

ANNUAL REPORT



Sociaal Economische Raad
Social Economic Council

2017

MISSION & VISION

Mission and Vision of the Social Economic Council

At the meeting of Thursday, October 23rd, 2014, the Council defined the following mission and vision for the advisory body.

Mission:

To objectively advise government towards sustainable development for St. Maarten.

To provide strategic advice with content that will change the dynamic of policy discussions.

To educate the Social Economic Council (SER) board members and staff in order to improve the functioning of the SER.

Vision:

To promote sustainable development, with the aim of achieving an improved quality of life for the people of St. Maarten.

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FOREWORD



Ir. Damien Richardson
 Chairman of the Social Economic
 Council of Sint Maarten

As the newly elected Chairperson of the Social Economic Council (SER) of Sint Maarten, I am honored to present to you the annual report of the SER for the year 2017. This annual report covers the period from January 1st up to and including December 31st, 2017. In this annual report, we have outlined the activities and achievements of our sixth year¹ of operation.

On April 30th, 2017, the term of the second Council of the SER, headed by former Chairwoman Oldine Bryson-Pantophlet, came to an end. A new board was to be appointed by national decree per May 1st, 2017. Unfortunately, this process was delayed until October 23rd, 2017. Due to a technicality, the election of a Chairperson and Vice-chairperson took place on December 7th, 2017.

In 2017 the Council continued with its mission statement by advising the government on two solicited advice. The first advice concerned the draft Competition Ordinance (Landsverordening inzake concurrentie) and the second advice was one on the draft Consumer Ordinance (Landsverordening consumentenbescherming).

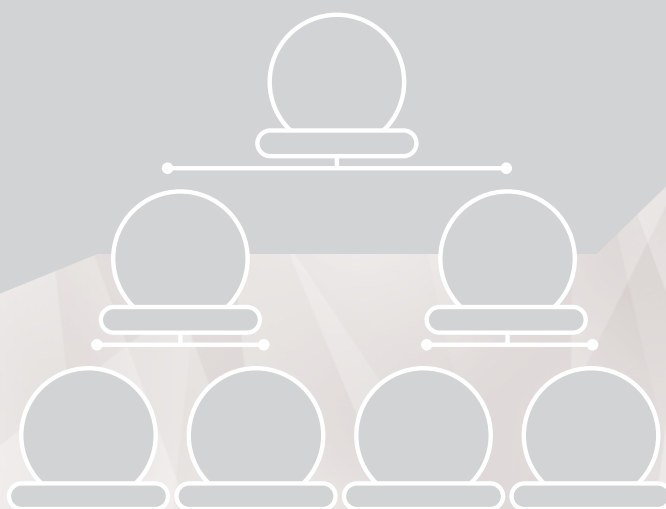
The SER is dedicated to serve Country Sint Maarten. Although 2017 presented some challenges with the passing of hurricane Irma, we look forward to a fruitful and productive year ahead. Taking into consideration the aftermath of hurricane Irma and the shockwaves it created in our community, the SER is confident that the innovative and resilient nature of our people will prevail, ensuring that we continue to stand strong and maintain the level of excellence and service provided to our country.

Over the past six years the SER has produced many well formulated and thoroughly researched advices and we will continue to contribute our expertise where and when needed. As a country we move forward with confidence, knowing that whatever challenges may be presented, they will be viewed as our greatest opportunities for advancement of this great country we call home.

¹ The first board of the SER was appointed on May 1st, 2011.

CHAPTER 1

ORGANIZATION OF THE SOCIAL ECONOMIC COUNCIL



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CHAPTER 1

ORGANIZATION OF THE

SOCIAL ECONOMIC COUNCIL

1.1 Institution

As part of the Constitution of the Country Sint Maarten and as one of the required organic national ordinances, on October 10th 2010, the National Ordinance Social Economic Council (AB 2010, GT no.19) became effective, establishing the Social Economic Council of Sint Maarten. Article 79 of the Constitution stipulates the legal basis for the permanent advisory councils, of which the SER is one.

The SER, as an advisory body consisting of employers, employees and independent experts, aims to contribute to the social affluence of Sint Maarten.

1.2 Advisory Task

In accordance with article 2 paragraph 1 of the National Ordinance Social Economic Council, the task of the SER is to advise the Government on important topics of social economic nature. Based

on the National Ordinance Social Economic Council (AB 2010, GT no. 19) the Council provides its advice upon the written request of one or more Ministers. The Council may also provide unsolicited advice to government whenever the Council deems it necessary.

1.3 Operating Procedure and Objective

The SER is a tripartite advisory body that, in the process of bringing about its advice, works conscientiously to render a realistic account of its viewpoints on the social economic matters in our society; viewpoints that have significant implications. The implications from the legal, financial and social-economic perspective are directives in this framework.

Moreover, within the scope of its advisory function, the SER employs a broad-based concept of welfare.

Broad based support for the social-economic policy is essential for a stable and enduring development of our country. During the SER board meetings, the aim is to reach consensus regarding social-economic issues that otherwise, in a separate setting, would be conducive to divergent opinions and potential disputes that could have a negative effect on the implementation of policy drafts or statutory regulations.

As an advisory and consultative body to employers, employees and independent professionals, the SER wants to contribute to the societal welfare by arriving at mutual consensus regarding issues in the social-economic sphere. In the process, the SER strives for quality and broad support: a high degree of expertise combined with broadly accepted agreement and social support.

CHAPTER 2

THE COUNCIL



Sociaal Economische Raad
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CHAPTER 2 THE COUNCIL

2.1 Composition

The National Ordinance Social Economic Council in article 3 provides that the Council consists of nine members, including three representatives of employers' organizations, three representatives of employees' organizations and three independent members (independent experts). The independent members are nominated by the Minister of General Affairs. A substitute member is appointed for each member. All eighteen Council members are appointed by national decree for a period of three (3) years.

As of December 2017, the appointments of two members of the SER were still pending. One member who was nominated as an independent expert resigned after his appointment. Another member who was nominated as an independent expert migrated in November 2017, leaving this position vacant² as well.

The members who were appointed elected a Chair and a Vice- Chairperson in order to get back to our core task: providing government with solicited and unsolicited advices.

² According to Article 5 National Ordinance Social Economic Council "Only residents of Sint Maarten may be appointed as members or substitute members of the Council.

As of December 31st, 2017, the composition of the board was as follows:

Members

Mr. ir. Damien Richardson	Independent expert
pending	Independent expert
pending	Independent expert
Mrs. Eveline Henriquez-Dijkhoffz	SHTA
Mr. Stanley Lint	CoCI
Mr. Louis Bute	CoCI
Mrs. drs. Shirley Gregoria-Pantophlet	WIFOL union
Mr. Theophilus Thompson	WIFOL union
Mr. Merrill Temmer	WICSU/PSU union

Substitute Members

Mr. Ivan Davelaar	SMCU union
Mr. Aurillio Baly	WICSU/PSU union
Mr. Donald Webster	ASEWI union
Ms. Brenda Brooks LL.M.	CoCI
Mr. Robbie Ferron	SHTA
Mr. Georges Greaux	SHTA
Mr. Richard Woods	Independent expert
Mrs. Mandy Daal-Offringa MSc.	Independent expert
Ms. drs. Linda Richardson	Independent expert



2017-2020 SER board members. Not all members are pictured.

2.2 Remuneration

In accordance with article 22 of the National Ordinance Social Economic Council, the members are entitled to a monetary compensation. Their stipend is further explained in the National Decree, containing general measures, of December 14th, 2017 which adjusts the national decree, containing general measures of February 1st, 2012 concerning the financial provisions of the members, their substitutes and the Secretary-General of the Social and Economic Council.

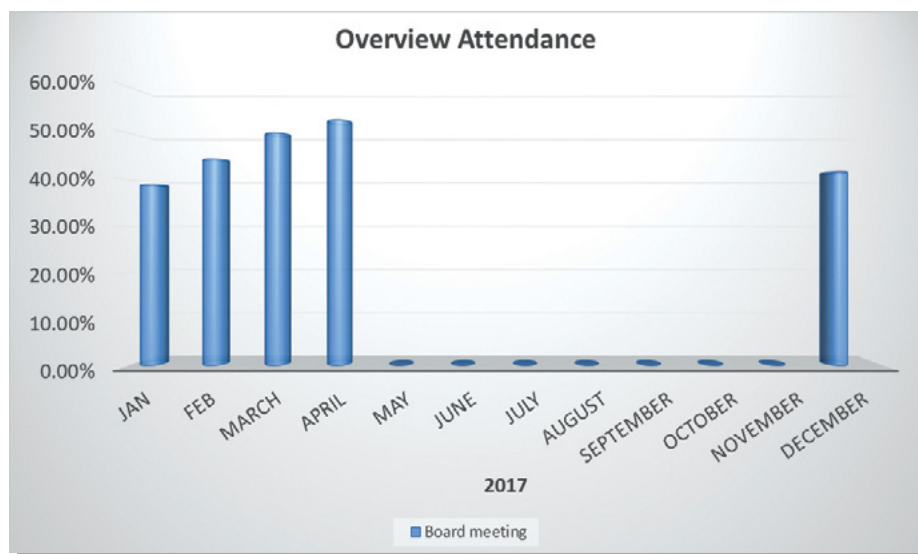
In September 2015 the Council requested the Minister of General Affairs to decrease the remuneration of the Chair and Vice-chair, as was agreed when establishing the SER in 2011. Only the first SER Chairperson and Vice-Chairperson were supposed to receive a higher monthly remuneration, as these persons would fulfill these positions full time in order to help set up the SER.

In reviewing the National Decree, containing general measures, from February 1st, 2012 concerning the financial provisions of the members, their substitutes and the Secretary-General of the Social and Economic Council, the monthly remuneration of SER members was also decreased to an amount similar to that of SER members in the Caribbean part of the Kingdom of the Netherlands. This new national decree went into effect retro-actively to May 1st, 2017.

2.3 Council Meetings

In general, the Council meets twice a month, on the second and fourth Thursday of the month. However, the Chairperson shall convene the Council whenever he/she deems it necessary or appropriate, stating the matters to be discussed. The Council meetings are held in the conference room of the SER office, located in the Harbor View Office Complex in Philipsburg.

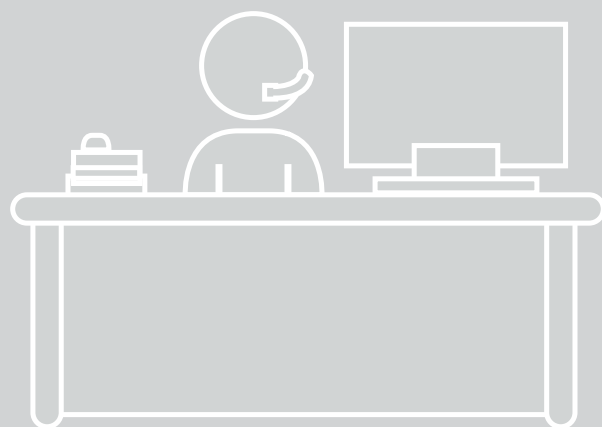
In the year under review, the Council has met a total of 10 times. From those meetings, 1 was an extraordinary session, wherein the election of the SER Chair and Vice-Chair took place. The average attendance rate for all meetings in 2017 was 43%.



Graph of attendance by board members in 2017. From May 1st, 2017 until December 7th, 2017 there were no board meetings as the decree, appointing the new SER board was retro-actively finalized on October 23rd, 2017.

CHAPTER 3

THE SECRETARIAT



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THE SECRETARIAT

3.1 Personnel

In accordance with article 11 of the National Ordinance Social Economic Council, the secretariat is headed by the Secretary-General. Mr. G.M.C. Richardson is the Secretary-General of the Social Economic Council and has served in this capacity since January 2012.

In accordance with article 11 paragraph 3 of the National Ordinance Social Economic Council, the staff of the secretariat is appointed, suspended or dismissed by national decree, upon the Council's recommendation.

The current formation of the secretariat comprises of the functions listed below. This totals 6 functions of which 6 were filled full time in 2017. Unfortunately, in October 2017 the contract of the policy worker secretariat ended and was not renewed due to the (financial) consequences of hurricane Irma.

In 2017, the formation of the Secretariat of the Social Economic Council was as follows:

Nr.	FTE	Function
1	1	Secretary-General
2	1	Legal advisor
3	2	Policy advisor
4	1	Policy worker secretariat
5	1	Administrative worker



Ms. Carla-Evelyn Vlaun started her internship by the SER on Monday April 10th, 2017. She studied the extent that history of St. Maarten is taught in secondary schools and how the inclusion of the history of Sint Maarten in the school curriculum contributes to nation building. This topic falls under education. On July 24th, 2017 Ms. Vlaun ended her internship at the SER, providing the SER with a research paper entitled “Analysis of the history of Sint Maarten in secondary school curriculums”.

3.2 Performance Management

Regarding the performance management, the SER functions the same way as the government. Performance management is a concept, whereby the performance and competences of staff members are guided. The result of performance management is to let personal achievements and developments fall in line with the mission, vision and strategy of the advisory body.

In the year under review, the staff was evaluated during three phases. A planning phase, an interim evaluation phase and a final evaluation. In the planning phase agreements were made on the deliverables and activities

to be undertaken. The interim evaluation phase serves to evaluate the current state of affairs and if necessary, to adjust agreements. During the final evaluation phase the Secretary-General assesses the results.

The functioning of the Secretary-General is evaluated based on article 8 of the Rules of order of the Social Economic Council. The evaluation is done by the Council. During the discussion, the Secretary-General can be requested to leave the meeting.

3.3 Training Sessions and Courses

To better assist the Council in its advice and consultation activities and for the further development of the staff of the secretariat, the SER continued with its training program in 2017.

- In November 2017 the Legal Advisor attended the Green Aruba - 'Sustainability in Motion' conference.

This conference focused on the various options and benefits of sustainable energy. It also provided insight on the possible challenges that are to be dealt with on the road toward green- energy. The future impact of climate change on the Caribbean region is an important reason to move away from fossil fuel and use renewable (green) energy instead. To achieve this, stakeholder alignment and policy making is important. Other important insights are the demands and expectations of the consumer with respect to renewable energy.

- In August 2017 the administrative worker did the following courses: Creative Problem Solving: this course provided training relevant to skills regarding brainstorming, gathering of information, analysis and data gathered and identifying resources that aid with the process of problem solving and also helping to understand the fundamentals of problem solving, the development of critical thinking and the utilization of techniques.
- In November 2017 the administrative worker also attended a course on Presentation Skills. This course focused on active listening skills to facilitate the exchange of ideas in meetings and presentations as well as organization of ideas to create coherent and convincing oral presentations.
- One policy advisor attended the Economic and Social Outlook Conference 2017 in Suriname in November 2017 where the red thread in the conference was the question: If your government had to submit a report card on their policy making record over the last ten years, how would they perform? The conference considered policy areas ranging from welfare, health and education, to energy, the workplace, finance industries and foreign affairs.
- The Secretary-General attended a short course called "Frontline Leadership", which handled the critical success factors required, including how to adapt one's approach to suit different situations and team needs.

CHAPTER 4

FINANCIAL MANAGEMENT



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CHAPTER 4

FINANCIAL MANAGEMENT

4.1 Budget 2017

The Social Economic Council specifies its budget annually. After approval by the Council, the budget is subsequently submitted to the Minister of General Affairs and the Minister of Finance.

The budget of the Social Economic Council is part of the annual budget of country Sint Maarten. In accordance with article 23, paragraph 2 of the National Ordinance of the Social Economic Council the Chairperson is responsible for the financial management.

The Government has allocated a budget of ANG 1,522,735 for the year 2017 to the Social Economic Council.

4.2 Budget Realization

A proper representation of the costs based on the SER 2017 budget could not be outlined during the compilation of this 2017 annual report. The actual expenditures and differences are provided by the Finance Department but could not be verified after the passing of hurricane Irma in September 2017.

Budget Post	Budget 2017	Actual Expenditures	Balance
Personnel expenditures	ANG 854,035	Not available	ANG -
Material costs goods and services	ANG 668,700	Not available	ANG -
Total costs	ANG 1,522,735	Not available	ANG -

CHAPTER 5

CONTACTS



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CHAPTER 5 CONTACTS

Throughout the year under review the SER maintained in contact with parliament, government and various institutions. In 2017 the SER continued to strengthen its ties with Social Economic Councils from other countries.

On Wednesday, March 29th, 2017 the SER had a meeting with the Minister of Public Housing, Spatial Planning, Environment and Infrastructure (VROMI).

For the complete reports, please visit our website www.sersxm.org

CHAPTER 6

ADVICE



CHAPTER 6

ADVICE

6.1. Advice Issued During the Course of the Year

On December 16th, 2016, two advice requests were sent to the SER, by the Ministry of Tourism, Economic Affairs, Traffic and Telecommunication.

The first advice request concerned the draft Consumer Ordinance (Landsverordening consumentenbescherming) and was submitted to Government on February 13th, 2017.

The second advice request concerns the draft Competition Ordinance (Landsverordening inzake concurrentie) and was submitted to Government on April 26th, 2017.

According to article 10 of the National Ordinance open government above-mentioned advices will be made public at the same time of the presentation of the draft ordinances to Parliament as these are advisory reports on draft national ordinances.

LIST OF ABBREVIATIONS

SER	Sociaal Economische Raad/ Social Economic Council
CoCI	Chamber of Commerce & Industry
WICSU/PSU	Windward Islands Civil Servants Union/Private Sector
SHTA	Sint Maarten Hospitality and Trade Association
UFA	United Federation of Windward Antilles
WIFOL	Windward Islands Federation of Labour
Drs	Doctorandus
Ir	Ingenieur/Engineer
MSc	Master of Science
LL.M.	Master of Laws



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