



Information Bulletin of the Public Entity of St. Eustatius

**Island Council Election
October 21, 2020**

CHAIRMAN OF THE MAIN AND
CENTRAL BUREAU

Mr. Marnix van Rij

1. INTRODUCTION	2
2. REGISTRATION	2
2.1 What to register	3
2.2 Security deposit	3
3. POSTULATION OF CANDIDATES	3
3.1 General	3
3.2 Submitting lists of candidates	3
3.3 Presubmission of lists of candidates	4
3.4 Documents to be submitted	4
3.5 Security deposit for postulation of candidates	4
3.6 Conditions for postulation of candidates	4
3.7 Conditions for mention on list of candidates	5
3.8 Scrutiny of the list of candidates	5
3.9 Validity of the list of candidates	Error! Bookmark not defined.
4. STATEMENTS OF SUPPORT	6
4.1 General	6
4.2 Numbering of lists of candidates	6
4.3 List exhaustion	7
5. ELECTION DAY	7
6. PROCEDURE FOR APPOINTMENT OF CANDIDATES	7
7. MORE INFORMATION	8

Attachment 1.: Important dates

1. **Introduction**

Once every 4 years, an election takes place on St. Eustatius to elect members of the Island Council. The last held election took place on Wednesday March 18, 2015.

The election of the new Island Council of the Public Entity of St. Eustatius will take place on Wednesday October 21, 2020.

What is the purpose of the information bulletin?

It is important, as early as possible, to inform you about the procedures you must follow in order to participate in this election.

Who is this bulletin meant for?

This bulletin is meant for the political parties and interested persons.

Where can you go if you have questions?

For further information about the election, you can go to the Unit Klantenloket/ Census Office.

Contact information

Mrs. Nadine de Graf-Busby / Mrs. Shamira Ortega-Ras

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2. **Registration**

Local political parties who wish to participate in the Island Council election on October 21, 2020, must register at the Central Voting Bureau of the Public Entity of St. Eustatius. The name will be registered in a special register that is kept up to date by the Central Voting Bureau.

Local political parties that submitted a valid list of candidates for the Island Council election in 2015, do not need to register for the upcoming Island Council election. This also applies to parties that are registered for the election of the Second Chamber (*Tweede Kamer*).

Registration is, however, required if the party wishes to participate under a different name, or enter into a merger with another party that did not submit a valid list of candidates in 2015.

Political parties that have not been exempted from the obligation to register, must submit a request for this at the Unit Klantenloket/ Census Office on Chapelpiece Road 1, no later than July 27, 2020.

To complete this request, the party must submit the following documents:

- copies of (valid) proof of identity / ID of the authorized representative and substitute authorized representative;
- copy of the notary deed, in which the statutes of the association are incorporated;
- proof of registration in the register of associations, as issued by the Chamber of Commerce;
- proof of payment of the security deposit of \$ 225,-; this amount must be paid at the Unit Klantenloket before August 24, 2020, with the description: Security deposit for election registration + name of the party.
- statement of the party, in which an authorized representative and a substitute authorized representative are assigned.

2.1 What to register

The name of the party, which the party wishes to publish on the list of candidates, can be registered. This can be:

- a. the complete name of the party;
- b. the abbreviation for the name of the party;
- c. both.

As the name is registered, so it must be stated on the list of candidates.

2.2 Security deposit

For registration of the name of a political party, a security deposit of \$ 225,- must be paid.

This amount must be paid at the Unit Klantenloket / Census Office before August 24, 2020, with the description: Security deposit for registration + name of the party.

This security deposit will be refunded if the party submits a valid list of candidates at the next election, after the decision on the registration request.

Grounds for refusal of requests for registration:

- a. the name is in conflict with the public order;
- b. the name is the same or partially the same as a previously registered name;
- c. the name is misleading to the voter;
- d. the name contains more than 35 letters or other characters;
- e. the name is the same or partially the same as that of a legal entity, which has been forbidden by a Court ruling;
- f. 2 requests for registration of the same, or similar sounding names have been submitted on the same day. Both requests must then be refused.

3. Postulation

3.1 General

On September 7, 2020, between the hours of 09.00 and 17.00 hours, the lists of candidates must be submitted to the thereto assigned member of the Main Voting Bureau, in effect the Unit Klantenloket/Census Office. This is a deadline! If the list is presented outside of these times, then it must be accepted, but the list will be declared invalid. A blank list may not be accepted.

During the period of August 3 through September 7, 2020, application forms and 1 USB-stick per political party will be available free of charge for postulation of candidates.

3.2 Submitting lists of candidates

The lists of candidates must be submitted to one of the members of the Main Voting Bureau, in effect the Unit Klantenloket/Census Office. A voter who is entitled to vote in that election must submit the lists. The assigned member of the Main Voting Bureau will be at the Unit Klantenloket/Census Office on September 7, 2020. Only parties that have submitted a valid list of candidates on the day of postulation of candidates may participate in the election. The list of candidates uses a prescribed model, which is available free of charge at the Unit Klantenloket.

3.3 Presubmitting lists of candidates

To avoid later having to rectify all types of omissions within a tight period of 3 days, there is the possibility for parties to have the lists evaluated for possible omissions. This can be done in the weeks before the postulation of candidates (August 17 through 29, 2020). For this, you should make an appointment well in advance with Mrs. Nadine de Graf-Busby or Mrs. Shamira Ortega-Ras.

Please note: When you make use of presubmission, you must always come for the official submission of the list of candidates on the day of postulation of candidates, between the hours of 09.00 and 17.00 hours!

3.4 Documents to be submitted

The list of candidates must be submitted by a person who is entitled to vote. In this process the following documents must be submitted.

1. A statement by the authorized representatives, in which the authority is given to publish the name of the party, as it is registered, at the top of the list;
2. A statement by the authorized representatives, that the submitter is authorized to combine names. If several parties submit a joint list of candidates with a combined name, it is not necessary to register the name separately. The combination of names (or abbreviations) must, however, be the same as it is registered. If parties deviate from this, then registration will be necessary.
3. All new parties must submit at least 10 statements of support. These statements may be given to Mrs. N. De Graf- Busby or Mrs. S. Ortega-Ras of the Unit Klantenloket/ Census Office during the period of August 24 through September 7, 2020. This does not apply to parties that submitted a valid list of candidates for the previous Island Council elections.
4. A statement of consent with postulation for candidacy. This cannot be withdrawn. In the case of a stay outside of the Public Entity of St. Eustatius (only then), the party may deviate from the prescribed H9 model. In that case, this statement is not bound to a fixed model.
5. A proof of payment of the security deposit. This only applies to a new party!
6. Copy of a valid proof of identity / ID.

3.5 Security deposit for postulation of candidates

One of the conditions for the submission of the list of candidates is that a security deposit must have been paid. For the election of the members of the Island Council, this amount is \$ 225,-. This amount must be paid at the Unit Klantenloket/Census Office before August 24, 2020. This must be done with statement of the description: Security deposit postulation of candidates for election + name of the party.

The security deposit will be paid back if 75% or more of the votes-per-seat ratio (kiesdeler) is achieved. The kiesdeler is the total number of votes carried out, divided by the number of available seats.

This security deposit does not apply to a list of candidates of a political party, of which the name was placed above a list of candidates, for which one or more seats were won at the last held Island Council election.

3.6 Conditions for postulation of candidates

The list of candidates must comply with several conditions:

- a. a maximum of 50 candidates may be published on the list (also in the case of a merger of lists). The candidates will be placed in the sequence according to which they will be given preference;
- b. the candidate must achieve the required age for the Island Council during the governing period;
- c. the name of the candidate may only appear on 1 list;
- d. the candidate must be a resident of, or submit a statement, which proves that he / she intends to become a resident of the Public Entity of St. Eustatius;
- e. if it is proven that he / she has made several similar declarations, then the candidate must be removed from the list.

3.7 Conditions for mention on the list of candidates

The conditions for mention on the list of candidates are:

- a. last names in accordance with the new Naming Law, as it pertains to married (previously married) persons and persons whose partnership is registered (was registered), can be stated on the list of candidates in the following way:
 - with only your own name: For ex.: Johnson
 - with only the name of the spouse or registered partner: For ex.: Williams
 - with your own name by means of a hyphen, preceded by the name of the spouse or registered partner: For ex. Williams-Johnson
 - with your own name by means of a hyphen, followed by the name of the spouse or registered partner: For example: Johnson-Williams
 - under spouse and registered partner should also be understood, the ex- spouse and the ex-registered partner. The words “spouse of”, “widow of” and “born” or abbreviations hereof are no longer permitted.
- b. next to the initials of the candidate it is possible to state the nickname within brackets; it is not permitted to state the first name “Theodorus” as Th.
- c. it is not permitted to mention titles on the list of candidates, which the candidate may normally use based on the Higher Education and Scientific Research Law. The candidate may, however, use titles of nobility and predicates, and the designations “jr”, “sr”, “f”, or “m” next to the initials or the nickname.
- d. the date of birth.
- e. place of residence. An address is no longer stated on the list of candidates. As place of residence, the official Public Entity must be stated, therefore St. Eustatius.

3.8 Scrutiny of the list of candidates

On September 8, 2020 at 16.00 hours, the Central Voting Bureau will engage in scrutiny of the lists of candidates. This is not a public session. This investigation may discover the following omissions:

- a. statement of support is missing / incorrect
- b. statement of intended residence is missing
- c. statement of consent is missing
- d. proof of payment of security deposit is missing
- e. submitter is not entitled to vote (statement is missing)
- f. statement of authorization is missing

These omissions can be rectified on September 9 and 10, 2020, from 09.00 to 17.00 hours, and on September 11, 2020 from 09.00 to 15.00 hours.

No addition of new names will be permitted as rectification of omissions takes place. The filling-in of names afterward will not be possible. The lists of candidates may be copied, as long as the signatures are original.

3.9 Validity of the list of candidates

On the third day after the postulation of candidates (September 11, 2020), the Central Voting Bureau will decide on the validity of the lists of candidates. At 16:00 hours, a public meeting will be held in the Ernest van Putten Youth Centre (a.k.a. Lions Den). The meeting will decide on the validity of the list of candidates, maintenance of the candidates that appear on the list, and the maintenance of the name that is placed above the list. Every voter can turn in a written appeal against these decisions within 4 days (up to September 15, 2020). The written appeal must be turned in to The Joint Court of Justice (*Het Gemeenschappelijk Hof van Justitie*), which will make a ruling on the appeal within 6 days.

In accordance with article I 5 of the Electoral Law (*Kieswet*), those lists are invalid:

- a. which were not submitted between 09.00 and 17.00 hours;
- b. of which the proof of payment of the security deposit (if required) is missing;
- c. for which too few support statements (if required) have been submitted;
- d. for which the correct model has not been used;
- e. which has not been personally submitted by a person who is entitled to vote;
- f. for which the statement of entitlement to vote of the submitter, issued by the Executive Council, is missing (not applicable to Island Council elections);
- g. on which all candidates have been eliminated.

4. Statements of support

4.1 *General*

Upon submission of the lists of candidates, 10 statements of support are required for each new party.

Conditions:

- a. On the statements of support, the candidates must be listed in the same manner and in the same sequence as on the list of candidates;
- b. The supporter must be registered as a voter within the constituency for which the list applies. The supporter may also be a candidate who appears on the list;
- c. The signing of the statement must take place at the Unit Klantenloket/ Census Office between August 24 and September 7, 2020, by a thereto assigned civil servant;
- d. The civil servant registers on the statement whether the signer is registered as a voter (mandatory);
- e. The person who is eligible to vote may only give 1 statement of support, and must provide a legal ID. If the supporter signs several statements, then all of these will be invalid;
- f. A statement of support cannot be withdrawn;
- g. The supporter must be 18 years or older on the day of the election;
- h. If a statement of support is invalid (for ex. several statements of support given), then no rectification will be possible. If the prescribed number of 10 has not been achieved because of this, the omission can be rectified within the period assigned for this. Rectification can be done by giving new statements of support at the Unit Klantenloket. It is therefore wise to submit more than 10 statements of support.

PRE-SUBMISSION

Important: Make a timely appointment with Mrs. N. De Graf-Busby or Mrs. S. Ortega-Ras to have the list of candidates evaluated for possible omissions!!

If changes are made to the list of candidates during the pre-submission, then new statements of support must also be submitted.

4.2 *Numbering of lists of candidates*

On Friday September 11 at 16.00 hours, lists of candidates will be numbered in a public session of the Central Voting Bureau in the Ernest van Putten Youth Centre (a.k.a. Lions Den). The parties that have seats in the present Council are numbered first. The list of the party with the highest number of votes is assigned the number 1. In the event of a tie, the decision is made by casting lots.

In the table below, you will find an overview of the number of votes carried out in the Island Council election, which was held on March 18, 2015.

Table 1: Overview total votes carried out in Island Council election of March 18, 2015

List number	Name and party	Number of votes
1	PIP	481
2	DP	473
3	UPC	244
4	Blanco Lijst	182
5	STEP	134
6	SLAM	66

4.3 List exhaustion

It can happen that a political party, in the case of an interim vacancy, does not have any more candidates on the list who are eligible for appointment. In such a case, the vacancy will not be filled. It is therefore important to list sufficient candidates on the list of candidates.

5. Election day

The voting for the election of the members of the Island Council of St. Eustatius will take place on Wednesday October 21, 2020.

The voting station is located at the Ernest van Putten Youth Center (a.k.a. Lions Den).

The station is open from 07.30 through 21.00 hours.

Announcement of the preliminary results

The ***preliminary*** results will be announced at night after 21.00 hours at the Ernest van Putten Youth Center (a.k.a. Lions Den).

Final results

On Friday October 23, 2020 at 10.00 a.m., the final results of the Island Council elections will be stipulated during a public session of the Main Voting Bureau.

6. Procedure for appointment of candidates

The Central Voting Bureau will inform the appointed candidate of his/her appointment no later than October 26, 2020. He/She must then declare in writing that he/she accepts the appointment. This must be done no later than the 10th day after the date that is stated on the notification of the appointment.

The procedure for appointment is as follows:

- a. the person concerned receives the notification of appointment from the Chairman of the Central Voting Bureau within 3 days of stipulation of the results;
- b. if the appointed person accepts the appointment, then no later than the 10th day after the date of the notification of appointment, he/she must submit to the Island Council in writing:
 - a statement of acceptance of the appointment;
 - a statement indicating the public positions that he/she holds;
 - an excerpt from the BA (basic administration of personal records);
- c. the members who have been admitted receive immediate notification of their admittance;
- d. an appeal against this decision is possible at The Joint Court of Justice (*Het Gemeenschappelijk Hof van Justitie*) within 6 days;
- e. the membership takes effect as soon as the admittance has become irrevocable;
- f. the swearing-in can only take place after the expiration of the time limit for bringing an appeal;
- g. according to article C4 clause 2 of the Electoral Law (*Kieswet*), the periodic resignation of the old Island Council will take place on October 28, 2020, and the appointed members of the new Island Council can take their seats on Thursday October 29, 2020.

7. More information

For all questions pertaining tot he Island Council elections, you may contact:

Unit Klantenloket/ Census Office

Mrs. Nadine de Graf-Busby

Mrs. Shamira Ortega-Ras

Telephone: (599)-3182497

Email: elections@statiagov.com

Attachment 1.: Important dates

Date	Activity
27-07-2020	Last day for submission of the requests for registration of the name of the political party. Also last day for payment of the security deposit(\$ 225.-) for registration of the name of the political party.
03-08-2020 thru 07-09-2020	Application forms for postulation of candidates and 1 USB stick per party are available at the Unit Klantenloket/ Census office.
24-08-2020	Last day for payment of the security deposit (\$225,-) for the postulation of candidates at the Unit Klantenloket
24-08-2020 thru 07-09-2020	Giving of statements of support
07-09-2020	Postulation of candidates: 09.00 -17.00 hours. Unit Klantenloket/ Census Office
08-09-2020	16.00 hours: scrutiny of the submitted lists. This session is not public.
08-09-2020	Public inspection of the lists of candidates, directly after the scrutiny.
08-09-2020	Notification of established omissions in the lists of candidates
09 and 10-09-2020	Possibility for rectification of omissions in the list of candidates (09.00 to 17.00 hours)
11-09-2020	Possibility for rectification of omissions in the lists of candidates (09.00 to 15.00 hours)
11-09-2020	Public session of the Central Voting Bureau for the numbering of the lists of candidates. Public notification by the Chairman of the Central Voting Bureau of the assigned numbers
11-09-2020	16.00 hours: public notification by the Main Voting Bureau about the validity of the lists of candidates, maintenance of candidates and maintenance of the name of the political party
15-09-2020	Last day on which an appeal can be lodged at The Joint Court of Justice (<i>Het Gemeenschappelijk Hof van Justitie</i>) against the decision of the Main Voting Bureau about the validity of the lists of candidates, maintenance of the candidates and maintenance of the names of the political parties
no later than 21-09-2020	Ruling of The Joint Court of Justice (<i>Het Gemeenschappelijk Hof van Justitie</i>) with regard to any possible appeals that were lodged. After receipt of the public inspection of the lists of candidates. Announcement of validated lists of candidates.
no later than 07-10-2020	Voters are in possession of their voting cards
no later than 07-10-2020	Voters are in possession of the lists of candidates and the house-to-house folder
21-10-2020	Voting from 7.30 to 21.00 hours at the Ernest van Putten Youth Center (a.k.a. Lions Den).
23-10-2020	10.00 a.m.: public session of the Main Voting Bureau for final stipulation of the results of the election, and public session of the Central Voting Bureau for final stipulation of the results
23-10-2020	scrutiny of the credentials of the newly appointed Council members by the old Council
29-10-2020	Installation of the new Island Council