



Grisha S. Heyliger-Marten

Member of the Parliament of Sint Maarten

The Chairman of the Parliament of Sint Maarten
Hon. Sidharth M. Bijlani
Wilhelminastraat #1, Philipsburg
Sint Maarten

Philipsburg, January 11th, 2023

Ref: request for question hour with the Prime Minister, Minister of Finance, and Minister of Public Housing, Spatial Planning, Environment, and Infrastructure regarding suspension of Managing Director of Kadaster

Honorable Chairman,

It has been brought to my attention that the Managing Director of Kadaster was recently suspended by the Supervisory Board of Kadaster.

Considering the fact that the Supervisory Board is appointed by the Government, that Kadaster is responsible for executing national legislation, and in accordance with article 69 and further of the Rules of Order of Parliament, please find below questions to be urgently submitted to the Prime Minister, the Minister of Finance, and the Minister of Public Housing, Spatial Planning, Environment, and Infrastructure.

1. Has Government (i.e. the Council of Ministers and/or any of the individual Ministers and/or the Secretariat of the Council of Ministers), been informed by the Supervisory Board of the fact that the Managing Director was suspended, and if so, when and how did this notification take place?
2. Did the Supervisory Board of Kadaster provide Government with valid reasons for said suspension? If so, what were these valid reasons?

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3. What were the terms of the suspension?
4. Can the Government confirm that the Supervisory Board followed all required legal and other procedures in suspending of the Managing Director, including taking into account the requirements under the Civil and Corporate Governance Code? In other words, has the Government been able to establish that the suspension of the Managing Director was carried out in full compliance with the Articles of Incorporation of Kadaster and all other applicable laws, rules, and regulations, and was therefore lawful?
5. Which provisions, if any/applicable, did the Supervisory Board put in place to ensure the continuation of Kadaster's proper functioning during the suspension of the Managing Director?
6. How does the Supervisory Board intend to address the situation regarding the Managing Director going forward?
7. How does the (formal and/or informal) interaction/communication between the Government, the Supervisory Board and Managing Director of Kadaster take place, and what is the legal basis for this interaction?
8. Does the Managing Director have direct interaction/communications with (Members of) the Council of Ministers, or does this only take place via the Supervisory Board?
9. When did the terms of the members of the current Supervisory Board start and when do they expire?
10. Have the Supervisory Board members conducted a self-evaluation as required by the corporate governance guidelines, and if so, can this self-evaluation be made available to Parliament?
11. Are the Supervisory Board members in full compliance with the corporate governance guidelines? If so, can Parliament be provided with the substantiation of said compliance.
12. Has the Government evaluated the performance of the Supervisory Board and its members since it/they were appointed?

According to the Kadaster's website: "Cadastre is the official registrar of the ownership of immovable properties in St. Maarten. Individuals and establishments such as notaries, real estate companies, banks, and law firms, as well as the judiciary system utilizes the information from Cadastre as the official registrar of properties. Based on its tasks as established by law, the Cadastre plays a crucial role in the overall economic development of St. Maarten."

In light of this crucial role that Kadaster plays in registering and protecting the patrimony of the people of Saint Martin and contributing to the development of the country, it is important that the people of Saint Martin are informed of any issues at this institution that could potentially

negatively affect its position an functioning in a timely manner. The suspension of the Managing Director clearly is such an issue.

In accordance with article 69, sub c of the Rules of Order of Parliament, I therefor request that these questions be answered verbally by one or more of the Hon. Ministers during the next question hour.

Respectfully,



Grisha S. Heyliger-Marten
Member of Parliament