



List state of affairs draft national ordinances December 1, 2018

NO.	TITLE	DOCUMENTS EXCHANGED	PHASE	ON INITIATIVE OF	DESCRIPTION	REMARKS
003	Initiative National Ordinance amending Book 7A of the Civil Code (National Ordinance elimination improper use of employment contracts) (Parliamentary Year 2010-2011-003)	1. Presentation dated 06/06/11 2. Draft dated 06/06/11 3. Elucidation dated 06/06/11 4a. Advice Council of Advice dated 15/09/11 4b. Further report dated 03/04/12 4c. Advice SER dated 18/09/12	Parliament must bring out a report	<ul style="list-style-type: none"> - William V. Marlin - George C. Pantophlet - Lloyd J. Richardson - Frans G. Richardson - Hyacinth L. Richardson - Louie E. Laveist 	This draft aims to adopt rules to reduce or eliminate the improper use of employment contracts for short-term positions which essentially have a lasting and / or permanent nature.	
024	Initiative National Ordinance establishing rules and amending the Island Ordinance of July 26, 2010 laying down rules on the granting of a concession for the generation and supply of electricity (Ordinance electricity concession) AB 2010 no. 27, for the promotion of the efficient use and control of the cost of energy (Parliamentary Year 2011-2012-024)	1. Presentation dated 21/03/12 2. Draft dated 21/03/12 3. Elucidation dated 21/03/12 4a. Advice Council of Advice dated 07/09/12	Initiative takers must bring out reaction	<ul style="list-style-type: none"> - Roy R. Marlin - Petrus L. de Weever - Patrick G. Illidge 	This draft national ordinance intends to introduce rules and to change the Island ordinance of July 26, 2010 (AB 2010, no. 27) comprising rules about the issuing of concession for the generation and supply of electricity (Ordinance electricity concession) to promote an effective use of energy and management of costs.	
027	Initiative National Ordinance amending the Room Tax Ordinance Sint Maarten (Parliamentary Year 2011-2012-	1. Presentation dated 03/07/12 2. Draft dated 03/07/12 3. Elucidation dated 03/07/12 4a. Advice Council of Advice dated 28/09/12 4b. Advice SER dated 05/04/13 4c. Reaction dated 24/10/13 5. Letter from MinFin of no	Parliament must bring out a report	<ul style="list-style-type: none"> - Silvia V. Meyers-Olivacce - Johan E. Leonard - Ruth A.G. Douglas 	This draft intends to modify the tariff structure for the levying of room tax on the availability of premises in a property or a part thereof by	

	027)	objection against draft dated 15/10/13		s - Jules C. James	means of a time-sharing for the purpose of changing the staying of persons and to supplement the provisions on monitoring of implementation of the Room tax Ordinance of Sint Maarten.	
033	Initiative National Ordinance amending the ordinance of protection of nature St. Maarten of September 1, 2003 (AB 2003, no. 25) (Parliamentary Year 2012-2103-033)	1. Presentation dated 11/04/13 2. Draft dated 11/04/13 3. Elucidation dated 11/04/13 4. Letter Council of Advice dated 06/06/13 5. New presentation dated 06/03/14 6. Draft dated 06/03/14 7. Elucidation dated 06/03/14 8. Advice Council of Advice dated 25/04/14	Initiative takers must bring out reaction	- Frans G. Richards on - Johan E. Leonard	This draft intends to impose a ban on importing, producing, providing, selling and distributing plastic disposable bags as well as amending some terms in the national ordinance.	
037	Initiative Ordinance establishing a Timeshare Authority (Sint Maarten Timeshare Authority Ordinance) (Parliamentary Year 2013-2104-037)	1. Presentation dated 08/01/14 2. Draft dated 08/01/14 3. Elucidation dated 08/01/14 4a. Advice Council of Advice dated 03/07/14 4b. Reaction dated 21/06/16 5. Final report dated 31/08/16 6. Memorandum in response of report dated 14/02/17	Currently in Public Meeting	- Petrus L. de Weever	This draft aims to ensure the maintenance of consumer protection in timeshare and to ensure the effective settlement of conflicts between stakeholders, to entrust these tasks to a public body to be set up by a national ordinance.	This draft has been taken over by Sarah A. Wescot-Williams.
062	National Ordinance amending the National Ordinance on Administrative Justice (Parliamentary Year 2014-2015-062)**	1. Presentation dated 02/04/15 2. Draft dated 02/04/15 3. Elucidation dated 02/04/15 Attachment. Advice Council of Advice dated 02/04/15 4. Final report dated 02/04/15 5. Final report dated 11/06/18	Government must bring out a memorandum in response to the report	Government	Parliament NA number 3703 This draft intends in accordance with article 42, third and fourth paragraphs of the Cooperation Agreement Netherlands Antilles and Aruba, article 103 of the Constitution of the Netherlands Antilles, and in order to promote the effectiveness and	

					effectiveness of administrative case law, to change on some points the National Ordinance administrative case-law.	
064	National Ordinance establishing rules on media policy (Media National Ordinance) (Parliamentary Year 2014-2015-064)**	1. Presentation dated 02/04/15 2. Draft dated 02/04/15 3. Elucidation dated 02/04/15 Attachment. Advice Council of Advice dated 02/04/15 4. Preliminary report dated 02/04/15	Parliament must bring out a report	Government	Parliament NA number 3222 This draft intends to secure the separation of regulations in the area of media and telecommunication policies, laying down detailed rules for media policy on the basis of sobriety and flexibility, setting up a Media Council and laying down detailed rules on the administrative enforcement of the media policy obligations.	
072	Initiative National Ordinance amending the National Ordinance on Admission and Expulsion (Parliamentary Year 2014-2015-072)	1. Presentation dated 05/06/15 2. Draft dated 05/06/15 3. Elucidation dated 05/06/15 4a. Advice Council of Advice dated 28/07/15 4b. Reaction dated 08/02/16	Parliament must bring out a report	- Maurice A. Lake	This draft intends to charge for the processing of applications for permits for temporary residence or stay and any other statements.	
073	Initiative National Ordinance altering the National Ordinance restriction tobacco use (Parliamentary Year 2014-2015-073)	1. Presentation dated 08/06/15 2. Draft dated 08/06/15 3. Elucidation dated 08/06/15 4a. Advice Council of Advice dated 31/08/15	Initiative taker must bring out reaction	- Van Hugh C. de Weever	This draft aims to expand the National Ordinance to restrict the use of tobacco with the prohibition of using tobacco products in publicly accessible rooms, work spaces and public transport as well as to impose a fine in this national ordinance.	
075	Initiative National	1. Presentation dated 22/07/15	Accepted November	- Silveria	This draft aims to	

	Ordinance amending article 50 paragraph 2 of the License Ordinance (National Ordinance adaptation age sales of alcohol Permit Ordinance) (Parliamentary Year 2014-2015-075)	2. Draft dated 22/07/15 3. Elucidation dated 22/07/15 4a. Advice Council of Advice dated 04/11/15 4b. Reaction dated 12/12/16 5. Final report dated 19/06/18 6. Memorandum in response of report dated 23/10/18	22, 2018	E. Jacobs	establish rules to restrict the use of alcoholic beverages by juveniles and to align the content of the License National Ordinance with the content of the Penal Code.	
076	Initiative National Ordinance amending the Electoral Ordinance and the National Ordinance basic personal records (Parliamentary Year 2014-2015-076)	1. Presentation dated 12/08/15 2. Draft dated 12/08/15 3. Elucidation dated 12/08/15 4a. Advice Council of Advice dated 26/11/15	Initiative taker must bring out reaction	- Leona M. Marlin-Romeo	This draft intends to amend the Electoral Ordinance and the National Ordinance basic personal records, in order to extend the right to vote with certain groups of non-residents and to tighten up the procedures regarding voting rights and the basic administration of Sint Maarten.	
078	Initiative National Ordinance for setting up the Small Claims Court Sint Maarten (Parliamentary Year 2014-2015-078)	1. Presentation dated 19/08/15 2. Draft dated 19/08/15 3. Elucidation dated 19/08/15 4a. Advice Council of Advice dated 26/11/15	Initiative taker must bring out reaction	- Leona M. Marlin-Romeo	This draft intends to lay down detailed rules regarding the setting and manner of proceedings in cases with claims representing a value of Naf 5.000, - or less, interest and costs not included.	
079	Initiative National Ordinance amending the cinema Regulation in connection with the amendment of the duties, composition, tenure and other changes to the vetting (Parliamentary Year 2014-2015-079)	1. Presentation dated 19/08/15 2. Draft dated 19/08/15 3. Elucidation dated 19/08/15 4a. Advice Council of Advice dated 04/11/15	Initiative taker must bring out reaction	- Tamara E. Leonard	This draft aims to modernize the Cinema Ordinance by altering the rights and composition and duration of the selection committee and placing the ultimate responsibility for bringing children under the age of 18 to a film found by the committee as being inadmissible for children by the parents or guardians of these children.	

082	National Ordinance amending the Civil Code and some other national ordinances relating to the replacement of the seventh title A of Book 7A with a new Title 10 of Book 7 regulatory requirements for employment (Parliamentary Year 2015-2016-082)	<p>1. Presentation dated 02/12/15 2. Draft dated 02/12/15 3. Elucidation dated 02/12/15 4a. Advice Council of Advice dated 02/12/15 4b. Further report dated 02/12/15 5. Final report dated 17/08/17 6. Memorandum in response of report dated 04/12/17 7. Amendment Member S.A. Wescot-Williams dated 05/12/17 8. Amendment Member T.E. Leonard dated 05/12/17</p> <p><i>(This draft was actually received on November 13, 2015. However, the presentation (No. 1) was missing and the file was returned to the Government. On December 2, Parliament received the full draft again).</i></p>	Currently in Public meeting	Government	This draft intends to introduce new rules on employment contracts, replacing the seventh Title A of Book 7A of the Civil Code with a new Title 10, entitled Labor Agreement, in Book 7 of that Code.
084	National Ordinance amending the National Ordinance Spatial Development Plan in connection with the reintroduction of article 28a (Parliamentary Year 2015-2016-084)	<p>1. Presentation dated 14/01/16 2. Draft dated 14/01/16 3. Elucidation dated 14/01/16 4a. Advice Council of Advice dated 14/01/16 4b. Further report dated 14/01/16 5. Final report dated 18/04/16 6. Memorandum in response of the report dated 17/05/16</p>	Currently in Public meeting	Government	This draft intends to reaffirm article 28a of the National Ordinance Spatial Development Planning in the interests of proper spatial planning and the protection of future destinations.
085	Initiative National Ordinance containing rules regarding the integrity of the (candidate) Ministers (National Ordinance integrity (candidate) Ministers) (Parliamentary Year 2015-2016-085)	<p>1. Presentation dated 20/01/16 2. Draft dated 20/01/16 3. Elucidation dated 20/01/16 4a. Advice Council of Advice dated 20/01/16</p>	Initiative taker must bring out reaction	- Van Hugh C. de Weever	This draft aims to provide transparency regarding the procedures followed in the assessment of candidate ministers before making a nomination.
088	Initiative National Ordinance amending the Constitution (AB 2010 no. GT 1) to expand the tasks of the Constitutional Court and adaptation to the	<p>1. Presentation dated 18/07/16 2. Draft dated 18/07/16 3. Elucidation dated 18/07/16 4a. Advice Council of Advice dated 26/10/16</p>	Initiative taker must bring out reaction	- Sarah A. Wescot-Williams	This draft intends to expand the tasks of the Constitutional Court and to implement some legislative improvements in the Constitution and the National Ordinance

	National Ordinance Constitutional Court (AB 2010 GT no. 29) and the National Ordinance Ombudsman (AB 2010 GT no. 20) in connection with the amendment of the Constitution (Parliamentary Year 2015-2016-088)				Ombudsman.	
097	National Ordinance amending the Constitution for expanding the circle of voters of Parliament (Parliamentary Year 2016-2017-097)	1. Presentation dated 21/09/16 2. Draft dated 21/09/16 3. Elucidation dated 21/09/16 4a. Advice Council of Advice dated 21/09/16 4b. Further report dated 21/09/16	Parliament must bring out a report	Government	This draft intends to expand the circle of voters for the elections for the Parliament.	
106	National ordinance to amend the General National Ordinance Land Taxes in connection with international obligations (Parliamentary Year 2017-2018-106)	1. Presentation dated 23/02/18 2. Draft dated 23/02/18 3. Elucidation dated 23/02/18 4a. Advice Council of Advice dated 23/02/18 4b. Further report dated 23/02/18 5. Final report dated 14/06/18	Currently in Public Meeting	Government	This draft intends to open the legal possibility to oblige the taxpayers to submit tax information automatically to the Inspector annually in order to comply with Sint Maarten's obligation to automatically exchange tax information in 2018 with countries that are in the context of the Common Reporting Standard exchange information.	
108	National Ordinance amending the National Ordinance 2017 budget in connection with changes to the Capital Service (Parliamentary Year 2016-2017-108)	1. Presentation dated 21/04/18 2. Draft dated 21/04/18 3. Elucidation dated 21/04/18 4a. Advice Council of Advice dated 21/04/18 4b. Further report dated 21/04/18 5. Final report dated 14/06/18	Government must bring out a memorandum in response to the report	Government	This draft intends to amend the National Ordinance Budget 2017 as a result of the decision of the Kingdom Council of Ministers to provide the necessary liquidity support in the form of a new loan and the conversion of an existing loan.	

109	National Ordinance containing rules for granting study finance (National Ordinance Study Finance) (Parliamentary Year 2017-2018-109)	1. Presentation dated 23/05/18 2. Draft dated 23/05/18 3. Elucidation dated 23/05/18 4a. Advice Council of Advice dated 23/05/18 4b. Further report dated 23/05/18	Parliament must bring out a report	Government	This draft aims to lay down rules on the granting of study finance by the Country to ensure that the best qualified students from Sint Maarten receive the opportunity to follow secondary vocational education or higher and university education or sport at the service of the development of the country's labor market to promote the socio-economic development of the Country.
110	Initiative National Ordinance amending the Electoral Ordinance (AB 2010, No. GT 10) (Parliamentary Year 2017-2018-110)	1. Presentation dated 12/06/18 2. Draft dated 12/06/18 3. Elucidation dated 12/06/18 4. Advice Council of Advice dated 23/10/18	Initiative taker must submit reaction	- Sarah A. Wescot-Williams	This draft intends to regulate that elected Members of Parliament, at the same time as credentials, are obliged to report all public relations and that in accordance with the Constitution it can be determined that other relations do not coincide with the office of Member of Parliament.
111	Initiative National Ordinance amending the National Ordinance registration and finances political parties (AB 2010, No. GT 11) and the Electoral Ordinance (AB 2010, No. GT 11) (Parliamentary Year 2017-2018-111)	1. Presentation dated 12/06/18 2. Draft dated 12/06/18 3. Elucidation dated 12/06/18	Council of Advice must bring out advice	- Sarah A. Wescot-Williams	This draft aims to amend the National Ordinance registration and finances political parties in order to make the requirement in respect of the audit statement less stringent.
113	National Ordinance amending the National Ordinance structure and organization of national government in connection with the embedding of	1. Presentation dated 21/08/18 2. Draft dated 21/08/18 3. Elucidation dated 21/08/18 4a. Advice Council of Advice dated 21/08/18 4b. Further report dated 21/08/18 5. Final report dated 11/10/18	Parliament must bring out a report	Government	This draft aims to embed the Cabinet of the Minister Plenipotentiary into the governmental structure of Sint Maarten. The cabinet is responsible for supporting the

	the Cabinet of the Minister Plenipotentiary (Parliamentary Year 2017-2018-113)				Minister Plenipotentiary. The goal of the Cabinet is to support the Minister Plenipotentiary in looking after and representing the interest of the Country within the Kingdom of the Netherlands and outside insofar as these has been assigned to them under the Charter of the Kingdom of the Netherlands.	
114	National Ordinance to accept the draft kingdom law from the Member Van Laar amending the articles 14 and 38 of the Charter of the Kingdom of the Netherlands (Parliamentary Year 2017-2018-114)	1. Presentation dated 29/08/18 2. Draft dated 29/08/18 3. Elucidation dated 29/08/18 4a. Advice Council of Advice dated 29/08/18 4b. Further report dated 29/08/18 5. Final report dated 11/10/18 6. Memorandum in response to the report dated 20/11/18	Parliament must bring out a report	Government	This draft intends to accept by National Ordinance the draft kingdom law from the Member Van Laar amending articles 14 and 38 of the Charter of the Kingdom of the Netherlands (limiting the possibility of issuing general measures of the Kingdom Government without a legal basis) based on article 55 of the Charter of the Kingdom of the Netherlands. This draft kingdom law was accepted by the Dutch Senate on July 5, 2016.	
115	National Ordinance establishing the annual accounts for St. Maarten for the financial year 2013 (National Ordinance establishing accounts 2013) (Parliamentary Year 2017-2018-115)	1. Presentation dated 29/08/18 2. Draft dated 29/08/18 3. Elucidation dated 29/08/18 4a. Advice Council of Advice dated 29/08/18 4b. Further report dated 29/08/18	Parliament must bring out a report	Government	This draft intends to implement article 100, paragraph four of the Constitution and articles 52 up to and including 55 of the Compatibility Ordinance by establishing the annual accounts of the country by National Ordinance in order to relieve the ministers of the financial policy and management pursued by them.	
116	National Ordinance establishing the annual accounts for	1. Presentation dated 29/08/18 2. Draft dated 29/08/18 3. Elucidation dated 29/08/18	Parliament must	Government	This draft intends to implement article 100,	

	St. Maarten for the financial year 2014 (National Ordinance establishing accounts 2014) (Parliamentary Year 2017-2018-116)	4a. Advice Council of Advice dated 29/08/18 4b. Further report dated 29/08/18	bring out a report		paragraph four of the Constitution and articles 52 up to and including 55 of the Compatibility Ordinance by establishing the annual accounts of the country by National Ordinance in order to relieve the ministers of the financial policy and management pursued by them.	
117	Initiative National Ordinance amending the General Police Law (AB 2013, GT No. 42) in connection with the introduction of the ban on the use of plastic bags (Parliamentary Year 2017-2018-117)	1. Presentation dated 30/08/18 2. Draft dated 30/08/18 3. Elucidation dated 30/08/18	Council of Advice must bring out advice	Sarah A. Wescot-Williams	This draft aims to amend the General Police Law (AB 2013, GT No. 42) in order to prohibit the use of plastic bags intended for single use.	
119	National Ordinance amending the National Ordinance on the Notary office for the exercising of notarial competencies on Saba and Sint Eustatius by the notary of Sint Maarten (Parliamentary Year 2018-2019-119)	1. Presentation dated 11/09/18 2. Draft dated 11/09/18 3. Elucidation dated 11/09/18 4a. Advice Council of Advice dated 11/09/18 4b. Further report dated 11/09/18	Parliament must bring out a report	Government	This draft aims to confirm that notaries of Sint Maarten are also authorized to exercise their competencies on Saba and Sint Eustatius.	
120	National Ordinance amending the National Ordinance on the obligation to notify cross-border money transfers in response to recommendations 32 and 33 of the Financial Action Task Force	1. Presentation dated 04/10/18 2. Draft dated 04/10/18 3. Elucidation dated 04/10/18 4a. Advice Council of Advice dated 04/10/18 4b. Further report dated 04/10/18	Parliament must bring out a report	Government	This draft aims to amend the National Ordinance on the obligation to notify cross-border money movements in order to comply with recommendations 32 and 33 of the Financial Action Task Force.	
121	National ordinance amending the National Ordinance	1. Presentation dated 16/10/18 2. Draft dated 16/10/18 3. Elucidation dated 16/10/18	Parliament must	Government	This draft aims to increase the retirement age to 65	

	on Pension for civil servants, amending the National Ordinance age limit civil servants, and repealing the Long-term Allowance regulation pensioners 1943 (National Ordinance revision pension civil servants)	4a. Advice Council of Advice dated 16/10/18 4b. Further report dated 16/10/18	bring out a report		years and to change the unconditional indexation obligation into a conditional indexation obligation as it is necessary to secure the progress of the structure and payment of the pension of civil servants for the future and to reduce the premium pressure for the government. This draft also aims to amend the National Ordinance age limit civil servants and the Redundancy pay regulation for government officials, and the retraction of the Long-term Allowance regulation for Pensioners 1943.	
122	National Ordinance for the second amendment of the National Ordinance Budget 2018 in connection with the financing of some changed policy goals, as well as on the basis of advancing insights and finally in connection with the revision of the multi-annual estimates on the basis of adjusted policy objectives	1. Presentation dated 15/11/18 2. Draft dated 15/11/18 3. Elucidation dated 15/11/18 4a. Advice Council of Advice dated 15/11/18 4b. Further report dated 15/11/18 4c. Advice CFT dated 15/11/18	Parliament must bring out report	Government	This draft aims to amend the National Ordinance Budget 2018 in connection with some changed policy goals, as well as on the basis of advancing insights and finally in connection with the revision of the multi-year estimates on the basis of adjusted policy objectives.	
123	National Ordinance stipulating the Budget for Country Sint Maarten for the service year 2019 (National Ordinance Budget 201) (Parliamentary Year 2018-2019-123)	1. Presentation dated 15/11/18 2. Draft dated 15/11/18 3. Elucidation dated 15/11/18 4a. Advice Council of Advice dated 15/11/18 4b. Further report dated 15/11/18 4c. Advice CFT dated 15/11/18	Parliament must bring out report	Government	This draft aims to, in accordance with article 100, paragraph 1, of the Constitution of Sint Maarten, establish the budget of the country for the service year 2019 and if necessary to grant this national ordinance retroactive effect until January 1, 2019.	

*From these drafts (certain) documents are missing in the archives.

**These drafts of Dutch-Antillean origin were taken over based on additional Article IV of the Constitution by the Parliament of Sint Maarten.