

# Parliament of Sint Maarten

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## Staten van Sint Maarten

Aan de heer G.C. Pantophlet  
Lid der Staten  
p/a Wilhelminastraat 1  
**Philipsburg**

UV/162/2011-2012


Philipsburg, 14 maart 2012

Betreft: Aanbieding antwoorden inzake Corporate Governance Council

Geachte heer Pantophlet,

Middels deze bied ik u aan het antwoord van de minister van Financiën op het 5-tal vragen dat u ingevolge artikel 62 van de Staatsregeling van Sint Maarten en artikel 63 van het Reglement van Orde van de Staten aan de minister hebt gesteld.

Ik verwijs u korthedshalve naar de inhoud daarvan.



drs. G.R. Arrindell  
Voorzitter der Staten



ST. MAARTEN

STATEN VAN ST. MAARTEN			
Ingek.	13 MAR 2012		
Volgnr.	15/254/11-12		
Par.			

*jees antworp  
per email  
per fax*

Aan:

De voorzitter van de Staten van Sint Maarten  
Wilhelminastraat 1  
Philipsburg

Alhier

Uw nummer:                      Uw brief van:                      Ons nummer:                      Ministerie: Minister van Financiën

Subject: Response to the Member of Parliament concerning the budget of the Corporate Governance Council

**Philipsburg, 12 march 2012**

Bijlagen:

Dear Madam Chairlady,

In reference to your letter dated 22nd of February 2012, I would like to inform you the following.

1. The queries were made to the chairman of the Corporate Government Council.
2. Some of the queries were made verbally and some in writing to the chairman of the Corporate Government Council.
3. To the chairman of the Corporate Government Council.
4. Please find attached the email correspondence.
5. The copy is provided attached.

Hoping to have informed you sufficiently,

Minister of Finance  
H. Shigemoto

Cc: De Secretaris Generaal Financiën

Gelieve bij beantwoording datum en nummer te vermelden en in elke brief slechts ÉÉN onderwerp



# Parliament of Sint Maarten

## Staten van Sint Maarten

Aan de Minister van Financiën  
De heer H. Shigemoto  
p/a Ministerraad  
**Philipsburg**

<sup>246</sup>  
Ministry of Finance  
23 FEB 2012  
Staffbureau



UV/139/2011-2012

Philipsburg, 22 februari 2012

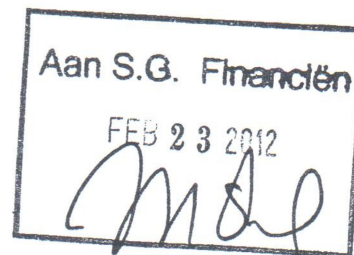
Betreft: Aanbieding 5-tal vragen

Excellentie,

Middels deze bied ik u aan een 5-tal vragen van het lid der Staten P.G. Pantophlet, ingevolge artikel 62 van de Staatsregeling van Sint Maarten en artikel 63 van het Reglement van Orde van de Staten.

Ik verwijs u kortheidshalve naar de inhoud daarvan.

  
drs. G.R. Arrindell  
Voorzitter der Staten



drs. Gracita Arrindell  
President of Parliament  
Parliament Building  
Backstreet,  
St. Maarten

STATEN VAN ST. MAARTEN			
Ingek.	22 FEB 2012		
Volgnr.	15/208/11-12		
Par.	109	6	

10.26 uur.

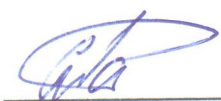
February 21, 2012

Dear Madam President,

The Undersigned George Pantophlet Member of Parliament through you would like to submit the following questions to Minister of Finance Hiro Shigemoto. These questions are regarding a response to the Member of Parliament concerning the Budget of the Corporate Governance Council. The Minister had stated that some queries were made to the Corporate Governance Council but he did not receive a response.

1. To whom and when did government make these queries?
2. How were these queries made verbally or in written form?
3. If they were made verbally to whom were they made?
4. If they were done in written form to whom were they made and can we please be provided with a copy?
5. If a copy cannot be provided then why not?

Respectfully,



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cc: Members of Parliament

**Kalmera, Emilio**

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**From:** Kalmera, Emilio  
**Sent:** Thursday, November 17, 2011 12:28 PM  
**To:** Louis Duzanson  
**Cc:** Boyrard-Brewster, Ruth  
**Subject:** Budget comments

Hi Mr Duzanson,

A budget for 2012 for the Corporate Governance Council was submitted by you and sent to me for further review and comments.

After reviewing the document with the budget for 2012 of the Corporate Governance Council, I have the following comments.

- The CGC members and chairman annual fees of Naf 499,380 is in my opinion too high. The use of a consultant basic fee of US\$160.00 per hour or Naf 288.00 per hour in my view is not relevant. A consultant fee is usually based on the incorporation of various business expenses and not only labor. As far as I know many of the business expenses (rental, utilities, etc) for this council will covered by Government.
- The use of a daily consultant fee of Naf 2,304 per meeting per member is overdoing it. An amount not exceeding Naf 540 per meeting per member seems more reasonable to me.

However, I look forward to any information you can provide to refute my comments and make your calculations easier to sell to the Council of Ministers.

Also, the matter of the Council's actual expenses incurred for prior years were not submitted nor did we receive any indication of the formalization of the legal structure so the "voorschot" can be transferred to its account.

Is the annual report for 2010 for the Council still outstanding?

Regards,

Emilio Kalmera  
Senior Financial Policy Advisor - FBBB  
Sint Maarten  
Tel: 542-8360 (ext 142)  
Fax: 543-1083

We are what we repeatedly do. Excellence, therefore,  
is not an act but a habit.  
Aristotle



CORPORATE  
GOVERNANCE COUNCIL

ST. MAARTEN

Discipline  
Responsiveness  
Integrity  
Quality  
Service  
Transparency  
Accountability  
Responsibility

Working Group Corporate Governance,  
Attn. Mr. Emilio Kalmera,  
Administration Building,  
Clem Labega Square,  
Sint Maarten

**Philipsburg**, February 13, 2012  
**Subject:** Budget 2012 response  
**Nr.2012/79**

Dear Mr. Kalmera,

With reference to your e-mails dated November 17, 2011 and February 8, 2012 the Corporate Governance Council hereby informs you as follows:

**November 17, 2011:**

Skipping the first part of your e-mail which was further worked out in your February 8, 2012 e-mail, we inform you that the prior year expenses of the members have been submitted to the Council of Ministers by our letter of April 21, 2011, nr. 2011/35. We have already submitted our budget over 2010 by letters of October 4, 2010, nr. 2010/13 and October 25 2010, nr. 2010/17. The budget over 2011 was also submitted by letter dated October 25, 2011, nr. 2011/18. A copy is hereby enclosed for your easy reference. We wish to point out that next to the expenses the remuneration for the prior year was reported in the budget, not yet approved and also remain overdue.

With reference to not having received any indication of the formalization of the legal structure, we would like to point out that the legal structure is clear. The legislator chose to have the Corporate Governance Council act as independent council. Therefore the council is part of government and should be dealt with as any other council of government. You also refer to remitting a "voorschot" to the account of the council. In view of what is stated above the council can not legally open a bank account. Government can on behalf of the council and delegate signatory power on the account to an agreed representation of the council (Chairman and Treasurer signing jointly). Furthermore the Council has advised to prefer not to be funded on a "voorschot" basis but on the basis of an approved budget. These are logistical and operational matters yet to be worked out with the

working group for submittance to the Council of Ministers. We are happy to engage with the ad hoc working group to solve such matters.

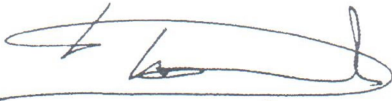
You request whether the 2010 annual report was still outstanding. The answer is the annual report is available and has been submitted to the Council of Ministers by virtue of our letter dated June 28, 2011, nr. 2011/51. If you are asking for a "financial report" we wish to point out that there is no final report as the financial obligations would be equal to the actual expenses (as already submitted) + the members remuneration which remains outstanding. Since the level of remuneration has never been approved in a financial report this would be reflected by a "p.m".

**February 8, 2012 e-mail:**

On behalf of the members I can advise you that we agree with the proposed levels of the monthly remuneration of ANG 4.992,00 per member and ANG 5.492,00 for the chairman for the years 2010, 2011 and 2012.

Like you, we would very much like to settle this outstanding matter once and for all and look forward to working with you on resolving the logistics.

Respectfully,  
On behalf of the  
Corporate Governance Council



Louis Duzanson  
Chairman

Local Name :  
Company Logo : Minister of Finance

Total Pages Scanned : 6  
Total Pages Sent : 6

Transmission Information

No.	Job#	Remote Station	Start Time	Dura.	Pages	Mode	Contents	Result
1	0379	5420306	03-13;09:16AM	47"	6/6	SG3		Done

The documents were sent.



ST. MAARTEN

Aan:  
De voorzitter van de Staten van Sint Maarten  
Wilhelminastraat 1  
Philipsburg

Alhier

Uw nummer:                      Uw brief van:                      Ons nummer:                      Ministerie: Minister van Financiën

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Minister of Finance  
H. Shigemoto

Cc: De Secretaris Generaal Financiën

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