

## **TRANSLATION OF THE OFFICIAL PUBLICATION OF SINT MAARTEN**

### **Rules of order for the Parliament of Sint Maarten**

#### **Chapter 1. Definitions**

##### **Article 1**

The following definitions shall apply for the purposes of these Rules:

- a. president: the President of Parliament;
- b. other countries: Curaçao or Aruba.

#### **Chapter 2. The investigation of credentials**

##### **Article 2**

Each newly elected Member of Parliament presents his credentials as such by submitting to Parliament the documents prescribed by legal regulations, constituting his credentials.

##### **Article 3**

1. Parliament shall appoint a committee of three members, which will be charged with investigating the credentials of the Members of Parliament. The committee member appointed first shall serve as the chairman.
2. Following a resignation by rotation or the dissolution of Parliament, the committee shall be appointed at a public session at which at least half plus one of the legally elected members are in attendance.

##### **Article 4**

1. After investigating the credentials, the other documents required and those received with regard to the election, the committee shall present a report, orally or in writing.
2. The credentials and the related documents shall be made available for inspection by the members at the Department of the Clerk to the Parliament.

##### **Article 5**

If the committee or Parliament considers it necessary that documents or information be submitted for the assessment of the legitimacy of the elections, it shall invite the Minister of General Affairs to present them with the documents or information.

#### **Chapter 3. The presidents, deputy presidents, presidium and the Department of the Clerk to the Parliament**

##### **Article 6**

1. At the first public session held following a resignation by rotation or the dissolution of Parliament, Parliament shall appoint the president and the deputy presidents.
2. If the opening of the session is not preceded by resignation by rotation or dissolution, the preparation of the recommendations shall take place in good time before the opening of the new parliamentary year.
3. If an interim vacancy arises for the position of president or deputy president, Parliament will draw up a new recommendation at the next public session.

##### **Article 7**

After the appointment of each president, Parliament shall appoint a number, such as it fixes, of deputy presidents, the ranking of which shall be determined by the order of appointment.

##### **Article 8**

1. The tasks of the president shall in any event comprise:

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- a. leading the activities of Parliament and of the presidium;
  - b. ensuring compliance with the Rules of Order;
  - c. the maintenance of order during, and the suspension of the debates;
  - d. the execution of decisions taken by Parliament;
  - e. the representation of Parliament.
2. The president is authorised to attend every committee meeting.
  3. By agreement with the government and with the consent of Parliament, the president, in observance of the Constitution, the Mutual arrangement concerning uniform procedural law and what is further laid down in these rules, shall establish a procedural plan for the way in which the handling of draft national ordinances and draft uniform national ordinances by Parliament is regulated.

#### **Article 9**

If the president wishes to address Parliament, other than to perform his tasks as president, he shall leave his seat in the chair. He shall not resume this while the matter is under discussion.

#### **Article 10**

1. If the president is not available, one of the deputy presidents will take the chair, in accordance with the ranking described in Article 7.
2. The acting president has the same tasks and powers as the president.

#### **Article 11**

1. The president and the deputy presidents together form the presidium. The president shall appoint a deputy for each member of the presidium, who, in the absence of the relevant member, will attend the meeting of the presidium in his place.
2. Orders of the presidium shall be carried by a majority only if all members or their deputies are in attendance; if the votes are tied, the president shall decide.
3. The presidium shall be supported by the Clerk to the Parliament.

#### **Article 12**

1. Parliament shall appoint, suspend and dismiss the Clerk to the Parliament.
2. The Presidium is responsible for exercising the other powers relating to the legal position of the Clerk to the Parliament.
3. The Clerk to the Parliament shall manage the Department of the Clerk to the Parliament and administer the library, the archives and the housekeeping of Parliament. The Presidium shall supervise this.
4. If necessary, the Clerk to the Parliament shall be replaced by a deputy Clerk to the Parliament designated by Parliament.
5. The discussions concerning the Clerk to the Parliament and the personnel of the Department of the Clerk to the Parliament shall take place behind closed doors.

#### **Article 13**

The Clerk to the Parliament shall ensure that all documents received by Parliament that, by their nature, should be circulated to the members, shall be reproduced, printed if necessary and circulated.

### **Chapter 4. Estimate and management of financial resources**

#### **Article 14**

1. Each year, the presidium shall prepare the estimate of the expenditure required for Parliament in the following year and shall send this to the Minister of Finance before 1 May.
2. The presidium shall present the draft national ordinance establishing the parliamentary budget, as well as the findings of the Minister of Finance and the recommendations of the Council of Advice, to Parliament for approval no later than the second Tuesday of September.

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3. On behalf of the presidium, the Clerk to the Parliament is responsible for the management of the parliamentary budget.
4. In a separate regulation, to be adopted by Parliament on the proposal of the presidium, rules shall be laid down for the allocation of financial resources to the parliamentary parties and for the management of those resources by the parliamentary parties.

## **Chapter 5. The parliamentary parties**

### **Article 15**

1. The members on the same list who are declared by the principal polling station to have been elected shall be regarded as a parliamentary group on the commencement of the session. If only one member is elected under a list number, that member shall be regarded as a separate parliamentary group.
2. A parliamentary group shall notify the president of later changes arising in the membership of that parliamentary group.
3. Each parliamentary group shall notify the president of the membership of its management.

### **Article 16**

1. If a split arises in a parliamentary group that leads to the formation of one or more new parliamentary groups, the financial contributions of the parliamentary groups involved shall be determined on the basis of the amounts found by dividing the contributions that each non-split parliamentary group would receive, in proportion to the numbers of members involved in the split.
2. If a new parliamentary group arises through a merger, the contribution of the newly-formed parliamentary group shall not exceed that granted to a parliamentary group of the same size.
3. In order to enable compliance with obligations to the employees of the original parliamentary group, the presidium may impose a temporary regulation, by way of derogation from paragraphs 1 and 2.

## **Chapter 6. Reception and leave-taking of the Governor**

### **Article 17**

1. When the Governor enters the parliamentary chamber to explain the government's policy or to accept his office, a committee appointed for that purpose by the president in advance shall await him at the entrance to the building.
2. The members of this committee shall lead the Governor to the place intended for him and shall then take their own places. The other members shall stand in greeting, both on the arrival and on the departure of the Governor.
3. On his departure, the Governor shall be escorted out by the members of the committee.
4. The foregoing are likewise applicable to the acting Governor.

## **Chapter 7. The committees**

### **Article 18**

1. There shall be:
  - a. a central committee;
  - b. a committee for petitions;
  - c. standing committees and
  - d. special committees.
2. All members shall be members of the central committee.
3. On the commencement of each parliamentary year, as well as at the first public session after a resignation by rotation or following dissolution, the president, unless Parliament decides otherwise, shall assign the members to the standing committees for the investigation of certain subjects and to the committee for petitions.

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4. If necessary, special committees will be appointed.

#### **Article 19**

1. The president and the deputy president of Parliament serve as the chairman and deputy chairman, respectively, of the central committee.
2. Each standing or special committee, as well as the committee for petitions, shall appoint its own chairman and deputy chairman from among its members. The president of Parliament shall be notified of this.
3. The petitions committee is required to reply to applicants in writing within a term of 12 weeks following receipt of their applications.

#### **Article 20**

1. The chairmen of the committees are also their rapporteurs.
2. The chairman of each committee shall report on the progress and status of the work of the committee on the request of the president of Parliament.
3. If a committee has become incomplete through dismissal or decease, or if its work is hampered by the persistent absence of one or more members, the membership shall be supplemented, in observance of Article 18.

#### **Article 21**

1. The meetings of committees are open to the public; Parliament may decide that the meetings of certain committees may be closed to the public.
2. A committee may decide that its procedural meetings shall be closed to the public.
3. A committee may decide to hold a meeting closed to the public on the proposal of a committee member or a minister. If the proposal is made during a public session, the doors shall be closed until a decision has been made on the proposal.

#### **Article 22**

1. The committees may decide to invite persons or institutions to provide further information for the investigation as referred to in Article 18.
2. If a committee arranges for civil servants to provide it with information, it shall invite them for that purpose through the intermediary of the minister.

### **Chapter 8. The preliminary investigation**

#### **Article 23**

1. The committees shall regulate the preliminary investigation in the manner that they regard as the most fitting.
2. With regard to draft uniform national ordinances, they shall contact the president of parliaments of the other countries through the intermediary of the Clerk to the Parliament, in order to achieve, through joint talks, that the preliminary investigation of such matters takes place in the countries simultaneously as far as possible.

#### **Article 24**

1. A proposal, document, memorandum, draft national ordinance, draft Kingdom Act or petition received by Parliament shall be placed in the hands of one of the committees by an order of the public session, on the proposal of the president.
2. If the president of Parliament takes the view that a particular matter is of such an urgent nature that an order as referred to in paragraph 1 cannot be awaited, he is authorised to refer the proposal, document, memorandum, draft national ordinance, draft Kingdom Act or petition to a committee himself. This shall be reported at the next public session.

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#### **Article 25**

1. The committees shall draw up a written report that is signed by the rapporteur of the committee concerned. This report may also be co-signed by other members.
2. Subject to the provisions of paragraphs 4 and 5, the central committee shall report directly to Parliament. Standing and special committees shall also report to Parliament, via the president.
3. Such a report must always contain a particular proposal. It shall be sent to the members at the earliest opportunity.
4. In cases involving a draft national ordinance, the central committee shall report directly to the government. The feelings of the majority and the minority shall be expressed in that report. The report will be notified to the members.
5. Action shall be taken in the same manner as referred to in paragraph 4 in relation to incoming draft Kingdom Acts, on the understanding that the central committee shall report to the Speaker of the Dutch House of Representatives.
6. If the report is issued on a draft uniform national ordinance, the central committee sends a copy of this to the presidents of the parliaments of the other countries.

#### **Article 26**

1. If the president himself has referred a matter of an urgent character as referred to in Article 24(2) to the central committee, the report of the central committee is deemed to reflect the feelings of Parliament.
2. In all cases in which the central committee can accept the urgent character of the matter, it shall give notice of its views regarding the matter, which matter should be discussed at the next public session.

### **Chapter 9. The conduct of public sessions**

#### **Article 27**

1. The president shall convene the meetings as often as he considers this necessary or if at least three members have requested this in writing, stating the reasons.
2. In observance of the provisions of the Constitution of Sint Maarten and of these Rules of order concerning public sessions, he decides the date and time of the meeting.
3. If the meeting is requested in the manner prescribed pursuant to paragraph 1, it shall be held within 14 days.
4. The meeting shall be convened through written notices sent to the members four working days prior to the date on which it is held. If this is not possible, the meeting may be convened by other means. The notice convening the meeting shall state the matters to be discussed. This notice convening the meeting shall be followed immediately by a public notice of the date, time and agenda for the meeting.
5. The Clerk to the Parliament shall provide for the documents relating to the matters to be discussed to be sent to the members or made available for their inspection.
6. With regard to draft uniform national ordinances, the president, by agreement with the presidents of the parliaments of the other countries, shall promote simultaneous progress of the handling in public parliamentary meetings in the other countries as far as possible.

#### **Article 28**

1. On arrival at the meeting, each member shall sign the attendance list kept by the Clerk to the Parliament.
2. As soon as the attendance list has been signed by at least eight members, the president shall open the meeting. The said list shall remain on the table of the Clerk to the Parliament for signature by members arriving later.

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### **Article 29**

1. If the required number of members is not present half an hour after the time for which the meeting is set, the president shall open the meeting. He shall arrange for the names of the members to be read out and shall note that the required number of members is not present for debating and to take decisions. The president shall report any incoming messages
2. from members reporting that they are unable to attend. A procès-verbal of this shall be made. The meeting will then be reconvened within 4x24 hours. The first paragraph is likewise applicable if the required number of members is also not in attendance at this meeting.
3. The meeting shall be reconvened for the third time within 2x24 hours. This meeting will be held regardless of the number of members in attendance.

### **Article 30**

If less than eight members are in attendance at the meeting, the president, after assuring himself of the number of members in attendance through a head count, shall postpone the meeting to a later time.

### **Article 31**

The president may suspend or close the meeting, if he considers this desirable in view of the course of the work or to maintain order.

### **Article 32**

1. Minutes shall be taken of each public session. Apart from the names of the members, ministers and the persons that they designate pursuant to Article 63(3) of the Constitution who are in attendance, these shall cover the names of the absent members, a brief description of the contents of all items received, a description of the matters discussed, a statement of the outcome of the voting, stating the names of the members who declared themselves in favour and against, a description of all announcements, notices and proposals made and all decisions taken by the president or the meeting.
2. Each member is free to have it noted that he is opposed to a decision taken, without stating the reasons.

### **Article 33**

1. The minutes taken by the Clerk to the Parliament shall be printed and sent to the members and the government, and shall be approved as soon as possible. After the approval, they shall be signed by the president and the Clerk to the Parliament.
2. If the minutes are altered or supplemented, this shall be recorded in the minutes of the meeting that resolves to make this alteration or supplementation, and in a memorandum that should be attached to the minutes to which it relates.
3. The part of the minutes covering the discussion of a draft uniform national ordinance and a memorandum as referred to in paragraph 2, relating to this part of the minutes, shall also be sent to the presidents of the parliaments of the other countries.

### **Article 34**

1. Parliament shall regulate its work on the proposal of either the president or a member. The regulation of activities shall in general take place on the commencement of a meeting.
2. On the regulation of activities, the president shall briefly report the documents received since the last meeting and shall make proposals for the handling of these documents. Discussions concerning these documents shall relate solely to the procedure to be followed for handling them.
3. If a document received concerns a petition that has not been signed, is incomprehensible or is of an offensive nature, it shall be set aside by the president. The president shall notify the meeting and, as far as possible, the interested party of each item that is set aside.

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**Article 35**

1. An urgent debate shall be held if a request for this is supported by at least three members.
2. The request shall take place in the regulation of activities, describing the subject of the urgent debate.
3. The president shall set the date and time at which the urgent debate shall be held.

**Article 36**

1. No member has the floor until after requesting this of the president and being granted consent for this.
2. The president shall give the floor to members in the order in which this is requested. This sequence shall be shown by registration in a list which is available for signature with the Clerk to the Parliament for each matter to be discussed.
3. After the registered members have spoken, the president shall grant an opportunity to make comments on the matters discussed.

**Article 37**

The president may permit interruptions. These must consist of brief comments or questions without an introduction.

**Article 38**

1. The speaking order may be interrupted if a member requests permission to speak on a personal fact, make a proposal of order concerning the proposal under discussion or concerning the raising of a query, in which cases permission to speak will be granted in the same sequence.
2. The president shall give the floor for a personal fact only after a provisional indication has been given of that fact. The decision as to whether a matter constitutes a personal fact rests with the president.
3. A proposal of order may be made either by the president or by a member. A proposal of order from a member shall be considered only if it is supported by at least one other member.

**Article 39**

1. A member who has the word may submit motions on the matter under discussion. Such a motion must be concisely and clearly formulated, presented in writing and signed by the proposer. It may only be considered if it is co-signed or supported by at least two other members.
2. Motions shall be handled together with the debate on the matter under consideration, unless Parliament decides to consider these at a later date.

**Article 40**

A proposal to suspend the debate must be supported by at least two members.

**Article 41**

A person who has the word may be reminded by the president during his address to comply with the Rules of order.

**Article 42**

Each member shall speak standing at his seat or lectern and shall address the president.

**Article 43**

1. The president calls a speaker who digresses from the subject under discussion to order.
2. If the speaker fails to heed the president's warning, the meeting can deny the speaker the floor, on the proposal of the president.

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**Article 44**

1. If a speaker indulges in insulting expressions, disrupts order, breaches his obligation to maintain confidentiality or shows assent or encouragement for unlawful actions, he shall be reprimanded and called to order by the president.
2. If the speaker fails to heed these warnings, he may be denied the word by the president.

**Article 45**

A member who is denied the word at a meeting may no longer take part in debates at that meeting on the matter under discussion.

**Article 46**

On the proposal of the president or of three members present, Parliament may impose rules before the start of the debates on a matter regarding the duration of the addresses by the members.

**Article 47**

For each subject or proposal that is split into parts or Articles in a debate, the subject or proposal is first discussed in general, followed by a discussion of the individual parts or Articles.

**Article 48**

1. If the president takes the view that the subject has been adequately explained, he shall propose to the meeting that the debate be closed.
2. The closure of the debate may also be proposed by two members, for the same reason.
3. Before a vote is taken on a proposal to close the debates, the president shall ask the ministers present if they still wish to speak on the matter.
4. The Clerk to the Parliament shall notify the presidents of the parliaments of the other countries of the closure of debates concerning a draft uniform national ordinance.

**Article 49**

1. If the debates concerned a draft uniform national ordinance, no vote shall be taken if the president has not been informed by the Clerks to the Parliaments of the other countries that debating on the draft has also closed in those parliaments.
2. Pending the notice from the clerks to the parliaments of the other countries, the president or two members may propose that a provisional vote be taken on parts or Articles of the draft and if required, also on the draft as a whole. The provisions of these rules are likewise applicable to this provisional vote. The result of the provisional vote has an informative effect only.
3. If a provisional vote as referred to in the preceding paragraph has been taken, the Clerk to the Parliament shall notify the presidents of the parliaments of the other countries and the president of the Ministerial Cooperative Council of the result of that vote with the greatest urgency.

**Article 50**

1. A draft uniform national ordinance shall not be subjected to a vote as referred to in Article 49 if:
  - a. the president is notified by the Clerk to the Parliament of another country that proposals to alter the draft have been adopted in those parliaments;
  - b. the president is notified by the Clerk to the Parliament of another country that the draft has been rejected by that parliament.
2. In a case as referred to in paragraph 1a the debate on the draft shall be suspended.
3. In a case as referred to in paragraph 1b the debate on the draft shall be closed and the draft shall also be regarded by Parliament as having been rejected.
4. If a draft uniform national ordinance is sent to Parliament for the second time pursuant to the Mutual arrangement concerning uniform procedural law, the public debate on this will not be reopened until the draft has again been subjected to a preliminary investigation as referred to

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in Chapter 8 of these rules. The public handling shall once again open with a discussion on the draft.

#### **Article 51**

1. After the debates have closed, a vote shall be taken by the meeting. Members will be given an opportunity to justify their vote, briefly and concisely.
2. If none of the members wishes to vote by roll call, the Article, proposal or matter under discussion shall be deemed to have been carried by a unanimous vote. Nevertheless, members present in the meeting may request notes that are deemed to mean that they wished to have voted against; in that case, the resolution is deemed to have been carried with the votes of the other members.
3. If one of the members wishes a vote by roll call, the member who should be asked to vote first shall be decided by lot. Members will be given an opportunity to justify their vote, briefly and concisely. The president casts his vote last.
4. Each member is required to vote and does so with the words 'for' or 'against', with no addition.
5. If a member made an error in casting his vote, this error may be corrected before the following member has voted. If the error is noticed later, the member may request a note after voting has ended, stating that he made an error. This does not alter the outcome of the vote.

### **Chapter 10. The right of amendment**

#### **Article 52**

1. As soon as Parliament has decided to debate a matter or proposal in a public session, everyone is free to send signed alteration proposals to the president. These proposals are reproduced and circulated to the members with the greatest urgency. If the proposals concern a draft national ordinance, the Clerk to the Parliament arranges for one or more copies to be sent to the government.
2. One or more copies of proposals to alter a draft uniform national ordinance are also sent to the presidents of the parliaments of the other countries.
3. Paragraph 1 does not apply if the public debates concern a draft uniform national ordinance as referred to in Article 50(4).

#### **Article 53**

1. Every alteration proposal shall be explained by the proposer.
2. It cannot be the subject of debates if it is not supported by at least one other member.
3. The proposer is authorised to make changes to his amendments. These do not require new support, unless the meeting resolves otherwise.
4. The first proposer is also authorised to withdraw the amendment, but if the debates have been closed, only with the consent of Parliament.

#### **Article 54**

1. The handling of alteration proposals submitted during the course of the debates takes place at the same time as the debates on the matter under consideration, unless Parliament decides pursuant to paragraph 2 to have it take place at the end of the debates.
2. A proposal to postpone the debates on alteration proposals may be submitted by the president or by three members. In that case, the proposal is also circulated.
3. The provisions also apply for changes made by the government to any proposal during the debates.

#### **Article 55**

1. If no-one wishes to propose further alterations to the Article at issue or the motives for it, or to have the word on this, the debates on that part of the proposal shall be closed.
2. A vote will then be taken, such that the subordinate changes are raised first, followed by the change itself to which they relate. The Articles or the motives themselves, altered or otherwise, will then be voted on. The furthest-reaching change takes precedence.

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**Article 56**

If a Member or Members of Parliament has or have submitted one or more proposed alterations of a draft uniform national ordinance, a provisional vote shall be taken as referred to in Article 49(2), at least on the parts or the Articles of the draft affected by the amendment proposals. Article 49(3) and Article 55(2) apply.

**Article 57**

Subject to the provisions of Article 58, after the discussion of parts or Articles the subject or the proposal as a whole, as determined after the discussions, shall be put to a final vote. Article 51(2) applies in that case.

**Article 58**

If a draft national ordinance has undergone alterations in the course of the debates, Parliament may decide to defer the final vote on the draft to a subsequent session. In the meantime, members may propose alterations, provided that these are submitted in writing. Unless Parliament decides otherwise, discussions on those alterations, changes proposed by the government and on related Articles may be conducted before the final vote. Only proposals of new alterations that become necessary as a result of adopted alterations to Articles or rejection of Articles are permissible here.

**Article 59**

The Clerk to the Parliament shall notify the presidents of the parliaments of the other countries of the result of the final vote on a draft uniform national ordinance with the greatest urgency.

**Chapter 11. The right of initiative, the right of interpellation and the right to ask questions****Article 60**

1. All proposals of members in accordance with Article 85 of the Constitution shall be submitted to the Clerk to the Parliament, in writing and signed.
2. The proposal shall be reproduced and sent to the members and the government.

**Article 61**

Article 60 is likewise applicable to draft uniform national ordinances proposed by members in accordance with Article 20 of the Mutual arrangement concerning uniform procedural law, on the understanding that it shall also be sent to the presidents of the parliaments of the other countries.

**Article 62**

1. If a member wishes Parliament to invite one or more ministers to provide information as referred to in Article 62 of the Constitution he shall submit a written proposal to that effect, stating his reasons, which will be considered if it is supported by at least one other member.
2. The proposal, as adopted by the meeting, will be sent to the relevant ministers at the earliest opportunity.

**Article 63**

1. Every member may put questions to one or more ministers, in accordance with the following provisions, including without the leave of Parliament.
2. These questions shall be formulated clearly and concisely, and shall be submitted to the president. The president shall notify the relevant minister of these unless he has predominant objections to the application of this Article due to the form or content of the questions, in which case he shall notify the submitter of the questions of this without delay. The president will notify the members of the questions at the next public session.
3. If the minister's reply is submitted in writing, no oral discussion shall take place.

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4. However, the member submitting the questions may request that they be answered orally. If the minister concerned grants this request, the president shall include this reply as an agenda item for a next meeting as soon as possible. The member submitting the questions may then submit one further short question on the same matter for the purpose of further clarification and explain this in a very brief manner. He may not request leave to ask further questions or submit motions on that occasion.
5. Questions answered in writing shall be printed, together with the replies, at the end of the minutes of the next session.

## **Chapter 12. The making of appointments, nominations or election of persons**

### **Article 64**

1. Votes concerning persons for appointments or nominations referred to in the Constitution or the Charter for the Kingdom shall be cast by ballot papers placed in a box. With such votes, the president shall appoint two members as vote counters. After the vote counter who is appointed first has reported the number of ballot papers found in the box and the president has reported the number of members in attendance, the vote counter appointed first shall announce the result.
2. Additions to ballot papers that do not serve the purpose of the vote shall not be read out.

### **Article 65**

A ballot paper shall be completed for each individual candidate and must contain a clear description of the person. Parliament shall decide in cases of doubt.

### **Article 66**

Ballot papers that are not filled in or that are not filled in correctly are not included in the number of valid votes cast for the determination of the majority.

### **Article 67**

A majority of the votes obtained is not valid if the number of ballot papers found in the box exceeds the number of members who voted and this existing difference could have had an influence.

### **Article 68**

If the number of valid votes cast does not exceed half of the number of votes cast, the vote is null and void.

### **Article 69**

If no-one wins an absolute majority of the valid votes cast in the first vote, a new vote will take place between the two persons who won the most votes.

### **Article 70**

1. If an equal number of votes are won by two or more persons who qualify for a new vote, which of them will take part in the new vote with the member that won the highest number of votes shall be determined by lot.
2. If more than two persons win an equal number of votes, a new vote will take place between them. Once again, if no decision results, the result will be determined by lot.
3. In order to obtain a decision by lot, the valid ballot papers, properly folded, will be placed in the ballot box by one of the vote counters, after which another vote counter will draw out one ballot paper. The person named in the ballot paper drawn out is elected.

## **Chapter 13. Meetings behind closed doors**

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**Article 71**

Sessions will be conducted in private if at least four members request this or if the president considers this to be necessary. The session may then resolve that discussions and decision-making will take place behind closed doors only by a majority of at least two thirds of the votes cast.

**Article 72**

Parliament holding a session held behind closed doors may impose confidentiality requirements concerning the matters discussed there.

**Article 73**

All members, including those who become aware of the matters discussed at a later date, are required to protect confidentiality. This requirement may be withdrawn by Parliament at a session held behind closed doors.

**Article 74**

1. The Clerk to the Parliament shall take minutes of sessions held behind closed doors. These shall be discussed and made subject to approval immediately or at a subsequent session behind closed doors.
2. Action with regard to the minutes shall be taken as referred to in Article 33(1).

**Chapter 14. Exercise of the right of investigation (inquiry)****Article 75**

A proposal to institute an investigation (inquiry), pursuant to Article 64 of the Constitution, must be submitted in writing, either by a parliamentary committee on the basis of a matter that it is debating, or by one or more members.

**Article 76**

The proposal must contain a description of the subject of the investigation and if possible, the names of witnesses and experts. Unless the proposal is submitted by a committee that has already explained it in sufficient detail in its report on the matter it is considering, it shall be accompanied by an explanatory memorandum. The proposal and the explanatory memorandum shall be printed and circulated to the members and the government.

**Article 77**

If Parliament, having investigated the proposal at a meeting of the central committee, decides to institute an investigation, it shall determine the number of members of which the committee of investigation will consist and the minimum number of members required to conduct the hearings. On the proposal of the parliamentary group, the committee members will be appointed by the president unless Parliament decides otherwise. The president shall provide for the publication of the parliamentary order in the journal in which official government notices are published.

**Article 78**

With every order to institute an investigation, Parliament shall determine the term within which the investigation will be completed. That term may be extended by Parliament, on the proposal of the committee.

**Article 79**

1. Witnesses and experts shall be questioned by the president of the committee. The committee members may also put questions after having been granted leave to speak by the president.
2. The Clerk of the Parliament shall provide for written notes of the statements made or the messages issued.

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#### **Article 80**

1. If the committee suspects a witness of having deliberately made a false statement under oath or pledge, a separate procès-verbal of this shall be drawn up, containing the statement of the witness and the indications on which the suspicions of false statements are based.
2. The committee shall hand a copy of the procès-verbal signed by the Clerk to the Parliament to the Department of Public Prosecutions at the Court of First Instance.

#### **Article 81**

All documents drawn up by the committee shall bear the signature of the president and the Clerk to the Parliament, unless the National ordinance concerning parliamentary inquiries or any other legal regulation requires more or different signatures.

#### **Article 82**

1. On completion of the investigation, or as often as the committee considers this necessary during the investigation, or Parliament makes a decision to that effect, the committee shall report to Parliament on its actions.
2. The procès-verbal of the hearings conducted and the other documents of the investigation instituted shall be transferred to the Department of the Clerk to the Parliament.
3. The procès-verbal of the hearings shall be published unless Parliament decides otherwise. Parliament may also order the publication of other documents of the investigation.
4. Parliament shall decide on the method of publication in each case.

#### **Article 83**

1. The dissolution of the committee shall be announced in the journal in which official government notices are published.
2. In that case, and if the powers of the committee are withdrawn through the dissolution of Parliament, the documents of the investigation shall be transferred to the Department of the Clerk to the Parliament.

### **Chapter 15. Dismissal of members and the consequences of the closure of a session**

#### **Article 84**

A member who resigns in observance of Article 49(2) and 49(3) of the Constitution shall notify Parliament of this without delay.

#### **Article 85**

All work of Parliament or of the committees formed or appointed pursuant to these rules, including the discussion of government proposals, that remains unsettled on the closure of the session shall be resumed in the following session, unless Parliament resolves otherwise.

### **Chapter 16. Visitors and observers**

#### **Article 86**

1. The observers are prohibited to give any signs of approval or rejection. The president provides for the enforcement of this prohibition and for maintenance of proper silence.
2. In the event of infringements, he can order the observers or persons who disrupt or have disrupted order to leave the chamber.

#### **Article 87**

The president may impose rules for the admission of visitors to the parliamentary building and to the tribunes.

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## **Chapter 17. Closing provisions**

### **Article 88**

1. Each member may propose in writing to revise one or more provisions of these Rules.
2. A committee may also submit such a proposal, provided that this reflects the feelings of the majority of the number of members of which it consists. Such a proposal shall be signed by the members of the committee who have declared themselves in favour of it.
3. The provisions of Chapter 8 apply to proposals to revise these Rules of order.

### **Article 89**

Parliament may resolve at any time to derogate from the provisions of these Rules if no members oppose this and if the derogation does not contravene the Charter for the Kingdom, the Constitution or any other legal regulation.

### **Article 90**

These rules shall be referred to as 'Rules of order for Parliament'.

### **Article 90**

These rules enter into force from the date on which Articles I and II of the Kingdom Act amending the Charter for the Kingdom in connection with the dissolution of the Netherlands Antilles enter into force.

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