



**SINT EUSTATIUS
CARIBISCH NEDERLAND**

Aan: De staatssecretaris van BZK
Dhr. Drs. R.W. Knops
Ministerie van Binnenlandse
Zaken en Koninkrijksrelaties
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Postbus 20011
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Ref: 633/21

Sint Eustatius, 15 november 2021

Geachte heer Knops, *Beste Raymond,*

Hierbij bied ik u middels een vaststellingsbesluit de route-tijdtabel aan, zoals ik u tijdens mijn recente werkbezoek aan Nederland heb toegezegd. Nogmaals dank ik u hartelijk voor uw warme ontvangst aldaar. Uit mijn schrijven van 30 september jl. heeft u kunnen lezen hoe het proces van totstandkoming heeft plaatsgevonden en gaf ik u aan mij vast te houden aan de uitvoeringstaakstelling onder de vigerende Wet. Met dit probaat product maakt St. Eustatius een belangrijke stap met betrekking tot een ordentelijk proces onder de gewenste en duurzame bestuurlijke hervormingen op St. Eustatius.

Het bespreken van de route-tijdtabel heeft niet geleid tot inhoudelijke wijzigingen en de daarbij genoemde streefdata. De Eilandsraad houdt vast aan de argumentatie zoals vastgelegd bij schrijven van 16 mei jl. en aan u aangeboden tijdens uw werkbezoek aan Sint Eustatius in dezelfde week. Gerelateerd daaraan heeft de eilandsraad op 14 oktober jl. twee moties ingediend, welke bijgaand ter kennisgeving aanhecht.



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Onder de route-tijdtabel gelden een aantal randvoorwaardelijkheden, waarover ik u op korte termijn nader zal informeren.

Het Bestuurscollege van Openbaar Lichaam Sint Eustatius,
De Regeringscommissaris*.

Mw. M.A.U. Francis



De landsecretaris,

Mw. M.A. Dijkshoorn

Bijlagen:
Vaststellingsbesluit route
Tijdtabel, Moties eilandsraad

Original

The Island Council of the Public Entity Sint Eustatius in its meeting of Thursday, October 14, 2021;

Considering,

- that on February 7, 2018 the democratically elected government of St. Eustatius was removed from office by an act of parliament (Staten-Generaal), with both the island and executive councils being relieved of their duties under the Law Task Neglect;
- that in 2020 the Law Task Neglect was replaced by the Restoration Law (Wet Herstel voorzieningen Sint Eustatius) that lays out a phased approach for the return of full democracy in St. Eustatius;
- that on October 21, 2020 the population of St. Eustatius voted in an island council election and made a clear and decisive choice for democratic representation;
- that the elected island council is not authorized in all areas of government policy as prescribed by the Wolbes and Finbes among others and thereby rendering it unable to respond adequately to the wishes of the people in many areas;
- that this inability to respond adequately and effectively to the needs of the voters leads to a lengthy and continuing unhealthy alienation between the people and their elected representatives;
- that additionally this alienation deprives the currently non-elected administration of broad support in the community;
- that the remaining portions of phase 2 of the route map to democracy for the most part consists of revising or setting policy and procedural guidelines, organizing courses and trainings for civil servants and political office holders and enacting of some island ordinances, activities that can be executed effectively alongside an elected government;
- that the wishes of parliament and the island council to speed up the process toward democracy are not being taken seriously by the current administration and by extension the state secretary of Interior Affairs and Kingdom relations;
- that based on the Wet Herstel voorzieningen Sint Eustatius this unhealthy, undemocratic, and undesirable situation could extend into 2025 resulting in a period of time, without a locally elected democratic government, unprecedented in the kingdom;

Resolves,

- To call on the parliament to condemn the unnecessarily prolonged lack of democratic governance on St. Eustatius;
- To call on the parliament to intervene in and speed up the process to return to full democracy on St. Eustatius by January 1, 2022 and end the current undemocratic existence of the people of St. Eustatius;
- To call on the parliament to make all necessary means and resources available to make said accelerated return to democracy possible;
- To call on parliament to reiterate the human rights the people of ~~St. Eustatius~~;

And goes over to the order of the day.

CC:

Second Chamber of the Dutch Parliament

First Chamber of the Dutch Parliament

Committee Kingdom Relations Second Chamber

Committee Kingdom Relations First Chamber

Staten van Curacao

Staten van Aruba

Staten van Sint Maarten

Island Council Sab

Island Council Bonaire

Motion

The Island Council of the Public Entity St. Eustatius in its public meeting of today, Thursday October 14th 2021

Considering that,

- In February 2018 the law "Task Neglect St. Eustatius" has been implemented, whereby the national government intervened, a government commissioner appointed, and the local government has been put aside.
- This law has been replaced in 2020 by the "Restoration Act St. Eustatius".
- In October 2020 an island council has been elected with limited responsibility.
- It is the general feeling of the island council that the process of a return to full local democracy is unnecessarily being prolonged, hereby withholding Statia's population the right to have their own democratic government.
- The duration of this period without a local democratically elected government is already unprecedented in the history of the kingdom.

Resolves

To reject the route-timetable proposed by the government commissioner to the members of the island council on September 22nd 2021.

and goes over to the order of the day.

CC:

Second Chamber of the Dutch Parliament

First Chamber of the Dutch Parliament

Committee Kingdom Relations Second Chamber

Committee Kingdom Relations First Chamber

Staten van Curacao

Staten van Aruba

Staten van Sint Maarten

Island Council Saba

Island Council Bonaire

The motion is accepted/rejected in the meeting of 14 October 2021

Aangenomen

February 7 th , 2018	Wet Tijdelijke Taakverwaarlozing implemented
November, 14 th 2018	Kamerstuk 35001 IV, page 9 – criteria are introduced + process: 1 th of September 2019 next report about the progress

- After the Act Neglect Sint Eustatius came into effect, on February 7th, the first task of the predecessor, Government Commissioner Mr Franco, was to assess the extension of the neglect on the basis of the report of the Wise Men.
- The State Secretary reported on this to the Second Chamber on the 1st of September 2019, stating the 12 criteria on the basis of which improvements must be made in the civil service.
- These 12 criteria will be explained later in the explanatory memorandum of the Restoration Act, which was also sent to you in English, on page 1.
- It says: and I quote: In a letter to the First and Second Chamber of 24th of September 2019, the progress on Sint Eustatius assessed as of the 1st September 2019 on the basis of the 12 criteria which are included in the second progress report of 14 November 2018.
- Bij brief aan de Eerste en Tweede Kamer van 24 september 2019 is de voortgang op Sint Eustatius per 1 september 2019 getoetst aan de hand van de twaalf criteria die zijn opgenomen in de tweede voortgangsrapportage van 14 november 2018.

toe Zegging PLV. Reg. Commissaris

Verspreiden onder Randsleden

Ontvangen: 14 oktober 2021

Subject	Status	Elaboration of activities	Startdate	Targeted milestones	Enddate	Overlap	Ensurement of sustainability
Phase 1.0: 1. Kiesregister compleet	Phase 2 is being implemented.	In phase 1 the Eletoral Law has been revised. Through home-to-home visits the PIVA (Persoonsinformatie-voorzieningen Nederlandse Antillen) has been thoroughly revised and updated. In phase 2 a thorough investigation has been taking place in order to determine the completeness of the Electoral Register. The findings from this investigation are currently being implemented.		A revised and corrected Electoral Register in which the current PIVA is updated.	31 december 2021	Related to phase 2.0 in its totality.	
Phase 1.0: 2. Reorganisatie ambtelijk apparaat compleet	Completed.	The reorganisation will take place parallel to the process of revising procedures and workinstructions.	Q3 2018	By realizing the reorganisation as well as the internal flow on government positions, in which the keypositions and advisory positions are filled, the implementation power will be expanded.	1 september 2019	Related to Phase 1.0, criteria 3.	
Phase 1.0: 3. Procedures en werkinstructies ambtelijke organisatie en griffie gereed	Completed.	The revision of the procedures and workinstructions of the government institution and griffie.	2019	The clarification and actualisation of the descriptions of the procedures and workinstructions.	1 september 2019	Related to Phase 2.0, criteria 1.	
Phase 1.0: 4. Rekenkamer ingesteld	(Temporarily) completed.	The Rekenkamer Sint Eustatius will be operationalized through the Rekenkamer Rotterdam for the first two years.		The administration of the oath of the temporary Rekenkamer-members by the Government Commissioner.	14 mei 2020	Related to Phase 2.2, criteria 3.	

2Klik hier om tekst in te voeren.

<p>Phase 1.0: 5. Opleidingsprogramma potentiële politici aangeboden</p>	<p>The progress of the implementation of Phase 1 has been stalled as a result from the COVID-19 pandemic and its extraordinary measures. The educational program has been continued digitally. The status of Phase 2 is unknown.</p>	<p>Phase 1 entails the organization of a multi-year educational program for government officials. Phase 2 entails an educational and coaching program for potential politicians.</p>	<p>Q1 2020</p>	<p>To ensure independent governance by the government of Sint Eustatius and to guarantee a multi-year training program.</p>	<p>1 maart 2023</p>	<p>Related to Phase 2.1, criteria 1 and 2.</p>
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Every 6 months is a new moment to assess the progress

Subject	Elaboration of activities	Responsibility	Targeted milestones / product	Timeframe completion	Overlap with..	Ensurement of sustainability
<p>Phase 2.0: 1. Procedures en werkinstructies bestuurscollege afgerond</p>	<p>a) Analyse and describe workflows of bestuurscollege.</p>	<p>Islandsecretary</p>	<p>The criteria has been completed and new workflows, formats and policy frameworks have been implemented.</p>	<p>Completed.</p>	<p>All criteria of Phase 2.0</p>	<p>Annual evaluation of workflows and policy frameworks.</p>
	<p>b) Enumerate policy frameworks</p>	<p>Islandsecretary</p>				
	<p>c) Determine new formats</p>	<p>Bestuurscollege</p>				
	<p>d) Implementation of new formats</p>	<p>Islandsecretary</p>				
<p>Phase 2.0: 2. Verordeningen vaststellen en in werking</p>	<p>a) Update all ordinances, consult with community where necessary</p>	<p>Legal Affairs, stakeholders</p>	<p>In total, 86 ordinances have been updated.</p>	<p>Completed.</p>	<p>Criteria 3a and 4 of Phase 2.0</p>	<p>Annual evaluation of ordinances and enumeration of all BES-laws that apply to Statia.</p>
	<p>b) Enumerate necessary ordinances, put in draft and run by BC/CC/IC</p>	<p>Legal Affairs, policy domains OLE</p>	<p>Of those 86, 77 are finished and 9 are left.</p>	<p>Completed.</p>		
	<p>c) Establish new ordinances</p>	<p>Legal Affairs, BC, CC, IC</p>	<p>Of these, 4 to be discussed by the IC and 5 need consultative meetings.</p>	<p>In progress. Q1 2022 - needed extra capacity</p>		
	<p>d) (Re)implement all ordinances</p>	<p>Legal Affairs, GIS</p>	<p>Therefore, 9 are left to be implemented.</p>	<p>In progress. Q2 2022 - needed extra capacity</p>		

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Phase 2.0: 3a. Administraties vergunningen en ontheffingsverlening	a) Determine legal basis of permits and exemptions	Unit VTH, Legal Affairs	See criteria 2. Verordeningen	In progress. Q1 2022	Criteria 2 and 4 of Phase 2.0	Annual evaluation of permits and exemptions and enumeration of all BES-laws that apply to Statia.
	b) Digitalisation, actualisation and professionalisation of administration	Unit VTH	The application and administration of permits and exemptions will be digitalised via Digitalechecklisten.nl.	In progress. ± Q2 2022		
	c) Map and optimise application process	Unit VTH	Align front and back office and enquire for more capacity on application and administration processes.	In progress. ± Q2 2022		
Phase 2.0: 3b. Subsidies	a) Renewal of application, granting and administration process for subsidies	Directie Bedrijfsvoering en Klantencontact	An external accountant will be hired as of Jan 1st 2021. Subsidized organisations will have to hand in performance reports.	Completed.	Criteria 3a of Phase 2.0	Outsourcing, performance reports and annual evaluation of subsidies.
	b) Evaluate granted subsidies and organisations that receive subsidies	Directie Bedrijfsvoering en Klantencontact, Rekenkamer Sint Eustatius	In Q3 2021 the Rekenkamer Rotterdam will be in Statia to evaluate the efficiency of subsidies. They will also look into the performance reports.	± Q4 2021		
	c) Apply and incorporate recommendations made by Algemene Rekenkamer	Directie Bedrijfsvoering en Klantencontact	It is expected to receive these recommendations around Q4 2021.	± Q2 2022		
	d) Map and optimise application process	Directie Bedrijfsvoering en Klantencontact	This depends on the recommendations made by the Algemene Rekenkamer.	± Q3 2022		
Phase 2.0: 3c. Kadasterfunctie op orde	a) Eliminate backlogs pertaining to the Kadasterfunctie.	Kadaster Nederland	All documents have been digitalised	Completed.	Criteria 1 of Phase 2.0	Invest in local capacity for Kadaster Sint Eustatius, SLA with Kadaster Nederland.
	b) Prepare Kadasterfunctie for implementation of Kadasterwet BES on January 1st 2021.	Kadaster Nederland	A new website has been launched, new personnel has been hired and tariffs have been established.	Completed.		

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	c) Transfer Kadasterfunctie to Kadaster Nederland and mandate Kadaster Sint Eustatius.	Kadaster Nederland	A service level agreement (SLA) has been established between Kadaster Nederland and the Public Entity of Sint Eustatius.	Completed.		
	d) Operationalise administrations Kadaster Sint Eustatius.	Kadaster Nederland	All administrations are available online. The original version of the documents that have been scanned are yet to be retrieved from Kadaster Sint Maarten.	In progress. It depends on the brondocumenten who are now still by Kadaster SXM		
Phase 2.0: 4. Toezicht en handhaving (beleid en uitvoering)	a) Determine legal basis of supervision and enforcement	Unit VTH, Legal Affairs	See criteria 2. Verordeningen	In progress. ± Q1 2022	Criteria 2 and 3a of Phase 2.0	Enumerate all supervision and enforcement-tasks to implement with certified personnel.
	b) Determine supervision and enforcement-tasks per policy domain.	Unit VTH, policy domains	An overview of all supervision and enforcement-tasks per policy domain.	In progress. ± Q4 2021		
	c) Prioritize enforcement of certain ordinances and determine enforcement strategy for each policy domain.	Unit VTH, Bestuurscollege	Enforcement strategy on policy domains that carry priority, ready for implementation.	This dependend also on the progress of ordinances. Extra capacity is needed here		
	d) Enforce prioritized ordinances and perform enforcement strategy	Unit VTH	Put enforcement strategy into practice. This will also allow more insight on how the enforcement strategy works in practice. *Car Wrecks * Noise Pollution * Environment *Wastemanagement *Ban single plastic * Pricemonitoring * Bouwvergunningen * Foodsecurity * Loose roaming animals	To be determined		
	e) Determine capacityshortage and train personnel.	Unit VTH	Certified personnel to implement enforcement strategy.	To be determined		

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	f) (Re)evaluate priorities and capacity	Unit VTH, Bestuurscollege	New priorities and new enforcement strategies to continue into Phase 2.1.	To be determined		
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After ending this phase a Koninklijk Besluit needs to be arranged and signed - This is proces that also takes time.

Subject	Elaboration of activities	Responsibility	Targeted milestones / product	Timeframe completion	Overlap with..	Ensurement of sustainability
Phase 2.1: 1. Afronden aangeboden opleidings-programma ambtelijk vakmanschap ambtenaren	a) Training for all civil servants of the Public Entity Sint Eustatius.	Interpoint + Unit manager Organisation Development, Public Entity of Sint Eustatius	The program called "Statia is my home: Guidelines how to be a good civil servant 2018-2019" will be completed by all civil servants. As a result of this, a code of conduct is produced.	Q3 2020	Criteria 2 and 3 of Phase 2.1	Adjustments to the programma will be made following the evaluation concerning the Competence and Job Skills Matrix.
	b) Training for all employees of the Public Entity Sint Eustatius about dualism.	NIMD, Public Entity of Sint Eustatius	The NIMD will provide training on dualism during a visit to Statia in 2022.	To be determined		

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	c) The implementation and execution of the Statia Academy	Interpoint + Unit manager Organisation Development	The central objective of the Statia Academy is to increase the quality of every civil servant. The four pillars are 1) leadership 2) Customer Service 3) Operational Excellence 4) Vaktechnisch. All training courses will be developed in an integral and tailor-made way so that new employees and permanent employees can be continuously developed. a) new employees go through the onboarding programs and training courses prior to the start of their work. b) employees go through 100% of the training courses identified for them. c) Technical training courses have been finalized by the respective department managers.d) Leaders have been shaped into coaching leaders. e)Leadership assessments to ensure that the right man is in the right position, right man on right place	To be determined		
	d) As part of the Statia Academy, all civil servants will have completed the training about the Evaluation-cycle.	Interpoint + Unit manager Organisation Development		Starting 2020 - Continuously		
	e) Evaluation according to the Competence and Job Skills Matrix.	Interpoint + Unit manager organisation development		To be determined		
Fase 2.1: 1. Afronden aangeboden opleidings-programma raadsleden en gedeputeerden (elaboration of activities based on training program provided by the NIMD)	a) Current Council Members have fulfilled a course on democratic governance, politics and the specific practice of the role of Council member on Sint Eustatius and determine a specific package of courses for future Council Members.	NIMD	Necessary training on democratic governance is completed by all current Council Members.	Q1 2022	Criteria 1, 2 and 3a of Phase 2.0.	A digital curriculum provided by the NIMD, established in consultation with the current Island Council that can be used for new members of the government or the Island Council. Courses on dialogue and conflict resolution

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	b) After installation, Island Deputies will have completed a training on democratic governance, politics and the specific practice on the role of island deputy on Sint Eustatius.	NIMD	Extensive training on the WolBES, FinBES, the Restoration Law, the basics of the state structure and politics in the Kingdom of the Netherlands, dualism, negotiation and cooperation with the European part of the Netherlands and party strategy vs. local government strategy. Courses are subjected to change and will be further defined.	To be determined.		will contribute to the relationship between the Island Council and the Government Commissioners.
	c) Completion of training on dialogue and conflict resolution for all Island Council members, the Government Commissioner, the Deputy Government Commissioner and other relevant members of the government.	NIMD	Necessary training on dialogue and conflict resolution is completed by all Island Council members, the Government Commissioner, the Deputy Government Commissioner and other relevant members of the government.	Starting as soon as possible / To be determined		
	d) Completion of a temporary platform for dialogue voor Island Council Members, the Government Commissioner and other relevant members of the government.	NIMD	A platform on which facilitates dialogue for all Island Council members, the Government Commissioner, the Deputy Government Commissioner and other relevant members of the government.	To be determined.		
Fase 2.1: Personeelsbeleid op orde en rechtspositionele regelgeving opnieuw vastgesteld.	a) Implement a new ordinance on personnel management and personnel policies.	Unit manager Organisation Development, Legal Affairs	By implementing an updated ordinance, the personnel policies are adherent to present laws and regulations.	Completed.		A complete and legally justified policy and process for personnel and management, considering the new organisational structure.
	b) Determine and implement a decree on the structure of the organisation.	Unit manager Organisation Development	By implementing an organisational decree, the organisational structure of the Public Entity of Sint Eustatius is adherent to present laws and regulations.	Q1 2022	Criteria 2 of Phase 2.0, criteria 1 of Phase 2.1	

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c) Referring to step d), criteria 1 of Phase 2.1, all personnel of the Public Entity of Sint Eustatius have finished the training and have completed the P-cycle at least for two years.

Unit manager
Organisation Development

Personnel policies have been determined and all legal regulations are in place.

Q4 2023

Subject	Elaboration of activities	Responsibility	Targeted milestones / product	Timeframe completion	Overlap with..	Ensurement of sustainability
Phase 2.2: Verbeterp lan financieel beheer: 1. Digitaliser en en centraliser en financieële processen ; 2. Planning- en controlcyclus conform de FinBES; 3. Alle acties Plan van Aanpak financieel beheer gereed;	a) Implement 118 measures as described in the Plan van Aanpak dating from 2 oktober 2018.	Director B&K / Unitmanager Finance	A special allowance has been requested to select an external accountant that can audit the 118 measures with knowledge of the BBV-BES regulations.	Q1 2022 – start audit Whole 2022: implement process the results/recommendations Q1 2023 – 2 nd audit		
	b) General measures: backlogs annual accounts and training of employees.	Director B&K / Unitmanager Finance	The financial employees can perform their role in such a way that they can apply the regulations in accordance with the BBV BES in their daily work and act accordingly. In addition, they are able to work independently with the AFAS System.	Ongoing	Criteria 1 of Phase 2.1	
	c) Implement Administrative Organisation and Internal Control.	Director B&K / Unitmanager Finance	the aim is of recording all transactions, rights, obligations and values of the public entity and to be able to render financial accounts correctly and thereby obtain an unqualified auditor's report (formerly: auditor's report).	Ongoing (only Riskmanagement needs to be implemented)		
	d) Complete areas of improvements and actionpoints buying/purchasing process.	Director B&K / Unitmanager Finance	Description of the policy of Purchasing with the aim that the Public Entity wants to purchase efficiently and lawfully. Reducing purchasing costs, reducing supply risks, increasing product and supplier quality and improving the purchasing function are other general objectives that can be reflected in your purchasing policy.	Ongoing (1 st tender is started)		
	e) Complete areas of improvement and actionpoints revenue/claim-process.	Director B&K / Unitmanager Finance		Ongoing		
	f) Implement findings and improve	Director B&K / Unitmanager Finance	a) Renewal of application, granting and administration process for subsidies b) Evaluate granted subsidies and organisations that receive subsidies	Q3 2022	Criteria 3.b of Phase 2.0	

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subsidy-process (see Fase 2.0).		c) Apply and incorporate recommendations made by Algemene Rekenkamer d) Map and optimise application process			
g) Improve Personnel- and salary-administration.	Director B&K / Unitmanager Finance			Completed	
h) Improve administration of external locations of the Public Entity of Sint Eustafius.	Director B&K / Unitmanager Finance			Ongoing	

Subject	Elaboration of activities	Responsibility	d) Map and optimise application process	Timeframe completion	Overlap with..	Ensurement of sustainability
Phase 3.0 and 3.1: The return of the Gezaghebber and the task of the Rijksvertegenwoordiger.	At this stage there is complete recovery. In this phase, the executive council and the island council again have responsibility for all their regular tasks – such as budget law – and exercise their powers under the WolBES and the FinBES in a regular manner. The Rijksvertegenwoordiger is authorized to grant approval to decisions on appointment, suspension and dismissal of civil servants. Of observance of article 73 of the WolBES becomes a lieutenant governor appointed who exercises all duties and powers assigned to him on the basis of legislation and regulations. Prior to the appointment it must have been apparent from the Government Commissioner that the Executive Council to belong and functions along the lines of the WolBES and FinBES and that It is also expected that a Gezaghebber will fulfill his duties and powers can properly fulfill. Until now, transition to this one phase irresponsible. As soon as the lieutenant governor has been approved by royal decree appointed, the situation is in line with the WolBES and the government commissioner will be relieved of his position. If all the tasks described above and powers are re-assigned by the relevant administrative bodies performed, there is no longer any derogation from Articles 125 and 127 in conjunction with Article 132a of the Constitution.			To be determined		

Subject	Elaboration of activities	Responsibility	Targeted milestones / product	Timeframe completion	Overlap with..	Ensurement of sustainability
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<p>Phase 4.0: Endphase: complete restoration of the provisions for the administration of the public body of Sint Eustatius.</p>	<p>The fourth phase ends the administrative intervention. When expired of the Act, the Kingdom Representative is again responsible for all his regular duties and powers as included in the WolBES.</p>		<p>To be determined.</p>		
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