical professionals and healthcare institutions due to the scale and vulnerability of the population.

This document is divided into three main (3) parts, which are:

- Part I which provides a description of the healthcare system on Sint Maarten and the main legislation and policies that govern the practice of medicine.
- Part II which provides an overview of the professional standards and requirements to establish as a medical professional on Sint Maarten.
- Part III which provides an overview of the standards and requirements to establish a healthcare institution on Sint Maarten.

Relevant Legislation and Policies

The following provides an overview of the most important legislation applicable to healthcare institutions and medical professionals. All legislation, including other laws that might be relevant for applicants, can be accessed via <http://www.sintmaartengov.org/>, “Laws and National Gazette”. When applying for a permit the applicant is responsible for checking all relevant laws and regulations and submit applications in accordance with the applicable laws.

- **National ordinance on healthcare institutions (Landsverordening zorginstellingen)**

This ordinance contains all regulations regarding healthcare institutions. It stipulates which activities require a permit from the Minister of Public Health, Social Development and Labour, and the procedure to obtain such permit. The ordinance also contains quality requirements applicable to all healthcare institutions, regulations on the mandatory complaints’ procedure, as well as specific stipulations regarding hospital facilities and laboratories.

- **Temporary national decree healthcare institutions (Tijdelijk uitvoeringsbesluit zorginstellingen)**

This decree contains regulations on how to submit an application for a permit, as well as the fee that is due.

- **Regulation threshold for medical devices (Regeling grensbedrag medische apparaten)**

This regulation sets the threshold for the value of medical devices that require a permit from the Minister at NAf 50.000.

- **National decree designation hospital facilities (Landsbesluit aanwijzing ziekenhuisvoorzieningen)**

This decree designates the Sint Maarten Medical Center as hospital facility.

- **Civil Code Book 7, Section 5, The medical treatment agreement (De overeenkomst inzake geneeskundige behandeling)**

This section of the Civil Code contains obligations and rights in the relationship between a

medical professional and the client or patient, including informed consent and medical file keeping.

- **National ordinance on public health (Landsverordening publieke gezondheid)**

This ordinance and its delegated legislation regulates infectious disease control and related matters.

Delegated legislation:

- National Decree public health (Landsbesluit publieke gezondheid)
- Regulation public health (Regeling publieke gezondheid)

- **National decree designating a laboratory for public health and justice (Landsbesluit aanwijzing laboratorium volksgezondheid en justitie)**

By means of this decree, Sint Maarten Laboratory Services N.V., is designated as laboratory with the task of carrying out laboratory research for the benefit of public health and justice.

- **Temporary national ordinance limiting the establishment of medical professionals (Tijdelijke landsverordening beperking vestiging medische beroepsbeoefenaren)**

This ordinance contains a prohibition for medical professionals to practice on Sint Maarten without a permit from the Minister of Public Health, Social Development and Labour, and the procedure to obtain such permit. Based on this ordinance a manpower planning is in effect, which establishes the local need for medical professionals.

- **National ordinance on the practice of medicine (Landsverordening uitoefening geneeskunde)**

This ordinance sets requirements on the competence of physicians and regulates the oath taking.

- **National ordinance on the practice of dentistry (Landsverordening uitoefening tandheelkunst)**

This ordinance sets requirements on the competence of dentists and regulates the oath taking.

- **National ordinance on the competence of pharmacists and pharmacy assistants (Landsverordening bevoegdheid apothekers en apothekers-assistenten)**

This ordinance sets requirements on the competence of pharmacists and pharmacy assistants and regulates the oath taking.

- **National ordinance on the supply of pharmaceuticals (Landsverordening op de geneesmiddelenvoorziening)**

This ordinance regulates the preparation of pharmaceuticals and the pharmaceutical profession.

- Regulations for the admission of pharmacies (Regeling regels toelating apotheken)

- **National ordinance on the practice as midwife (Landsverordening regelende de praktijk als vroedvrouw)**

This ordinance sets requirements on the competence of midwives and regulates the oath taking.

- **National ordinance regulating involuntary psychiatric care (Landsverordening van 21 oktober 1921, tot regeling van het toezicht op krankzinnigen (AB 2013, GT no. 519, laatstelijk gewijzigd bij AB 2015, no. 9)**

This ordinance governs clinical psychiatric care, including admittance and supervision of individuals with severe psychiatric problems.

- **Uniform National Ordinance regulating disciplinary proceedings over physicians and pharmacists (Eenvormige landsverordening van 4 maart 1957, houdende regeling van de tuchtrechtspraak over personen, die de geneeskunst uitoefenen, zomede over apothekers (A.B. 2010, GT no. 1 en no. 30, laatstelijk gewijzigd bij AB 2015, no. 9))**

- **National ordinance on the Council for Public Health (Landsverordening Raad voor de Volksgezondheid)**

The Council for Public Health comprises of a minimum of five expert members with a maximum amount of nine members, representing medical professionals (including healthcare Institutions), healthcare Insurers and platforms of patient organizations. The Council is led by an independent chairperson and supported by a secretary and advises the Minister on all matters relating to Public Health in the manner stipulated in the ordinance.

- **National Ordinance regulating the Public Health Inspectorate (Landsverordening houdende regels inzake de Inpectie voor de Volksgezondheid)**
- **National ordinance on admittance and expulsion (Landsverordening toelating en uitzetting)**
- **National ordinance on administrative appeal proceedings (Landsverordening administratieve rechtspraak)**
- **National ordinance on the protection of personal data (Landsverordening bescherming persoonsgegevens)**
- **Medical laboratory and public health laboratory policy of May 1st, 2015, National Gazette 2015, no. 25**

Definitions

This chapter provides relevant legal definitions as used in this policy. The definitions are based on the applicable legislation.

Minister: Minister of Public Health, Social Development and Labour, referred to in Article 1, a. of the National Ordinance containing rules restricting the establishment of medical professionals.

Council for Public Health: The Council for Public Health, referred to in Article 2 of the National Ordinance Council for Public Health.

Head of the Department of Public Health: The Head of the Department of Public Health, referred to in Article 4 in conjunction with Article 6 of the Organizational Decree on Public Health, Social Development and Labour.

Inspector for Public Health: The Public Health Inspectorate, as referred to in Article 2, paragraph 1, of the National Ordinance of the Public Health Inspectorate.

Medical professionals: Physicians, dentists, pharmacists, midwives, speech therapists, physical therapists, occupational therapists, kinetics therapists, podiatric therapist, psychotherapists, dietitians, and psychologists. This is referenced from Article 1, medical professionals, of the National Ordinance containing rules restricting the establishment of medical professionals.

Healthcare institution: An organizational relationship that extends to the provision of care, with the exception of an organizational relationship where care is provided as part of the care provided in another organizational context. This is referenced from Article 1, k, of the National Ordinance containing rules with regard to healthcare institutions.

Note: The National ordinance on healthcare institution defines what is considered a healthcare institution. That definition is deliberately as broad as possible. This includes both legal entities

that operate a care institution and persons who jointly form an institution and provide care as such.

The collaboration of those healthcare professionals in the provision of care has to be on a basis of equality. A hierarchical collaboration, such as a general practitioner (GP) and an assistant, is therefore not considered a healthcare institution. This situation would on the other hand be considered a healthcare institution if the GP were to recruit another doctor to jointly provide care to their patients.

If the collaboration solely consists of the use of a joint administrative facility, it is not considered a healthcare institution. The collaboration has to be in the provision of care. The collaboration can take place in any type of organizational structure. Medical professionals who does not work in an healthcare institution, but practice medicine on their own are called medical practices.

Medical Device: A device intended for diagnostics or therapy and all associated devices that is used or is intended to be used in a healthcare institution. This is referenced from Article 1 under e, of the National Ordinance containing rules with regard to healthcare institutions.

Hospital facility: A healthcare institution designated by National Decree designating hospital facilities. This is referenced from Article 1, 1 of the National Ordinance containing rules with regard to healthcare institutions.

Mental Health Institution: A private insane asylum is considered to be any institution in which a person cares for more than three insane persons who do not belong to his family. This is referenced from Article 2 paragraph 2 of the National Ordinance regulating the supervision of the mentally challenged.

Healthcare institution permit:

Permit required for the range of activities mentioned in Article 3, paragraph 1, of the National ordinance on healthcare institutions:

- a. to build, rebuild or add to a healthcare institution;

- b. to take an existing structure into use as a care institution;
- c. to operate a healthcare facility;
- d. to change the destination of a healthcare institution or a part thereof;
- e. to perform or have performed medical examination or treatment, nursing or care or related services in a care institution;
- f. to purchase medical devices for a healthcare institution or to use or have them used in a healthcare institution that exceed an amount to be determined by ministerial regulation.

Healthcare System on Sint Maarten

This chapter provides an overview of the healthcare system on Sint Maarten and describes the principal tasks of the Government of Sint Maarten in healthcare.

Levels of Care

Health care can be divided into the following levels of care: zero-line care, primary care, secondary care and tertiary care.

Zero-line Care

Zero-line health care consists of all preventive measures that collectively serve to promote health and a healthy lifestyle. The following care areas fall under zero-line health care: the early detection of developmental disorders, carrying out population screening (epidemiology), the promotion of healthy behavior through health education and education, the combating of infectious and sexually transmitted diseases, including HIV, the preventive care for young people, adolescents and other risk groups, the preventive mental health, environmental medical science, and disaster relief. The recognized authority on the prevention of diseases and the promotion of health and the well-being of the population of Sint Maarten is the Ministry of Public Health, Social Development and Labour. The mission of the health sector is to improve public health by initiating preventive activities and advice in the field of public health policy. Furthermore, there are various medical professionals and non-government organizations that make efforts in the field of preventive health care.

Primary Care

Primary health care is a system of care in which the professional healthcare workers ensure continuous, integral and personal care in the home environment of the persons to whom this care is provided.

This includes:

- General practitioner care: the preventive and curative care of patients by general practitioners;

- District nursing care: the necessary nursing and care of patients or clients in the home situation by a district nurse and/or nurse based on a treatment plan;
- Obstetric care: prenatal care, childbirth assistance and postnatal care provided by a midwife or a general practitioner;
- Paramedical care: all physical, mental and social care that is not provided by a general practitioner or specialist is given and usually on the basis of a referral. These include physiotherapy, exercise therapy, occupational therapy, speech therapy, podiatry and dietetics;
- Psychological assistance: psychological help in the form of counselling provided by an independent psychologist;
- Dental care: preventive and curative dental care;
- Home care: the necessary help in the household for families and the elderly;

Secondary Care

Secondary health care includes the outpatient and inpatient care that is provided by medical specialists in a healthcare institution. This form of health care is provided in hospitals, nursing homes, psychiatric hospitals, mental institutions, rehabilitation centers, physical establishments for the mentally handicapped and clinics for alcohol and drug addicts.

The following healthcare providers currently represent this level of care:

- Medical specialists
- Sint Maarten Medical Center
- White and Yellow Cross Care Foundation
- Turning Point Foundation
- Mental Health Foundation

Healthcare providers who cannot be directly classified in one of these levels of care but which must be included in the policy are pharmacists and laboratories.

Tertiary health care

Patients being treated requiring a higher level of care in a hospital may be considered to be in tertiary care. Physicians and equipment at this level are highly specialized. Tertiary care services include such areas as cardiac surgery, cancer treatment and management, burn treatment, plastic

surgery, neurosurgery and other complicated treatments or procedures. Because of scale and health care costs concerned, not all tertiary health care can be offered on Sint Maarten, mainly if it concerns specialized and super specialized care. In those cases patients are referred to hospitals outside Sint Maarten.

Medical Professionals

Requirements for medical professionals

This chapter includes general requirements that apply to all medical professionals, and in addition to those requirements, specific requirements for specified types of medical professionals. The main topics of this chapter include but are not limited to the professional requirements, practice standards, quality of care, continuity of care, and ethical norms. These general topics apply to all medical professionals in all cases. In addition to these standards, specific requirements per type of medical professional apply. These are also requirements which are applicable to healthcare institutions. If a medical practice is to be considered a healthcare institution as described in [Requirements for healthcare institutions](#), a license is required in accordance with [Procedure for Permit application of a healthcare institution](#).

All Medical Professionals

Professional requirements

- Medical professionals that apply to establish themselves and practice on Sint Maarten have to have completed formally recognized training and should be authorized to practice in their profession, as elaborated in the section on [Assessment of qualifications and competencies](#).
- Given the limited number of medical professionals on Sint Maarten, it is preferred that medical professionals be generalist with knowledge of a wider area within their profession.
- Applicants with a foreign diploma that is not recognized by law must adhere to the guidelines as outlined in the section on [Recognition of Qualifications](#).
- If the applicant is not a “child of the soil”, the work and residence permit must be in order and the applicant must apply for a permit to be exempted from the restriction to establish and practice on Sint Maarten.
- The diplomas must be verified by the Inspector General for Public Health for authenticity.

Establishment of professional practices

- Medical professionals who want to establish a practice in collaboration with one or more colleagues, will need to apply for a healthcare institution permit, in addition to the permit exempting them as medical professional from the restriction to establish.

Care requirements

- Medical professionals must provide adequate care.
- The medical professional must provide each client with comprehensive qualitative care. This care must correspond to the actual needs of the client. The care can be divided into various elements: examination, diagnosis and evaluation, treatment and supervision, aftercare, referral and declaration and medical file formation.
- The medical professional provides care in accordance with the relevant care and treatment standards.
- The medical professional cooperates with the implementation and use of the applicable health information system.
- Medical records: Every medical professional is obliged to keep a medical file for the patient, in line with the Civil Code Book 7, Section 5, The medical treatment agreement.

Practice standards

- The medical professional is responsible for the proper organization of their practice. The patients are provided with sufficient opportunity to consult the medical professional in the practice room, or in appropriate cases elsewhere, as a rule within the medical professional's field of practice.
- The practice should at least have a spacious waiting room and adequate sanitary facilities that are easily accessible for the clients, as well as an optimal visiting, examination and assistant's room.
- Every practice must have a clearly organized patient registration containing minimally the health, medical condition and treatment of the patient.

Quality of care

- The medical professional must offer responsible and adequate care. Responsible and adequate care is care that is provided at least on the basis of expertise, is of a good level, effective, efficient and client-oriented and attuned to the client's real needs. The medical professional ensures that they continue to have the knowledge and skills necessary for responsible and adequate care, through continuous relevant education.

Continuity of care

- Medical professionals in private practice are responsible for securing adequate, qualified substitutions for themselves. Details can be found in the section on [Substitution](#).

Labour and admittance

- Foreign medical professionals are required to have legal residency on the island in accordance with the National ordinance on admittance and expulsion. The Immigration and Border Protection Service of the Ministry of Justice is assigned to process the applications for residence permits. Medical professionals who fall in the category substitution or the sub-categories of short-term establishment or rotation are not required to apply for legal residency on the island, if they are Dutch nationals.
- Foreign medical professionals are also required to comply with the applicable labour regulations. Based on the National ordinance on foreign labourers, an employer is required to be in possession of an employment permit before allowing a foreign medical professional to practice (tewerkstellingsvergunning). Applications for such permits are processed at the Department of Labour Affairs.
- All medical professionals are required to do their own research and contact the relevant departments for further information regarding labour and admittance.

General Practitioners

In addition to the above criteria outlines in the section of [All Medical Professionals](#) the following standards apply to General Practitioners.

Professional requirements

- General practitioners that apply to establish themselves and practice on Sint Maarten have to have completed the recognized specialization as general practitioner in addition to the education as physician (basisarts) and should be authorized to provide general practitioner care.
- The general practitioner is responsible for the proper organization of his practice. They give patients sufficient opportunity to consult them in their practice room, or in appropriate cases elsewhere.

Sale and takeover of a GP practice

- When a general practice is taken over and sold, the entire file of patients can be transferred into the name of the new general practitioner, after the new general practitioner has obtained an establishment permit. Three months before taking over the practice, the patients of the practice must be informed that the practice will be taken over by the named new general practitioner, either by means of publication in the local newspapers or by means of a written notice to the patients. Patients registered by name have the right to transfer to another general practice in accordance with the rules of the relevant healthcare insurer. They must make this known to their insurer (i.e. SZV).

General practitioner care requirements

- A general practitioner must provide a patient with comprehensive, high-quality basic care. This care must correspond to the actual needs of the patient. The basic care can be divided into various elements: examination, diagnosis and evaluation, treatment and supervision, aftercare, referral and statement and medical file formation.
- The general practitioner must provide care that is responsible. Responsible care is care that is at least provided on the basis of expertise, is of a good level, effective, efficient and patient-oriented geared to the patient's real needs. The general practitioner ensures that he continues to have the knowledge and skills necessary for responsible care provision, partly through participation in professional development.
- Laboratory services: It is prohibited for a general practitioner to set up a laboratory in their practice. Laboratory testing by the general practitioner should be limited to simple procedures for

direct diagnostic purposes such as a pregnancy test or blood glucose test. All tests to be performed with advanced equipment should be performed by laboratories under professional supervision. General practitioner are permitted however to act as a phlebotomy station. This means that the general practitioner takes blood in his practice and forwards it to an accredited laboratory under the rules of correct shipment.

- Referral: Within the healthcare system, the general practitioner has a gatekeeper function. This means that the general practitioner is responsible for referring patients to second,- and third,- line health care or other care providers within primary health care. General practitioners are facilitated by the Ministry to link to the General Practitioner Information system and Health Information system.
- Medical dossier: Every general practitioner is obliged to keep a medical file. Notes must be made in the medical record about the treatment and the patient's state of health. The file must be kept by the general practitioner for at least 10 years or as long as reasonably follows from the care of a good care provider.
- Infectious diseases: A general practitioner is required to notify the Collective Prevention Services of the suspicion of infectious diseases or of any confirmed cases, as detailed in the National ordinance on public health.

Accessibility and availability

- A general practitioner or their substitute must always be available by telephone for (non-life threatening) emergencies. The availability by telephone could be arranged in collaboration with other general practitioners e.g., through the established organizations for general practitioners.
- Every general practitioner must arrange for weekend services and services outside office hours (evening and night). This could be arranged according to a duty roster system. The timetable must be clearly communicated to the patient via a notice on the practice and a telephone answering machine.
- A general practitioner must ensure adequate substitution in the event of absence for whichever reason. The substitute physician must be authorized to practice general

practice on Sint Maarten. The requirements for substitution as further detailed in this policy fully apply.

- To promote adequate availability of general practitioner care and adequate substitution, general practitioners are encouraged to establish a practice in collaboration with colleagues (as opposed to a solo practice).
- The practice should at least have a spacious waiting room and adequate sanitary facilities that are easily accessible to patients, as well as an optimal visiting, examination and assistant room.

Midwives

In addition to the above criteria outlines in the section of [All Medical Professionals](#) the following standards apply to Midwives.

Midwife care requirements

- A midwife must provide a client with comprehensive, high-quality obstetric care. This care must correspond to the actual needs of the client. The care can be divided into various elements: examination, diagnosis and evaluation, treatment and supervision, aftercare, referral and statement and medical file formation.
- The midwife must offer responsible care. Responsible care is care that is at least provided on the basis of expertise, is of a good standard, effective, efficient and client-oriented and geared to the actual needs of the client. The obstetrician ensures that he continues to have the knowledge and skills necessary for responsible care provision, partly through participation in professional development.

Practice norms

- Medical record keeping: Every obstetrician is obliged to keep a medical record. Notes must be made in the medical file about the treatment and the health of the client. The file must be kept by the obstetrician for at least 10 years, or such longer period as reasonably results from the care of a good care provider.
- The obstetrician is responsible for the proper organization of their practice. They give patients sufficient opportunity to consult him in his practice room, or in appropriate cases elsewhere, as a rule within the practice area of the obstetrician.

Establishment of midwifery practices

- One of the conditions for the issuance of a healthcare institution permit is the conclusion of a working agreement between the midwifery practice and the designated hospital facility.
- The obstetric practice should at least have a spacious waiting room and adequate sanitary facilities that are easily accessible to the clients, as well as an optimal visiting, examination and assistant room. Every practice must have a clearly organized patient registration.

Accessibility and availability

- A midwife or her substitute must always be available by telephone for emergencies. This also applies to specific services such as weekend services and on-call duty. Operation outside office hours preferably takes place according to a duty roster system. The timetable must be clearly communicated to the client by means of a notice at his practice and a telephone answering machine.

Paramedical professionals

In addition to the above criteria outlines in the section of [All Medical Professionals](#) the following standards apply to paramedical professionals.

The following types of medical professionals are considered to be paramedic to whom the Temporary national ordinance limiting the establishment of medical professionals applies:

1. speech therapists,
2. physical therapists,
3. occupational therapists,
4. kinetics therapists,
5. podiatric therapist,
6. psychotherapists,
7. dietitians; and,
8. psychologists.

Accessibility and availability

- A paramedical professional must be available by telephone during office hours.

In his absence, a paramedical professional must ensure adequate substitution if two or more of his paramedical profession are present on Sint Maarten. The substitute paramedical professional must be admitted to practice the relevant paramedical profession on Sint Maarten.

Standards of Practice

- The paramedical practitioner is responsible for the proper organization of his practice. He gives patients sufficient opportunity to consult him in his practice room, or in appropriate cases elsewhere, as a rule within the practice area of the paramedical practitioner.
- The practice should at least have a spacious waiting room and adequate sanitary facilities that are easily accessible to patients, as well as an optimal visiting, examination and assistant room.
- Medical file creation: Every paramedical practitioner is obliged to keep a medical file. In the medical file, notes must be made about the treatment and the patient's state of health. The file must be kept for at least 10 years by the paramedical practitioner or such longer period as reasonably results from the care of a good care provider.

Dentists

In addition to the above criteria outlines in the section of [All Medical Professionals](#) the following standards apply to dentists.

Accessibility and availability

- A dentist must be available by telephone during office hours.
- Every dentist is obliged to keep a medical file. In the medical file, notes must be made about the treatment and the patient's state of health. The file must be kept by the dental practitioner for at least 10 years or so much longer that reasonably results from the care of a good care provider.

Standards of Practice

- The dentist is responsible for the proper organization of their practice. They give patients sufficient opportunity to consult him in his practice room, or in appropriate cases elsewhere, as a rule within the practice area of the dentist.

- The dental practice should at least have a spacious waiting room and adequate sanitary facilities that are easily accessible to patients, as well as an optimal visiting, examination and assistant's room.

Medical Specialists

In addition to the above criteria outlines in the section of [All Medical Professionals](#) the following standards apply to medical specialists.

Professional requirements

- Medical specialists must be and remain registered with a Specialist Registration board (e.g. KNMG in the Netherlands).

Establishment of medical specialist practices

- One of the conditions for the issuance of a healthcare institution permit is the conclusion of a working agreement between the medical specialist practice and the relevant established healthcare institution in that area of medicine, such as the designated hospital facility.
- The establishment of an independent medical specialist practice is only permitted in extraordinary circumstances in line with the requirements as outlined in the section on [Need for healthcare institutions](#).
- A medical specialist must provide a patient with comprehensive quality specialist care. This care should correspond to the actual needs of the patient. The care can be divided into various elements: research, diagnosis and evaluation, treatment and guidance, aftercare, referral and declaration and medical file formation.

Practice in a healthcare institution

- Specialists working in a hospital or specialist practice must be associated with the hospital or clinic concerned on the basis of an agreement in which the rights and obligations of the specialist are laid down.

Practice standards

- Laboratory services: It is prohibited for a medical specialist who is not established as practicing in a medical laboratory to set up a laboratory in his practice. Laboratory testing by the specialist should be limited to simple procedures for direct diagnostic purposes. All tests to be performed with advanced equipment should be performed by laboratories under professional supervision.
- Pharmaceutical services: it is prohibited for a medical specialist to function as pharmacist or partake in the running of a pharmacy or pharmaceutical wholesaler.
- Referral: Within the healthcare system, the medical specialist has a referral function of patients who cannot be treated on Sint Maarten, to tertiary hospitals.
- Treatment and supervision: The specialists who see patients outside the legally designated hospital facility are only authorized to perform consultations and minor non-invasive procedures in their clinic. The medical specialist is responsible for the proper organization of his practice. He gives patients sufficient opportunity to consult him in his practice room, or in appropriate cases elsewhere, as a rule within the practice area of the medical specialist. The specialist practice should at least have a spacious waiting room and adequate sanitary facilities that are easily accessible to patients, as well as an optimal visiting, examination and assistant room. Every clinic must have a clearly organized patient registration system. Major operations must be performed in the designated hospital facility.
- Infectious diseases: A medical specialist is required to notify the Collective Prevention Services of the suspicion of infectious diseases or of any confirmed cases, as detailed in the National ordinance on public health, and must take the necessary measures to prevent further spread of the disease.

Accessibility and availability

- A specialist or their deputy should always be available by telephone for emergencies. A medical specialist must arrange for weekend services and services outside office hours. This could be arranged according to a duty roster system. The timetable must be clearly communicated to the patient via a notice on his practice and a telephone answering machine.

Pharmacists

In addition to the above criteria outlines in the section of [All Medical Professionals](#) the following standards apply to pharmacists.

Registration

Every pharmacist who wishes to practice on Sint Maarten must be registered by the Inspector General for Public Health in the register of pharmacists.

Professional requirements

- The pharmacy for which the pharmacist registers must comply with the requirements imposed on pharmacies pursuant to the National Ordinance on the supply of pharmaceuticals.
- The pharmacist may only practice in one pharmacy.

Practice standards

- A pharmacy may only be made known to the public as such if it is used by a pharmacist and complies with the regulations for pharmacies laid down by law.
- Every pharmacy must have a clearly organized patient registration system.

Accessibility and availability

- During office hours, a pharmacist is expected to be present in the pharmacy for the equivalent of 1FTE. Should the office hours of the pharmacy exceed 40 hours a week, for example for weekend shifts and on-call services, compliance is mandatory for the following requirements:
 - The pharmacist must ensure that pharmacy assistants and/or pharmacists, are present during all hours of service. In case pharmaceutical services are required on-site, the pharmacist must be available by phone for back-up.

- A pharmacist must ensure adequate replacement in their absence. The substitute pharmacist must comply with the Inspector General for Public health to have obtained permission to practice pharmacy as a substitute. During the substitution, the deputy pharmacist has all the authorizations and obligations that the pharmacist has under the National Ordinance on the supply of pharmaceuticals. The pharmacist ensures that he or she continues to have the knowledge and skills necessary for responsible pharmaceutical preparation, partly through participation in professional development.

Guidelines on the need for medical professionals

Article 1 of the Temporary National Ordinance limiting the establishment of medical professionals indicates which medical professionals are in need of exemption in order to practice. Based on Article 6 of this ordinance, the Minister is required to base the decisions on permit applications on guidelines regarding the need for medical professionals and the way in which this need can be met. Those guidelines are represented by means of a manpower planning for medical professionals. Every permit application for a medical professional to establish on Sint Maarten is assessed based on the planning, in addition to the assessment of the qualifications and competency of the medical professional.

The Manpower planning for medical professionals on Sint Maarten serves as a tool for the Minister to regulate the amount and type of medical professionals practicing on Sint Maarten in order to manage the (increase of) healthcare expenditures and ensure quality of care. In 2005, the first Manpower planning assessment was conducted and incorporated in the policy document “Beleidsnota Zorgvoorzieningen Sint Maarten”. In 2008, 2013 and 2018 assessments of the manpower planning policy were conducted. The assessments focus on care capacity and care demand, taking into account established benchmarks and other relevant data concerning the healthcare sector.

The manpower planning (Annex III) includes the findings of the abovementioned assessment and input of the following key stakeholders:

- The executing agency Social and Health Insurances (SZV);
- The Council for Public Health;

- The Pharmacy Association St. Maarten (PAS);
- The Paramedic Association St. Maarten (PASM);
- Associations for Psychologists and Counselors;
- General Practitioners Associations (WIMA and SMA);
- Healthcare Institutions;
- Laboratories;
- Patient organizations;
- The Sint Maarten Dental Association;
- The Inspector General for Public Health; and,
- Medical Specialists.

The current manpower planning is included as [Annex III – Manpower planning](#). The manpower planning model is included as [Manpower planning model](#), the manpower planning method as [Manpower planning method](#), and the elucidation of the manpower planning results as [Elucidation on results of Manpower planning norms 2018-2021 for medical professionals](#).

Assessment Framework for applications of medical professionals

General policy regulations for establishment

All applications for establishment will be assessed. Part of the assessment process is that applications are submitted to the Council for Public Health and the Head of the department for Public Health for advice.

The following assessments take place, based on the applicable legislation:

- a. Assessment of qualifications and competency;
- b. Assessment of medical standing, and;
- c. Assessment of need (not required for “children of the soil”).

If all assessments have a positive outcome, an establishment permit is granted for the duration of the labour agreement that is submitted with the application (if applicable), with a maximum of 5 (five) years. The maximum duration of the establishment permit does not apply to “children of the soil” as defined in the National Ordinance on Admission and Expulsion.

Assessment of qualifications and competencies

The qualification and competency of medical professionals is assessed to ensure that the medical professionals offering their services have a specific level of professional education and training and have maintained such.

The law regulates the qualifications of the following groups of medical professionals:

- a. Physicians (Ordinance regulating the practice of medicine – Landsverordening regelende de uitoefening van de geneeskunde);
- b. Pharmacists and pharmacist assistants (Ordinance regulating the qualification of pharmacists and pharmacist assistants - Landsverordening bevoegdheid apothekers en apothekersassistenten);
- c. Midwives (Ordinance regulating midwifery – Landsverordening regelende de praktijk als vroedvrouw); and,
- d. Dentists (Ordinance regulating the practice of dentistry – Landsverordening regende de uitoefening van de tandheelkunst).

The medical professional is obliged to provide a diploma or diplomas that meet the standards regulated in the above-mentioned regulations. In the event the qualifications do not meet the regulated standards, the diploma needs to be evaluated as further outlined in section on [Recognition of Qualifications](#).

Unforeseen circumstances

Only in case of shortages of medical care based on the Manpower planning and additionally the occurrence of unforeseen circumstances, can the Minister allow a physician who does not meet the above qualification requirements to establish for a specific period not exceeding three months. The unforeseen nature of the circumstances must be motivated. The physician must have obtained and maintained the right to practice their specialty to its full extent in another country. The Minister hears the Inspector General for Public Health on this matter prior to the decision. The Minister can attach conditions and can restrict the practice area of this professional. The permit to practice under unforeseen circumstances is limited to practice under those circumstances only. Any practice of medicine beyond the scope of the permit is not allowed. In order to practice or continue to practice medicine under ‘normal’ circumstances, an

application needs to be submitted in order to receive a license to practice under regular circumstances. See [Submitting an Application](#) section for the details of a regular application.

Assessment of medical standing

The applicant has to provide proof that he/she has not been convicted in any medical case, is not the subject of an ongoing investigation and has not been restricted in practicing medicine. Proof is provided through the registration in the relevant professional register and through a certificate of current professional standing, which is to be provided by the applicant.

Assessment of need

The assessment of need serves as an instrument for the Minister to regulate the amount and type of medical professionals practicing on Sint Maarten in order to contain the (increase of) healthcare expenditures and ensure quality of care. The legal basis is Article 6 of the Temporary Ordinance restricting the Establishment of medical professionals (Tijdelijke landsverordening beperking vestiging medische beroepsbeoefenaren).

The ordinance restricting temporary establishment applies to the following categories of medical professionals:

- a. physicians;
- b. dentists;
- c. pharmacists;
- d. midwives;
- e. speech therapists;
- f. physical therapists;
- g. occupational therapist;
- h. kineticstherapists;
- i. podiatrists;
- j. psychotherapists;
- k. dieticians; and,
- l. psychologists.

A full assessment of the need for the applied for type of medical professional takes place, based on the Manpower planning in [Manpower planning 2021-2023](#).

Children of the soil

An assessment of the need for the applied for type of medical professional does not take place for so called children of the soil, as follows from the Articles 2 and 15, paragraph 2, of the Temporary national ordinance restricting the establishment of medical professionals.

A “child of the soil” is therefore added to the Manpower planning head count; however the needs assessment does not apply to them, and consequently they are not affected by the moratorium on the establishment of medical professionals.

The establishment of “children of the soil” is not restricted in time. They do not receive an establishment permit with a maximum duration.

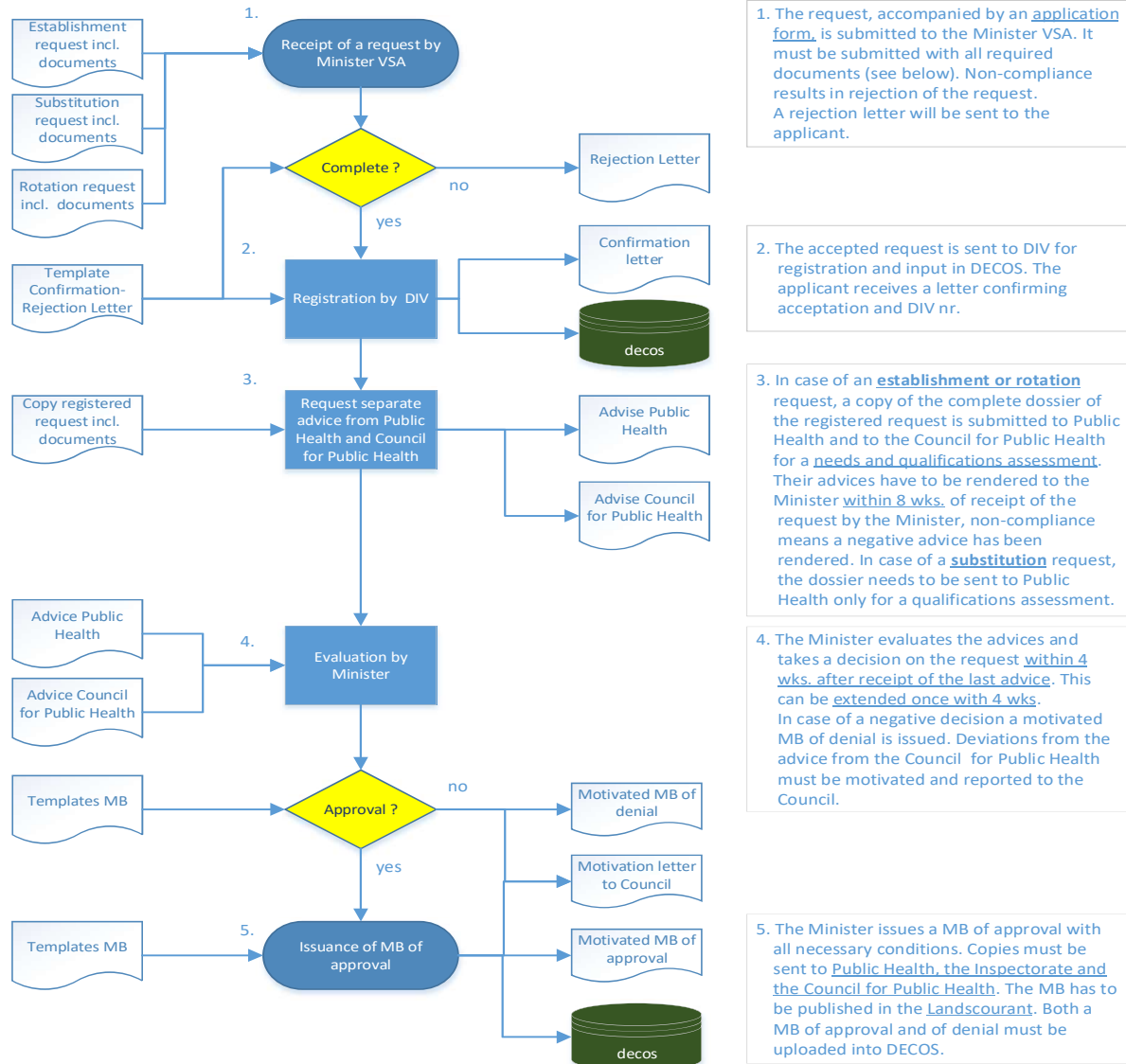
In accordance with the National Ordinance regulating admittance to and expulsion from Sint Maarten “children of the soil” are defined as being:

- a. Dutch residents born in Curacao, Sint Maarten, Bonaire, Saint Eustatius or Saba;
- b. Dutch residents born before January 1st, 1986 in Aruba, having legal residence at that date in Curacao, Sint Maarten, Bonaire, Saint Eustatius or Saba; or,
- c. The children of the above mentioned.

Permits for Medical Professionals

Medical professionals are only permitted to establish themselves and practice on Sint Maarten when they have received a permit from the Minister and taken the oath in front of the Governor (if applicable) which exempts them from the prohibition to practice, as detailed in the Articles 2 and 3 of the Temporary national ordinance limiting the establishment of medical professionals and in the relevant legislations pertaining to the medical professional. Medical professionals are required to adhere to all conditions placed in the permit.

An overview of the permit procedure is shown in the following diagram and further elucidated in the chapters following.



Permit Applications

Types of Applications

Applications for medical professionals to practice on Sint Maarten fall in one of the following categories, applications for establishment or substitution. For reasons of practicality, the applications for establishment are subdivided into multiple subcategories.

Establishment

All medical professionals that submit an application for establishment are required to provide evidence that they comply with the qualification and competency requirements relevant to their profession, as described in the National Ordinance on the practice of medicine or other relevant ordinance.

Applications for establishment are for practical purposes subdivided as follows:

i. Long term establishment

Medical professionals who request authorization to establish themselves on Sint Maarten for a period exceeding 12 weeks.

ii. Short term establishment

A medical professional may request to establish for a short, defined period, not exceeding 12 weeks. This option is applicable for non-residents who do not formally reside on Sint Maarten and are not required to hold a residency or employment permit as is required for long term establishment.

In order to secure continuity of care and with a view of the relationship between the medical professional and the patient, a permit for short term establishment is only granted in specific circumstances. This type of permit is reserved for visiting medical specialists who can provide their services for a short period in urgent situations or dire need or who are entering a trial period at an established healthcare institution, with the intent to continue as a long term establishment.

iii. Rotating medical specialists

Medical professionals can request to temporarily establish themselves for a specified period, thereby filling together a specific amount of FTE vacancy, while not residing on Sint Maarten. Foreigners must hold a residence and employment permit, as is required for long term establishment.

In order to secure continuity of care and with a view of the relationship between the medical professional and the patient, this type of permit is only granted to medical specialists where there

is an urgent or dire need for the type of care they provide. The rotating specialist will receive a Unicode, may enter a contractual agreement with the SZV, and is required to take the oath.

Substitution

A medical professional may request to substitute in the absence of an already established colleague. The prohibition to practice on Sint Maarten, contained in article 1, paragraph 1, of the Temporary national ordinance restricting the establishment of medical professionals, does not apply in the event of substitution due to illness, vacation or absence for other reasons.

However, the substituting medical professional requesting permission to practice must:

1. Provide evidence that they have met the qualification and competency requirements for their profession (such as described in the National ordinance on the practice of medicine or other ordinance relevant to their profession), are registered in a specialist registry and actively practicing in the professional field of the medical professional being replaced;
2. Show that they will be practicing as a substitute during a defined period, in the absence of an already established medical professional. Consequently, they will not be entering into a contractual agreement with the executing agency Social and Health Insurances (SZV).

The assessment of need does not take place in case of an application for temporary substitution of an already established medical professional. However, all other assessments do take place go to section [Assessment Framework for applications of medical professionals for more details](#).

Renewal

A medical professional who has received a temporary establishment permit from the Minister, may request an extension. The medical professional must provide evidence that they continue to meet the qualification and competency requirements for their profession (such as described in the National ordinance on the practice of medicine or other ordinance relevant to their profession), are registered in a specialist registry and actively practicing in the professional field. The applicant has to submit an application as outlined in the section [Submitting an application](#) which includes certificate of current professional status from the Inspector General for Public Health. Furthermore, the applicant must provide evidence of continued registration in

a board or specialist registrar of medical professionals where the medical professional is registered, where applicable, and evidence of continuing medical education (CME) relevant to the profession of the applicant. Based on the outcome of the assessment a decision on the renewal request is made by the Minister.

An assessment takes place of the competency and the medical standing of the medical professional, based on the following evidence:

- certificate of current professional status from the Inspector General for Public Health;
- evidence of continued registration at a foreign professional body, where applicable, and evidence of continuing medical education (CME) relevant to the profession of the applicant, where applicable.

Submitting an Application

A permit application for establishment or substitution must meet the following requirements:

- Written in the English or Dutch language.
- Addressed to the Minister of Public Health, Social Development and Labour.
- Submitted in person to department of Records and Information Management at the receptionist at the Public Service Center or a copy can be sent to the Department of Public Health by e-mail.
- All questions in this application form must be completed and ensure all pages and attachments are included and submitted in one (1) pdf file.
- This application form may be submitted typed or handwritten clearly in block letters using black or blue ink.
- That all non-English and Dutch documentation must be accompanied with an attached translation into English or Dutch by a sworn interpreter/translator is also required.
- Relevant documentation must be accompanied with a letter or certification from the competent issuing institution (e.g., University, Registration board etc.) stating that they are the competent institution to issue the document, or the document must be notarized by a certified notary (located in the Netherlands, Sint Maarten, Aruba, Curacao, St. Eustatius or Saba).

- A complete application contains both a cover letter and the completed application form (see [Annex I – Application form for medical professionals](#)).
- The cover letter includes:
 - i. a motivation
 - ii. the date of submission
 - iii. the signature of the applicant

For medical professionals who **meet** the requirements as stipulated in the relevant legislations, you are required to submit the following:

- i. Copy of valid passport;
- ii. An up-to-date curriculum vitae;
- iii. An original certified copy of all relevant diplomas, extract BIG- register (Beroepen in de Individuele Gezondheidszorg) in the Netherlands. In the case of Midwives extract from the Health Registry of Suriname must be included;
- iv. Proof of registration in a board of medical professionals where the medical professional is registered (e.g., KNMG) if applicable;
- v. Certificate of Current Professional Status (CCPS) from the country in which you last worked, no older than 3 months, if applicable;
- vi. Copy of relevant labour agreement or, if applicable, proof of application for economic license and relevant corporate documents (articles of association, registration Chamber of Commerce and Industry);
- vii. For medical specialists: Copy of admittance/ labour agreement with an established Healthcare Institution.

For medical professionals who **do not** meet the requirements as stipulated in the relevant legislations, you are required to provide the following:

- i. Copy of valid passport;
- ii. An up-to-date curriculum vitae;
- iii. Supporting documents showing any professional experience;

- iv. An original certified copy of all relevant diplomas, issued by the institution where the diploma was obtained. This documentation must be accompanied with a letter from the competent issuing institution (e.g., University, Registration board etc.) stating that they are the competent institution to issue the document, or the document must be notarized by a certified notary (located in the Netherlands, Sint Maarten, Aruba, Curacao, St. Eustatius or Saba). An attached translation into English or Dutch by a sworn interpreter/translator is also required, unless the original document is in English or Dutch;
- v. Authenticated certified copy of all relevant certificate(s) and diploma(s), physicians must submit a certified copy of the relevant degree/ certificate to the Inspector General of Public Health, Sint Maarten. This must be stamped and validated by Inspector General of Public Health;
- vi. Transcripts, grade lists and assessments of study results, practice periods and/or internships This documentation must be accompanied with a letter from the competent issuing institution (e.g., University, Registration board etc.) stating that they are the competent institution to issue the document, or the document must be notarized by a certified notary (located in the Netherlands, Sint Maarten, Aruba, Curacao, St. Eustatius or Saba). An attached translation into Dutch by a sworn interpreter/translator is also required, unless the original document is in English or Dutch;
- vii. Proof of registration in the register of the profession, not older than six months;
- viii. CCPS (Certificate of current professional status) from the health authorities of the country of current practice, not older than three months, showing whether a decision or measure, based on a judicial, disciplinary or administrative decision given or is in force on the basis of which the applicant has temporarily or permanently lost all of their rights to exercise the profession concerned in the country where the decision was given, issued by the competent authorities;
- ix. The official curriculum followed in the university for all relevant degrees, issued by the competent authority in the country where the training was taken. Program listing the courses of your professional degree(s), divided into theoretical and practical

- subjects. Indicate how much time was spent on the education in these subjects. This document must be issued by the institution from which you received your degree;
- x. The document must demonstrate that the training curriculum took place at the specified period. An overview of the training followed must be in chronological order and contain information about the duration and content of the parts of the training;
 - xi. A list of operations performed during the training (for cutting specialisms) in chronological order;
 - xii. Proof of continuous medical education followed after completing the medical training;
 - xiii. Statement(s) about the completion of the training as a specialist for activities performed with substantive information about the nature of the activities (for cutting specialisms, supplemented with an overview of performed activities);
 - xiv. Proof of sufficient command of the English language;
 - a. *No proof of English proficiency is required if English is the native language of the country of birth of the medical professional;*
 - b. Evidence that English was the language of instruction of the medical professional's relevant educational career;
 - c. English language with minimum test scores equivalent to a C1 level⁴ from either:
 - i. TOEFL (100 score);
 - ii. IELTS (International English Language System) (7 score);
 - iii. Cambridge Assessment English (190 score);
 - xv. Copy of relevant labour agreement or, if applicable, proof of application for economic license and relevant corporate documents (articles of association, registration Chamber of Commerce and Industry).

4

University of Amsterdam. (n.d.). English language requirements (for Dutch-taught Bachelor's). Retrieved from <https://www.uva.nl/en/education/admissions/bachelors/dutch-taught-programmes/prior-education-non-dutch/english-language-requirements/english-language-requirements.html>

For medical professionals requesting an **extension/renewal** of their establishment, you are required to provide the following:

- i. Copy of valid passport;
- ii. An up-to-date curriculum vitae;
- iii. Copy of current Ministerial Decree, expired no longer than 3 months;
- iv. Proof of registration in the register of the profession, not older than six months;
- v. Proof of registration in a board of medical professionals where the medical professional is registered if applicable;
- vi. Certificate of Current Professional Status (CCPS) from the country in which you last worked, no older than 3 months, if applicable;
- vii. Copy of valid relevant labour agreement or, if applicable, proof of application for economic license and relevant corporate documents (articles of association, registration Chamber of Commerce and Industry);
- viii. For medical specialists: Copy of admittance/ labour agreement with an established Healthcare Institution;

Only complete applications are processed. Incomplete applications are not accepted and returned to the applicant with reasoning. Deviation from these requirements is not permitted. The application is considered complete on the date all required documents are submitted.

All applications must be submitted at least 8 weeks prior to the intended start date of the establishment, taking into account the legal processing times (see under [Processing of the application](#)).

Applications for medical providers to practice in a healthcare institution are to be submitted by that institution. An application for substitution is submitted by the medical professional who is in need of substitution. Healthcare providers are requested to provide a yearly planning for vacations and continuing medical education. In unforeseen circumstances healthcare providers are requested to submit the application as soon as the circumstance arises, and a suitable candidate is identified.

Recognition of Qualifications

The following diplomas not acquired in accordance with the relevant legislation are required by law to be evaluated:

- Physicians (National ordinance on the practice of medicine);
- Dentists (National ordinance on the practice of dentistry);
- Midwives (National ordinance on the practice as midwife);
- Pharmacists and pharmacist assistants (National ordinance on the competence of pharmacists and pharmacy assistants).

In case an applicant does not possess a legally recognized diploma, it is required to have the diploma evaluated by the hereto-assigned Committee, who will assess if the level of education and competency is equivalent to the legal standards and requirements. The Department of Public Health provides the applicant with the relevant application form, which details all required documentation. The applicant may be required to pay a fee for the administrative procedure.. In case the equivalence of the diploma compared to the standards of the Netherlands remains unclear or the hereto-assigned Committee has not been established, based on the conditions within the Memorandum of Understanding between the Ministry of Public Health, Social Development and Labour (VSA) on Sint Maarten and the Ministry of Health, Welfare and Sport (VWS) in the Netherlands, the Ministry of VSA can request an additional evaluation by the relevant competent authorities in the Netherlands. This process is facilitated by the Department of Public Health after a needs assessment based on the Manpower planning has taken place. No rights can be derived on the advice submitted to the Minister based on the additional evaluation by the relevant competent authorities in the Netherlands and is not intended to be shared with the applicant. The evaluation provided by the relevant competent authority in the Netherlands cannot be used for registration in the BIG- register (Beroepen in de Individuele Gezondheidszorg) in the Netherlands.

Processing of the Application

Based on the Temporary national ordinance limiting the establishment of medical professionals, the following procedure applies:

- i. The Minister requests the mandatory advice on the application from the Department of Public Health as well as the Council for Public Health.
- ii. The Department Public Health and the Council for Public Health advise the Minister within a timeframe of two (2) months. If the interest of public health is at stake, the Minister can shorten this period.
- iii. If the advice of the Department of Public Health and the Council are not received within this timeframe, the advices are assumed to be negative.
- iv. The Minister decides on the application within four (4) weeks after the last received advice. This period can be extended with another four (4) weeks, of which the applicant is notified.

Ministerial Decree

Based on the relevant assessment of an application (see [Assessment Framework for applications of medical professionals](#)) and in accordance with the applicable laws and policies, the Minister decides to grant or to deny the permit. This decision is a ministerial decree. If those affected by the decision wish to object against the decision, the National ordinance on administrative appeal proceedings applies. In accordance with the Articles 54 and 55 of that ordinance, those affected by the decision may object to the decision at the Minister, or appeal the decision at the Court of First Instance of Sint Maarten, within 6 (six) weeks after the day of issuance of the ministerial decree. The objection or appeal letter must contain a description of the decision against which it is aimed (incl. reference number), as well as the reason for the objection/appeal, the date, name, address and signature. Each applicant may be subject to additional conditions by the Minister of Public Health, Social Development and Labour. As such, conditions in the ministerial decree are specific to the applicant.

Ministerial decree templates are included in [Annex II – Permit templates for medical professionals](#) of this policy.

Validation of Permit

The applicant is notified by the department of Records and Information Management that the permit can be picked up. Once the permit has been received by the applicant, it has to be validated at the department of Public Health.

The Department of Public Health validates the Ministerial Decree by means of a stamp and signature dated by the Head of the Department of Public Health.

Required documents:

- Original approved Ministerial Decree
- Stamps in accordance with the Stamp Ordinance, with the value of NAf 10, - for the first page of the MB and NAf 5, - per additional page.

Oath Taking

The applicant is required to take the oath, prior to practicing as a medical professional. Once all conditions stipulated in the Ministerial Decree are met, the oath taking will be planned via the Department of Public Health.

Legal Basis:

Article 5 of the National Ordinance regulating the practice of medicine, article 6 of the National ordinance on the practice as midwife, the articles 8 and 14 of the National ordinance on the competence of pharmacists and pharmacy assistants and article 6 of the National ordinance on the practice of dentistry.

According to the above mentioned legislations, medical professionals are required to take the oath before practicing on Sint Maarten. This is done either before the Governor (in case of physicians, pharmacists and dentists) or before the Minister (in case of midwives, and pharmacist assistants). All other medical professionals regulated by means of the National ordinance limiting the establishment of medical professionals are not required to take the oath. The Department of Public Health facilitates the oath procedures with either the cabinet of the Governor or the Minister to schedule an oath taking ceremony.

The following documents are required for processing of the oath:

1. a copy of a valid passport;
2. a copy of the diploma(s) including stamp ‘copy conform’ certified by the IVSA or BIG Registration;
3. Validated Ministerial Decree;

After the oath is taken, a ‘proces verbaal’ (hereinafter; PV) is drafted by the Cabinet of the Governor. Any additional information or documentation required by the Governor must be substantiated. A copy is forwarded by the applicant to the Department of Public Health and is placed in the file of the medical professional.

Registration

Once the medical professional has taken the oath, the Department of Public Health will assign a Unicode, which is an administrative requirement for reimbursement by the SZV. The unicode is a unique code issued to medical professionals and healthcare institutions in possession of a relevant permit from the Minister. A Unicode is assigned once and may not be reused.

The healthcare number consist of:

- a. Hoofdgroepnummer (Main group number);
- b. Subgroepnummer (Subgroup number);
- c. Zorgverlenernummer (Serial number).

The Unicode number consists of:

1. a healthcare number;
2. the care type;
3. the main group number.

The signature and initials of medical professional as well as signature of the Head of the Department of Public Health, is also registered on the Unicode document, which is duplicated. The original is provided to the medical professional, who needs to come personally to sign the document, and one is filed.

A copy is sent to the Inspectorate of Public Health, Council for Public Health, SZV, ‘Pharmacy Association Saint Maarten’ (PAS), and possibly other associated associations or organizations (PASM, SMA, WIMA etc).

Pharmacists and pharm assistants do not receive a unico-code.

Process

The following documents are required:

1. Original Ministerial Decree ‘Ministeriele Beschikking’ (MB) + NAF 15,- Stamp (Receivers office);
2. Proces-verbaal of oath taking;
3. Valid identification document.

After a Unicode number has been issued, the medical professional will be registered at the Ministry of Public Health, Social Development and Labour.

In the professional’s file the Unicode is registered along with the name, address, place of residence, gender, date of birth, nationality, specialty, specialist title, office address, phone number, fax number, e-mail address, date of establishment, profession group, registration number at relevant professional body, conditions, status.

The registered medical professional can request a Declaration of Registration at the department of Public Health.

Declaration of Registration

A medical professional can request a Declaration of Registration at the department of Public Health.

For a medical professional to request a Declaration of Registration the following is required:

1. Valid identification document;
2. Validated MB or letter from the Minister;
3. Process verbal (if applicable);
4. Unico-code number.
5. Job letter (no older than 3 months)
6. Certificate of Current Professional Status from the Inspectorate of Health (no older than 3 months)

Healthcare Institutions

Based on Article 7 of the National ordinance on healthcare institutions, guidelines are established regarding the need for healthcare institutions and the way in which this need can be met. On the basis of Article 4, fifth paragraph of that National ordinance, a permit may only be granted insofar as this fits within the guidelines referred to in Article 7.

Those guidelines are to be established by law (national decree, containing general measures). The Temporary national decree healthcare institutions currently functions as that law. This decree refers to the Beleidsnota zorgvoorzieningen Sint Maarten, of 2005, of which the current policy is the successor.

One of the aims of the National ordinance on healthcare institutions is to control the expansion of the provision of healthcare by controlling the establishment of new healthcare institutions and the purchase of new medical devices. The objective is for the available healthcare funds to be spent in an effective and sustainable manner. To this end the ordinance establishes a permit system. According to the explanatory memorandum to the ordinance, the criterion for granting a license is a demonstrable shortage of a certain category of care institution or medical device (exceeding Naf. 50,000).

It follows from the aforementioned national ordinance and the explanatory memorandum to the ordinance that the policy to permit healthcare institutions to establish or expand, is to be restrictive. This means that permits will not be granted, unless there is a clear need for the institution or if continuity of care is in danger. Applications will further be denied if the cost effectiveness of the healthcare institution is not proven or if the healthcare institution will be likely to negatively impact currently operational healthcare institutions, or the affordability and sustainability of the system.

By means of the permit system for healthcare institutions and through its restrictive nature, the legislator made the choice to focus on the goals of increasing efficiency and quality of health care, while improving health outcomes, through the means of government regulation, as opposed to reliance on competition in a free market, below the factors for this decision will be further explained.

Research⁵ shows that for competition to function properly and achieve those goals, the necessary conditions and probable effects would need to be analyzed, conditions need to be established (additional quality control and supervision as well as essential mechanisms to monitor and ensure fair competition and prevent adverse effects) and the outcomes need to be constantly and carefully monitored. The impact of competition on a healthcare system, on the demand and supply of healthcare and ultimately on the health of the population, is highly dependent on its environment. Likelihood of information asymmetries can for instance create supplier-induced demand. Competition in an environment with a population severely limited in size, such as on geographically isolated Sint Maarten with its small-scale economy, can have adverse consequences and lead to the opposite outcomes than the goals that were set out to be achieved.

In conclusion, because of a variety of factors⁶, it is considered the most feasible for Sint Maarten to achieve the goals of accessible and affordable healthcare of the highest attainable quality, and ultimately a healthy population, through other means than through stimulating competition among healthcare providers. In the following paragraphs the procedure to apply for a permit, based on the National ordinance on healthcare institutions, is included, as well details guidelines on the need for healthcare institutions and the way in which this need is met, resulting in an assessment framework for permit applications.

Requirements for healthcare institutions

The National Ordinance on healthcare institutions establishes a framework of quality requirements for healthcare institutions. Additional requirements are established by means of other ordinances.

⁵ Barros, P.P. et al, Competition among healthcare providers: harmful or helpful?, Eur J Health Econ (2016) 17:229–233; Gaynor, M., What do we know about competition and quality in health care markets?, NBER Working Paper No. 12301, June 2006, JEL No. I1, L1, L3.

⁶ . These factors include the geographic limitations of Sint Maarten, the relatively small population and small-scale economy, the thereto related relatively low volume of hospital care and treatment, the presumed information asymmetry between providers and clients, the circumstance that the financing of healthcare predominantly takes place through social insurances, the limited available resources to analyze, establish and continuously monitor the conditions for the market to function properly, the lack of competition laws and the limited transparency on quality of healthcare.

The requirements for medical professionals (see [Requirements for medical professionals](#)) also apply to medical professionals working in a healthcare institution.

Part of the policy directive is to stimulate local health care institutions to expand in case of a growing demand. Therefore, the following exceptions are made:

- a. applications of locally established medical professionals to establish a healthcare institution as a joint practice in the field of their own medical profession;
- b. applications of current holders of a valid healthcare institution permit, in so far as the application seeks to improve the quality or accessibility of their services.

Healthcare institutions that are operational based on Article 29 of the National Ordinance on Healthcare Institutions are in this respect regarded as current holders of a valid healthcare institution permit. In case an existing healthcare institution wants to expand their services or procure medical equipment over 50.000 Naf. or employs additional medical professionals, they are obliged to require a permit from the minister.

General Requirements

The healthcare institution is responsible that its healthcare professionals in the institute provide adequate and responsible care in accordance with the National ordinance on healthcare institutions. The ordinance details the organization of care provision, staffing and material, responsibilities, quality control, administration, reporting, complaint procedure, etc.

Hospital Requirements

The National Ordinance on healthcare institutions establishes specific requirements for hospital facilities, in addition to the general requirements.

Mental Health Institution Requirements

The National Ordinance regulating involuntary psychiatric care establishes the requirements for mental health facilities, in addition to the general requirements.

Laboratory Requirements

Specific requirements apply to medical laboratories as established in the Medical laboratory policy.

Pharmacy requirements

The establishment of pharmacies follows the stipulations of Articles 26a and 26b of the National ordinance on the supply of pharmaceuticals, as well as the Regulations for the admission of pharmacies.

Guidelines on the need for Healthcare Institutions

The following factors are taken into account to determine the need for healthcare institutions on Sint Maarten and the way in which to meet that need:

- Care demand of the population and visitors:
 - Use of local healthcare services (including waiting times);
 - Population size;
 - Demographic developments;
 - Social economic developments;
 - Number and type of medical referrals; and,
 - Benchmarking against similar countries in the region with a similar population.
- Local provision of healthcare:
 - Established healthcare practices and institutions ;
 - Geographic distribution of the various types of healthcare on Sint Maarten.
- State of the healthcare funds.
- National Strategic Framework for Health in Sint Maarten.
- (Expected) technological and other advances in healthcare.

All these factors have an effect on the accessibility, affordability, availability, quality and sustainability of healthcare on Sint Maarten. When determining the need for a healthcare institution and the way in which to meet that need, those key indicators are therefore leading.

Where this policy refers to the need for healthcare institutions, it is considered to also pertain to the need for expansion of an established healthcare institution, or other activities that require a healthcare institution permit.

Availability of healthcare

There is not considered to be a need for a healthcare institution that duplicates already existing services, unless the care demand is higher than can be provided for by the already established healthcare institutions, or because of the geographic distribution of healthcare in relation to the accessibility of healthcare services.

If a permit application reflects a duplication of existing services or an expansion of services, the established healthcare institutions that provide similar services will be requested to provide their feedback to the anonymized application.

A healthcare institution must guarantee continuity of care. In this respect is important the amount of qualified medical professionals who will be offering the services of the healthcare institution; how many days a week and how many hours a day the services will be available for the population, and the provisions for substitution in case of vacation, illness, or for other reasons.

With the aim to improve the availability of services based on the needs of the population, locally established medical professionals that practice independently (solo practice), are encouraged to organize themselves with their colleagues in a healthcare institution setting (duo practice or more).

Accessibility of healthcare

Duplication of healthcare services (see: availability) can only be permitted when the (near) identical services are distributed proportionally across the island. A healthcare institution must be accessible to the intended patient population (e.g. a ramp for wheel chair access) and serve the needs of the population of Sint Maarten.

The following elements will be taken into consideration:

- Location where activities are planned to take place;

- Physical accessibility of the location for the intended patient population;
- Distribution of healthcare services with the addition of the services of the applicant;
- Proportional distribution of (near) identical services over the island; and,
- Accessibility of intended healthcare institution to the entire population of Sint Maarten.

Quality of healthcare

All healthcare institutions must provide for adequately qualified and competent staff to meet the needs of the population in relation to the provided type of services.

In order to safeguard the quality of healthcare services, a permit will not be granted for activities that can be categorized as experimental medical practice. Only activities that can be categorized as common medical practice will be permitted. Experimental medical practices (within the scope of the practice of medicine) are not considered alternative therapies or traditional medicine.

Alternative therapies or traditional medicine, not practiced by legally recognized medical professionals, do not fall under the scope of the National Ordinance on healthcare institutions and therefore this policy.

In order to maintain the quality as well as the affordability of healthcare, a permit will not be granted for an institution offering independent medical specialist services. All medical specialist services have to be provided by or in affiliation with the local general hospital or other relevant healthcare established institution.

The following elements will be taken into consideration:

- Guaranteed continuity of care;
- Number of medical professionals offering the services of the healthcare institution; how many days a week and how many hours a day will the services be accessible for the population; plans for substitution in case of vacation, illness, or for other reasons; and,
- Qualifications medical professionals in the institution. (no establishment if an institution has no qualified staff from the onset).

Affordability of healthcare and financial room

The public healthcare funds⁷ are limited and healthcare expenditures need to be controlled in order to keep healthcare affordable for the local population. In this light the expansion of healthcare services through the establishment of new healthcare institutions or the expansion of established institutions needs to be cost effective. There needs to be sufficient financial room to finance the healthcare services. The short as well as the long-term effects of the expansion of healthcare services need to be taken into consideration. Initial higher costs might result in more affordable and sustainable healthcare when the medium-long or long-term effects are taken into consideration. The executing agency Social and Health Insurances will be requested to provide feedback on applications for healthcare institution permits from the perspective of the state of the healthcare funds.

Duplication of services that is not warranted, including medical equipment with a value of NAf 50.000,- or more, must be avoided. Disproportionate overhead costs, also in the light of duplication of services, must be avoided.

In case of duplication of services, the anticipated effects of the activities of the new institution on the financial position of already established institutions need to be taken into consideration. An unnecessary increase in healthcare costs because of e.g. a reduction in the amount of clients per institution must be avoided unless substantiated.

Any healthcare institution that plans to accept SZV clients must refer to the established SZV tariffs. Increase of those tariffs cannot be part of the business plan of a prospective healthcare institution. Prospective healthcare providers that desire to provide their services to SZV clients, must contact SZV directly regarding the possibility to conclude a care contract.

Sustainability of healthcare

Long term sustainability of the healthcare system is important to ensure that the needs of the population continue to be met and continuity of care is guaranteed as much as possible.

⁷ Sickness Fund, Accidents Fund, Fonds ziektekosten overheidsgepensioneerden, Algemeen fonds bijzondere ziektekosten as well as the Government budget to cover the healthcare costs of civil servants and of the persons entitled to medical aid.

In this respect it is relevant how a healthcare institution is operated. The business plan needs to be sustainable and a multi-annual plan needs to be included. It needs to be clear for how long the services will be provided and the sources of income.

The effects of the applied for activities on already established healthcare organizations need to be taken into consideration. It is not desirable for a new institution to directly weaken the position of already established institutions that provide services to the population, to not threaten the continuity of care.

The provision of a full range of services in one area of healthcare has preference over the provision of a limited range of services, based on the needs of the population and the geographical limitations of Sint Maarten. Selection of a limited range of services in one area of healthcare is discouraged. This applies when there is no other local provider of the full range of those services, as well as when there is an already established local provider of the full range of those services. Relevant in this respect is whether an applicant concludes an agreement with another institution regarding the related services that the applicant will not provide, or that are duplicated by the applicant.

The need for a hospital facility

A hospital facility is considered a specific type of healthcare institution. The National ordinance on healthcare institutions imposes additional obligations on a hospital facility. There is currently one hospital facility designated as such by means of the National decree designation hospital facilities, namely the Stichting Sint Maarten Medical Center. Sint Maarten needs a local general or basic hospital, based on the care demand of the population and visitors, but also to guarantee the affordability of healthcare in general and hospital care in particular.

A general hospital is expected to provide emergency care and at least provide adequate low complex care within the medical specialties that are essential based on the needs of the population and visitors.

Maintaining more than one general hospital is not realistic in view of the affordability of care. This would lead to cost-increasing duplication of healthcare and other services. The commissioning and operation of a new hospital facility that might not offer all the services of a general hospital could also entail significant risks. Some services offered by a general hospital

are related to the availability function, such as emergency care. Such services hardly generate any income for a hospital, which in a financially healthy hospital is offset by other more profitable services. If a new healthcare institution were to offer a selection of profitable hospital services, the provision of care in the general hospital would eventually be endangered.

Competition for profitable services, within the small market of Sint Maarten, could have a considerable financial impact on the general hospital, with the potential result that the hospital care needed for the population and visitors is no longer locally present. This would have disastrous consequences for the accessibility of healthcare on Sint Maarten and the affordability of healthcare. In this respect reference is also made to paragraph 10, where various reasons are clarified to choose government regulation to obtain the goals, over stimulating competition between healthcare providers.

For these reasons, other healthcare institutions will not be permitted to duplicate the services of the general hospital. The services of the general hospital are reflected in the multi-annual plan of the Sint Maarten Medical Center. A permit could only be granted for the provision of services in addition to the services provided by the general hospital.

A healthcare institution that intends to provide hospital care in addition to the services of the general hospital, has to submit a collaboration agreement with the general hospital when applying for a healthcare institution permit. Such an agreement at least covers the access to the general hospital, such as transfer of patients and exchange of patient data, retention of staff and collaboration in quality improvement processes.

The need for a Mental Health institution

A Mental Health facility is considered a specific type of healthcare institution. The National ordinance regulating the supervision of the insane imposes additional obligations on a mental health facility.

There is currently one mental health institution designated as such by means of the National ordinance regulating the supervision of the insane, namely the Mental Health Foundation. Sint Maarten needs a mental health facility, based on the care demand of the

population and visitors, but also to guarantee the affordability of healthcare in general and mental health care in particular.

A mental health institution is expected to provide emergency care and at least provide adequate low complex care within the medical specialties that are essential based on the needs of the population and visitors.

Cooperation agreements

Healthcare institutions providing intramural and non-intramural care require a cooperation agreement with established care healthcare institutions providing the same service.

Assessment framework on applications for healthcare institutions

Required documentation

Firstly, it is assessed whether all required documentation has been received as outlined in the section on [Procedure for Permit application of a healthcare institution](#). Incomplete applications will not be processed. The required fee has to be paid and proof of payment has to be submitted with the application.

Need for healthcare institutions

Each application is assessed based on the guidelines on the need for healthcare institutions and the way in which to meet that need, as described in the chapter on [Guidelines on the need for Healthcare Institutions](#).

If there is no need for the applied for activities, based on those guidelines, or if the application does not meet the need in accordance with the guidelines, the application will be denied.

Established Healthcare Institutions

Healthcare institutions that are operational based on Article 29 of the National ordinance on healthcare Institutions are in this respect regarded as current holders of a valid healthcare institution permit. Those healthcare institutions will be requested to provide the scope of their

services and an overview of their equipment. This description can be used to determine which quality guidelines apply to the organization, in assessments by the Inspectorate for Public Health, and as baseline for potential future applications for expansion of services, replacement or purchase of equipment or the establishment of new healthcare institutions.

Reporting framework for healthcare institutions

In accordance with articles 8-14 of the ordinance regulating healthcare institutions (Landsverordening Zorginstellingen), the healthcare institution shall submit before the first (1st) of June each year, the annual report of the preceding calendar year, to the Minister of Public Health. In the report the healthcare institution reports minimally on all aspects in articles 8-14.

The reporting framework should minimally include the following elements:

1. Introduction

- a. Provide an overview of the healthcare institution (to be referred to as institution in the document) and its history, including any major milestones or achievements.
- b. Define the mission, vision, and values, and how they guide the institution's work/achievements.
- c. Highlight the institution's unique contributions to the field of healthcare.

2. Governance and Leadership

- a. Provide an overview of the governance structure, including its board of directors or other governing body (including names).
- b. Highlight any changes to the leadership or governance structure during the year.
- c. Describe any strategic planning or visioning processes undertaken during the year.

3. Program and Service Overview

- a. Provide an in-depth overview of the programs and services offered, outlined in their goals, objectives, and target populations.
- b. Describe the evidence base for each program or service, and any research or evaluation studies conducted during the year.
- c. Provide statistics on the number of clients served, their demographic characteristics, and the outcomes of their treatment.

- d. An overview of information and data including but not limited to the following topics: consultations, diagnostics, admissions, types of procedures performed, treatments, outpatient care, waiting list (including waiting time), number of returning and/or admitted clients.
5. Quality of Care
- a. Describe the institution's commitment to providing high-quality care, including any quality improvement initiatives implemented during the year.
 - b. Describe and provide an overview of the patient safety mechanisms utilized.
 - c. Provide statistics on compliance with relevant accreditation and certification standards.
 - d. Describe patient or client satisfaction surveys conducted during the year and their results.
 - e. Description of how patients are involved in the quality policy.
 - f. The frequency and manner in which quality assessment took place within the healthcare institution and the result thereof.
 - g. Number of complaints, timelines of procedures, outcome and follow-up has been given to complaints and reports about the quality of the care provided.
6. Staff and Volunteer Overview
- a. Describe the institution's staffing levels and organizational structure, including any changes made during the year.
 - b. Provide an overview of staff training and development initiatives, including any new training programs or certifications offered.
7. Community Engagement and Partnerships
- a. Describe the institution's efforts to engage with the community and other stakeholders to promote health awareness during the year.
 - 1. Highlight any partnerships or collaborations established during the year, including their goals and outcomes.
 - 2. Describe any community outreach events or activities organized during the year.
8. Advocacy and Public Policy
- a. Describe the institution's efforts to advocate for health issues within the country.
 - b. Highlight any policy changes or legislative victories that the institution contributed to during the year.
9. Research and Innovation
- a. Describe any research studies and/or innovative programs developed during the year, and their expected impact.

- b. Highlight any partnerships with academic institutions or other research organizations.

10. Technology and Digital Health

- a. Describe any technological innovations or digital health initiatives implemented by the institution during the year, and their potential impact on healthcare services and care delivery.

11. Financial Overview

- a. Provide an overview of the institution's financial performance during the year, including revenue and expenses, and financial challenges or opportunities.
 - 1. Describe fundraising and development initiatives, including any new partnerships or initiatives launched during the year.
 - 2. Provide an overview of investments and reserves, and how they are managed.
 - 3. Provide an independent audit report.

12. Future Outlook

- a. Describe the institution's goals and objectives for the coming year, including any new programs or services to be launched.
 - 1. Provide an overview of significant changes to organizational structure, staffing, or programs planned for the coming year.
 - 2. Describe any challenges or opportunities expected in the near future, and plans to address them.

Procedure for Permit application of a healthcare institution

The following activities require a permit from the Minister, based on Article 3, paragraph 1, of the National Ordinance on healthcare institutions:

- a. to build, rebuild or add to a healthcare institution;
- b. to take an existing structure into use as a care institution;
- c. to operate a healthcare facility;
- d. to change the destination of a healthcare institution or a part thereof;
- e. to perform or have performed medical examination or treatment, nursing or care or related services in a care institution;
- f. to purchase medical devices for a healthcare institution or to use or have them used in a healthcare institution that exceed an amount to be determined by ministerial regulation.

The National ordinance on healthcare institutions defines what is considered a healthcare institution. That definition is deliberately as broad as possible. This includes both legal entities that operate a care institution and persons who jointly form an institution and provide care as such.

The collaboration of those healthcare professionals in the provision of care has to be on a basis of equality. A hierarchical collaboration, such as a general practitioner (GP) and an assistant, is therefore not considered a healthcare institution. This situation would on the other hand be considered a healthcare institution if the GP were to recruit another doctor to jointly provide care to their patients.

If the collaboration solely consists of the use of a joint administrative facility, it is not considered a healthcare institution. The collaboration has to be in the provision of care.

The collaboration can take place in any type of organizational structure.

In the following paragraphs the procedure to apply for a permit is described, as well as the guidelines on the need for healthcare institutions and the way in which to meet that need, which serve as assessment framework for permit applications as applied by the Ministry of Public Health, Social Development and Labour.

Submitting an application

A permit application meets the requirements of the Temporary national decree healthcare institutions:

- Written in the English or Dutch language;
- Addressed to the Minister of Public Health, Social Development and Labour;
- Submitted in person to department of Records and Information Management at the receptionist at the Public Service Center or a copy can be sent to the Department of Public Health by e-mail;
- All questions in this application form must be completed and ensure all pages and attachments are included and submitted in one (1) pdf file;
- This application form may be submitted typed or handwritten clearly in block letters using black or blue ink;

- That all documentation must be accompanied with an attached translation into English or Dutch by a sworn interpreter/translator is also required, unless the original document is in English or Dutch;
- Relevant documentation must be accompanied with a letter from the competent issuing institution (e.g., University, Registration board etc.) stating that they are the competent institution to issue the document, or the document must be notarized by a certified notary (located in the Netherlands, Sint Maarten, Aruba, Curacao, St. Eustatius or Saba);
- A complete application contains both a cover letter and the completed application form (see [Annex IV – Application form for healthcare institutions](#));
- The cover letter includes:
 - i. a motivation
 - ii. the date of submission
 - iii. the signature of the applicant
- The healthcare institution application consists of:
 - A completed application form, see [Annex IV – Application form for healthcare institutions](#) ;
 - A copy of Sint Maarten ID or passport of the director or owner;
 - A copy of business or director's license;
 - An up-to-date curriculum vitae of the director or owner;
 - Business plan which includes but is not limited to:
 - Executive Summary;
 - Company Overview/Description:
 - Vision/mission/goals/objectives
 - Operational Plan;
 - Location;
 - Target populationl;
 - Services provided;
 - Formation;
 - Staffing/ qualifications;
 - Inventory/Equipment needed/used;

- Marketing Plan
 - Research done to justify the need for your HCI
- Operational budget (including expected revenue and costs);
- Detailed floor plan of location(s), further describing the location of:
 - all equipment and cost;
 - environmental, health and safety measures (such as storage location(s) of any hazardous materials, ventilation and electricity/gas/fire safety measures);
 - water sources;
 - office and public spaces;
 - measures taken to ensure accessibility and;
 - waste management plan;
- Excerpt from Chamber of Commerce;
- Articles of association/incorporation of the proposed healthcare institution;
- Annual accounts accompanied by an approving declaration from a certified public accountant or a registered accountant in the case of an existing institution, if applicable;
- Healthcare institutions providing intramural care require a cooperation agreement with established care healthcare institutions providing the same service;
- Proof of payment of the processing fee of NAf 325,00 at the Receiver's Office.
- The application for requesting medical equipment consists of:
 - Healthcare institution license, if applicable;
 - Copy of Sint Maarten ID or passport;
 - A copy of business or director's license;
 - Excerpt Chamber of Commerce;
 - Description of the use for the equipment, what the equipment is, the costs and impact on current medical tariff, maintenance schedule and required technician, required (medical) operator of equipment and qualifications;

- Proof of payment of the processing fee of NAf 325,00 at the Receiver's Office.

Processing of the application

Applications which include all the required attachments are considered complete and will be processed.

Based on the National ordinance on healthcare institutions, the following procedure applies:

- The Minister requests the mandatory advice of the Council for Public Health on the application;
- The Council for Public Health advises the Minister within a timeframe of eight (8) weeks. If the application solely pertains to medical equipment, the timeframe is instead four (4) weeks;
- If the advice of the Council for Public Health is not received within this timeframe, it is assumed to be a negative advice;
- The Minister decides on the application within four (4) weeks after the Council for Public Health issued their advice. This period can be extended with another four (4) weeks, of which the applicant is notified.

Ministerial Decree

Based on the relevant assessment of an application (see [Assessment framework on applications for healthcare institutions](#)) and in accordance with the applicable laws and policies, the Minister decides to grant or to deny the permit. This decision is a ministerial decree. Standard conditions are applied to a granted permit. Specific conditions will be applicable depending on the type of health care institution. Permit templates are included as Annex to this policy.

If those affected by the decision wish to object to the decision, the National ordinance on administrative appeal proceedings applies. In accordance with the Articles 54 and 55 of that ordinance, those affected by the decision may object to the decision at the Minister, or appeal the decision at the Court of First Instance of Sint Maarten, within 6 (six) weeks after the day of issuance of the ministerial decree. The objection or appeal letter must contain a description of the

decision against which it is aimed (incl. reference number), as well as the reason for the objection/appeal, the date, name, address and signature.

All permits that are granted for healthcare institutions will be subject to the following conditions:

1. The Ministerial Decree has to be validated with stamps in accordance with the Stamp Ordinance, with the value of NAf 10,- for the first page and NAf 5,- per additional page;
2. The healthcare institution shall adhere to all applicable laws and regulations concerning healthcare, healthcare institutions, medical professionals and tariffs on St. Maarten;
3. In accordance with article 12 of the ordinance regulating healthcare institutions (Landsverordening Zorginstellingen), the healthcare institution shall submit before the first (1st) of June each year, the annual report of the preceding calendar year, to the Minister of Public Health;
4. The healthcare institution shall provide adequate and responsible care;
5. Medical procedures can only be performed by medical professionals who are in possession of a permit by the Minister;
6. The healthcare institution shall contribute in a positive manner and collaborate with developments aimed at improving healthcare services;
7. The healthcare institution shall implement a grievance redress mechanism and a complaint procedure and submit these procedures to the Inspectorate for Public Health;
8. The healthcare institution shall abide by privacy regulations;
9. The healthcare institution shall ensure that the relevant continuous medical education and training is provided to their employees;
10. The healthcare institution shall secure a business and professional liability insurance;
11. The provided care is accessible for all in Sint Maarten;
12. That clients are accepted regardless of their medical situation;
13. That employer's' files are stored and destroyed in accordance with applicable legislations;
14. The healthcare institution shall cooperate in immediately reporting any incident of medical negligence and/or casualties related to their services, to the Inspector-General for Public Health;

15. The healthcare institution will submit an application to the Minister of Public Health, Social Development and Labour, in the event it intends to:
- a. expand its services;
 - b. procure medical equipment above 50.000, - guilders;
 - c. employ additional healthcare professionals.

All granted permits can be revoked if any of the conditions stipulated in the decree are violated. Specific conditions may be added based on the discretion of the Minister with regard to the function and size of a healthcare institution or a medical device.

The minister can obtain information in addition to the submitted information in order to assess the application. Information not provided can lead to a negative decision. In complex cases the decision time can be suspended for a reasonable period. Applicants will be informed about a suspension.

Annex I – Application form for medical professionals

For registrar only

Registration number:

Date and time:

Registration fee paid: Y N N/A



APPLICATION FORM EXEMPTION TO ORDINANCE RESTRICTING THE ESTABLISHMENT OF MEDICAL PROFESSIONALS

(AB 2013, GT no. 444)

PERSONAL DETAILS

a. Surname name:

b. Given name(s):

c. Profession (requesting to establish and practice as):

d. Employer/ Institution of practice:

e. Duration of employment (DD/MM/YYYY):

_____ until _____

f. Date of birth:

g. Place of birth:

h. Nationality:

i. Address:

j. Mailing Address:

k. Telephone number:

l. E-mail:

Admission requested for (select answer):

Establishment ☐

Renewal ☐

Substitution ☐

EDUCATIONAL BACKGROUND / QUALIFICATIONS

Please provide an overview of all relevant education

a. Name of institution:

Title of Diploma:

Country:

Completion date:

b. Name of institution:

Title of Diploma:

Country:

Completion date:

c. Name of institution:

Title of Diploma:

Country:

Completion date:

d. Name of institution:

Title of Diploma:

Country:

Completion date:

(Attach a separate page if your relevant qualifications and examinations did not fit in the space provided.)

COVER LETTER

Please attach a signed and dated cover letter that motivates your request.

PROFESSIONAL EXPERIENCE

Please attach a signed and dated current curriculum vitae that describes your full practice history.

CONTINUOUS MEDICAL EDUCATION

Please attach:

- a. An overview of all relevant continuous medical education (CME) successfully completed over the past 2 years;
- b. Include copies of all obtained certificates and/or proofs of participation (All documents must be accompanied with a letter from the competent issuing institution (e.g., University, Registration board etc.) stating that they are the competent institution to issue the document);

MEDICAL REGISTRATION HISTORY

Please attach an extract from all professional registries and/or specialist board(s) (e.g., BIG-registry in the Netherlands, KNMG registration in the Netherlands) from the country where registered.

STATEMENTS, CONSENT AND DECLARATION

Statements:

- a. Have you been suspected, charged and/or convicted of committing any criminal activities?

Yes ☐

No ☐

If yes, please provide an elucidation on the exact nature of the suspicion/charge/conviction on a separate sheet and include a copy of any document that may be relevant to support your elucidation.

- b. Have you had any registration in a professional registry or specialist board cancelled, refused, suspended or subject to any restrictions, undertakings or limitations?

Yes ☐

No ☐

If yes, please provide an elucidation on the exact nature of the cancellation/refusal/suspension/restriction/undertakings/limitations on a separate sheet and include a copy of any document that may be relevant to support your elucidation.

Consent and Declaration:

- i. I consent to the Inspectorate of Public Health making enquiries of and exchanging information with the health authorities of any state or country regarding my practice as a health practitioner or otherwise regarding matters relevant to this application.

- ii. I understand that information can be extracted from this form and used for the purpose of criminal history checking.
- iii. I declare that all documentation has been submitted in compliance with the requirements and required documents attached to this application form.
- iv. I consent to my information being shared with the relevant assessment agencies for further evaluation if deemed necessary by the Minister of Public Health, Social Development and Labour.
- v. I understand that additional information may be requested during the assessment which requires my compliance.
- vi. I understand that an incomplete application will not be processed.
- vii. I declare that the above statements and the documents provided in support of this application are true and correct. I make this declaration in the knowledge that a false statement will lead to refusal or revocation of the application.

Date: (DD/MM/YYYY)

Signature of the medical professional

REQUIREMENTS

- All questions in this application form must be completed and ensure all pages and attachments are included and submitted in one (1) pdf file.
- This application form may be submitted typed or handwritten clearly in block letters using black or blue ink.
- That the applicant must submit all the of the information listed below including the information required within the application form.
- That all documentation must be accompanied with an attached translation into English or Dutch by a sworn interpreter/translator is also required, unless the original document is in English or Dutch;
- Relevant documentation must be accompanied with a letter from the competent issuing institution (e.g., University, Registration board etc.) stating that they are the competent institution to issue the document, or the document must be notarized by a certified notary (located in the Netherlands, Sint Maarten, Aruba, Curacao, St. Eustatius or Saba).

REQUIRED DOCUMENTS

This application will be considered incomplete and will not be processed if all of the below mentioned supporting documents (insofar as applicable) have not been provided.

For medical professionals who meet the requirements as stipulated in the relevant legislations:

1. Copy of valid passport;
2. An up-to-date curriculum vitae;
3. An original certified copy of all relevant diplomas, extract BIG- register (Beroepen in de Individuele Gezondheidszorg) in the Netherlands. In the case of Midwives extract from the Health Registry of Suriname must be included;
4. Proof of registration in a board of medical professionals where the medical professional is registered (e.g., KNMG) if applicable;
5. Certificate of Current Professional Status (CCPS) from the country in which you last worked, no older than 3 months, if applicable;
6. Copy of relevant labour agreement or, if applicable, proof of application for economic license and relevant corporate documents (articles of association, registration Chamber of Commerce and Industry);
7. For medical specialists: Copy of admittance/ labour agreement with an established Healthcare Institution;

For medical professionals who do **not** meet the requirements as stipulated in the relevant legislations, you are required to provide the following:

1. Copy of valid passport;
2. An up-to-date curriculum vitae
3. Supporting documents showing any professional experience;
4. An original certified copy of all relevant diplomas, issued by the institution where the diploma was obtained. This documentation must be accompanied with a letter from the competent issuing institution (e.g., University, Registration board etc.) stating that they are the competent institution to issue the document, or the document must be notarized by a certified notary (located in the Netherlands, Sint Maarten, Aruba, Curacao, St. Eustatius or Saba). An attached translation into English or Dutch by a sworn interpreter/translator is also required, unless the original document is in English or Dutch;
5. Authenticated certified copy of all relevant certificate(s) and diploma(s), physicians must submit a certified copy of the relevant degree/ certificate to the Inspector General of Public Health, Sint Maarten;
6. Transcripts, grade lists and assessments of study results, practice periods and/or internships. This documentation must be accompanied with a letter from the competent issuing institution (e.g., University, Registration board etc.) stating that they are the competent institution to issue the document, or the document must be notarized by a certified notary (located in the Netherlands, Sint Maarten, Aruba, Curacao, St. Eustatius or Saba). An attached translation into Dutch by a sworn interpreter/translator is also required, unless the original document is in English or Dutch;
7. Proof of registration in the register of the profession, not older than six months;
8. CCPS (Certificate of current professional status) from the health authorities of the country of current practice, not older than three months, showing whether a decision or measure, based on a judicial, disciplinary or administrative decision given or is in force on the basis of which the applicant has temporarily or permanently lost all of their rights to exercise the profession concerned in the country where the decision was given, issued by the competent authorities;
9. The official curriculum followed in the university for all relevant degrees, issued by the competent authority in the country where the training was taken. Program listing the courses of your professional degree(s), divided into theoretical and practical subjects. Indicate how

- much time was spent on the education in these subjects. This document must be issued by the institution from which you received your degree;
10. The document must demonstrate that the training curriculum took place at the specified period. An overview of the training followed must be in chronological order and contain information about the duration and content of the parts of the training;
 11. A list of operations performed during the training (for cutting specialisms) in chronological order;
 12. Proof of continuous medical education followed after completing the medical training;
 13. Statement(s) about the completion of the training as a specialist for activities performed with substantive information about the nature of the activities (for cutting specialisms, supplemented with an overview of performed activities);
 14. Proof of sufficient command of the English language;
 - a. *No proof of English proficiency is required if English is the native language of the medical professional.*
 - b. Evidence that English was the language of instruction of the medical professional's relevant educational career
 - c. English language test scores from either;
 - i. TOEFL
 - ii. IELTS (International English Language System)
 - iii. Cambridge Assessment English
 15. Copy of relevant labour agreement or, if applicable, proof of application for economic license and relevant corporate documents (articles of association, registration Chamber of Commerce and Industry).

For medical professionals requesting an extension of their establishment, you are required to provide the following:

1. Copy of valid passport;
2. An up-to-date curriculum vitae;
3. Copy of current Ministerial Decree, expired no longer than 3 months;
4. Proof of registration in the register of the profession, not older than six months;
5. Proof of registration in a board of medical professionals where the medical professional is registered if applicable;

6. Certificate of Current Professional Status (CCPS) from the country in which you last worked, no older than 3 months, if applicable;
7. Copy of valid relevant labour agreement or, if applicable, proof of application for economic license and relevant corporate documents (articles of association, registration Chamber of Commerce and Industry);
8. For medical specialists: Copy of admittance/ labour agreement with an established Healthcare Institution;

Annex II – Permit templates for medical professionals



of , no.

The Minister of Public Health, Social Development and Labour,

Considering:

- the request for (*extension of the*) exemption on the restriction of the establishment of medical professionals which was submitted on [date], by [name person / institution] on behalf of [name medical practitioner], to practice as a [profession] on St. Maarten;
- the advice received from the Council for Public Health;
- the advice received from the Head of the Department of Public Health;
- that the Inspectorate of Public Health, Social Development and Labour was informed about this request;
- that the requested exemption fits within the ‘Policy on Establishment of Healthcare Services’ of 2023, which includes the Manpower Planning as adjusted in 2018, in which guidelines are established on the need for medical professionals and the way in which that need can be met;
- that this request referred to an extension of ministerial decree no. XXXX dated XXXX;
- that these considerations warrant grounds to permit [medical practitioner] to practice as a [profession] on Sint Maarten;

Given:

Articles 1, 2 and 5 of The National Ordinance regulating the practice of medicine (Landsverordening regelende de uitoefening van de geneeskunde)

and,

Articles 2, and 3 The Temporary Ordinance Restricting the Establishment of Medical professionals
(Tijdelijke Landsverordening beperking vestiging medische beroepsbeoefenaren);

HAS DECIDED:

Article 1

That *[name]*, born on *[date]* in *[place]*, *[country]* is qualified to practice as a *[profession]* and is exempted from the prohibition on the establishment of medical professionals, under the conditions outlined in article 2.

Article 2

The following conditions apply (Additional conditions may be added):

1. This Ministerial Decree is validated with stamps in accordance with the Stamp Ordinance, with the value of NAf 10, - for the first page and NAf 5, - per additional page;
2. The prescribed oath or promise has been taken in front of the Governor;
3. *[name]* is required to provide adequate responsible care (“verantwoorde zorg”);
4. *[name]* adheres to the policy of the Inspectorate for Public Health regarding the notification of (potential) calamities (“Richtlijn melden van (potentiele) calamiteiten” as published in the National Gazette no. 19 of 2018);
5. *[name]* is required to contribute in a positive manner to and collaborate with developments aimed at improving the quality of healthcare on Sint Maarten;
6. *[name]*’s services must be accessible to the population of Sint Maarten;
7. *[name]* maintains the registration as *[profession]* in *[register]*
8. *[name]* is exclusively employed at *[institution]*;
9. In case substitution is necessary because of vacation, sickness or because of other reasons, the Ministry of Public Health, Social Development and Labor is notified and an application is sent in line with the Temporary Ordinance Restricting the Establishment of Medical professionals prior to the intended period of substitution;

10. *[name]* complies with all applicable laws and regulations regarding the provision of healthcare services;

Article 3

1. This Ministerial Decree can be revoked upon detection that the conditions stipulated in Article 2 of this Decree have not been upheld.
2. This Ministerial decree goes into effect as of *[date]* and is valid until *[date]*.

Article 4

This ministerial decree will be published in the National Gazette.

Minister of Public Health,
Social Development and Labour

NOTICE:

1. In accordance with the Articles 54 and 55 of the National Ordinance on Administrative Appeal Proceedings (Landsverordening Administratieve Rechtspraak), those affected by this decision may object to the decision at the Minister of Public Health, Social Development and Labour or appeal this decision at the Court of First Instance of Sint Maarten, within 6 weeks after the day of issuance of this letter. This notice is to contain a description of the decision against which the objection is aimed (incl. reference number), as well as the reason for the objection, date, your name and address.

Copies of this Ministerial Decree shall be sent to:

- the department of Public Health;
- the Inspectorate for Public Health;
- the Council for Public Health;
- the executive agency Social and Health Insurances SZV;

Annex III – Manpower planning

Manpower planning 2021-2023

Overview of Headcount of medical professionals

The overview of the Headcount of medical professionals on the Dutch side of St. Maarten, found in column 2 of the below diagram, were based on the Manpower planning update of July 2020. These numbers were calculated based on figures provided by the professionals themselves, the healthcare institutions and data found at the Public Health Department.

Overview of required capacity

The overview of required capacity norms in FTEs (Full Time Equivalent), found in column 3 of the below diagram, are the results of the assessment and represents the set norms. the motivation for the changes can be found in chapter 5.

Overall overview total required and available capacity

Discipline	Current Headcount July 2020	Required FTE capacity 2021-2023
General practitioner ¹	23.0	22.42
Physical therapy ²	21.0	21.5
Occupational therapy	4.0	4.5
Kinetics (Exercise) therapy	1.0	2.0
Speech therapist	3.0	6.0
Dieticians	3.75	7.0
Podiatric therapist	0	1.23
Psychologist	13.0	13.0
Psychiatrist	5.0	8.0

Discipline	Current Headcount July 2020	Required FTE capacity 2021-2023
Pharmacist ³	14.0	13.5
Dentist (including a youth/public dentist, a periodontist and an orthodontist)	9.0	11.25
Dental hygienist (including youth/public)	0	5.0
Pulmonologist	0	1.1
Anesthesiologist	3.0	4.0
Cardiologist	1.5	3.0
Dermatologist	1.0	2.0
ER physicians	5.0	9.0
Gastroenterologist	0	1.3
Gynecologist	4.0	5.0
Internal medicine	3.0	6.3
Dental Surgeon (including a visiting Maxillofacial Surgeon)	0	1.0
Microbiologist	0.1	1.0
Neurosurgeon	0	1.4
Neurologist	1.0	2.2
Ophthalmologist	1.0	2.5
Remedial teacher (orthopedagogue)	0	1.0
Orthopedic surgeon	1.0	1.5

Discipline	Current Headcount July 2020	Required FTE capacity 2021-2023
ENT (Otolaryngology) doctor	1.0	2.2
Pediatrician	1.0	4.5
Pathologist	0	1.0
Plastic Surgeon	0	1.2
Radiologist	1.0	3.2
Radiotherapist	-	-
Revalidation Physician	0	1.5
Surgeon (general)	2.0	4.0
Urologist	2.0	2.2
Geriatric Physician	0	1.2
Midwife	2.7	3.3
Occupational Health doctors	1	4.6
Verzekeringsartsen	2	3.4
Clinical Chemist	2	1.0
House officers	1.0	6.0

⁸ Quarterly updates of the Manpower planning will be provided to the various stakeholders by the Department of Public Health.

Reference:

1. ACSION/Advanced Care Solutions and Insights for Optimization conducted an independent study namely; The Manpower planning Sint Maarten 2018-2020, which was provided to the Ministry VSA, to be use as a tool to establish its Policy document. Recommendations that conflicted with existing regulations could not be utilized.
2. NIVEL: <https://www.nivel.nl/nl/jaarcijfers-beroepsgroepen-de-zorg>

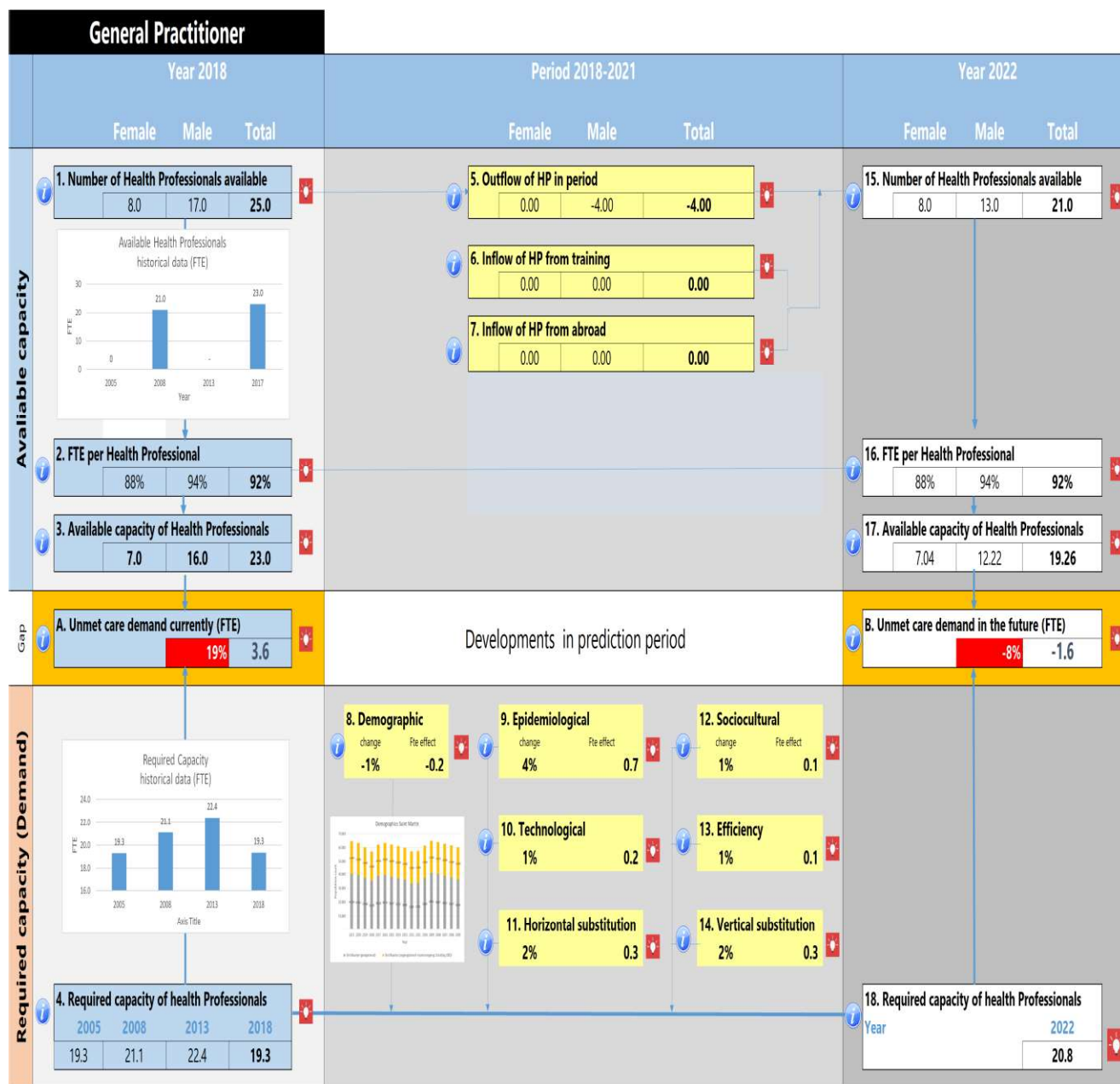
Manpower planning model

To update the previous Manpower planning in order to determine more current norms for medical professionals based on the care demand, both the Manpower planning of 2008 and 2013 were reviewed by the key stakeholders. Based on their reaction, the following points were integrated in the current Manpower planning:

- a. Ensure that there are clear starting points and uniform definitions;
- b. Take the actual available capacity based on reliable data into account;
- c. Transparency on the norm standards used for establishing the required capacity;
- d. Appropriate calculation of the norms for occupations with 24hrs, 7 days requirements;
- e. Open dialogue with and involvement of all relevant professions/professionals and other relevant key stakeholders in the process;
- f. Transparency about the methodology used;
- g. Agree on model to validate calculations and define the service area;
- h. Organize one-on-one sessions with disciplines; validate results and document recommendations for improvements for future Manpower planning updates.

A model was developed and validated with the stakeholders, taking the aforementioned into account. This model is to be applied every 3 years when assessing the necessary capacity for each discipline separately.

The model developed is based on the experience of the Netherlands institute for health services research (hereafter: NIVEL) and the lessons learned from previous Manpower planning assessments. The model consists of an upper panel (care capacity) and lower panel (care demand) in three columns.



9

⁹ HP=Health professional

Inflow= expected entry into the workforce within the policy period.

Outflow= expected exit out of the workforce within the policy period.

The percentages are calculated by dividing the targeted demographic by the entire population, and then multiply the result by 100 to convert it into percentages. To do so you must know for example, how many people belong to the particular group or profession you are measuring, and how many people belong to the entire population.

Column 1- current situation

- The first column captures the current situation regarding the available and required capacity.
- Number 1-3: captures the number of medical professionals (in FTE) available currently in the assessed group of professionals.
- Number 4: is the required number of medical professionals (in FTE) currently based on the care demand and or norms for the availability of these professionals.
- Letter A: Unmet demand of care currently: The shortage or surplus of medical professionals (in FTE) in 2018.

Column 2 – developments in prediction period

- The second column focuses on the drivers of changes in capacity and demand in the coming years.
- Number 5-7: Changes in the number of medical professionals (headcount) in the assessed professional group based on the known in- and outflow during the policy period.
- Number 8-14: Different drivers that influence the care demand on Sint Maarten.

Driver	Description
8. Demographic	Developments in the size and composition of the population depending on healthcare in Sint Maarten during the policy period.
9. Epidemiological	A non-demographic parameter in the estimation model which indicates in what percentage the need for a certain professional group will increase or decrease during the policy period, as a result of changes in the prevalence and spread of diseases among the population, in relation to age, sex, sources of infection, nutrition, et cetera. (source NIVEL)
10. Technological	A non-demographic parameter in the estimation model which indicates in what percentage the need for a certain professional

	group will increase or decrease during the policy period, because of developments that are specific to the technological and scientific content and development of the discipline. (Source NIVEL)
11. Horizontal substitution	A non-demographic parameter in the estimation model, which indicates in what percentage the need for a certain professional group, will increase or decrease during the policy period, because of a shift of work between two similarly trained professional groups. Examples are shifts from the primary to secondary care, or within the secondary care from a main- to a sub specialism. (Source NIVEL)
12. Sociocultural	A non-demographic parameter in the estimation model which indicates in what percentage the need for a certain professional group will increase or decrease during the policy period, as a result of social and cultural developments, such as the increasing empowerment of patients or differences between social groups in relation to health care use. (Source NIVEL)
13. Efficiency	A non-demographic parameter in the estimation model which indicates in what percentage the need for a certain professional group will increase or decrease during the policy period, as a result of economies of scale, cooperation, commercialization, and changes in process design, administration or ICT in the work process. (Source NIVEL)
14. Vertical substitution	A non-demographic parameter in the estimation model, which indicates in what percentage the need for a certain professional group will increase, or decrease during the policy period, because of shifting tasks to higher or lower-skilled professional groups. Examples are shifts of tasks from doctors to POH or specialized nurses. (Source NIVEL)

Column 3 – Estimated/required manpower – future

- The third column would be the outcome: the required Manpower at the end of the policy period when all the influencing factors are taken into account.
- Number 15-17: Number of medical professionals (in FTE) in the assessed group of professionals at the end of the policy period.
- Number 18: Required number of medical professionals (in FTE) that is available at the end of the policy period.
- Letter B: Unmet demand of care present: Required number of medical professionals (in FTE) at the end of the policy period.

Manpower planning method

Demographic profile of the population

Population figures on Sint Maarten are to be compiled from both the Population Censuses as well as from the population registry of the Civil Registry Department.

The most recent Population Census conducted on Sint Maarten was in April 2011 by the Department of Statistics (hereafter: STAT), revealing a population of 33,609 residents and prior to that in 2001 by the Central Bureau of Statistics (former Netherlands Antilles). Yearly, an estimate is given of the population numbers based on annual mutation files.

STAT reported that Sint Maarten has a population of 40.535 persons (STAT 2017). The reported number of STAT also includes an estimate for unregistered persons.

Service Area

When establishing the Manpower planning, other regions besides the population of Sint Maarten must be taken into account. Some medical professionals and healthcare institutions fulfill a regional function. This means that the population of Saba and/or Sint Eustatius should be included for the disciplines that also cater to their needs. The Centraal Bureau voor de Statistiek (hereafter: CBS) reported that Saba has a population of 1.947 persons and Sint Eustatius a population of 3.193 persons (CBS 2016).

Some medical professionals also cater to the population of French Sint Maarten and Anguilla however; these populations are not part of the service area of Sint Maarten.

Tourism is the leading export service and main source of income for Sint Maarten. The industry is identified by three different types of tourists namely: cruise, stay-over (overnight) and marine tourist (STAT 2017).

When visiting the island tourists also use the healthcare system of Sint Maarten. The influence of tourist differs per discipline. The average number of tourists per day, prior to hurricane Irma in September of 2017, was about 16.000 persons. This data is to be updated every three (3) years and included for the calculations of the required capacity. For each discipline, the medical professionals and healthcare institutions concerned are to include the updated population of Saba, Sint Eustatius and tourists to their service area when calculating their required capacity.

Data sources

Based on available data, an estimate is made using multiple data sources and experiences of key stakeholders. Data is retrieved from the various medical professionals, healthcare institutions, health insurances, various departments in Government, the NIVEL capacity and healthcare demands studies, regional as well as reliable international capacity and healthcare demand studies. Stakeholders are encouraged to improve on data collection during policy periods.

Capacity medical professionals

In determining the availability and required capacity, the accessibility to healthcare services was taken into account. A distinction has to be made between medical professionals, who cater to the entire population and medical professionals, who cater to targeted groups of the population.

A headcount amount per discipline is performed and compared to the actual norm (FTE), taking into account that one FTE is not necessarily equal to one care provider. This can be due to part-time workers or accessibility to healthcare services.

Healthcare Institutions and medical professionals are responsible for providing adequate care. Healthcare Institutions are responsible for arranging timely and equally qualified care during the absence of medical professionals employed by them(substitutions). Medical professionals in private practice are also responsible for arranging timely and equally qualified care during their absence.

Generalist versus Specialist

Given the limited number of medical professionals on Sint Maarten, it is preferred that medical professionals be generalist with knowledge of a wider area within their specialty. Currently sub-specialist are classified under the general specialization norm in the manpower planning. The manpower planning will not determine which areas need to be present per discipline on Sint Maarten. The majority of professional groups agreed that this should not be part of the manpower planning, as it is considered something that should be regulated by the professional group itself.

Absence of certain disciplines

Various disciplines are currently not present on Sint Maarten namely: podiatric therapist, remedial teachers, periodontist, dental hygienist and a youth and public dentist. In the absence of disciplines, the professional groups cannot be consulted to assess the required capacity based on the care needs (care demands). Therefore, a survey among medical professionals to identify capacity is conducted during the assessment.

Elucidation on results of Manpower planning norms 2018-2021 for medical professionals

The following results are based on the guidelines provided in the Manpower planning policy document 2020, that is to be used when developing the Manpower planning norms for individual medical professionals every three (3) years. Annex 1&2 of this document will be updated every policy period.

1) GENERAL PRACTITIONER

The General Practitioners (GP) of Sint Maarten deliver primary care and as such fulfill a gatekeeper function in the healthcare system. Patients have to present their complaints first to the GP (unless it is urgent), who then decides on the next steps: reassure, instruct and watchful waiting, additional diagnostics, pharmacotherapy and/or referral to medical specialist or paramedical disciplines. The gatekeeper function implies a 24 x 7 availability of the GP. Besides the gatekeeper function, GPs are also responsible for the coordination of chronic care and prevention in the population registered in their practice. One GP in the past has voluntarily coordinated HIV and Aids care for the majority patients on Sint Maarten. Some GP's have organized their diabetes care. It is however the responsibility of GP's to organize themselves to deliver structural chronic care to their patients.

The population is not equally divided between the practices. Some practices have too many patients and others have insufficient patients. Several factors are responsible for this:

- a. Almost all insured persons are registered with one GP. However, only those insured in the ZV fund have the obligation to only visit that GP. The rest of the population is free to choose which GP they visit. In general, they solely visit the GP they are registered with. However, medical shopping is also practiced by a significant part of patients.
- b. The establishment of practices is not directly related to the size of the local population nor the local demand for care.
- c. The majority of tourists are taken care of by two practices, which are located in the touristic areas of the island.

¹⁰Current situation

Available capacity

The number of GPs currently registered at the Ministry of VSA is 23. Twenty one (21) GPs are practicing fulltime. Two are practicing parttime and are available upon appointment.

Required capacity

The service area of GPs can be marked as the registered and unregistered population of Sint Maarten, which in total comprises approximately 40.535 persons:

- a. St. Eustatius and Saba should be excluded as on both islands there are permanent GPs, who provide for the primary care. The GPs indicated that they mainly provide care to registered persons.
- b. Part of the unregistered population are insured, since they are employed. However, unregistered (including privately insured) persons visit the practice relatively less. The reason for this could be that they have to pay cash/out of pocket, which for some is a barrier.
- c. When calculating the norm, tourists should not be taken into account. Most of the tourists visit the hospital instead of the GPs. As mentioned before, the tourists visiting GPs are mainly seen by 2 GP practices.

The manpower planning of 2008 indicated a norm of 21.1 FTE GPs, based on 2,500 persons per FTE for a service area of 57.874 (including tourist). In the Netherlands the norm for a practice is 2,095 persons per FTE (2018). When the norm in the Netherlands (NIVEL) is used as a reference, the necessary capacity would be 19.3 FTE (excluding 'substituting' GPs) for a service area of 40.535 persons. During the one-on-one sessions GPs indicated the following about the current situation:

- a. Most of the practices still have sufficient capacity to provide care to patients. Moreover, there are practices that are still in the start-up phase.

¹⁰ Data of the Manpower planning update of July 2020 was applied to determine the current situation.

- b. The health care system on Sint Maarten is different from that of the Netherlands. In the Netherlands there is a horizontal substitution from secondary to primary care. This trend has not yet started on Sint Maarten.
- c. Selfcare and community support is more common in the culture of Sint Maarten. As a result, most persons take more often and longer care of themselves. However, sometimes they wait too long to visit a GP and as a consequence secondary care is needed instead of primary care.
- d. Many residents on the Dutch side of Sint Maarten use care facilities elsewhere, especially on the French side of the island.
- e. As indicated earlier, GPs mainly provide care to registered people. Unregistered (including privately insured) visit the practice less.

Based on aforementioned arguments and the assessment conducted, the 2013 norm of **22.42 FTE** is maintained.

2) PHYSICAL THERAPY

Current situation

Available capacity

The number of psychical therapists currently registered at the Ministry of VSA is 21 FTE.

Required capacity

The service area of physical therapists can be marked as the registered and unregistered population of Sint Maarten, which in total comprises approximately 40.535 persons:

1. St. Eustatius and Saba can be excluded because on both islands there are permanent physical therapists, who provide for the health care needs.
2. When the tourists are included in the service area there will be an overestimation of the required capacity for physical therapists. Their demand for physical therapy is seasonal bound.

The Manpower planning of 2008 indicated a norm according to NIVEL calculation of 19 FTE for a service area of 51.874 persons. In the Manpower planning of 2008, the norm for physical therapy capacity was based on the NIVEL norm of 2450 persons per FTE. When this norm (NIVEL) is used again as a reference, the necessary capacity would be 16.5 FTE for a service area of 40.535 persons. According to the physical therapists the norm of 16.5 FTE is too low and in addition there is no substantiation provided in 2008 of this NIVEL norm. The physical therapists indicated that the norm should be set at 21.5 FTE for physical therapy because of the following reasons:

- a. Patients on Sint Maarten tend to have more multiple problems than in the Netherlands.
- b. People on Sint Maarten do more physical labor. Lack of labor laws and preventive measures augment the physical problems arising from working conditions.
- c. Relatively more people are overweight on Sint Maarten than in the Netherlands, leading to more physical problems.
- d. The physical therapists experience a shortage in capacity to cover the total care demand. They estimate an extra FTE for each large practice.
- e. Considering the hospital care on St. Maarten, various developments are underway. The White Yellow Cross Care Foundation (WYCCF) has indicated that it will double the number of rehabilitation beds from the current four to eight beds. The SMMC is going to build a new hospital and will most likely set up a paramedical department. These are all developments in which the number of physiotherapists can increase. Because the current professional planning does not distinguish between physiotherapists who work intra and extramural, it is wise to include this in the estimate.
- f. Most physiotherapists on St. Maarten are generalists, the Paramedics Association St. Maarten (PASM) applauds physiotherapists with specializations (specialization) such as pediatric physiotherapists,

oncological physiotherapists, geriatric physiotherapists, manual therapists, etc.

The difference between the NIVEL norm used in 2008 and the desired norm can partly be substantiated by qualitative indicators for the increased demand for physical therapy. However, an accurate care demand analysis with actual data is necessary in the next policy period to determine the exact norm.

Based on the above-mentioned including the assesment, the norm for Physical Therapist is set at **21.5 FTE** until data becomes available regarding the actual care demands for the expansion of the hospital services.

3) OCCUPATIONAL THERAPY

Current situation

Available capacity

The number of occupational therapists currently registered at the Ministry of VSA is 2. One occupational therapist is self-employed, and one works for White Yellow Care Cross Foundation.

Required capacity

The service area of occupational therapists can be marked as the registered and unregistered population of Sint Maarten, which in total comprises approximately 40.535 persons. The occupational therapist working for White Yellow Cross Care Foundation only provides care to eligible patients.

The Manpower planning of 2008 indicated a norm of 2.9 FTE occupational therapists, required for 17.600 persons per FTE for a service area of 51.874 persons. In the Netherlands, the norm for occupational therapist is 9,000 persons per FTE. When the norm of the Netherlands (NIVEL) is used as a reference, the necessary capacity would be 4.5 FTE for a service area of 40.535 persons.

According to the occupational therapist the norm of **4.5 FTE** would be sufficient to provide the care demands, with the note that GPs have to refer patients to the occupational therapist.

4) EXERCISE THERAPY/KINETICS THERAPY

In the previous Manpower plannings (2008/2013) no norm was advised for Exercise Therapist. The NIVEL advised a norm of 9,345 persons per FTE in 2016. Based on the norm of the Netherlands (NIVEL), the necessary capacity would be 4.33 FTE.

There is currently one exercise therapist established on Sint Maarten who specializes in Cesar Kinetics Therapy.

Based on the advice received by this expert, it was said that St. Maarten needs more Exercise therapists in the future however, it is not clear what the current care demand is amongst the SZV insured population.

The manpower planning report documented that exercise therapy is presumably being provided by physical and occupational therapists however, it is not clear how many FTE capacity is actually being filled by these disciplines. Based on the advice received from the expert and considering that within the region approximately 1 FTE Exercise Therapist per 20.000 persons is customary, a policy decision was taken to set the capacity of Exercise therapist at **2 FTE** until more data becomes available..

5) SPEECH THERAPIST

Current situation

Available capacity

The number of speech therapists currently registered at the Ministry of VSA is 3.4 FTE. One speech therapist is self-employed, and two are currently practicing at the White Yellow Cross Care Foundation.

Required capacity

The service area of speech therapists can be marked as the registered and unregistered population of Sint Maarten and the population of Saba and Sint Eustatius, which in total comprises approximately of 45.000 persons.

The Manpower planning of 2008 indicated a norm of 3.4 FTE speech therapists for Sint Maarten, Saba and Sint Eustatius together. The speech therapists on Sint Maarten indicated that the current norm is too low and should be set at 6 FTE. NIVEL has not set a norm for speech therapists in

the Netherlands. According to the speech therapist, the recommended norm used in the past was 5,000 persons per FTE.

When this norm is used as a reference, the necessary capacity would be 9.1 FTE for a service area of 45.000 persons. According to the speech therapist this norm could be a little bit too high. In consultation with the speech therapist it has been decided to set the norm at **6 FTE** for Sint Maarten, Saba and Sint Eustatius.

6) PHARMACIST

Current situation

Available capacity

The number of pharmacists currently registered at the Ministry of VSA is 15.

Of the 15 registered pharmacists one (1) pharmacist works at the Inspectorate for Pharmaceutics.

Required capacity

The service area of pharmacies can be marked as the registered and unregistered population of Sint Maarten and tourists, which in total comprises approximately 57.000 persons.

The number of unregistered persons living in the different districts is unknown. Furthermore, patients often visit other pharmacies than the one closest to home (f.e. close to their GP or work location). The pharmacists indicated that the current number of operating pharmacies (11) is sufficient to fulfill the pharmaceutical distribution.

The Manpower planning of 2008 indicated a norm of 10 FTE Pharmacists. In the Netherlands, there is no norm set for pharmacists/pharmacies. Pharmacies can settle freely; the only condition is that there must be a qualified pharmacist in the pharmacy.

Eurostat presents an overview of European Union (EU) statistics on healthcare personnel among which pharmacists. In their research the reported number of pharmacist is 21 per 100.000 habitants in the Netherlands (Eurostat 2017). When the aforementioned norm is used as a reference, the necessary capacity would be 12 FTE for a service area of 57.000 persons (4750 persons per 1 FTE Pharmacist). The pharmacists indicated that this norm is too low. Pharmacists are of the opinion that (2) FTE pharmacist per pharmacy are needed because of the following reasons:

- a. In the Netherlands, the number of prescription rules is used to determine the required capacity. The amount of prescription rules which can be processed in a pharmacy in the Netherlands is not feasible on Sint Maarten. The pharmacies are dealing with inefficiencies in the pharmaceutical value chain. In addition, there is often a language barrier between the pharmacist and the patient when the medication is delivered, which takes extra time.
- b. According to the pharmacists the norm in the manpower planning shouldn't be based on the number of pharmacists, but on the number of pharmacies. The number of pharmacists working per pharmacy is actually a business decision that government has nothing to do with.
- c. A second pharmacist per pharmacy is needed in the context of quality assurance. The managing pharmacist is responsible for both the pharmaceutical care given to the patient and operations of the pharmacy. The second pharmacist in the pharmacy can (could) focus fully on the pharmaceutical care given to the patient.
In addition, a second pharmacist is also necessary in the context of substitution during vacation and business hours. Most pharmacies are open six to seven days a week.
- d. The pharmacy in the SMMC has both a public as well as a hospital pharmacy function. The pharmacist indicates that they need a (hospital) pharmacist to cover the latter function.
- e. The pharmacists indicate that a second pharmacist should not have the right to start their own pharmacy. This to prevent that there will be too many pharmacies.

Based on the above substantiation, the norm would be 24 FTE according to the pharmacists.

Note: There is no external validation for the second pharmacist in the pharmacy as the question is whether management and administrative tasks have to be performed by a pharmacist or whether they can be delegated to other personnel or professionals. Currently the new Pharmacy Information System is implemented to resolve most of the current inefficiencies in the

pharmaceutical value chain. A pharmacist can decide on the amount of Pharmacists and assistants working per Pharmacy however, data shows that One (1) FTE Pharmacist capacity is required per Pharmacy to execute the actual pharmaceutical care given to patients. No evidence was provided to conclude otherwise. The operational functions of a Pharmacy should not be included in the core function of a Pharmacist, as this can be done by an administrator. A substituting Pharmacist cannot be counted as an additional FTE capacity, as they are filling in for an already established FTE position.

In conclusion:

Eurostat presents an overview of European Union (EU) statistics on healthcare personnel including pharmacists. In their research the reported number of pharmacist is 21 per 100.000 habitants in the Netherlands (Eurostat 2017). Based on this reference, the local necessary capacity would be 12 FTE for a service area of 57.000 persons.

In order to comply with specialized hospital pharmacy care and the disbursement of ARV medication, the norm is set to **13.5 FTE**. Pharmacies requesting a second (2nd) pharmacist will have to share 1 FTE capacity together with the already established pharmacist.

7) DIETICIANS

Current situation

Available capacity

The number of dieticians currently registered at the Ministry of VSA is 4. Three (3) dieticians are self-employed of which one (1) is not permanently on Sint Maarten but visiting. One dietician is employed at the White and Yellow Cross Foundation.

Required capacity

The service area of dietician can be marked as the registered and unregistered population of Sint Maarten, which in total comprises approximately 40.535 persons.

In the Manpower planning of 2008 the norm for dietician was set at 4.6 FTE, based on 12.000 persons per FTE for a service area of 51.874. The International Confederation of Dietetic Associations (ICDA), of which the Caribbean and the Netherlands are also member, reported the number of dieticians-nutritionists in a country relative to the population of that country. The

numbers showed considerable variation. In the Caribbean the number of dietitians is one (1) per 100.000 residents and in the Netherlands 16 dietitians per 100.000 residents (2016).

NIVEL has not set a norm for dieticians in the Netherlands but based on the figures of ICDA, it can be deduced that in the Netherlands the norm for dieticians is 6,250 persons per FTE (2016).

When the same norm is used as a reference, the necessary capacity would be 6.5 FTE for a service area of 40.535 persons. The dieticians indicate that currently there is a shortage of dieticians. According to the dieticians at least four (4) to five (5) dieticians should be providing care to the population (excluding care provide by healthcare institutions). It was indicated that dieticians have an important role in the prevention of certain illnesses, and should be more prevelant at the primary care setting. The norm is therefore set at **7 FTE** to include intramural care.

8) PODIATRIC THERAPIST

A podiatrist is a medical professional devoted to the study and medical treatment of disorders of the foot, ankle and lower extremity. In the Manpower planning of 2013 the norm for podiatrists was set on **1.09 FTE**.

Currently, there is no podiatrist working on Sint Maarten. The survey conducted among health care providers has shown that there is serious lack of capacity in this field. Because there is no podiatrist present, the professional group cannot be consulted to assess the required capacity based on the care needs. Therefore, the 2013 projected norm is used of **1.23 FTE** capacity for a Podiatric Therapist until more data becomes available.

9) PSYCHOLOGY AND REMEDIAL EDUCATORS

Current situation

Available capacity

The number of psychologists currently registered at the Ministry is 13. Of the current registered psychologists a few are employed in healthcare institutions, around four are self-employed and the main group are related to education (for example work at/in the Ministry of Education, Culture, Youth & Sport within the Division Student Support Services (SSSD) or within the school via Stichting Voorgezet Onderwijs Bovenwindse Eilanden (SVOBE).

The Division within the Ministry of Education, Culture, Youth & Sport, SVOBE and some healthcare institutions are not accessible for the whole community but only on indication (for example via schools or AVBZ (Algemene Voorziening Bijzondere Ziektekosten)). In addition to the psychologists registered at the Ministry of VSA, there are at least 12 additional professionals working as psychologist, remedial teachers or counselor on Sint Maarten.

The psychologists indicated the differences in educational background and specializations among the psychologists, remedial teachers and counselors.

Psychologists and remedial teachers (can) do similar activities when providing care to children. These should also be taken into account with the assessment of the needs versus the current capacity and planning of the capacity.

Required capacity

The service area of psychologists can be marked as the registered and unregistered population of Sint Maarten, which in total comprises approximately 40.535 persons. In the Manpower planning of 2008 the norm for psychologist was set at 6.2 FTE. In the Netherlands, there is no norm set for psychologists.

The psychologists indicated that the norm for the required capacity of psychologists should be higher. However, it is difficult to put an exact number to this, as the care demand is unclear.

Right now, psychological care is provided at:

- a. Student Support Service Division (SSSD) within the Ministry of Education, Culture, Youth & Sport: SSSD is not open for the whole community but only via schools. SSSD fulfills part of the care demand. Based on the care demand, they determine themselves what the required capacity is for psychologists, remedial teachers and counselor for SSSD.
- b. Healthcare institutions: psychological care provided in a healthcare institution is most of the time not accessible for the whole community. The healthcare institutions focus on part of the community and should be able to indicate the required capacity for psychological care within their institution.

- c. Self-employed psychologists: are accessible for the whole community. The number of psychologists providing care to the community is higher than the number of psychologists registered at the Ministry of VSA. Because of the taboo on mental health, it is probable that people visit psychologists and remedial teachers not affiliated to an insurer and pay cash for the consultation or that persons seek alternative means of assistance via the family or even pastoral system. This is not only necessarily because of the taboo but because people use what is familiar or culturally relevant to them.

In conclusion:

For psychologist and remedial teachers it has been concluded that the norm should be higher based on the hidden care demand.

Based on the current registered psychologists and the argumentation provided by the experts, the norm will be adjusted to **1FTE for Remedial educator and 13 FTE Psychologists** to include intramural care based on the current data provided, until data on the hidden care demand is clear.

10) PSYCHIATRY

Current situation

Available capacity

The number of psychiatrists currently registered at the Ministry of VSA is five (5).

Required capacity

The service area of psychiatrist can be marked as the registered and unregistered population of Sint Maarten, which in total comprises approximately 40.535 persons.

In the Manpower planning of 2008 the norm for psychiatrists was set on 3 FTE based on a norm of 175.000 persons per FTE.

The psychiatrists indicated that the norm should be increased.

Taking the various care demands into consideration, the norm will be adjusted to a total of **8 FTE** psychiatrist (2 FTE Psychiatrist in private practice and 6 FTE intramural) until additional data becomes available.

11) Oral care – Dentist, Periodontist, Orthodontist, Dental Surgeon and Dental hygienist

On Sint Maarten oral care is provided by the dentists and orthodontist. The dentists can be seen as the gatekeeper when it concerns oral care. The dentist diagnose and treat problems with patients' teeth, gum and related parts of the mouth. The oral hygienists are experts in the field of preventive oral care and is particularly concerned with the prevention of dental disorders (including cleaning) and the surrounding tissues. On Sint Maarten most of the dentists also perform the function of dental hygienist. When someone has problems with the position of the teeth in the jaws, during growth period or due to deviation or an accident he/she will be referred to an orthodontist. An orthodontist is a specialized dentist trained to prevent and correct structural problems in patient's teeth.

Current situation

Available capacity

The number of dental professionals registered at the Ministry of VSA is 9. One (1) of the 9 dental professionals is an orthodontist. No dental hygienist is currently registered at the Ministry.

Required capacity

Dental professionals: The service area of dentists can be marked as the registered and unregistered population of Sint Maarten, which in total comprises approximately 40.535 persons:

- The dental professionals cannot indicate to which part of the population (registered/unregistered) they mainly provide oral care because dental care is not covered. Because of that and the fact that the clinics are private institutions, the clinics do not register information about the clients' status
- Some residents of St. Eustatius and Saba are coming to Sint Maarten for dental care. But this is a small number of patients and the permanently residing dentist provides for the oral care needs on both islands. Additionally, braces are no longer part of the insurance package for the youth of St. Eustatius and Saba. The

service provided on both islands by the orthodontist of Sint Maarten is a descending business. Based on the aforementioned, St. Eustatius and Saba can be excluded.

- With respect to tourists, there is a peak during high season.
- In the Manpower planning of 2008 the norm for dentist was set on 6.7 FTE based on a norm of 7950 persons per FTE. In the current situation this norm has already been exceeded.

The current FTE of 10.25 is equivalent to approximately 5,000 patients per dentist, which is a decrease in the number of patients per dentist compared with the previous Manpower planning.

According to the dentists a norm of **10.25 FTE** is sufficient because of the following reasons:

- a. Dental care is not covered by most of the insurance companies. People have to pay cash, this constitutes a barrier to visit a dental professional.
- b. residents of the Dutch side of Sint Maarten use oral care facilities elsewhere, especially on the French side of the island.

The dentists indicate there is no public dental care and limited youth dental care provided on Sint Maarten. However, for the elderly and youth this is desirable. For youth and public dental care the norm should be set on **1 FTE dentist and 1 FTE dental hygienist**.

1 FTE Dental Surgeon is required as currently these clients are being referred to the French side or abroad.

Dental hygienist

In the manpower planning of 2008 the norm for dental hygienist was set on 3 FTE. According to the dental professionals this norm is too low.

They indicate that every practice must have a full-time or part-time dental hygienist. In consultation with the dental professionals it has been established that the norm for dental hygienist should be total of **5 FTE** for a service area of 40.535 persons.

Orthodontist

Based on informaion provided by the Sint Maarten Dental Association, **1FTE** Orthodontist is sufficient to meet the care demands of the Dutch side of St. Maarten.

Periodontist

Dental caries (DC) and periodontal disease (PD) are major public health problems globally and are the most widespread non-communicable diseases. It is a global trend in which Sint Maarten will not differ from the rest of the world. Detection for both DC and PD are done in first instance by the dentist and/or dental hygienist. Caries prevention can be prevented by adding fluoride to drinking water on Sint Maarten, however the public debate of fluoride in drinking water is a deterrent.

Early stages of PD are symptom-less, and patient don't seek professional attention until there is an advanced stage(s) of the disease. Therefore, **1 FTE** periodontist is needed on for Sint Maarten.

In conclusion:

The norm for **dentist** will be adjusted to **11.25FTE** based on recommendations of the discipline (including **1 FTE** Periodontist and 1FTE Orthodontist), **1 FTE** dental surgeon (including a rotating/visiting Maxillofacial Surgeon who has completed a five year study program) and **5 FTE** dental hygienist.

12) Other

Medical professionals at the designated hospital facility, Sint Maarten Medical Center (SMMC).
Hospital Care

The legally designated hospital facility, Sint Maarten Medical Center, provides hospital Care on Sint Maarten. SMMC is a general hospital located on the Dutch side of Sint Maarten. SMMC

provides basic specialized medical care in an inpatient and outpatient setting to the population of Sint Maarten as well as to visitors to Sint Maarten. SMMC also supports the neighboring islands such as Saba and Sint Eustatius.

SMMC is offering the following services:

- Anesthesiology
- Dermatology
- Gastroenterology
- Midwifery
- Otolaryngology (ENT)
- Radiology
- Nurses and Social Worker Services
- Cardiology
- General Surgery
- Obstetrics
- Pediatrics
- Emergency Care
- Oncology
- Internal Medicine
- Gynecology
- Orthopedic Surgery
- Psychiatry
- Dialysis Clinic

Current situation

Available capacity and required capacity

The majority of the specialists are affiliated with the SMMC, only a few medical specialists are not in service of the SMMC.

In the below table an overview is presented of the current available capacity and the required capacity **according to SMMC** (includes all medical specialist also the ones that have their own practice).

Medical specialism	Norm 2008 FTE	FTE-actual	Suggested norm SMMC
Pulmonologist	1.1	0	1.1
Anesthesiologist	4.0	3.0	4.0

Medical specialism	Norm 2008 FTE	FTE-actual	Suggested norm SMMC
Cardiologist	1.3	2.0	3.0
Dermatologist	0.8	1.0	2.0
ER physicians	4.5	5.0	9.0
Gastroenterologist	1.0	0	1.3
Ob/Gynecologist	3.4	3.0	5.0
Internal medicine	4.5	3.0	6.3
Dental Surgeon	0.8	0	1.2
Microbiologist	-	0.1	1.0
Neurosurgeon	0.7	0	1.4
Neurologist	1.4	1	2.2
Ophthalmologist	2.3	1	2.5
Orthopedic surgeon	1.2	1.0	1.5
ENT surgeon	1.2	1	2.2
Pediatrician	2.85	1	4.5
Pathologist	1.0	0	0.2
Plastic Surgeon	0.6	0	1.2
Psychiatrist	2.5	0.0	3.0
Radiologist	1.5	2.0	3.2
Radiotherapist	0.6	0	-
Revalidation	0.7	0	1.5
Surgeon (general)	3.0	3.0	4.0
Urologist	0.7	2.0	2.2
Geriatric	0.0	0	1.2
Midwife	1.7	2.7	3.3
House officers	-	1	6
Physical therapist	-	-	1
Dietician	-	0.25	1

The suggested norms for SMMC medical professionals were determined by the experts based on estimates and experience. The following were taken into consideration:

- On Sint Maarten there is a latent demand for care. Currently, it is not clear how big the hidden care demand is. In recent years, it has been noticed that when attracting a certain specialism the hidden care demand becomes visible. To get more insight in the hidden care demand more data and analysis is needed.
- Some specialisms like neurology and internal medicine see an increase in patients. For instance, there is a growing dialysis population on Sint Maarten.
- Prevention programs, to keep people healthy as much as possible in primary care, are very limited on Sint Maarten, which leads to more patients in secondary care.
- SMMC introduced house officers in order to comply with higher quality standards. The house officer will have, among other things, the following tasks:
 1. monitoring patients on the wards and providing medical care. Currently, this is done by the nurses, but this is not their responsibility.
 2. be the first point of contact for the nurses instead of the specialist. In case of calamities, the house officer will contact the specialist.
 3. document data of the care treatment process (e.g. patient record). Specialist have to due the high workload and insufficient time to register all the required data correctly. Especially in a time where more and more data is requested for the purpose of quality.
 4. help with adequate registration.
 5. help to enable SMMC to deal with extra registration work of required information for medical referrals.

House officers verses ER physicians

House officers

A house officer is a qualified medical doctor (basis arts), caring for patients under the direction of an attending physician in the hospital. SMMC indicated the need of **6 FTE** house officers to meet their care demands.

Emergency room doctors (ER- doctors):

An emergency physician is a physician who works at an emergency department in the hospital taking care for ill patients. If the patient is admitted to the hospital, specialist takes over from the emergency physician.

In 2008, SMMC indicated that there was a need of 6 FTE ER doctors. In the year 2008 there were approximately 11800 ER visits. In 2015 this increased to 13500 and in 2016 to 14500 – 15000 ER visits (extrapolation). To meet this care demand, SMMC have indicated the need of **9 FTE** ER doctors in regular service including a flexible team of call ups who can be scheduled where necessary (e.g. in high peaks in care demand, sickness of others etc.) Note must be taken that the required capacity is also related to the position SMMC will have on Sint Maarten in the future.

Pathologist

Based on the data from the Eastern Caribbean - Diagnostic Oncology Network (EC-DON) which is a network formed by Pathologists within the OECS, 1 FTE Pathologist per 50,000 population is required. Based on this reference **1 FTE** pathologist is required to meet local demands.

The White and Yellow Cross Care Foundation

Available capacity and required capacity

The White and Yellow Cross Care Foundation (WYCCF) offers various care products to their clients. Several medical professionals among which paramedics provide care. The care products

offered by WYCCF have been expanded or will be expanded in the short future. The expansion in beds/places means that the capacity of paramedics must be expanded as well to be able to meet the demand of care. The table below presents an overview of the current available capacity and the required capacity according to WYCCF.

Paramedics	Headcount	FTE	Suggested norm W&YC (FTE)
Dietician	1	0.75	1.0
Psychologist	1	0.8	2.0
Physical therapist	3	2.5	4.0
Occupational therapist	1	1.0	2.0
Speech therapist	3	1.6	3.0

Home Care and District Nursing

Home care and district nursing offer care to patients at home. These patients can live at home but need some assistance with daily tasks or they have care needs which can be taken care of by a district nurse at home. District Nursing also provides care for mother and newborns (maternity care).

There should be more focus on strengthening home care and district nursing as they are a part of primary care. WYCCF indicates that home care and district nursing should be expanded so that patients can have longer care at home.

Sister Basilia Center and Guided Living

Care for people with disabilities is delivered by the WYCCF in the Sister Basilia Center (SBC). At this moment, SBC provides daycare to 65 clients in the Day Activity Center, of which 22 are in Residence and 12 in Guided Living.

The waiting list for day-care is large and growing, with currently 17 potential clients. These are mostly children and (young) adults who urgently need good care and guidance in a structured environment. Clients with behavioral difficulties to understand and who are not properly

supervised and cared for at home, suffer from neglect, isolation and lack of stimulation and contact.

By moving the psychogeriatric daycare to the Sint Martin's Home, the vacated space on the second floor of the SBC daycare can be used to place 3 new groups with a total of 20 clients. This involves a special group for clients with autistic disorder, high complex behavioral problems as well as the placement of clients who have been on the waiting list for years.

Mental Health Facilities

Mental Health Care is provided by Mental Health Foundation (MHF) which has been operational since 2006. MHF is offering psychiatric and psychological mental health services to the population of Sint Maarten, Saba and Sint Eustatius. MHF can only provide care to patients who are referred by a GP or a medical specialist because it is a secondary healthcare institution. In addition, MHF provides psychiatric care to patients at The White and Yellow Cross Care Foundation. Psychiatric care in the hospital is provided by independent psychiatrists.

Mental Health Foundation is offering the following care products:

1. Admissions
2. Ambulant care
3. Clinic Care
4. Crisis Intervention
5. Faraja Day Treatment Center
6. Information and Prevention
7. Short stay/Long stay facilities

Current situation

Available capacity

The number of registered psychiatrists is 4, of which two (2) are working at Mental Health Foundation. The number of registered psychologist is 15, of which four (4) is working at Mental

Health Foundation. The table below shows the key data of Mental Health foundation regarding medical (supporting) staff.

Required capacity

In the current situation, there is sometimes a problem with finding a substituting psychiatrist. Therefore, Mental Health Foundation strives to expand their team. Additionally, the number of psychologists needs to be expanded.

Medical professional	Headcount	FTE	Suggested norm MHF (FTE)
Psychiatrist	2	2	4
Psychologist	4	4	6

Mental Health Foundation does not have employed social psychiatric nurses. In principle, they should be present but until now they have not had good experiences with social psychiatric nurses.

Mental Health Foundation has therefore decided to train social psychiatric nurses themselves in support of the registered nurses.

Annex IV – Application form for healthcare institutions

For registrar only

Registration number:

Date and time:

Registration fee paid: Y N N/A



APPLICATION FORM FOR A HEALTHCARE INSTITUTION AND MEDICAL EQUIPMENT PERMIT

(AB 2013, GT no. 444)

1. GENERAL DATA

a. Name of legal entity:

b. Contact person:

c. Type of health care Institution:

d. Business address:

e. Business telephone number:

f. Business E-mail:

Exemption requested for (select answer):

Healthcare Institution ☐

Medical Equipment ☐

PROFESSIONAL EXPERIENCE

Please attach a signed and dated current curriculum vitae that describes the director or owners full experience history.

Consent and Declaration:

- i. I consent to the Public Health Authorities making enquiries of, and exchanging information with the health authorities of any state or country regarding matters relevant to this application.
- ii. I understand that information can be extracted from this form and used for the purpose of criminal history checking.
- iii. I declare that all documentation has been submitted in compliance with the requirements and required documents attached to this application form.
- iv. I consent to the information in this application being shared with the relevant assessment agencies for further evaluation if deemed necessary by the Minister of Public Health, Social Development and Labour.
- v. I understand that additional information may be requested during the assessment which requires my compliance.
- vi. I understand that an incomplete application will not be processed.
- vii. I declare that the above statements and the documents provided in support of this application are true and correct. I make this declaration in the knowledge that a false statement will lead to refusal or revocation of the application.

Institution name:

Full name of applicant:

Date: (DD/MM/YYYY)

Signature of applicant

REQUIREMENTS

- All questions in this application form must be completed and ensure all pages and attachments are included and submitted in one (1) pdf file.
- This application form may be submitted typed or handwritten clearly in block letters using black or blue ink.
- That the applicant must submit all the of the information listed below including the information required within the application form.
- That all documentation must be accompanied with an attached translation into English or Dutch by a sworn interpreter/translator is also required, unless the original document is in English or Dutch;
- Relevant documentation must be accompanied with a letter from the competent issuing institution (e.g., University, Registration board etc.) stating that they are the competent institution to issue the document, or the document must be notarized by a certified notary (located in the Netherlands, Sint Maarten, Aruba, Curacao, St. Eustatius or Saba).

REQUIRED DOCUMENTS

This application will be considered incomplete and will not be processed if all of the below mentioned supporting documents (insofar as applicable) have not been provided.

The healthcare institution application consists of:

- A completed application form,
- A copy of Sint Maarten ID or passport of the director or owner
- A copy of business or director's license
- An up-to-date curriculum vitae of the director or owner
- Business plan which includes but is not limited to:
 - Executive Summary;
 - Company Overview/Description;
 - Vision/mission/goals/objectives
 - Operational Plan;
 - Location;
 - Target population;
 - Services provided;
 - Formation;

- Staffing/ qualifications;
- Inventory/Equipment needed/used;
- Marketing Plan;
 - Research done to justify the need for your HCI
- Operational budget (including expected revenue and costs);
- Detailed floor plan of location(s), further describing the location of:
 - all equipment and cost;
 - environmental, health and safety measures (such as storage location(s) of any hazardous materials, ventilation and electricity/gas/fire safety measures);
 - water sources;
 - office and public spaces;
 - measures taken to ensure accessibility and;
 - waste management plan
- Excerpt from Chamber of Commerce
- Articles of association/incorporation of the proposed healthcare institution
- Annual accounts accompanied by an approving declaration from a certified public accountant or a registered accountant in the case of an existing institution, if applicable
- Healthcare institutions providing intramural care require a cooperation agreement with established care healthcare institutions providing the same service.
- Proof of payment of the processing fee of NAf 325,00 at the Receiver's Office

The application for requesting medical equipment consists of:

- Healthcare institution license, if applicable
- copy of Sint Maarten ID or passport
- A copy of business or director's license
- Excerpt Chamber of Commerce
- Description of the use for the equipment, what the equipment is, the costs and impact on current medical tariff, maintenance schedule and required technician, required (medical) operator of equipment and qualifications.
- proof of payment of the processing fee of NAf 325,00 at the Receiver's Office

Annex V – Permit template for healthcare institutions



MINISTERIAL DECREE

of _____, no. _____

The Minister of Public Health, Social Development and Labour,

Considering:

- the request of HEALTHCARE INSTITUTION of DATE for a healthcare institution permit to provide TYPE OF CARE
- the advice rendered by the Council for Public Health;
- the advice rendered by the department for Public Health;
- the feedback of the Inspectorate for Public Health;
- that these considerations warrant grounds to grant HEALTHCARE INSTITUTION, a Healthcare Institution License;

Given:

- Article 3, paragraph 1, opening phrase and sub c, of the National Ordinance Healthcare Institutions (Landsverordening zorginstellingen, AB 2013, GT no. 755),
- Article 1 of the Regulation Pricing Threshold Medical Equipment (Regeling grensbedrag medische apparaten, AB 2013, GT no. 262);

DECIDES:

Article 1

The HEALTHCARE INSTITUTION, established at ADDRESS, Sint Maarten, is granted a permit for a period for five (5) years to exploit a healthcare institution in order to provide XXXXXXXX care services to the population of St. Maarten.

Article 2

Conditions specific to the health care institution

Article 3

1. This Ministerial Decree shall be validated with stamps in accordance with the Stamp Ordinance, with the value of NAf10,- for the first page and NAf5,- per additional page.
2. The HEALTHCARE INSTITUTION shall adhere to all applicable laws and regulations concerning healthcare, healthcare institutions, medical professionals and medical tariffs on Sint Maarten.
3. In accordance with article 12 of the ordinance regulating healthcare institutions (Landsverordening Zorginstellingen), the healthcare institution shall submit before the first (1st) of June each year, the annual report of the preceding calendar year, to the Minister of Public Health.
4. The healthcare institution shall provide adequate and responsible care.
5. The healthcare institution shall contribute in a positive manner and collaborate with developments aimed at improving healthcare services.
6. The healthcare institution shall implement a grievance redress mechanism and a complaint procedure and submit these procedures to the Inspectorate for Public Health.
7. The healthcare institution adheres to the policy of the Inspectorate for Public Health, Social Development and Labour” regarding the notification of (potential) calamities (“Richtlijn melden van (potentiele) calamiteiten” as published in the National Gazette no. 19 of 2018)Sint Maarten” of July 2018.
8. The healthcare institution shall abide by the applicable privacy regulations.
9. The healthcare institution shall ensure that the relevant continuous medical education and training is provided to their employees.
10. The healthcare institution shall secure a business and professional liability insurance.
11. The provided care is accessible for all in Sint Maarten.
12. That clients are accepted regardless of their medical situation.
13. Employees’ files are stored and destroyed in accordance with applicable legislations.
14. The healthcare institution will submit an application to the Minister of Public Health, Social Development and Labour, in the event it intends to:
 - a. expand its services;
 - b. procure medical equipment above NAf50.000, -;

- c. employ additional healthcare professionals.
15. The healthcare institution timely submits their multi annual plans to the Minister of Public Health, Social Development and Labour, which outline plans and planned investments for the coming years.

Article 4

1. This Ministerial Decree can be revoked if the conditions stipulated in Decree have been violated.
2. This Ministerial Decree goes into effect as of the date of the signing thereof and is valid for a period of five (5) years.

This Ministerial Decree shall be placed in the National Gazette.

Minister of Public Health,
Social Development and Labour

Copies of this Ministerial Decree shall be sent to:

- the department of Public Health;
- the Secretary General of the Ministry of Public Health, Social Development and Labour
- the Inspectorate for Public Health;
- the Council for Public Health;
- the executive agency Social and Health Insurances SZV;
- the National Gazette;
- the party concerned.

Appeal: In accordance with the Articles 54 and 55 of the National Ordinance on Administrative Appeal Proceedings (Landsverordening Administratieve Rechtspraak), those affected by this decision may object to the decision with the Minister of Public Health, Social Development and Labour or appeal this decision at the Court of First Instance of Sint Maarten, within 6 weeks after the day of issuance of this decision. This notice is to contain a description of the decision against which the objection is aimed (incl. reference number), as well as the reason for the objection, date, your name and address.



Proposal Prison Rehabilitation Training Program 2024

The intention of a prison rehabilitation proposal is to outline a comprehensive plan for implementing structured and evidence-based training programs aimed at promoting the successful reintegration of inmates into society.

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Probation & Parole Department

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Cynthia K.M. Filemon
Acting Director, Stichting Justitiële Inrichtingen Bovenwinden
Yogesh Commercial Complex
A.J.C. Brouwers Road Nr. 4, Unit 2F/G
Cul de Sac

St. Maarten, November 5, 2023

Steven Carty
Director, St. Maarten Prison & House of Detention
Groundove Road Nr. 48
Point Blanche

Re: Proposal for Prison Rehabilitation Training Program - November 2023
to December 31, 2024

Dear Mr. Carty,

SJIS is pleased to present a comprehensive proposal for a prison rehabilitation training program, addressing the specific request from the St. Maarten Prison & House of Detention. This initiative is specifically designed to promote rehabilitation, reduce the chance of reoffending, and facilitate the seamless reintegration of the inmates at the St. Maarten Prison & House of Detention into the community.

1. Executive Summary

The Stichting Justitiële Inrichtingen St. Maarten (SJIS) has been approached by the prison to explore potential collaborative opportunities for implementing continuous structural rehabilitative solutions within the prison environment. This proposal is a response to the ongoing discussions initiated by the Point Blanche Prison Management seeking to establish a comprehensive rehabilitation program for inmates.

From September 5th – October 12th, 2022, SJIS coordinated a pilot Anger Replacement Training for inmates. 6 male inmates took part in the program and completed the course. During the certification ceremony, the training underwent an evaluation by SJIS trainers, SJIS management, prison management, and the participants. The assessment indicated that the inmates responded positively to the training, leading to intended behavioral changes. Furthermore, they expressed a desire for the program to continue, specifically requesting advanced anger management training and additional soft skills sessions such as social skills and cognitive training, as part of their rehabilitation process. The participants

also advocated for extending these opportunities to other inmates, believing that such initiatives would enhance their prospects for successful reintegration into society and reduce the likelihood of reoffending post-release. Expressing gratitude for the collaboration between the prison management and SJIS, the inmates and SJIS conveyed satisfaction with the training's organization and logistics. As a result, both the prison and SJIS expressed commitment to maintaining this collaborative effort moving forward once the necessary resources are allocated.

On July 11, 2023, the Prison & House of Detention initiated a discussion with the SJIS seeking collaboration to implement structural rehabilitative programs that occur continuously. Several meetings were held to lay out the framework for the proposed program and establish the key objectives and strategies for its successful execution. This proposal outlines a structured 14-month prison rehabilitation training program, commencing in February 2024, and concluding on December 31, 2024. The program is designed to provide inmates with essential skills and knowledge to reintegrate successfully into society, thereby contributing to a safer and more harmonious community. The program for 2024 is organized into 4 focused training modules, each lasting for 8 weeks. Presently, the SJIS is conducting a Cognitive Behavioral Training that commenced on November 23rd and is currently attended by eight inmates. The interim assessment indicates that the training has been positively received by both the participating inmates and the prison management.

The 12th component of the Prison Rehabilitation Program is the Restorative Detention program, implemented by local Mediator Sanne Bartels, with the assistance of co-mediators from amongst others SJIS. The Restorative Detention program aims to foster accountability, repair harm, and promote positive conflict resolution for inmates. For the probation department, the Restorative Detention program is crucial as it aligns with the principles of restorative justice, probation, and rehabilitation, emphasizing the importance of addressing the root causes of criminal behavior and promoting personal accountability.

2. Project Methodology and Project Scope

The prison rehabilitation training program proposed by the Stichting Justitiele Inrichtingen St. Maarten (SJIS) is designed to address the specific needs of the inmate population at the St. Maarten Prison & House of Detention.

Phase 1: Needs Assessment

The initial phase of the St. Maarten Prison Rehabilitation Training Program involved a comprehensive needs assessment conducted in collaboration with both the prison management and the inmate population. This process aims to identify the specific requirements, challenges, and aspirations of the inmates and the prison staff. By engaging both key stakeholders, the program seeks to develop a holistic understanding of the underlying needs and conditions within the prison environment, thereby informing the design and implementation of the subsequent training initiatives.

Phase 2: Implementation of 11 soft skills training programs

The program includes 11 evidence-based training modules, amongst others developed by the Probation Academy Netherlands. External training modules are carefully vetted and approved by SJIS, ensuring alignment with the "What Works RNR" methodology and probation Forensic Social Work methodology "Werken in Gedwongen Kader" by Jacqueline Bosker, Anneke Menger, Jacqueline Bosker (red.), Anneke Menger (red.), ISBN 9789085602484, 6e druk, 2022, Netherlands.

The What Works-RNR (Risk-Need-Responsivity) model is a widely recognized and evidence-based approach used in the field of correctional psychology and criminal justice. It is specifically applied in the development and implementation of rehabilitation and treatment programs for individuals within the criminal justice system, including prisons and community-based settings. The What Works-RNR model is also frequently utilized to guide the development and evaluation of (prison) rehabilitation and treatment programs within the criminal justice system. It emphasizes evidence-based practices and interventions that are effective in reducing recidivism and promoting successful reintegration into society.

Phase 3: Implementation of 4 vocational programs

The current proposal emphasizes the implementation of a comprehensive soft skills course. Additionally, the prison and SJIS are several in-person and online vocational training programs for SJIS project funding. These efforts are aimed at providing the inmates with a diverse set of skills and opportunities to facilitate their successful reintegration into society. A separate proposal will be submitted for the provision of vocation training programs.

Phase 4: Project Monitoring and Evaluation

The ongoing monitoring and evaluation of the St. Maarten Prison Rehabilitation Training Program are critical components of ensuring its effectiveness and impact. Through an effective monitoring and evaluation framework, the program will regularly assess its progress and outcomes, incorporating feedback from the prison management, the training participants, and other relevant stakeholders. This continuous evaluation process will enable the identification of any potential challenges or areas for improvement, facilitating timely adjustments and enhancements to the program's implementation. The evaluation findings will be utilized to inform evidence-based decision-making and to further enhance the overall efficacy and sustainability of the rehabilitation efforts within the prison setting.

3. Objective & benefits of the Prison Rehabilitation Training Program

The primary objective of the prison rehabilitation training program is to equip inmates with essential soft skills, including emotional regulation, communication, and conflict resolution, in addition to vocational skills training. By focusing on these aspects, the program aims to enhance the inmates' employability and promote sustainable reintegration into society post-release. Overall a structured and continued prison rehabilitation training program is essential in the context of Point Blanche Prison in St. Maarten for the following reasons:

1. Effective rehabilitation programs have the potential to reduce recidivism rates, which is critical for ensuring that individuals do not re-offend once they are released from prison. By addressing the root causes of criminal behavior and providing inmates with the necessary skills and support, these programs can significantly contribute to breaking the cycle of repeated criminal activities.
2. Inmates often face significant challenges when reintegrating into society after their release. Rehabilitation programs can equip them with the skills, knowledge, and resources needed to reintegrate successfully. This includes providing vocational training, and soft skills development, which will aid while providing support in finding employment, all of which are crucial for enabling a smooth transition back into the community.
3. By focusing on rehabilitation and reintegration, prison programs contribute to creating safer communities. Inmates who have undergone successful rehabilitation are less likely to engage in criminal activities upon release, thus reducing the potential threat to public safety.

4. Rehabilitation programs can also contribute to the overall well-being of inmates by addressing by providing programs that influence their behavior they will foster and develop a sense of personal responsibility and accountability. These programs can help individuals develop a positive self-image and encourage them to become productive members of society.

5. Implementation of rehabilitation programs aligns with local and international standards and best practices in the treatment of prisoners. It reflects a commitment to the principles of human rights and dignity, ensuring that inmates are provided with opportunities for personal growth and development, irrespective of their past actions.

6. There is a moral and ethical obligation by the Government and Community of St. Maarten to provide inmates with the opportunity for personal growth and positive transformation. By offering rehabilitation programs, society demonstrates a commitment to the principle of second chances and the belief in the potential for positive change in individuals, regardless of their past mistakes.

By equipping ex-offenders with the necessary skills, support, and opportunities for a successful transition back into society, prison rehabilitation programs contribute significantly to the probation department's efforts in reducing recidivism and promoting long-term positive outcomes for individuals under their supervision. The increased likelihood of successful reintegration and the establishment of positive relationships fostered through these programs further reinforce SJIS's commitment to facilitating the rehabilitation and successful community reintegration of individuals involved in the criminal justice system.

4. Involvement of the Prison Management, Social Workers and Inmates in the design of the program

The involvement of the target group in the training program will be ensured through regular meetings conducted with the prison management and the inmates association. These meetings will serve as platforms for soliciting feedback, addressing concerns, and incorporating the perspectives of the inmates to tailor the training activities to their specific needs. The active engagement and participation of the prison social workers department and prison staff for design of the program and vital for the program's success, as they play a key role in identifying, motivating, and referring inmates to participate in the program.

To ensure the involvement of the prison population, the Management of the Prison and SJIS held a consultative meeting with the Inmates Association, followed by a meeting with the female prison population on August 28th which was well received. Furthermore, all attendees of the relevant training sessions will undergo an assessment to determine, among other things, their literacy level, writing skills, comprehension abilities, and individual objectives for each training program. The initial interviews took place on October 6 and October 7 to prepare for the implementation of the Cognitive Behavioral Training program.

The Cognitive Behavioral Training commenced on October 23rd with a total of 8 participants, comprising 7 male and 1 female inmates. The training has been finalized and feedback for the training has been overwhelmingly positive, receiving praise from both the management, prison and probation staff, and the participants.

5. Expected Benefits, Indicators, Deliverables and Results

Midterm Benefits

Anticipated midterm benefits encompass several positive outcomes within the prison setting and beyond. The introduction of comprehensive and well-designed rehabilitation training programs within the Point Blanche Prison in St. Maarten serves as a crucial step towards fostering a more rehabilitative and humane prison environment while simultaneously contributing to a safer and more inclusive society. Implementing the 11 elements of the Prison Rehabilitation Program not only supports a successful reintegration into society and decreases the likelihood of reoffending, but also cultivates a positive and supportive prison atmosphere. This uplift in morale enhances inmate well-being and can lead to a reduction in behavioral issues, promoting a safer and more conducive environment for both inmates and staff and diminishing instances of conflict and misconduct within the facility.

Expected Long-term Benefits

1. Inmates better prepared for the reintegration into society.
2. Inmates are better prepared for the labor market.
3. Inmates self-confidence has increased.
4. Inmates have improved interpersonal skills.
5. Inmates have enhanced problem-solving abilities.
6. Inmates are better prepared for reintegration.
7. Inmates are better prepared to engage in relationships.
8. Inmates can better manage and channel their aggression.
9. Inmates are more employable.
10. Inmates are better able to maintain employment.
11. The Labor Department can better assist in connecting ex-inmates with employers.
12. Businesses are more inclined to employ detainees.

Indicators and Deliverables

Upon the successful execution of this program, the following outcomes and achievements are anticipated:

- 75% of the participants will have completed the training modules
- 75% of the participants feedback and assessment records will reflect positivity
- 75% of the participants will demonstrate enhanced skills and improved behaviors
- 75% of the individuals will experience a successful reintegration post-release
- All interested inmates would have an opportunity to participate in the training program
- A total of 70 – 96 certificates would be issued to the inmates.

Strategies for Achieving Results

To achieve the outlined results, the program will employ a combination of comprehensive and evidence-based behavioral intervention training methodologies, progress assessments, training evaluation and feedback from participants, and post-release support services by the SJIS-Probation Department in collaboration with judicial, social, and treatment partners to ensure a smooth transition for participants back into society.

6. Project Activities

Phase 1: Needs Assessment Prison Management and Staff

In addition to conducting a needs assessment and survey within the prison population, there will be a comprehensive needs assessment involving the prison management and the social workers department. This collaborative assessment aims to gather insights from key stakeholders responsible for overseeing the daily operations and rehabilitation initiatives within the prison. By engaging the prison management and social workers department, the program seeks to understand the broader institutional context, identify existing challenges, and assess the resources and support systems available for implementing the rehabilitation training program.

Furthermore, these collaborative needs assessments will facilitate a comprehensive understanding of the specific requirements and challenges faced by both the inmates and the prison staff. By gathering input from various stakeholders, including prison administrators, social workers, and other relevant personnel, the program can develop a holistic approach that addresses the multifaceted needs of the prison population. The insights gained from this collaborative assessment will be instrumental in tailoring the training curriculum and ensuring that the program is aligned with the overall objectives of the prison's rehabilitation efforts.

The following training courses are selected based on the needs indicated by the probation department, prison management, prison social workers staff, and in consultation with the Inmates Association.

Training Code	Activity/Course	Description
ART001	Aggression Regulation	Participants will gain strategies for managing anger and developing helpful skills to prevent aggressive behavior. They will be taught how to handle conflicts and difficult situations in a nonviolent and calm manner.
SAH002	Safe Homes	Participants will learn techniques to recognize and avoid circumstances that could lead to domestic violence. They will understand common triggers and develop proactive approaches to prevent violence from happening in the home.
SOS003	Social Skills	Participants will gain social skills (communication, listening dealing with anger, staying out of fights, helping others, and expressing feelings) to handle different social scenarios with confidence. They will also develop self-reliance, enabling them to adapt and thrive in various social environments.
REP004	I-Respect	Participants will learn how to be accountable for their actions and find healthy ways to solve problems without using aggression or violence. Participants will develop skills to handle conflicts responsibly and find peaceful resolutions instead.
LFS005	Life Style 24/7	Participants will look at how using soft drugs, hard drugs, alcohol, or gambling can affect behavior and lead to criminal actions. Participants will learn strategies to gain control over substance use and related behaviors in order to live a more social lifestyle.
AAV006	Alcohol & Violence	Participants will understand how alcohol can affect aggression and learn techniques to manage and reduce aggressive behavior. They will also learn ways to exercise control over alcohol consumption and minimize its negative impact on behavior.

POP007	Positive Parenting	Participants will work on their parenting skills by learning how to communicate, practice active listening, and approach parenting positively.
COG008	Cognitive Behavioral	Participants will learn to control their impulsive behavior by gaining insight into their thinking process. This will help them to understand the way they think, and how the brain works. This will help in analyzing challenges more effectively.
WTE009	Working towards employment	Participants will learn the necessary steps and skills to find suitable employment and succeed in their jobs. While it doesn't guarantee immediate employment, the training increases their chances of securing a job.
BBS011	Basic Budget Skills:	Participants will understand their financial situation to make the most of their income and assets in daily life. Participants will also learn how to plan for the future, setting themselves up for financial success.
BES010	Basic Entrepreneurship Skills	Participants will be equipped with the knowledge, skills, and mindset needed to pursue self-employment. They will develop a fundamental understanding of entrepreneurship and gain practical information on how to effectively pursue their entrepreneurial goals.

After each 8-week training module, an evaluation will be conducted by participants, trainers, SJIS, and Prison Management, to assess the effectiveness of the training, gather feedback, and make necessary adjustments based on the observed needs and performance of the participants.

Phase 2: Needs Assessment and Survey Inmates Association and Population

In addition to the needs and collaborative assessment involving the prison management and the social worker's department, there will be a dedicated needs assessment conducted in collaboration with the Inmates Association, representing the inmate population. This strategic approach aims to actively engage the inmates in the planning and development of the rehabilitation training program.

Through this needs assessment with the Inmates Association, the program seeks to solicit the cooperation of the inmates in actively participating in the program and to foster a sense of ownership and responsibility among the inmate community. By involving the Inmates Association in the planning process, the program aims to empower the inmates to contribute their insights, concerns, and perspectives, thus ensuring that their voices are heard, and their specific needs are addressed throughout the program's development and implementation.

Moreover, this approach is designed to foster a sense of inclusivity and cooperation, emphasizing the importance of collaborative efforts between the prison authorities and the inmate population. By actively involving the Inmates Association, the program aims to build trust and rapport, motivate active participation, and encourage a positive and supportive environment conducive to the successful implementation of the rehabilitation training program.

The program initiation involved a thorough needs assessment and survey within the prison population to identify specific requirements and tailor the training accordingly. This phase will last 2 weeks.

The results are listed below:

No.	Inmate Names	GED	Aggression Regulation	Safe Homes	Social Skills	I- Respect	Life Style 24/7	Alcohol & Violence	Positive Parenting	Cognitive Skills	Working towards Employment	Basic Entrepreneurship Skills	Basic Budget skills	Restoration Detention
1	A.J.	1	1	1	1	1	1	1	1	1	1	1	1	1
2	B.D.	1	1	1	1	1	1	1	1	1	1	1	1	1
3	B.D.	0	1	0	1	0	0	0	0	0	0	1	1	1
4	B.L.	1	1	0	0	0	0	0	0	1	0	0	0	0
5	B.J.	1	0	0	0	0	0	0	0	0	0	1	0	0
6	C.O.	1	0	0	0	0	0	0	0	1	0	0	0	0
7	C.O.	1	0	0	0	0	0	0	0	0	0	0	0	0
8	D.J.	0	0	0	1	0	0	0	0	0	0	1	1	0
9	D.D.	1	1	1	1	1	1	1	1	1	1	1	1	1
10	D.J.	1	0	0	0	0	0	0	0	0	0	1	0	1
11	E.M.	1	1	1	1	1	1	1	1	1	1	1	1	1
12	F.A.	1	1	1	1	1	1	0	1	1	1	0	0	0
13	F.T.	0	0	0	0	0	0	0	0	0	0	0	0	0
14	F.J.	1	1	1	1	1	1	1	1	1	1	1	1	1
15	G.J.	0	0	1	1	1	1	1	1	1	1	1	1	1
16	H.G.	1	1	1	1	1	1	1	1	1	1	1	1	1
17	H.V.	1	1	1	1	1	1	1	1	1	1	1	1	1
18	J.A.	1	0	1	0	0	0	0	0	0	0	0	0	0
19	K.D.	1	1	1	1	1	1	1	1	1	1	1	1	1
20	L.V.	1	1	1	1	1	1	1	1	1	1	1	1	1
21	L.S.	1	0	0	0	0	0	0	0	0	0	0	0	0
22	M.D.	1	0	0	1	1	0	0	0	1	1	1	1	1
23	P.D.	1	0	0	1	1	0	0	0	0	1	1	1	0
24	R.J.	1	0	0	0	0	0	0	1	0	1	1	1	0
25	S.M.	1	1	1	1	1	1	1	1	1	1	1	1	1
26	S.G.	1	0	0	0	0	0	0	0	0	0	0	0	0
27	S.P.	1	0	0	0	0	0	0	0	1	0	1	1	0
28	S.M.	1	1	0	1	1	0	0	0	1	1	1	1	1
29	V.M.	1	1	1	1	0	0	0	0	0	0	1	1	1
30	W.S.	1	1	1	1	1	1	1	1	1	1	1	1	1
31	W.S.	0	0	0	0	0	0	0	0	1	0	1	0	0
32	R.D.	0	0	0	0	0	0	0	0	0	0	1	1	0
33	H.S.	0	0	0	1	0	0	0	0	0	0	1	1	0
Total Expressed		26	16	15	20	16	13	12	14	19	17	25	22	17
1	W.S.	yes	1	0	0	0	0	0	1	0	0	1	1	0
2	Y.J.	yes	0	1	0	1	0	0	0	0	0	1	0	0
3	W.J.	yes	0	0	1	0	0	0	1	1	1	1	1	1
4	J.M.	yes	0	0	0	0	0	0	0	0	0	1	1	0
Total Expressed Interest			1	1	1	1	0	0	2	1	1	4	3	1

Observation:

- **Certification:** The male population overview suggests that a potential 37 inmates could partake in up to 225 individual soft skills training courses, provided they engage in all the sessions aligned with their interests.
- **Programming:** Following discussions with prison management, it was decided to initiate 4 training sessions during the first year of the rehabilitation training program. This approach aims to accommodate a group ranging from a minimum of 48 to a maximum of 64 inmates over 8 training sessions from February – December 2024.
- **Basic Entrepreneurship Training:** A meticulous analysis of the survey results has revealed that only four out of the 25 inmates meet the eligibility criteria for the Basic Entrepreneurship Training. This observation is predominantly influenced by the extended sentences of most inmates, indicating that their release is not imminent. This poses a significant challenge to their participation in the training, as the program mandates the immediate application of acquired knowledge and skills upon release to ensure the enduring benefits of the training.

Phase 3: Training Program Implementation (November 2023 - December 31, 2024)

Tentative timeline:

The probation rehabilitation training program at the St. Maarten Prison & House of Detention represents a critical step toward fostering rehabilitation and successful inmate reintegration into society. In response to the program's increasing demands and the need for structured training initiatives, the prison administration has outlined certain constraints, such as limited resources and the availability of the training room, the facility has decided to accommodate 2 (two) simultaneous SJIS group training sessions, alongside individual sessions for the restorative detention program. Notably, inmates, male and female, have registered for multiple training modules, which requires a fair distribution of resources to ensure every participant has the opportunity to benefit from the program.

Code	Training	Oct23	Nov23	Dec23	Jan24	Feb24	Mrt24	Apr24	May24	Jun24	Jul24	Aug24	Sep24	Oct24	Nov24	Dec24
ART001	Aggression Regulation															
SAH002	Safe Homes															
SOS003	Social Skills															
COG008	Cognitive Behavioural															

Important observations:

- The mentioned range of training can be expanded based on the identified needs of the prison population, in consultation with and after approval from the Prison Director.
- Additionally, for the male and female population, the SJIS and prison management have identified various vocational training courses for the female population, including cooking classes, hair braiding, and cosmetology. This project is currently in the development phase and will be submitted soon.
- The aforementioned courses are subject to change based on various risk and detention circumstances and mentioned below.

Risk Assessment and Mitigation

The successful implementation of any comprehensive program within the prison environment requires a thorough understanding of potential risks and threats and effective strategies to mitigate them. This chapter focuses on the risk assessment and mitigation measures that are envisioned and should be undertaken in the context of the prison rehabilitation training program at Point Blanche.

The following sections delve into the key risks identified, along with detailed mitigation strategies aimed at ensuring the smooth and effective functioning of the rehabilitation training program.

Risk 1: Security and Safety Concerns

Mitigation Measures:

- Enhanced Security Measures: Implement enhanced security protocols during training sessions to ensure the safety of both participants and facilitators.
- Close Supervision: Assign trained staff to closely monitor the training sessions, keeping a watchful eye on any potential security threats.

Risk 2: Non-interest, Resistance and Non-Compliance from Inmates

Mitigation Measures:

- Engagement and Motivation: Conduct pre-training intakes or awareness sessions to engage inmates and emphasize the benefits of the program, fostering a positive outlook toward participation.
- Counseling and Support: Refer participants to counseling services at the Social Workers department to address any concerns or resistance, aiming to motivate and encourage inmates to actively engage in the training.

Risk 3: Staff Awareness and Buy-In

Mitigation Measures:

- Staff Awareness: Provide thorough information to prison staff regarding the objectives and benefits of the rehabilitation program to secure their full support/cooperation.
- Engagement and Involvement: Involve staff in the planning and implementation process, allowing them to contribute ideas and suggestions for a successful program.

Risk 4: Adapting to Individual Needs

Mitigation Measures:

- Flexible Curriculum: Tailor the training curriculum to cater to the diverse needs and backgrounds of the inmate population, ensuring inclusivity and individualized attention.
- Regular Feedback and Adaptation: Collect regular feedback from participants and adjust the program to better meet their needs and expectations.

By proactively identifying these potential risks and implementing the outlined mitigation measures, we aim to ensure a successful and impactful rehabilitation training program within the Point Blanche prison environment. Collaboration and ongoing support of all parties involved are vital to navigating these challenges and achieving our shared objectives.

Potential Threats to Successful Program Completion

Aside from the identified risks in the risk assessment section, potential threats to the successful completion of the prison training program may include lack of sustained funding, insufficient participation from inmates, and challenges related to post-release community acceptance. Proactive measures will be taken to address these threats and ensure the program's continuity and effectiveness.

Potential mitigation measures for the identified threats to the successful completion of the prison training program include:

1. Securing sustainable funding:

- Ensure the government complies with the funding agreement. Funding of this training program should be allocated as per the outlined budget and in accordance with the agreed-upon schedule.
- Maintain transparent financial records and provide reports to the funding authorities upon request, demonstrating the program's financial accountability and adherence to the agreed-upon budget.

2. Encouraging inmate participation:

- Foster a supportive and inclusive environment that encourages active participation by involving the inmates in decision-making processes related to the program.

- Implement a system of rewards and incentives to recognize and appreciate the efforts of participating inmates, motivating them to actively engage in the training modules and demonstrating positive behavior.

3. Addressing post-release community acceptance:

- Develop comprehensive reintegration plans in collaboration with community stakeholders to ensure a smooth transition for released inmates, facilitating their acceptance and support within the community.
- Make public announcements to educate the public about the program's objectives, successes, and the importance of supporting rehabilitated individuals in their reintegration journey.

7. Budget and Resources

Budget

The estimated budget for the entire 11-month program, including training materials, instructors' fees, administrative costs, and evaluation expenses, is outlined in the attached budget sheet. Budget items for a prison soft skills training course include:

Internal SJIS training Budget	
Session Preparation & Individual Assessment Evaluation	300
Personnel costs for trainers and instructors	2,430
Training materials such as workbooks, office stationery, printing handouts and educational resources	270
Total	3,000

External SJIS-created training Budget	
Research and creation of prison program	300
Session Preparation & Individual Assessment Evaluation	300
Personnel costs for trainers and instructors	2,600
Training materials such as workbooks, office stationery, printing handouts and educational resources	300
Total	US\$ 3,500

Training package	Estimated training cost
6 Internal SJIS training program á \$ 3,000	18,000
2 External for SJIS-created prison training programs á \$ 3,500	7,000
Subtotal	25,000
Administrative and Miscellaneous 5% of total amount	1,250
Grand total – Minimum of 12 sessions per training	US\$ 26,250
	ANG. 47,250

Noted observations:

- After the completion of each course, a payment invoice will be sent, containing an attendance list and an evaluation form.
- A separate proposal focusing on vocational training and the online program will be submitted at a later date for both the male and female population.
- If the Prison Director chooses to expand this program to incorporate the Miss Lalie Center, a separate proposal will be developed at a later stage.

Resources:

The training resources involved with each training are as follows:

Resources	Responsible entity
- DVD/Video material.	- SJIS
- Readers containing background information about the course.	- SJIS
- Manuals for practical application for trainers.	- SJIS
- Participant forms and supporting texts.	- SJIS
- PowerPoint presentations supporting the learning points	- SJIS
- Certificates	- SJIS
- Training room with chairs for participants.	- Prison
- 1 desk table and chair for the teacher.	- Prison
- 1 laptop.	- SJIS
- 1 projector screen or TV screen.	- Prison
- 1 flip chart.	- Prison
- 1 pack of flip chart paper.	- Prison
- Pens or pencils, depending on the number of participants.	- SJIS
- Workbooks or exercise books, depending on the amount of participants.	- SJIS

8. Conclusion

In conclusion, the proposed St. Maarten Prison Rehabilitation Training Program represents a significant stride towards creating a rehabilitative and conducive environment within the Point Blanche Prison. By addressing the specific needs and challenges faced by the inmate population, the program endeavours to equip participants with essential soft skills and vocational training, ultimately enhancing their prospects for successful reintegration into society.

Through collaborative efforts with the prison management, the SJIS, and other stakeholders, the program aims to foster a sense of accountability, personal growth, and positive transformation among the inmates, thereby contributing to the reduction of recidivism rates and the promotion of a safer and more harmonious community.

With a comprehensive approach that incorporates evidence-based training modules, ongoing monitoring and evaluation mechanisms, and active engagement of both inmates and prison staff, the program seeks to ensure the effective implementation and sustainability of its objectives. Furthermore, the mitigation strategies outlined to address potential risks and threats demonstrate a proactive and holistic approach to overcoming challenges and ensuring the program's successful completion.

The commitment of all parties involved, including the prison management, the SJIS, the Inmates Association, and the broader community, is instrumental in realizing the long-term benefits of the program. By providing inmates with the necessary support, skills, and opportunities for positive transformation, the St. Maarten Prison Rehabilitation Training Program underscores the commitment to fostering a more inclusive and rehabilitative approach within the criminal justice system, contributing to the overall well-being of the inmates and the community at large.

2024			
Crime Fund			
BDC Bank Account# 501218			
Bank balance as per December 5, 2024		ANG	7,723,465.27
Opening balance January 1, 2024		ANG	8,391,656.14
Accumulated Mutations:			
<u>Payments:</u>			
1. Div 17057/Div 16868. Placement of 2 inmates at Brasami CUR as per November 2024.	ANG	(113,065.70)	
2. Div 16893. Gerald De Jong - Sexual Harassment policy	ANG	(8,819.28)	
3. Div 16357 Pledge Donation Safe Haven	ANG	(1,820.00)	
4. 8.14 Measure Country Package - FIU- Workstream 1 Effectiveness and Compliance training	ANG	(87,612.84)	
5. Div 15253. Driven by Data -Inv 1307 Web Design Marketing Services Ondernemling Project (Subsidized).	ANG	(4,275.00)	
6. Div 16236A VGT-ADV003-HANDHAVING 004.J CUSTOMSSXM Westminster agreement.	ANG	(35,130.06)	
7a. DIV 18907. SAINT MARTIN CAR//000263391 PURCHASE OF 2 VEHICLES INV1107020/1 107019 KPSM	ANG	(144,326.00)	
7b. DIV 18907. REAL AUTO //000263392 PURCHASE OF 4 VEHICLES DEAL#7069/70 66/7019/7081 KPSM.	ANG	(252,779.80)	
7c. DIV 18907. MOTORWORLD //000263393 PURCHASE OF 3 VEHICLES DEAL#8593/6 8594/68592 KPSM.	ANG	(125,525.40)	
8. DIV16752A. OFFICE WORLD //000264537- VGT-ADV001-HANDHAVING004. J. Q50#~131102023.055-13112023.011R	ANG	(17,911.53)	
9. Non residential tax (Bank charges)	ANG	(1,443.26)	
10. Bank charges	ANG	<u>(2,768.96)</u>	ANG (795,477.83)
<u>Deposits:</u>			
1. Reimbursement balance of placement (1) inmate at Brasami (Feb 2024) ref #DIV16868.	ANG	21,477.81	
2. Deposits Fines/penalties/court fees until December 5, 2024	ANG	72,814.15	
3. Deposit from the Ministerie of BZK- Centrale Reken+ Bijdrage Plan van Aanpak & APOS; Bestuurlijke aanpak & APOS.	ANG	<u>32,995.00</u>	ANG 127,286.96
Balance December 5, 2024		ANG	7,723,465.27

Drie document in het kader van rijksregeling:

Breakdown of subsidies in the BDC Crime fund account as per December 5, 2024:			
		ANG	7,723,465.27
1. BZK Subsidy: Bijdrage in het kader van de versterking gestoerste Sint Maarten (EUR 1.5 mln)			
	2%	ANG	3,111,953.41
2. BZK Subsidy: Bijdrage Sint Maarten bestuurlijke aanpak van onderneming (€49.338)			
	38%	ANG	64,897.30
3. Subsidy Bestuurlijke aanpak Round 2 (received 30 Oct 2023)			
	1%	ANG	453,135.82
4. Deposit from the Ministerie of BZK- Centrale Reken+ Bijdrage Plan van Aanpak & APOS; Bestuurlijke aanpak & APOS.			
	Received Oct 25 2024	ANG	32,995.00
Total balance Subsidy in the CF account.			
	-/-	ANG	3,662,981.53
Crime fund balance (Accumulated fines, penalties etc) dd December, 2024.		ANG	4,060,483.74

Crime fund payments during the period Oct 21-Dec 5 2024.			
RMS Check			
ANG	4,056,208.74	Ending balance Dec 5 2024	
ANG	4,595,995.14	Beginning balance Oct 21 2024	
ANG	(539,386.40)	Mutations	
Mutations CF			
Payment of 9 Vehicles for the KPSM Drpt:			
SAINT MARTIN CAR//000263391 PURCHASE OF 2 VEHICLES INV1107020/1 107019 KPSM DIV 18907.			
		(144,326.00)	
REAL AUTO //000263392 PURCHASE OF 4 VEHICLES DEAL#7069/70 66/7019/7081 KPSM DIV 18907.			
		(252,779.80)	
MOTORWORLD //000263393 PURCHASE OF 3 VEHICLES DEAL#8593/6 8594/68592 KPSM DIV 18907.			
	ANG	(125,525.40)	
1. Placement of Inmate at Brasami CUR (Oct and Nov 2024)			
	ANG	(17,263.00)	
2. Bank charges Oct 21 2024-Dec 5 2024.			
	ANG	(332.62)	
3. Non residential tax (Bank charges)			
	ANG	(1,443.26)	
Total expenses deducted from the CF			
		(541,670.68)	
1. Deposits Fines/penalties/court fees Oct 21 2024-Dec 5 2024.			
	ANG	2,283.68	
		(539,386.40)	

Mutation only October 21-December 5, 2024

2024			
Crime Fund			
BDC Bank Account# 501218			
Bank balance as per December 5, 2024		ANG	7,723,465.27
Opening balance October 21, 2024		ANG	8,315,893.26
Mutations from Oct 21 2024- Dec 5 2024:			
Payments:			
1. Placement of Inmate at Brasami CUR (Oct and Nov 2024)	ANG	(17,263.00)	
2. Bank charges Oct 21 2024-Dec 5 2024.	ANG	(332.62)	
3. DIV 16236A VGT-ADV003-HANDHAVING 004.J CUSTOMSSXM	ANG	(35,130.06)	
4a. DIV 18907. SAINT MARTIN CAR//000263391 PURCHASE OF 2 VEHICLES INV1107020/1 107019 KPSM	ANG	(144,326.00)	
4b. DIV 18907. REAL AUTO //000263392 PURCHASE OF 4 VEHICLES DEAL#7069/70 66/7019/7081 KPSM.	ANG	(252,779.80)	
4c. DIV 18907. MOTORWORLD //000263393 PURCHASE OF 3 VEHICLES DEAL#8593/6 8594/68592 KPSM.	ANG	(125,525.40)	
5. DIV16752A. OFFICE WORLD //000264537- VGT-ADV001-HANDHAVING004. J. Q50#~131102023.055-13112023.011R	ANG	(17,911.53)	
6. Non residential tax (Bank charges)	ANG	(1,443.26)	ANG (594,711.67)
Deposits:			
1. Deposits Fines/penalties/court fees Oct 21 2024-Dec 5 2024.	ANG	2,283.68	ANG 2,283.68
Balance December 5, 2024		ANG	7,723,465.27

Breakdown of Mutations of subsidies in the BDC Crime fund account as per December 5, 2024:			
December 5, 2024 Subsidy balance		ANG	3,720,286.12
Consumed			
Subsidy Mutations Oct 21 2024- Dec 5 2024			
1. DIV 16236A VGT-ADV003-HANDHAVING 004.J CUSTOMSSXM			
		ANG	(35,130.06)
2. DIV16752A. OFFICE WORLD //000264537- VGT-ADV001-HANDHAVING004. J. Q50#~131102023.055-13112023.011R			
		ANG	(17,911.53)
Total Subsidy mutations in the CF account.			
	-/-	ANG	(53,041.59)
Total balance Subsidy in the CF account.			
	ANG		3,667,256.53