

STATEN VAN SINT MAARTEN			
Ingek. 09 APR 2013			
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Par.	1	2	3

Questions for Minister of Finance. Mr. R. Tuitt

Budget 2013:

April 08, 2013

Reparatory budget – not including policies and clear time line stipulations is how the Minister of Finance described the budget 2013.

Does MinFin think that this budget debate is a case of the one eyed man in the blind man kingdom?

Policies are guide posts to ensure the same transparency the MinFin alluded to of where and by when certain objectives are accomplished. By not including clear and concise policies, we don't know what is really being aimed at and by what time frame.

1. The debt inherited by St. Maarten per 10-10-10 which was not by any doing of the previous Minister of Finance at that time but inherited from the break up of the Netherlands Antilles. What is this current Minister of Finance doing to try to get through to the Dutch Government to honor the Naf 40+ MLN debt which according to the Dutch government had to be sent in prior to 10-10-10 as this was the so called deadline? If this was the case then the government prior to 10-10-10 failed to do so. Wouldn't you agree? Also the former Minister refinanced the majority of all the pre-financed deals left behind at high interest rates by governments prior to 10-10-10. The debt to the Pension Fund in relation to civil servants premiums as well as back service for Cost of Living Increases) BZV, SZV ( co-insurance family members) Telem, the majority of the debt of Sint Maarten was inherited after 10-10-10 but how much has it risen since May 2012?
2. The question at hand now is how much debt has the present government racked up with race tracks and other projects being worked on for execution without consent to borrow from the CFT? If you have consent please share this information with Parliament. Is everything that is being executed accounted for in the budget 2013? Mr. Minister of Finance please to tell us how those projects will be funded? What about the loan for the "block" as well as other Justice projects? Have they been included in the 2013 budget?

3. Does Government have any requests at the Central Bank of Curacao and St. Maarten for issuing bonds in order to cover financing for Capital Expenditures? If so, what are these Capital Expenditures and how much do they cover? Has the CFT given advice on these Bonds? I did not recall seeing the debt service included in this Budget 2013 and beyond for any Bonds issued? Can Parliament receive a list of all Capital Expenditures made for 2012 and for what amount including whether or not they have been financed via the General Fund cash at hand or via Government bonds issued or any other means of financing?
4. Can Parliament receive an itemized list of all of the creditors paid and for which projects with the monies used from breaking the CD's (reserves) to the tune of some NAf. 15 million?
5. What is the total of Government's CD's remaining? How much has been spent since May 22, 2012?

**BUDGET 2013:**

6. When does Government plan on paying out the COLA 2011? Is this reflected in 2013 budget? Is it true that Government has officially frozen the COLA payments until further notice? If so, when and why has Government taken this decision? What were the advice of the GOA (Georganiseerd Overleg Ambtenaren) and the reaction of the WICLU as well as the police union to this decision? I understand they have given government an ultimatum. Is this correct and what does government plan to do to resolve this issue?
7. I do not recall seeing, so I will ask, are all of Government's plans of approach for 2013 included in the draft budget 2013? *If no, Parliament reminds the Minister of the importance of seeking Parliament's approval prior to taking any creative steps to circumvent its supervision roll. Like the Justice Minister signing a LOI to purchase land to construct the Justice Park etc.*

8. Has the MinFin ensured that all of the risks for Government are included in the list which is attached to the draft budget 2013? What are some of these risks and how much do they total?
  
9. I do not recall seeing the costs of the Justice Park (rent as well as other operational expenses) included in the draft budget 2013? Does Government intend to purchase the Justice Park or will this be a lease?
  
10. How many other lease projects is Government engaging in for 2013 and 2014? Is this a method to get around the CFT and avoid having to take loans or issue bonds in order to circumvent getting the advice of the CFT and affecting the interest norm for Government?
  
11. What was/is the estimated or established interest norm for 2012 and 2013? How does government stand in relation to this interest norm as far as interest on loans and/or bonds issued by Government is concerned? Will all of the projects such as drag race track, cricket field renovation of the different sports parks and buildings be done via the Government's interest norm or will these all be lease projects as well? What about the Tunnel and the Emilio Wilson Park projects? Will these be included on the list for loans and/or bonds issued by Government?
  
12. Will any of the Government NV's be participating in any of these projects? For example the Harbor is being used to dredge for sand for the filling in of the pond. How does the CFT feel about this? Has their stance changed about Government using the NV's to get projects done? How does the Second Chamber's decision to equip the CFT with the right to request information on Government NV's affect this as well as other projects which will be either financed via or done on behalf of Government by the Government NV's?

## OPERATIONAL:

13. Is it so that creditors are being asked to keep their invoices below the legally established amount in the Comptabiliteitswetgeving in order to avoid having to secure a "Landsbesluit?"
14. How many "Landsbesluiten" has the Minister of Finance issued together with the Governor since May 22, 2012 and for which projects? Can Parliament receive such a list? Have any contracts been issued which would require a Landbesluit but none was issued? Do all consultants working for the Ministry of Finance in particular and Government in general have a signed and official Landsbesluit? Please provide Parliament with copies of these decrees.
15. Was/Is a former civil servant from the Ministry of Finance working for Government as a consultant without a Landsbesluit? If so, did/does this consultant have a contract to do work for government? If so, how much was/is this contract per month or per job and for how long was/is this contract? What was/is the scope of the work for the Ministry? Was/Is this consultant also traveling with the Minister on business trips? If there was/is no Landsbesluit was/is this legal? Please advise the legal basis.
16. Was/Is it so that there was/is a purchase order stop in place for some of the Public Schools, for example Martin Luther King School? If so, was/is this due to budgetary constraints? Why did/do the Public Schools had/have to suffer and not be able to purchase much needed materials and supplies in order to educate the future of Sint Maarten, our children?
17. The Minister of Education mentioned about a petty cash system that was implemented. Please advise whether this was/is a temporary system and if so, for how long? Or, this was/is meant to be a new structural system? Please advise where on the budget this transaction is reflected?

Since the CBCS financial statements of 2011 has been approved by the Board of Commissioners. Please advise if SXM have/will receive any dividends? If, so what dividends key were/would be used? Also when did/could SXM expect to receive its dividends?

18. With regards to the Monetary Union of Curaçao and Sint Maarten, you have stated some time back, that you will commission a study to see whether we should have our own currency, a shared currency with Curacao, or dollarize. Please advise whether such a study have already been commissioned? If yes, by which company? From which departure point have/will such study be taken? What roll did/will the Central Bank play in this study? Also can Parliament receive a copy of the TOR?

19. What is the amount of the Net official reserves (gold+foreign assets at CBCS-foreign liabilities CBCS)?

20. When the Justice Park presentation was submitted to the current Council of Ministers, were you present? Did or do you agree to the purchase of the building and land? Also did/do you agree with the amount for this project? If not, then this would be in violation of article 9 sub 1 of the "comptabiliteitslandsverordening which basically states that you as Minister of Finance have to give your judgment or opinion about any intentions by any other Minister to incur debts which would have an effect on budgets to come or on the budget of the current year which have not been accounted for or makes changes in the amounts of the budget before that Minister can make any such intentions known to the Public, Parliament or the Council of Ministers. Please provide Parliament with your position on this matter then and now.

21. How much money is in the crime fund to date?

22. What are the plans for this money? Did/Will any monies go into crime prevention? If so, how much and for what? Knowing that we have a rogue and unorthodox Minister of Justice, please clarify whether monies from the crime fund was/will be used for any other purpose, be it for operational expenses or any other expenses than for crime prevention? Also please advise whether you approve of any of this? Please provide copies with detail breakdown to Parliament if any of this money was used?
23. Can MinFin repeat what are the 2013 budget relief packages for our citizens? Please provide Parliament with this information in detail, with the assumptions and basis etc.
24. As MinFin stated that this is a transparent Government. So for the sake of transparency, could MinFin please explain the following. I understood that MinFin and one of his assistant visited Tokyo and South Africa. Could the Minister share with Parliament the purpose of these trips? Please advise Parliament what if any follow up trips may be necessary to these places again?
25. MinFin announced in a press briefing that Naf.7-15 million from CD's would be paid out to creditors. What is the exact amount that was paid out? Didn't the CFT have to give approval to use the reserves? What is your take on this?
26. During a CoM press briefing the MinFin in replying to a question from Wendell Moore about the "amendments" to 2012 budget had stated that this has been approved. However, unless, I am missing something, I don't know when this approval took place. Please advise when this took place?
27. What is the status of the dividends policy which was remarked about in the past by the NA faction in Parliament? When can we expect to see this? What is the status of the cost of living adjustment 2011? Has Government decided how this will be paid out? Will government deviate from the present method which is indexing the salaries with the price index delta? Or will government choose to go with a different method? Has it been included in the budget 2013?

- 28. Is there a new policy for collecting back taxes owed? What relief can be given to the people of Sint Maarten? What relief should the people expect to receive from this government that claims it is the government of the people? What about the GEBE relief promised? Detail how the free education will work? Who will qualify and under what conditions? Who will benefit from the cost of co-insurance? When will proper products cost controls really take place? What can be done to facilitate more local entrepreneurs? Seeing we have a functioning economic wheel, what plans are there if any to create more jobs and work opportunities for our people?**
29. What is the status of the Caribbean Financial Action Taskforce (CFATF) evaluation of Sint Maarten?
30. AMFO has closed several months ago. We have already heard that one foundation had fallen victim and had to close. Also Belvedere Community Center may also be affected as well. I believe other organizations may also have to close and send home workers. Government has allocated some replacement funds in 2013 budget to subsidize for the lack of these funds? Recommendation for consideration: Since one of our MP's is in the side business of providing loans to some well to do Dutch businessman of an adult entertainment club, maybe Government could seek to enter some SLA with this MP on similar no interest loan terms as we had with AMFO? Just a thought!
31. It is my understanding that the Huur Commissie division expenses may not have been included in the budget 2013. However, taking into consideration changes that may need to be done, then this could be corrected? If, however, this was taken up in another or the General Affairs or VROMI section, please direct me to the line item where I will find this?
32. With the amount of money the government has paid and invested in the Tempo turn 7, please provide Parliament with a copy of the contract and also advise what was/is the expected ROI for this project? What system was/is in place or would you have in place to measure the supposed increase in visitors that this investment has called for? Of noteworthy to mention here is

the higher than normal arrival pattern when compared with the same period last year, that has been reported at the PJIA, without the Tempo effect. What positive spend-off or what exactly were/are the expectation? What amount of money did/do you expect to recoup from this venture? Finally, but most sadly, why the large amount invested in that graphic project when you were on record for saying that there will be a budget deficit for this year? Moreover, you were experiencing difficulty balancing the 2013 budget. MinFin, couldn't half of that money have been used to employ several of our young people? Couldn't some of that money been used to help with the much needed school materials and reports out there that parents had to resort to buying some basic materials themselves? This is a crying shame, wouldn't you agree by a government that claims, it is the government of the people? How much money was collected at the entrance gate? Did Tempo have to pay any taxes on their revenues earned? How much tax did Tempo pay? How much money was collected at the gate? Did Tempo pay any taxes on revenues collected? How much tax exactly did Tempo really pay?



Philipsburg, April 08, 2013

STATEN VAN SINT MAARTEN			
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Questions for Minister of TEATT Mr. Romeo Pantophlet:

My interest is to try to zero in on the chronologic timeline of when the Minister took certain decisions. More specifically to understand when the Minister became the shareholders representative of the limited liability company of SMHHC. However, I would also like some clarity from you Minister with the responsibility of the SMHHC.

Minister please note when the Minister of Vromi William Marlin was here at Parliament in December, he alluded to and thought it was best that we ask you questions on the sand and Causeway issue...

Statements were made that the former Minister of VROMI, Mr. Theodore Heyliger issued instructions or made a request to make changes to the causeway for esthetic reasons. As Minister of TEATT with responsibility of the Harbor and as shareholder representative, what can you share with Parliament regarding your trip to Holland where you met the contractor with responsibility for the construction of the causeway and discussions about the rumored changes? How can this be substantiated? Can you please provide Parliament with copies of the minutes from your meeting with Volker Stevin?

Is it so that a building permit was issued for 23 meter height for the pylons, but the previous Minister in meetings with contractors instructed them to increase the height? Can you please confirm that, this is what was discussed with you during the meeting with Volker Stevin?

Will the Harbor be responsible to pay for this change order request and the additional cost for the modifications?

Who instructed the reengineering of the causeway? Was it the SMHHC Board? Maybe this is one of the reasons why you insisted that certain members of the Board would have to resign. Could the Minister please clarify what transpired here?

Seeing the Harbor is responsible for the causeway project, Deputy Prime Minister and Minister of VROMI as I stated before, mentioned that we should ask you for the copies of the report from IKO and the

FAA regarding the causeway pylons and lighting obstruction. Based on what the Minister stated that there did not seem to be a problem. It would be appreciated for the members of Parliament to receive the respective copies of these reports.

Minister of VROMI further stated that you Minister of TEATT had informed him that there was a letter written to the Harbor, whether to the Board or the MD, this was not clear. What was clear was that this had to do with instructions as to the sand dumping issue. Could the Minister please provide Parliament with a copy of this letter?

Minister as shareholder representative of the SMHHC, could you inform Parliament whether it was you or another person that gave instruction specifically where to dump the sand?

We have heard statements that while certain persons were Commissioner back in 2009 – 2010, a promise was made to the drag strip racers and in haste to accomplish this, no permit was secured. Has a permit since been requested and issued?

Specifically a certain member stated that the request to place the sand in the Great Salt Pond – Salt Ponds area, was due to a 2009 besluit. Can the Minister please provide Parliament with a copy of the besluit where it was approved to fill in the pond for a drag strip racing course?

The sand dredged from the Great Bay Harbor does the sand not belong to the country of SXM?

Is the harbor not selling sand? Is this true or not?

How much is the harbor selling sand for?

Who receives this money, the harbor or Government?

Was the dredging of sand part of the approved 2012 budget?

Please provide the complaints from the cruise lines that dredging was needed?

Who gave authorization to dredge the sand?

Why was there no bidding for dredging of the sand?

What is the contract value for the dredging of the sand?

Which company was the contract awarded to?

How does this price compare to previous dredging contracts?

When did the contract for the managing director expire?

Was the managing director contract automatically extended? Please advise what process was followed?

Did the managing director already receive his bonus? If yes, who approved this?

**Minister, please correct my understanding regarding your initial approach towards Messrs. Bloyden and Alexander position on the SMHHC.**

Is it so that according to my understanding that, you in approximately after being one month in office as Minister of TEATT, before becoming shareholder representative sought to place what you termed as the incomplete appointment of the respective gentlemen to the Board of SMHHC on hold?

Would you say in your opinion that these two gentlemen were legally appointed to the limited liability company SMHHC?

If yes, why?

If no, why not?

Minister could you please specify the date of your initial letter to the CGC? Was it before you were appointed as shareholder representative of SMHHC or after?

Could the Minister confirm whether in that letter, he stated that he was acting as shareholder representative? If this was the case, was the Minister indeed already shareholder representative of SMHHC? Or was the Minister assuming a role to which the required legal process of appointing him as shareholder representative had not yet been completed? Why not wait and take care of matters lawfully?

So could it be stated that on one hand the Minister of TEATT, was occupying himself to halt an appointment of two Board Members to SMHHC, while he himself as Minister, was not yet the shareholders representative and thus may have been acting only as Minister of TEATT and not as shareholder representative and was in no position at that time to halt the respective appointments?

Could the Minister confirm whether these two gentlemen were already appointed to the Board when he was trying to halt their appointment, or had they not yet been appointed?

Could the Minister inform Parliament on what legal grounds he believed he could halt the appointment of these two gentlemen to the SMHHC Board?

Would the Minister agree that this could simply be seen as putting the cart before the horse? If not, why not?

Would you agree that was the case?

Please explain the legal grounds giving you the authority on which you acted, while not yet appointed as shareholders representative to take the decisions you took?

To my understanding there was an extraordinary general meeting of shareholders of the limited liability company SMHHC held some time in June of last year? Could you share with Parliament whether this meeting was called according to statutory and legal regulations regarding the convocation of the matters to be considered or perhaps may not have observed or have possibly partially observed the statutory and legal regulations?

BTW: was that extra ordinary general meeting of shareholders of the limited liability company SMHHC, where you were appointed as chairman a legally convened meeting?

Please explain in details.

The Minister of TEATT in a correspondence to the supervisory Board of Directors of the limited liability company SMHHC had a hand-delivered letter dated October 31<sup>st</sup>, 2012, where he addressed the matter of his appointment as shareholder representative as per July 13, 2012 by the CoM. Is this correct?

The Minister of TEATT also indicated in the same correspondence that "in a subsequent meeting of the CoM, which took place on October 30th, 2012, the CoM approved a landsbesluit or Country Decree, appointing him as shareholders representative of SMHHC."

And here is the kicker: "which document will be signed by the Prime Minister and Governor during the course of the week of October 30 to

November 2, 2012. Could the Minister confirm whether the document was duly signed by all the respective persons by the time he had it hand-delivered to the respective BOD?

Is it true that the Governor did not sign the landsbesluit because of certain information that was missing?

So, given that fact, the Minister wrote "the appointment of his person as shareholders representative within short must be undoubted." Does this written statement not confirm that previous to the process of the CoM and the required signatures to the Country Decree that the Minister up to this date was not / could not act as shareholders representative?

The Minister further stated that he referred the supervisory Board of Directors to a certain e-mail dated September 2012, sent on his behalf to the MD, informing him that no decisions were to be taken by the Supervisory Board of Directors until the change in the Board obviously with specific reference to the new appointments, reappointments and dismissals had taken place.

You talk about confusion? The Minister is telling the subordinate to the Board of Directors, that the BOD were put on notice and may not execute any decisions.

1. Could the Minister please advise whether it is true that the MD at a loss sought the official feedback from the BOD?
2. In hind sight, should the Minister not have stated rather than instructing the BOD not to take or execute decisions, but rather not to take far reaching decisions that could place the SMHHC and SXM in a financially vulnerable position?
3. Could the Minister confirm whether his approach was the correct approach?

The Minister in repeating his instructions directly to the Supervisory BOD, that no decisions were to be taken by that present Board until further notice.

1. Could the Minister explain Parliament why the urgency for this instruction?

2. What possible decision could the BOD take that would have been so detrimental to the SMHHC?

3. Is it that the Minister believed that the BOD may not have acted according to his implicit wishes?

4. Is it so that the Minister must appoint only "yes men/women" that would not question his instructions?

5. Could we have more Devcon style dredging of the Great Bay Harbor for required maintenance, and illegally filling of the Great Bay Salt Pond - Salt Ponds area for the infamous drag racing strip?

6. Ultimately what fear prompted the Minister to act in such haste to try to prematurely dismiss the 2 gentlemen in question?

7. Would you agree that Messrs. Bloyden and Alexander, taking into consideration their background and experience, are qualified to act as supervisory directors of SMHHC?

8. Does the Minister think that it is normal or logical to have such an important Government owned company like SMHHC to be without a complete Board for so many months?

9. Why didn't the Minister/the shareholder first look for candidates for the function of supervisory director and then submit their names to the Corporate Governance Council, for its advice, while at the same time informing the Corporate Governance Council that he intends to dismiss Messrs. Alexander and Bloyden. In other words why didn't the shareholder follow the rules as laid down in articles 9 and 10 of the National Ordinance on Corporate Governance?

10. What was the reason for your fear or reprisal of possible what?

11. Does the Minister or the shareholder deem himself to be above the law?

Now that Messrs. Bloyden and Alexander have resigned, when does the Minister intend to install his new BOD?

Minister, is it true that you sent a letter on or about October 15, 2012 to the CGC, with 7 points berating this esteem body because you were not in agreement to their questioning your motives and reasoning to dismiss the 2 gentlemen in question?

Outside of ongoing or already announced projects, could the Minister outline the content of his new vision for the SMHHC to Parliament?

Is it true that the Minister stated that he wish to put "younger people" on the Supervisory BOD?

Could the Minister inform Parliament, when he officially became shareholders representative of the limited liability company of SMHHC?

Please state the specific date and please provide Parliament with a copy of the respective Country Decree (landsbesluit) of this?

Is it true that when the copy of the landsbesluit (Country Decree) was issued to the BOD it was not a duly executed document, because it lacked the signature of the PM?

Would the Minister agree that his letter to the CGC was written approximately one month after he had been sworn in as Minister?

The Ministerraad took a decision on Sept 13, 2012 to allot the division of the Government owned company NV's to share the respective companies.

And The PM was mandated on October 30, 2012 to work out the details

Were details ever worked out? Please provide Parliament with copies of the worked out details.

So by law you become Shareholders rep when the meeting has appointed you as such or after the landsbesluit have been duly processed with all signatures?

Is it so that the Governor did not sign the document because all the necessary documents were not in order?

The landsbesluit was signed by the substitute Governor, who it is said to be one of the advisors of the NA faction. Is this correct? Further, is it not so that the substitute governor, also functions and represents the Minister of TEATT up to recently with regards to the water sports license that the Minister had issued a letter to revoke.

Do you or the CoM receive legal counsel from attorney Reynold Groeneveld?

Yet Mr. Groeneveld signs as waarnemend - substitute Governor, while he advises NA, could this not be seen as a conflict of interest?

The day you called the shareholders meeting on Aug 27, 2012 were you already shareholders rep?

I believe Minister Pantophlet would agree with me, that the CoM taking a decision is not yet law; there is a process to be followed - such as obtaining the properly signed landsbesluit with all the requisite signatures. So to say that the CoM took a decision, you will agree is not adequate. Is that so, or not?

So the meeting you kept with the Board and management on Aug 27 was not legal, would you agree with that assessment, then?

You had asked for the Board to make their position available by Oct 15, 2012, on what grounds did you do so?  
Which of the Board members resigned from the Government owned company in this case the SMHHC and which ones did not resign?

Can we have copies of all the resignation letters?

Did you request advise from the CGC?

If yes, when? Also can Parliament receive a copy of your request letter?

If not, why not?

All correspondence between the Board members you requested to resign and yourself as Minister and shareholders rep, could Parliament please receive copies of this correspondence?

What were your underlying reasons to ask for the respective Board members for their resignation?

Did you instruct the pass Board members prior to their resignation not to take any decisions?

Why?



What is the status of the new Young Board Members? Have they already been appointed? If not, why not? When will the appointment take place?

Did you keep a shareholders meeting on October 31 or November 1, 2012?

Please advise detail of the meeting. What was the resolution taken if any?

Could it not be understood that the shareholders meeting claimed to have been held on October 31 was then null and void?

Because you were appointed shareholders rep on Nov 1, 2012. Please advise your position on this?

Did you then keep another shareholders meeting to correct what I believe was not a duly legally convened meeting with resolution?

If you kept such a meeting, can you please provide Parliament with copies of the resolution?  
If not, why not?

Did you have all the requisite signatures - on the landsbesluit like the PM's, your signature and the Governor's signature approving the resolutions?

Can Parliament receive a copy?

What is the date of the landsbesluit?

You stated that you would appoint younger people to the Board - yet you reappointed certain former Board Members that are either at or have exceeded retirement ages. Or could it be that you had other reasons other than what you stated about wanting younger persons? These gentlemen are beyond 70 years old. Is this not true?

To my knowledge the other 2 Supervisory Board of Directors has been traveling extensively with you and/or the managing director attending meetings in Europe, among others.

To my knowledge these 2 two reappointments were not done legally? So why incur expenses with these 2 former Board Members and will the SMHHC cover these expenses?

Further, because they were not legally reappointed they could seriously jeopardize the interest of the company by signing documents

while they were not legally reappointed members by shareholders resolution. Please advise how you intend to correct this?

Minister, I believe in one of your correspondence outlining reasons why you believe Mr. Miquel Alexander should not be on the Board of SMHHC. You gave as reasons among others that because he is a sitting member on several Supervisory Board of government owned companies in St. Maarten. Please note, besides the member serving as extra-ordinary member of the Advisory Council of St. Maarten, I would appreciate if the Minister would provide this very important information to Parliament regarding which other Board of government owned companies Mr. Alexander is currently serving on? Please provide the list of all the companies and indicate what position or capacity Mr. Alexander is functioning in on these companies? Surely, Mr. Alexander serving as an extra-ordinary member of the Advisory Council of St. Maarten, because of his past experience as a member of the Advisory Council of the Netherlands Antilles for at least 5 years, could not have been confused as a government owned company, where the member was appointed as a supervisory director. Can the Minister please clarify what he meant?

Could the Minister in his haste to dismiss Mr. Alexander, and possibly not done his due diligence have been mistaken when he wrote such a statement or perhaps he was ill advised or misinformed? Would the Minister agree that he owes Mr. Alexander an apology for the way this entire matter was handled, especially when making such baseless statements as "because Mr. Alexander is sitting on several government owned companies." Again, I ask the esteemed Minister to advise Parliament of the list of these companies?

Minister, I believe that you will agree with me that we are not running a banana republic here in Country St. Maarten. One would expect of a minister that he would at least be accurate when attacking other people and not make inaccurate statements to mislead the citizens to get his own way. As Minister of Vromi refers to statement such as yours as breathing breathe into a zombi that will then live a life of its own. This is plain and simply wrong and lacks of the high esteemed office as Minister

According to my summary of what transpired would you say that you have a duly and legally appointed Supervisory Board of Directors now?

QUESTIONS FOR THE MINISTER OF VROMI MR. W. Marlin.

BUDGET 2013.

APRIL 08 2013.

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VROMI

Please explain the increase for garbage collection?

Please provide a list of all garbage companies and respective agreements.

What is the intention for new social housing if any for 2013? Also is there any truth to the reports that the social houses in Cole Bay must be vacated? Please clarify and shed some light on this matter.

Please explain what "Transite Landfill" under line item 43499 means?

Why the drastic increase in line item 43101

M.P. Jules James.

QUESTIONS FOR THE MINISTER OF FINANCE MR. R. TUITT.

BUDGET 2013.

APRIL 08 2013.

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A number of steps were taken to present a balanced budget, among which is the proposal to increase revenue, by increasing the TOT fee on alcohol, tobacco and charging a higher fee to casinos.

However, because the budget was only 1 week ago presented to Parliament and our deliberations may take some time.

What contingency plans are in place to replace this critical revenue to maintain a balanced budget? Of noteworthy to mention also is the changes in the law that would be necessary to apply such an increase tax on alcohol and tobacco products. Then the required six weeks publication time line that must be respected. At best by the time this is ratified and promulgated and becomes law, there would be approximately only 6 months worth of higher taxes on these products to be collected. Not to mention, by then we would be in the summer months, the off-season. Therefore not leaving room for maximum collection of these higher charges.

I would like to see the assumptions to support the anticipated amount expected that this change is supposed to yield.

Why serve a half baked cake when you could take your time to properly bake the cake. I do not believe that the Minister and his cabinet and by extension this government has weighed the pros and cons of this matter either. I will come back on this subject again.

The proposal to increase Transfer tax, wouldn't this increase put more of a burden on our local residents oppose to investors coming in to invest on our island and may tend to have deeper pockets. Would local residents be exempted from this increase? I recommend they be excluded, I would then like to expand on my counter parts position for first time home owners, but also to include land purchase.

MinFin has been talking about and now has budgeted to realize more revenue in the 2013 budget as a result of increased tax compliance. Would the MinFin please inform Parliament how this will be accomplished? How does the reduction in personnel cost affect this objective ?

Further what is not clear enough or in other words not sufficiently motivated, is how the government intends to accomplish its objectives for the full realization with the mentioned reductions and increased revenues. My question is, will we still have a balanced budget at the end of the year, if so at what sacrifice?

What is certainly not clear and must be provided are measurable demarcations by when, what and how these target

goals would be met. Could the MinFin please provide this information in more details? Provide sample break down.

Also I would like to have properly outlined assumptions with detail breakdown so that I could make an intelligent decision on this budget. Can this request be honored for all line items with variance of more than 5%.

What plans does the MinFin have in place to improve his financial and fiduciary responsibilities, especially by respecting the various stipulated dates in the Comptabiliteitslandverordening, by which the Ministry of Finance must submit to Parliament the respective quarterly financial reports. Of even more importance is the completion and submitting to Parliament a well put together balanced budget by September 1st, of each year.

Would the Minister confirm that starting this September, he would be able to meet this time line?

Would the MinFin also agree that so far he and his ministry has failed to live up to the comptabiliteitslandverodening and must improve upon this, this year?

Based on the comptabiliteitslandverodening can the MinFin outline the respective dates by which he will have the required financial reports submitted to Parliament?

In this respect, would the MinFin confirm that he and his ministry would meet the May outlined time line?

It appears that although the previous MinFin who worked extremely hard and left a footprint for this current MinFin to work from, when comparing the budgets submitted, it is clear to see that this budget leaves a lot to desire.

Would this MinFin be willing to agree that he and his cabinet failed to produce a fully detailed draft budget to Parliament? Especially in terms of proper assumptions, realistic and attainable goals. How do you intend to correct this?

I have observed the across the board reduction in personnel costs, please advise how this will improve service? to the contrary, wouldn't this lead to more pressure and even a negative impact on the service level to be provided by the various ministries to the public? Especially how do you believe this will affect in particular the Ministry of Finance efforts to increase compliance on tax collection with a drastically reduced personnel costs?

Please provide Parliament with organization charts for all the ministries, with the following:

Position function and duties

Number of employees per job function

Vacancies compared to budget

What critical vacancies that must be filled?

Please provide per respective ministries separately all overtime payments paid in 2012. Also please provide this with a comparison of 2011 vs 2012 overtime paid out?

Is it safe to say without the audited financials for 2011, the proposed draft budget before us for 2013, may very well not be realistic in some cases? Would the MinFin not agree that without these crucial numbers we might be compounding a similar negative trend?

In general and in comparison with 2012 budget, certain positive and negative variances, still remain unexplained? Such as why the drastic increase for school bus transfers? Please provide Parliament with a list of all school bus companies and their respective agreements with Government.

Why the mention and budgeting twice for Olympic sports? Does this have anything to do with the earlier mentioned drag race strip or an admittedly a plain and simple human error? Please advise how and when this will be corrected?

M.P. Jules James.