



**Sociaal
Economische
Raad** Social
Economic
Council



Annual Report **2023**

Table of Contents

Foreword	3
Chapter 1. The Social Economic Council	4
1.1 Institution.	4
1.2 Advisory task.	4
1.3 Operating procedure and objective.	4
Chapter 2. The Council	5
2.1 Composition.	5
2.2 Remuneration of board members.	6
2.3 Council meetings.	6
Chapter 3. The secretariat	7
3.1 Personnel.	7
3.2 Performance management.	7
3.3 Training sessions and courses.	7
Chapter 4. Financial management.	8
4.1 Budget 2023.	8
4.2 Budget realization.	8
Chapter 5. New SER logo.	9
5.1 Amendment of the National Ordinance Social Economic Council.	9
Chapter 6. Symposium: Protect and Preserve our Paradise.	11
Chapter 7. Local and international contacts.	13
Chapter 8. Advice.	16
8.1 Solicited advice: Social and Economic impact of remittances and the taxation thereof.	16
8.2 Solicited advice: Letter of advice Lottery booths.	16
8.3 Solicited advice: Draft ordinance changing the CPI in relevant legislation.	16



Foreword

As Chairperson of the Social Economic Council (SER) of Sint Maarten, I am honored to present to you the Annual Report for the year 2023.

The Annual Report 2023 covers the period from January 1st up to and including December 31st, 2023. In this Annual Report, we have outlined the activities and achievements of our twelfth year of operation.

During the course of the year, the SER submitted three advice. The first advice request was from the Ministry of Public Health, Social Development and Labor. The SER was called upon to advise on the reparations made to the various national ordinances as they relate to the social and health insurances of the country. The second advice was from Parliament; we were requested to investigate and produce an advice on the number of Lottery Booths on Sint Maarten. The third advice, which also originated from Parliament, dealt with remittances and taxation.

In February, the International Cooperation Agency of the Association of Netherlands Municipalities (VNGI) and the National Recovery Program Bureau (NRPB) organized a roundtable discussion on Integrated Solid Waste Management on Sint Maarten. The Secretary-General (SG) was invited to be part of the discussion. The SER is pleased to report that some of its concerns that were highlighted in its advice, "Better Waste Management for Sint Maarten," were included in the final vision for Integrated Solid Waste Management on Sint Maarten by 2030.

In the year under review, we are launching a new brand identity, complete with a new logo, color schemes, and typography. The SER has grown and evolved throughout the years, and we realized it was time for a rebranding.

In April, a delegation of the SER, together with our colleagues from the SERs of Aruba and Curaçao, participated in an important work visit to the Social-Economic Council of the Netherlands in The Hague. During our time in the Hague, various meetings were held with key stakeholders of the SERs and with Professor Dr. Kim Putters, who took office as the new Chairman of the SER in the Netherlands. In October, the SER organized its third symposium. The theme of the symposium was "Protect and Preserve Our Paradise: Sint Maarten's Ecological Treasures Unveiled." With this symposium the SER had chosen to focus on the social and environmental impact and well-being of the community.

I want to take this opportunity to thank everyone for the working relationship during my tenure as Chairman of SER. As I conclude my final term, it has been a great honor to have served the institution and, by extension, Sint Maarten. Thank you.

Ir. Damien D.E. Richardson
Chairman of the Social Economic Council
of Sint Maarten 2017–2023.



Chapter 1.

The Social Economic Council

1.1 Institution

As part of the Constitution of Sint Maarten and as one of the required organic laws, 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.

1.2 Advisory task

The task of the SER is to advise the Government on important topics of a 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 the 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 of the board is to reach consensus concerning 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 draft policy or statutory regulations.

Chapter 2. The Council

2.1 Composition

Article 3 of the National ordinance Social Economic Council AB 2010, GT no.19, stipulates that, the Council consists of nine members, which includes 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.

According to article 12 paragraph 2 of the National Ordinance Social Economic Council AB 2010, GT no.19, persons who are appointed as members or substitute members in order to fill a vacancy in the interim shall step down on the date on which the person whose seat fell vacant should have stepped down. In the year under review, there were no mutations that transpired in the composition of the board of the SER.

The three-year term of the board came to an end on April 30th, 2023. The SER thanks the board members for their commitment.

Members

Independent experts

Mr. ir. Damien Richardson / *Independent expert*

Mr. Harlec Doran / *Independent expert*

Ms. Carmen Berkel / *Independent expert*

Employer representatives

Mrs. Barbara Pompier-Halley / *Soualiga Employers Association (SEA)*

Mrs. Eveline Henriquez-Dijkhoffz / *Employer Council Sint Maarten (ECSM)*

Mr. Ajay Rawtani / *ECSM*

Employee representatives

Mrs. drs. Shirley Pantophlet-Gregoria / *Windward Islands Federation of Labour (WIFOL)*

Mr. Theophilus Thompson / *WIFOL*

Ms. Cassandra Richardson / *Windward Islands Civil Servants Union (WICSU)*
/ *Private Sector Union (PSU)*

Substitute members

Mr. Kevin Jeffers/*WICSU/PSU*

Mr. Donald Webster/*Association of Staff Employees of the Windward Islands (ASEWI)*

Vacant / *Employee representative*

Mr. Pieter Lucas / *SEA*

Mr. Georges Greaux jr / *ECSM*

Vacant / *Employer representative*

Mr. Judensy Coffie / *Independent expert*

Vacant / *Independent expert*

Vacant / *Independent expert*

2.2 Remuneration of board members

In accordance with article 22 of the National Ordinance Social Economic Council AB 2010, GT no.19, the members are entitled to monetary compensation. The remuneration is further explained in the National decree, containing general measures, dated December 14th, 2017, concerning the financial provisions of the members, their substitutes, and the SG of the Social Economic Council.

SER members only receive a compensation for the meetings they attend, with a maximum compensation of 2 meetings per month, while SER substitute members only receive a remuneration when they substitute for their member.



2.3 Council meetings

In general, the Council meets twice a month, on the second and fourth Thursday of the month. In accordance with article 13 paragraph 1 of the National Ordinance Social Economic Council AB 2010, GT no.19, the Chairperson shall convene meetings whenever he or she deems it necessary or appropriate, stating the matters to be discussed. In 2023, 8 board meetings were held. At the time of publication of the year report, the new board was not appointed.

Chapter 3. The secretariat

3.1 Personnel

The staff of the secretariat is appointed, suspended, or dismissed by national decree, upon the Council's recommendation. As of December 31st, 2023, of the six (6) positions, five (5) were filled fulltime. In the year under review, there is one vacancy for the position of Policy Advisor.

3.2 Performance management

Regarding the performance management, the SER functions in the same way as the government. Performance management is a concept, whereby the performance and competences of staff members are guided. In the year under review, the staff was evaluated during three phases: a planning phase, an interim evaluation phase, and a final evaluation.

The functioning of the SG is evaluated based on article 8 of the Rules of order of the Social Economic Council AB 2011 no. 34. The evaluation is done by the Council.

3.3 Training sessions and courses

In January, three staff members completed a special intensive course related to Transatlantic Academic Platform. The courses dealt with Urban Development Management and Anthropologies of the Black Atlantic. The Transatlantic platform is a Partnership between the University of the Virgin Islands (UVI), the University of Amsterdam (UvA) and Technische Universiteit (TU) Delft, and the University of St. Martin (USM).

In the month of March, the policy worker and senior policy advisor successfully completed their Postgraduate program Governance, Leadership & Context from the institution Wagner & Company.

In the month of April, the legal advisor and senior policy advisor completed a two-week internship at the SER Netherlands. The main objective of the internship was to gain more experience, in order to better assist the Council in its advice and consultation activities. The internship also served to further develop and strengthen new competencies.

In the month of June, the secretariat participated and successfully obtained the accredited Business Emergency Response Course ("BHV"). This was a refresher course. The legal advisor also completed the certified legislative lawyer course provided by the Caribbean Center for Legislation (CCL) and the University of Curacao.

Chapter 4.

Financial management

4.1 Budget 2023

The SER specifies its budget annually. The budget is subsequently submitted to the Minister of General Affairs and the Minister of Finance. The Government allocated a budget of ANG 1,283,449 for the year 2023 to the SER.

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 financial management.

The Chairperson may delegate the authority to enter financial obligations to the Secretary-General. This is especially important for regularly recurring management costs that do not exceed a certain amount.

4.2 Budget realization

The actual expenditures and differences are provided by the Finance Department. During the compilation of the annual report 2023, the amounts could not be verified as the Government's 2023 financial statement is not yet available.

Budget post	Budget 2023	Actual expenditure	Balance
Personnel Expenditures	ANG 706,971.00	ANG 599,259.67	ANG 107,711
Material cost goods and services	ANG 576,478.00	ANG 363,166.33	ANG 213,311
Total cost	ANG 1,283,449.00	ANG 962,426.00	ANG 321,023.00

There is a difference of ANG 107,711 in personnel expenditures due to delayed appointment of the policy worker. The material costs were less than initially budgeted. The difference of ANG 213,311 was ascribed to the reduced spending of the budget posts, remuneration of the board members, Business travel, and legal and professional advice.

The SER remained within the budgeted amount of ANG 1,283,449.

Chapter 5. New SER logo

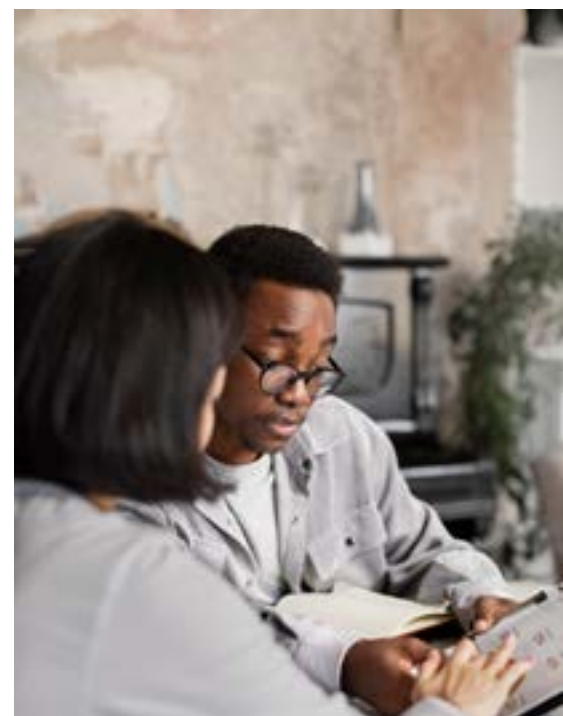
The SER is proud to announce the launch of its new logo as part of its rebranding. In the year under review, we're releasing an updated brand identity, which includes a new logo, colors, and font. The SER has grown and evolved over the years, and we felt it was time for a change. We have refreshed our logo to reflect who we are today and to symbolize our future. After careful consideration, we chose a new logo that reflects a more modern look and captures our mission to deliver and bring widespread growth and build a better future for our society and the next generation.

After careful consideration, we chose a new logo with slogan, "REPRESENTATION THROUGH STRONG CONNECTION." This statement conveys our mission and orientation for growth. A special thank you to Altus Branding Agency.



5.1 Amendment of the National Ordinance Social Economic Council

Since the establishment of the SER, the advisory body has issued advice to government and different factions within Parliament. However, the legal basis to issue advice to Parliament was not regulated by law. Besides the issuing of advice to Parliament, there were some other legal technicalities that needed to be changed, for example: clerical errors, incorrect references, and terminological impurities. Taking the quality of legislation in mind, it was desirable to remove the defects and omissions in order for the law to be amended. This process of amending the law was executed in three phases.



1

April 3rd, 2023

On April 3rd, 2023, the Central Committee of Parliament met for the handling of the Draft National Ordinance amending the National Ordinance Social Economic Council to expand the scope of the advisory function of the Council (Parliamentary Year 2021-2022-163).

2

May 5th, 2023

On Friday, May 5th, 2023, the Parliament of Sint Maarten voted on and unanimously approved the National Ordinance amending the National Ordinance Social-Economic Council to expand the scope of the Council's advisory function (Parliamentary Year 2021-2022-163).

3

August 22nd, 2023

As the final step in the process, the amended National Ordinance Social-Economic Council AB 2023 no. 38 was signed by the Minister of General Affairs on August 22nd, 2023, and published in the National Gazette of September 1st, 2023. The law went into effect on October 4th, 2023.



Chapter 6. Symposium: Protect and Preserve our Paradise



Pictured left to right: S. Jacobs (Former Hon. Prime Minister/Minister of General Affairs), A. Baly (His Excellency the Governor), A. Gumbs (Chairman of the General Audit Chamber)

On October 12th, 2023, the Social Economic Council organized its third symposium. The theme of the symposium was, “Protect and Preserve Our Paradise: Sint Maarten’s Ecological Treasures Unveiled.” With this symposium, the SER has chosen to focus on the social and environmental impact and well-being of the community. For the symposium, the SER had local as well as international speakers.

The keynote address was delivered by Professor Ellen van Bueren, who is a fulltime professor at the Faculty of Architecture and the Built Environment of Delft University of Technology. The second international speaker was Mr. Martyn Forde, who is the founder and director of the climate-resilience and regenerative design-focused consultancy – Future in Nature Synergies Inc. The third speaker was Mr. Benjamin Ortega, who is currently the Environment Social and Governance Manager at Port St. Maarten Group. Mr. Ortega oversees and aids projects ensuring environmental, social, and governance standards within national and international standards. The last speaker was Mr. Denicio Wyattte who is the founder of Spaceless Gardens. Mr. Wyattte is also the founder of St Maarten Agricultural Research and Development Center, currently exploring, researching, and executing projects in the field of Agricultural Science aimed at the sustainability of Eco Tourism and Food Security for country St Maarten.

The objective of the symposium was to bring together experts, policy makers, non-governmental organizations, other stakeholders and the general public to deliberate on the pressing ecological concerns, that require our collective attention for the sustainable development of our nation. The aim of the symposium was also to increase awareness of sustainable urban development, biodiversity, climate change, the environmental, social and governance (ESGs) whilst gathering potential solutions to adapt and mitigate the negative effects of the aforementioned.

Chapter 7. Local and international contacts

Various meetings and consultations were held in 2023. The SER continued to strengthen its ties with other institutions and international contacts.

On March 8th, two staff members successfully completed their Postgraduate program Governance, Leadership & Context from the institution Wagner & Company. The Postgraduate Governance, Leadership & Context program focuses on the role of the supervisory board and the relationship with the various stakeholders.



Pictured from left to right: U. Salomon (Policy worker) drs. ing. Sharon Arnell (Senior Policy advisor)

On April 3rd, the Central Committee of Parliament met for the handling of the Draft National Ordinance amending the National Ordinance Social Economic Council to expand the scope of the advisory function of the Council.



Pictured from left to right M. Deekman-Uitenwerf, (Legislative lawyer of Legal Affairs & Legislation department), R. Fleming, (Former Senior policy advisor cabinet of Prime Minister), E. Doran, (former Acting Prime Minister/Minister of VROMI), D. Richardson (Chairman of SER), S. Arnell (Senior policy advisor), G. Richardson, (SG SER)

On April 18th, a delegation from the SER Sint Maarten participated, together with colleagues from the SERs of Aruba and Curacao, in an important work visit to the Social-Economic Council of the Netherlands in The Hague, during which an introduction took place with Prof. Dr. Kim Putters, who took office last year as the new chairman of the SER of the Netherlands.



Pictured from left to right J. Prins (Directeur SER Nederland), R. Henriquez (SG SER Curaçao), Damian Richardson (Chairman of SER Sint Maarten), K. Putters (Chairman of SER Netherlands), F. Bijlhout (SG SER Aruba), M. Sboui-Racamy (Senior policy advisor SER Curaçao) G. Richardson (SG SER Sint Maarten).

On April 18th, a delegation from SER Aruba, Curacao, and Sint Maarten visited the Advisory Council on Migration. The meeting centered on various topics related to migration in the Netherlands and the Dutch Caribbean islands. The purpose of the meetings was to strengthen ties between the institutions and the possible exchange of relevant data.



Pictured from left to right M. Sboui-Racamy (Senior policy advisor Curacao), R. Henriquez, (SG SER Curacao), G. Richardson, (SG SER Sint Maarten), M. Kremer, (Chairperson Advisory Council Migration), W. Mannes (Sector director), F. Bijlhout, (SG SER Aruba)

On April 24th, two staff members of the secretariat of SER Sint Maarten embarked on a two-week exchange with the colleagues of SER Netherlands. The two-week experience at secretariat in the Netherlands was very insightful. The staff members attended various meetings of the board and work committees. Also, the exchange of work methods between the secretariats of the Netherlands and Sint Maarten was discussed and evaluated. See picture below.

From August 7 - 11th, two members of the secretariat of the SER participated in the Advanced Governance, Leadership & Context course. The advanced course focused on Governance, including geo-politics on boards, as well as the role of supervisory boards as it pertains to good governance.



Pictured from left to right S. Arnell (Senior policy advisor) Professor P. Wagner Professor F. Kunneman



Pictured from left to right G. Richardson (SG SER) Professor P. Wagner, Professor F. Kunneman.

On August 24th, the Legal advisor of the SER received a certificate from the University of Curacao for successfully completing the certified legislative lawyer course. The course, was designed to train lawyers and equip them with the knowledge, technique and the rules to draft legislation.



Pictured from left to right S. Arnell (Senior policy advisor) J. Prins (Directeur SER Nederland), C. Bute (Legal advisor)



Pictured C. Bute (Legal advisor)

Chapter 8. Advice

In the year under review, three solicited advice requests were sent to the SER for advice.

8.1. Solicited advice: Social and Economic impact of remittances and the taxation thereof

On May 6th, 2022, the SER received a solicited advice request from the Minister of General Affairs/Prime Minister, the honorable S. Jacobs. This advice request originated from Parliament from the Honorable Member of Parliament (MP), S.L. Duncan, formerly from the faction the National Alliance (NA)¹. The solicited advice requested the SER to research the social and economic impact of the influx and outflux of monies through Money Transfer Companies (“MTC’s”) on St. Maarten and the possible taxation thereof.

The SER submitted its advice to the government on October 17th, 2022, with the request to provide MP S.L. Duncan with a copy. To read the advice, please click [here](#).

8.2. Solicited advice: Letter of advice Lottery booths

On May 6th, 2022, the SER received an advice request from the Minister of General Affairs, the honorable Ms. S. Jacobs. This advice request originated from Parliament from the faction the Party for Progress (PFP), and was requested by the Honorable Member of Parliament, M. Gumbs. The advice request required the SER to conduct a research on the placement of lottery booths in lower income areas. The SER submitted the advice to the government on February 13th, 2023, with the request to provide the PFP faction with a copy. To read the advice please click [here](#).

8.3. Solicited advice: Draft ordinance changing the CPI in relevant legislation

On December 27th, 2022, the SER received an urgent solicited advice request from the Minister of Social Development, Health and Labor, the honorable O. Ottley. Regarding the reparations made to the national ordinance of the Algemene Ouderdoms Verzekering (AOV)³, the national ordinance of the Algemene Weduwen- en Wezenverzekering (AWW)⁴, the national ordinance minimum wage and the national ordinances Ziektekosten verzerkering (ZV)⁵ and Ongevallen verzekering (OV)⁶. The SER submitted its advice to the government on January 27th, 2023. To read the advice, please click [here](#).

¹ MP Duncan resigned from the National Alliance party on June 29th, 2022, and declared herself an Independent MP.

² Consumer Price Index

³ The General Old Age pension.

⁴ Widow and Orphan Insurance.

⁵ Sickness insurance.

⁶ Accident insurance.



**Sociaal
Economische
Raad Social
Economic
Council**

Annual Report 2023 of the Social Economic Council of Sint Maarten

© 2023 Social Economic Council of Sint Maarten

Tel: +1 (721) 542-4060 • 542-4065 • 542-4066

E-mail: info@sersxm.org

Address: Harbor view Building /Unit 4K, Eagle Road, Philipsburg, Sint Maarten

Website: www.ser.sx



facebook.com/SERSxm



linkedin.com/ser-sint-maarten