



# Parliament of Sint Maarten

## Staten van Sint Maarten

Parliamentary Year 2018-2019-119

**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**

**Report  
No. 5**

Parliament in its meeting of the Central Committee has exchanged views with the Government on the Draft 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.

Parliament considers the present draft to be sufficiently prepared if the questions asked below are answered in time for the public meeting so that the draft can be discussed in a public meeting.

**The National Alliance-faction** has taken note of this draft National Ordinance. Seeing that they are trying to regulate the notaries that usually already carry out service for Sint Eustatius and Saba, is there also a law in place for lawyers, or does this include lawyers as well? The faction understands that some law offices on Sint Maarten also have businesses and individuals in Saba and Sint Eustatius that they represent. Would we then have to look into something like that for them?

**The United Sint Maarten Party-faction** has taken note with interest of the draft. When we look at the premise of the law, eventually should the need arise for Saba and Sint Eustatius wanting to have their own notary, at that point this right is automatically being pulled back from notaries. Is Sint Maarten going to move forward with even assisting Saba and Sint Eustatius in the need for their own notary? We are not aware of the intent of Saba and Sint Eustatius to create their own notaries. One of the concerns of the faction is that we are not an impediment to their own intentions to set up their own notaries. Does Saba and Sint Eustatius have the plan to set up a mutual notary between the two islands? The faction would like to know if this intention exists. Has the Ministry considered the plans of Saba and Sint Eustatius? Which law would prevail in the event of a dispute between someone from Sint Eustatius or Saba in the event they have a dispute with a Sint Maarten notary? Is it the laws of their own or

the laws of the notary? In the event of a legal difference, what happens then? If Holland changes their laws, are notaries equipped and ready to adjust based on that?

This report is to be considered as Final Report.

It is stipulated in the meeting of the Central Committee of January 23, 2019.

The Reporter,



S.A. Wescot-Williams