



AFKONDIGINGSBLAD VAN SINT MAARTEN

Jaargang 2022

No. 47

Regulation of the Minister of Tourism, Economic Affairs, Traffic and Telecommunications of September 16, 2022 to establish business closures in connection with Tropical Storm Fiona (Regulation business closures in connection with Tropical Storm Fiona)

THE MINISTER OF TOURISM, ECONOMIC AFFAIRS, TRAFFIC AND
TELECOMMUNICATIONS,

Having considered that the 2022 hurricane season has begun, it is desirable to establish closing times for business in connection with the passing of tropical storm Fiona.

In view of:

- Article 8, third paragraph, of the National Disaster Ordinance ("Landsverordening rampenbestrijding").

DECISION:

Article 1

For the purposes of these regulations, the following definitions shall apply:

- a. The Minister: the Minister of Tourism, Economic Affairs, Transport and Telecommunications;
- b. Companies: all companies as referred to in the Establishment Regulation for Companies and holders of vending licenses as referred to in the National Ordinance on Public Street Trading;
- c. Offering services: the offering or selling of services or products by service providers.

Article 2

1. It is prohibited for businesses open to the public after 2:00 pm on Friday September 16th 2022.
2. The prohibition contained in the first paragraph shall not apply to:
 - a. Supermarkets and grocery stores;
 - b. Gas stations;
 - c. Bars & Restaurants;
 - d. Hardware stores;
 - e. Pharmacies;

- f. Hotels and guesthouses, incl. stores and restaurants located therein;
 - g. Airport and the Harbor, incl. stores located therein;
 - h. Funeral parlors;
 - i. Bakeries selling pastries, milk, and milk products.
3. It is prohibited for the businesses referred to in the second paragraph to be open to the public after 5:00 pm.
 4. It is prohibited for public transportation operators and car rental companies to offer services after 6:00 pm.
 5. The prohibition contained in the third paragraph shall not apply to hotels and guesthouses and services located on-property as referred to in the second paragraph, subsection f, or emergency services.

Article 3

This ministerial regulation shall be cited as: Regulation business closures in connection with Tropical Storm Fiona.

Article 4

As a result of the urgency regarding this ministerial regulation as referred to in article 127, third paragraph, of the Constitution, this ministerial regulation will enter into effect immediately after the official publication and ends at date and time to be determined by the Minister via national address.

This regulation along with the elucidation will be placed in the Official Publication.

The *sixteenth* of September 2022
The Minister of Tourism, Economic Affairs,
Traffic and Telecommunications, a.i

Uitgegeven de *zestiende* september 2022
De Minister van Algemene Zaken
Namens deze,
Hoofd afdeling Juridische Zaken & Wetgeving

TOELICHTING

Algemeen deel

Article 8, paragraph 3 of the National Disaster Ordinance authorizes the Minister of TEATT to issue all orders that he deems necessary to combat a disaster.

Due to the fact that a state of emergency has not been called, the Minister of TEATT remains the authorized body to regulate decisions taken in the Council of Ministers meeting. This regulation seeks to regulate the decision as it pertains to business closures in connection with the passing of Tropical Storm Fiona.

Article specific

Article 1

This article governs the definitions mentioned in this ministerial regulation.

Artikel 2

All businesses must be closed at the stipulated times. An exemption is made for hotels and guest houses who may remain open during the storm to cater to their guests.

Emergency services are also exempted from this mandatory closure.

Article 3

This article mentions the citation title.

Article 4

This article regulates the starting period. The urgency of these regulations stems from the 2022 hurricane season and the application of emergency legislation to maintain public order, in case Sint Maarten is affected by a storm. This necessitates an appeal to Article 127 of the Constitution jo. article 17, second paragraph, part b of the National Ordinance Constitutional Court.

The Minister of Tourism, Economic Affairs,
Traffic and Telecommunications, a.i.