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Amendment

Parliamentary Inquiry into Mullet Bay

By member of Parliament S. A. Wescot-Williams

Proposal to amend the proposal to conduct a Parliamentary Inquiry into Mullet Bay as outlined in the proposal "Parliamentary Inquiry Mullet Bay" (IS 1378/2018/19 dated August 13, 2019)

In accordance with article 58 of the Rules of Order of Parliament, each member of Parliament is free to submit proposals for amendments, from the moment Parliament decides to deliberate in a public meeting on a draft or proposal.

The proposal "Parliamentary Inquiry Mullet Bay" (IS 1378/2018/19 dated August 13, 2019), was submitted and handled in the Central Committee meeting of Parliament on October 10, 2019. The report of the discussions in that meeting provides the questions and comments by the respective Members of Parliament.

Standing out amongst the questions and comments is the scope of the proposed inquiry and the items to be covered by the proposed inquiry.

"The parts that are based on the Constitution are legally St. Maarten's, shouldn't even require an inquiry." (NA faction)

"The faction thinks there are several issues in this proposal that don't require a parliamentary inquiry" (UD faction)

Items such as the road running through the Mullet Bay property, the access to and ownership of the beach and the Mullet Pond do not require an inquiry to be settled and or enforced.

This has been the position of the undersigned, which position was articulated in the meetings of the Central Committee of Parliament. Our laws are clear and in the case of the beach, the Civil Code presumes ownership by the State.

The protected status of the Mullet Pond is in effect since 2014 and the road is for all intents and purposed a public road.

Remaining therefore are questions regarding the matter of the Mullet Bay property: the cadastral information regarding the property, its demarcation, its legal status, is it sellable?

What is needed with respect to the beaches, in addition to the existing Beach Policy is a Beach Management Policy. The Beach Policy is more about economical activities than the maintenance of beaches in its totality, including cleanliness, protection, replenishment, safety, restrictions, vegetation etc. etc.

It is therefore proposed that the proposal to conduct a Parliamentary Inquiry into Mullet Bay be amended to specifically address the Mullet Bay property: the cadastral information regarding the property, its demarcation, its legal status, is it sellable?

By refocusing the scope of the inquiry on the essential of the Mullet Bay property, all parties should receive clarity regarding this hotly debated item.

The matters of the beach ownership, the Mullet Pond and the road which regard enforcement, rehabilitation and upkeep respectively are matters of execution and should be delegated to the respective ministries charged with such.

This amendment will therefore also see a reduction in the cost as proposed.

Discussions with regard to the eventual designation, usage and or development of the property, while definitely one of public consultation, do not fit within the framework of a parliamentary inquiry.

Submitted

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