



## MINISTER VAN ALGEMENE ZAKEN

Minister of General Affairs

Philipsburg, April 16, 2014

The President of Parliament  
 drs.G. Arrindell  
 Wilhelminastraat #1  
 Philipsburg, St. Maarten

**Subject:** *questions MP George C. Pantophlet*

1169/14 A

Hon. President of Parliament,

Pursuant to your letter dated April 1, 2014, with regard to questions posed by MP George Pantophlet, please find below the responses to mentioned questions.

1. Is it true that people living in the US are being removed from the register and whether people living on the French side and other surrounding islands, but still recorded in the Civil Registry as living in St. Maarten?

***The Civil Registry department has the responsibility to provide reliable and accurate information. All residents who are registered and intend to leave the island must write out of the island as stipulated by article 13:3 of the ordinance "basisadministratie van persoonsgegevens".***

2. What is the applicable law that supports this action by government, how long is this law or regulation been in place and when did government started the clean-up process?

***See articles mentioned above. The law was implemented in 1999, and an amendment was done in 2003. The Civil Registry Department has from the inception embarked on a data "cleanup" process. The "cleanup" process was intensified in 2004 and continued, using different methods but strictly within the guidelines of the law. Additionally, clear directives were provided by the Netherlands to all municipalities to raise the quality of their databases to avoid the following:***

- *Persons being simultaneously registered in 2 databases*
- *Protection of the Dutch Nationality*
- *Prevention of double identity*
- *Prevention of Fraud*

-Continued-

Minister van Algemene Zaken

Government Administration Building

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3. What can be done to allow St. Maarten students studying in the Netherlands to vote in St. Maarten elections seeing that European Dutch can vote for European elections, elections in the Netherlands and local elections?

***The laws will have to be amended to accommodate such.***

4. What are the laws or regulations government used to request naturalized Dutch citizens renewing their Dutch passports to present an authenticated birth certificate in spite of them having Dutch nationality for 10 or more years?

***According to Article 28.1 of the Passport Law, the Governor must be sure that the identity and the nationality of the individual are accurate. There may be no doubt. Should there be doubts then article 28:2 states that the relevant documents must be supplied to complete the application.***

**It must be noted that despite persons being already naturalized, every subsequent passport application is screened according to the agreements (covenant) with the Governor's Cabinet after 10-10-10. All applications that seem questionable are placed under investigation and all the required documents to prove authentication and or to verify information must be presented. See article 13:5 of the ordinance "basisadministratie van persoonsgegevens".**

**It should also be noted that there are some persons who are naturalized but their parents' information has never been registered in the database; these persons were registered years ago with a passport and a valid permit but never submitted their birth certificate, this appears as an error in the system. According to article 5:1 of the ordinance each resident must be registered with a birth certificate.**

5. Do persons born in the former Netherlands Antilles Aruba, Curacao, Bonaire, Saba and St Eustatius also have to comply with this?

**Yes, this applies to all residents of St. Maarten.**

6. Does this apply to children of the Kingdom of the Netherlands?

**Yes, see also question 5.**

7. There are naturalized Dutch citizens whose passports have been revoked when they apply for a renewal, can information be provided with on the amount of passports revoked, the counties of birth and the reasons for such?

**Applications that are not being handled due to pending investigations are the only applications that are not being processed. Some of the reasons are, but not limited to:**

**1. The illegal attainment of the Dutch Nationality**

**2. Administrative errors**

*-Continued-*

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Once the investigation is complete then the process continues either to decline or to continue processing the application.

**20 of these cases have been registered since 2011.**

8. Do persons who are requesting renewal of their identity cards and driver's license also have to present an authenticated birth certificate prior to having it renewed?

**See question 4.**

**According to article 5:1 of the ordinance each resident must be registered with a birth certificate. All documents provided by the Civil Registry must have the correct information. The citizen has a responsibility to provide the information to the department to ensure that their profiles are accurately completed. See article 13 of the ordinance.**

Hoping to have informed you sufficiently.

Sincerely,



Sarah Wescot-Williams  
Prime Minister/Minister for General Affairs

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# Parliament of Sint Maarten

## Staten van Sint Maarten

To the To the Minister of General  
Mrs. Wescott-Williams  
Government Administration Building  
Philipsburg

SG-A2  
Hfd. Burg.  
Zk.  
31/4/14

UV/196/2013-2014

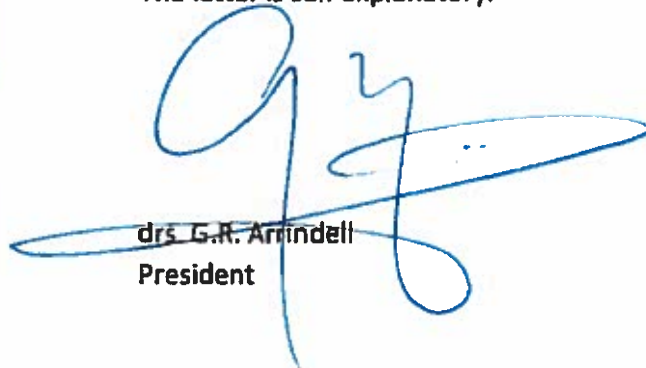
Philipsburg, April 1, 2014

Re: Questions MP George C. Pantophlet

Hon. Minister Wescot-Williams,

Herewith I submit to you questions by the Member of Parliament, Mr. George C. Pantophlet, pursuant to article 62 of the Constitution of Sint Maarten and article 63 of the Rules of Order of Parliament.

The letter is self explanatory.

  
drs. G.R. Arrindell  
President

 D.I.V. Tubbem Bureau van Algemeen Zaken
Ing <b>1 APR - 7 2014</b>
Volg No <b>1169</b>

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drs. Gracita Arrindel  
President of Parliament  
Wilhelmina Straat #1  
Philipsburg, St. Maarten  
March 31, 2014

STATEN VAN SINT MAARTEN				
Ingek. 01 APR 2014				
Volgnr. 15/473/13-14				
Par.				

Dear President,

The Undersigned George Pantophlet Member of Parliament through you and in accordance with article 63.2 of the Constitution is requesting the following information from the Minister of General Affairs Sara Wescot-Williams;

1. Is it so that persons from St. Maarten with Dutch Nationality residing in the United States are being removed from the civil registrar?
2. If this is true, are persons living on the French side and other surrounding islands also going to be removed from the civil registrar?
3. What laws are in place to support this action being taken by government?
4. How long has this law or regulation been in place?
5. When did government start this process?
6. What can be done to allow our students studying in the Netherlands to vote in St. Maarten elections seeing that European Dutch can vote for European elections, elections in Holland and also local elections?
7. What laws or regulations is government using to request naturalized persons who are renewing the Dutch passports to comply with presenting an authenticated birth certificate although these persons have been in possession of the Dutch Nationality for 10, 15 and some up to 20 years?
8. Do persons born in the former Netherlands Antilles Aruba, Curacao, Bonaire, Saba and St. Eustatius also have to comply with this?
9. Does this also apply to children of the former Netherlands Antilles who are born outside of the Kingdom of the Netherlands?
10. There are naturalized persons whose Dutch passports have been revoked when they apply for renewal, can I be provided with information on the amount of passports revoked the countries of birth and the reasons for such actions?
11. Do persons who are requesting renewal of their identity cards and drivers license also have to present an authenticated birth certificate prior to having it renewed?

Respectfully,

