

TRANSLATION OF THE OFFICIAL PUBLICATION OF SINT MAARTEN (AB 2010, GT no. 9)

National ordinance regulating the remuneration of persons holding political authority, allowances for the costs of medical treatment and nursing and the entitlement to holidays and holiday allowances (National ordinance on remuneration of persons holding political authority)¹

Article 1

The persons holding political authority in the country of Sint Maarten, which is deemed to include ministers, the Minister Plenipotentiary and the Members of Parliament, enjoy remuneration from the Treasury of the Country of Sint Maarten from the date on which they take the oath of office (declaration and pledge) as referred to in Articles 41 and 56 of the Constitution of Sint Maarten, to the date on which they cease to hold the relevant office.

Article 2

1. The remuneration is as follows:
 - a. for the Prime Minister, a sum of 15 per cent in excess of the remuneration of a civil servant according to the highest remuneration grade of the highest scale of the current remuneration regulation;
 - b. for the other ministers, the Chairman of Parliament and the Minister Plenipotentiary, a sum of 10 per cent in excess of the remuneration of a civil servant according to the highest remuneration grade of the highest scale of the current remuneration regulation;
 - c. for the other Members of Parliament, a sum of 5 per cent in excess of the remuneration of a civil servant according to the highest remuneration grade of the highest scale of the current remuneration regulation.
2. The amount of the remuneration is increased by the percentage by which the remuneration fixed for civil servants is adjusted in connection with the increase in the consumer price index as of the date on which this national ordinance took effect.
3. If a person holding political authority holds the office of Prime Minister, minister or Minister Plenipotentiary and is at the same time a Member of Parliament, he enjoys the highest remuneration set for one of the official positions.
4. A minister and a Deputy Chairman of Parliament who continuously deputise for the office of Prime Minister or the Chairman of Parliament for a consecutive period of 30 days or more shall receive for that period, in addition to their remuneration as a minister or Deputy Chairman of Parliament, an additional supplement amounting to the difference between the remuneration applying for their office and that for the Prime Minister or the Chairman of Parliament respectively as referred to in the first paragraph.

¹ This issuance takes place on the basis of the additional Article II of the Constitution.

Article 3

1. In addition to their remuneration as referred to in Article 2, holders of political authority receive a monthly supplement for representation of 6% of their remuneration.
2. A minister and a Deputy Chairman of Parliament who continuously deputise for the office of Prime Minister or the Chairman of Parliament for a consecutive period of 30 days or more shall receive for that period, in addition to their remuneration as a minister or Deputy Chairman of Parliament, an additional supplement amounting to the difference between the representation allowance applying for their office and that for the Prime Minister or the Chairman of Parliament respectively as referred to in the first paragraph.
3. A person holding political authority shall enjoy an allowance for the costs of business use of a car or telephone.

Article 4

1. Persons holding political authority are entitled to first-class health insurance for themselves and their family members.
2. Persons holding political authority who are prevented from performing their official duties due to illness are entitled to sick leave while retaining full pay until they recover their health.
3. The provision referred to in the first paragraph shall be granted by national decree in response to a written request to that effect.

Article 5

1. In the event of the decease of a person holding political authority, payment of the remuneration and supplements referred to in Articles 2 and 3 respectively shall continue no longer than the date of decease. In that case, an amount will also be paid out to the widow or widower equal to three times the amount of the monthly income at the time of decease.
2. If a deceased person holding political authority leaves no widow or widower, the payment shall be made to any minor legitimate or illegitimate children. If there are no such children, the payment shall be made to parents, brothers, sisters or children who have reached the age of majority if the deceased was the breadwinner, for these relations.
3. If a deceased person holding political authority also leaves no relations as referred to in the second paragraph, the amount referred to in the first paragraph may be paid out partially or in full to cover costs relating to the funeral, if the estate of the deceased person holding political authority is insufficient to cover those costs.
4. 'Monthly income' is deemed to refer to the remuneration plus the supplements referred to in Article 3.

Article 6

1. A minister or Minister Plenipotentiary is entitled to holidays of thirty working days per calendar year while retaining full pay. For each full calendar month in which he was not working as such, other than due to illness or holidays, the number of holiday days referred to in the first sentence shall be reduced by one twelfth. The number of days to which he is entitled following such a reduction shall be rounded up to full days if necessary.
2. The holiday referred to in the preceding paragraph shall be granted by national decree in response to a written request to that effect.
3. To the extent that a minister or Minister Plenipotentiary is not granted the number of holidays in a calendar year to which he is entitled pursuant to this Article, he shall be paid for the holidays that he has not taken up.

Article 7

1. A person holding political authority is entitled to a holiday allowance for each calendar month or half or more thereof in which he holds office, on the same basis as an official who enjoys remuneration which is fixed according to the highest remuneration grade of the highest scale of the Remuneration Regulation, in observance of the provisions of the following paragraphs.

This is an English translation of the Dutch source text.

In the event of any discrepancy between the Dutch language version and the translation, and in case of any disputes, the Dutch version prevails. No rights can be derived from the English translation.

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2. For the purposes of the determination of the holiday allowance, the income of a person holding political authority is deemed to be the remuneration that he receives pursuant to the provisions of this national ordinance, plus the fixed representation allowance associated with his position.
3. The holiday allowance shall be paid out once per calendar year, in the second half of the month of June.
4. By way of derogation from the second paragraph, the payment of the holiday allowance shall also take place in the event of resignation or decease, for the period between the end of the last expired period for which holiday allowance was paid and the date of resignation or decease.
5. In the event of the decease of a person holding political authority, the holiday allowance shall be paid out to the widow or widower. If the deceased leaves no widow or widower, payment shall take place in compliance with the provisions of Article 5(2) and 5(3).

Article 8

1. In compensation for the parts of the holidays not taken up, or partially not taken up, by a minister or Minister Plenipotentiary on his decease or resignation, a sum will be paid to that person or to the widow or widower equivalent to the amount of income that would have been paid to him or her during the holiday if it had been taken up.
2. If the deceased leaves no widow or widower, the payment shall be made in compliance with the provisions of Article 5(2) and 5(3).

Article 9

This national ordinance may be referred to as National ordinance on remuneration of persons holding political authority.

Issued on the *twentieth* of December 2010
The Minister of General Affairs,
S.A. Wescot-Williams