

TRANSLATION OF THE OFFICIAL PUBLICATION OF SINT MAARTEN (AB 2010, GT no. 21)

National ordinance publication and entry into force¹

§1 Publication

Article 1

1. The government shall provide for the issue of the *Afkondigingsblad* of Sint Maarten and the *Landscourant* of Sint Maarten.
2. The *Afkondigingsblad* shall be referred to in English as the 'Official Publication'.
3. The *Landscourant* shall be referred to in English as the 'National Gazette'.
4. The layout of the Official Publication and the National Gazette shall be enacted in a national decree, containing general measures.

Article 2

Provision for the publication of the Official Publication and the National Gazette is the responsibility of the Minister of General Affairs.

Article 3

The publication of:

- a. Kingdom Acts;
- b. orders in council for the Kingdom;
- c. mutual arrangements as referred to in Article 38(1) of the Charter for the Kingdom, to the extent that these are granted legal force by a competent body of Sint Maarten;
- d. mutual arrangements as referred to in article 38(2) of the Charter for the Kingdom;
- e. national ordinances, including the uniform national ordinances;
- f. national decrees, containing general measures;
- g. ministerial regulations;
- h. orders of public bodies and independent administrative authority as referred to in Article 97(2), Article 98(2) of the Constitution respectively, occurs through placement in the Official Publication.

Article 4

Official notices and publications of administrative authorities and public bodies that must be made known to the public, shall be recorded in the National Gazette.

Article 5

1. By way of derogation from Article 3, regulations as referred to in paragraphs 3(e) to 3(h) may provide that an appendix to a regulation is published by a deposit for public inspection .
2. The commencement of the deposit for public inspection as referred to in the first paragraph shall be publicised in the National Gazette.
3. By national decree, containing general measures, rules may be imposed for issuing the Official Publication and the National Gazette in electronic form, providing assurances that:
 - a. the issue is generally accessible; and
 - b. the Official Publication and the National Gazette remain generally accessible following their publication.

Article 6

1. The texts of legal regulations, referred to in Article 3(c) to 3(h), may be made publicly available in consolidated form via a generally accessible electronic medium designated by national decree, containing general measures.

¹ This issuance takes place on the basis of the additional Article II of the Constitution.

2. Categories of legal regulations to which the first paragraph does not apply may be designated by national decree, containing general measures.
3. The consolidated text of a regulation made available on the grounds of the first paragraph shall remain available if the regulation is amended or withdrawn after being made accessible.

Article 7

The publication form for a national ordinance shall read as follows:

"In the name of the Queen!
The Governor of Sint Maarten,
Having considered that:
(motives for the national ordinance)

Has heard the Council of Advice, with consultation of Parliament and has enacted the following national ordinance:
(the national ordinance),
Issued in Philipsburg,....."

Article 8

The publication form for a national ordinance drawn up at the initiative of one or more Members of Parliament shall read as follows:

"In the name of the Queen!
The Governor of Sint Maarten,
Having considered that:
(motives for the national ordinance)

Has heard the Council of Advice, initiated by Parliament and has enacted the following national ordinance:
(the national ordinance),
Issued in Philipsburg,....."

Article 9

The publication form for a national decree, containing general measures, shall read as follows:

"In the name of the Queen!
The Governor of Sint Maarten,
Having considered that:
(motives for the decree)

Has heard the Council of Advice and has decreed:
(the order),
Issued in Philipsburg,....."

Article 10

By national decree containing general measures, further rules may be imposed concerning:

- a. the publication of rules and orders as referred to in Article 3 in the Official Publication;
- b. the institution and operation of a Central Register of legal regulations to be managed by the Minister of General Affairs;
- c. keeping original copies of national ordinances, national decrees, containing general measures, and ministerial regulations and the accompanying documents;
- d. the contents of the National Gazette;
- e. the costs associated with subscriptions to the Official Publication and the National Gazette;
- f. the costs associated with the provision of paper copies of the Official Publication or the National Gazette, based on coverage of the costs.

This is an English translation of the Dutch source text.

In the event of any discrepancy between the Dutch language version and the translation, and in case of any disputes, the Dutch version prevails. No rights can be derived from the English translation.

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§ 2 Entry into force

Article 11

National ordinances, national decrees, containing general measures, ministerial regulations and orders of public bodies or independent administrative authorities shall enter into force from the third calendar month following the publication date if the regulation lacks a designation of the date of entry into force.

Article 12

The publication of the entry into force of a regulation shall take place in the same manner as the publication of the regulation itself.

§ 3 Final provision

Article 13

This national ordinance may be referred to as the National ordinance publication and entry into force.

Issued on the *twentieth* of December 2010
The Minister of General Affairs,
S.A. Wescot-Williams