

file# 64.336

Upon this seventeenth day of March -----
of the year two thousand and fourteen, came -----
and appeared before me, Henry Parisius, formerly a
civil law notary on Sint Maarten, presently acting
as substituting civil law notary on Sint Maarten, -
designated thereto by the President of the Common -
Court of Justice of Aruba, Curacao, Sint Maarten --
and of Bonaire, Sint Eustatius and Saba, -----
hereinafter referred to as -----
"civil law notary": -----

Mister MICHAEL JOHN FERRIER, born in Aruba on -----
February second, nineteen hundred fifty, with -----
office address at 80 Airport Road, Simpson Bay, ---
Sint Maarten, who identified himself with a Kingdom
of the Netherlands passport issued on Sint Maarten,
a copy of which passport remains in the safekeeping
of me, civil law notary, by these presents acting -
as president of the board of- and as such legally -
representing **THE DEMOCRATIC PARTY OF ST MAARTEN**, an
association, established in Sint Maarten, with ----
office address 14 Orange Grove Road, Cole Bay, Sint
Maarten. -----

The appearer, acting as aforementioned, declared --
that in the extra-ordinary general membership -----
meeting of said association, held in Sint Maarten -
on December fifteenth, two thousand and thirteen, -
it was legally decided to amend the constitution of
said association, in the manner as to be mentioned
hereinafter. -----

Said resolution appears from the minutes of said --
general membership meeting, a copy of which will be
attached to this deed. -----

The appearer, acting as mentioned, declared to ---
amend the constitution of said association in such
a way, that the present constitution established in
nineteen-hundred ninety-six by private instrument -
is cancelled and replaced by a new constitution ---
which reads as follows: -----

**"NAME, SEAT, DURATION AND FINANCIAL YEAR OF THE ---
ASSOCIATION. -----**

Article 1. -----

The Association bears the name of: -----
"THE DEMOCRATIC PARTY OF ST MAARTEN", abbreviated -
as DP or D.P. and for the purposes of this -----
Constitution also referred to as the "Party" or the
"Association". -----

Article 2. -----

The Party has been established on St Maarten. -----

Article 3. -----

The Party acknowledges as its Founding Fathers: ---
Mister Percy Clement Desmond Labega and Dr Albert -
Claudius Wathey, who in July, nineteenthundred and -
fifty-four, established the original principles and -
objectives of the Democratic Party movement on St -
Maarten as it is generally known today. -----

FISCAL YEAR. -----

Article 4. -----

The fiscal year of the Association runs from -----
January first up to and including December thirty -
first of each calendar year. -----

OBJECTIVES. -----

Article 5. -----

The objectives of the PARTY are: -----

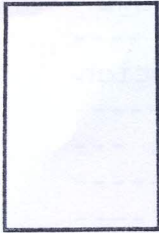
1. To function as a political party for the entire
community of St Maarten, -----
rejecting all forms of discrimination. -----
2. To continuously seek improvement of the quality
of life on St Maarten and to give quality -----
leadership in all these endeavors. -----
3. To uphold and respect the constitutional rights
of each individual in the community. -----
4. To promote the socio-economic welfare of the --
population of St Maarten according to -----
Christian, social democratic principles and ---
ideals, the Party's policies and principles. --
5. To do all that is possible to achieve greater -
economic opportunity for the island of St -----
Maarten. -----
6. To promote social cohesion and patriotism -----
amongst all inhabitants. -----
7. To protect the democratic fundamentals of the -
country's legal and constitutional system. ----
8. To raise the political awareness of the general
population. Every election year, as much as ---
possible simultaneously with its candidates' --
list, the Party will publicize its party's ----
political program and or vision for St. -----
Maarten. 9. To affiliate with and to work -----
closely with other political parties and -----
entities having compatible aims and purpose. --

WAYS AND MEANS. -----

Article 6. -----

The Party shall achieve its objectives through all
legal ways and means and in particular, but not ---
limited thereto by: -----

1. Participating in elections for public office. -
The Party will submit a list of candidates, ---
after a selection from nominations of the -----



General Membership Meeting, made during a -----
meeting of the General Membership, convened for
this purpose. (Prospective) Candidates must be
members of the Party, declare to abide by this
constitution and other Party regulations and --
directives. Every election year, the Party will
decide on a maximum amount of candidates. -----
The Party can jointly with (an)other -----
Party(ties) submit a list of candidates on the
basis of an Memorandum of Understanding between
Parties. -----

2. Convening internal and public meetings, -----
organizing conferences, seminars, congresses, -
assemblies, contact meetings and forums. -----
3. The use of television, radio, newspapers, press
conferences, electronic (social) media or any -
other legal form of communication. -----
4. Publishing, printing and distributing its own -
material, such as newsletters, bulletins -----
etcetera. -----
5. All other legally permissible means. -----

MEMBERS. -----

Article 7. -----

1. The Membership of the Association consists of -
the following categories: Ordinary members, ---
Honorary members, Extra-ordinary members, Non- -
voting members. -----
2. a. Ordinary Members are the Districts as -----
mentioned in article 15 of this Constitution as
well as the individual members of said -----
Districts. -----
Said individual members, must meet the -----
following requirements: -----
 - Be an inhabitant of Sint Maarten and have the -
right to vote. -----
 - Be at least eighteen years old. -----
 - Not be a member of any other political party or
association of this nature. -----
 - Adhere to the articles of the Constitution of -
the Association and its Bylaws. -----The Party board, in accordance with the By- ---
Laws, shall decide on the admission of ordinary
Members. -----
- b. Honorary Members are those who have been of ---
exceptional service to the PARTY in particular
and Sint Maarten in general. -----
- c. Extra-ordinary Members are those who do not ---
live on the island of St Maarten. -----
Extra-ordinary members are appointed by the ---
National Council, on written recommendation of
the Party Council. Extra-ordinary members carry
a consultative voice in Party affairs. -----

- d. Non-voting Members are persons who -due to age or nationality- do not yet qualify as full fledged members. (Youth members, naturalization candidates etcetera) -----
Non-voting Members shall be introduced by a full fledged member in good standing. -----
- 3. Members have to be accepted as such by the Board of the Party, in accordance with the guidelines determined in the By-Laws. -----

Article 8. -----

THE ENDING OR INTERRUPTION OF MEMBERSHIP. -----

Membership ends: -----

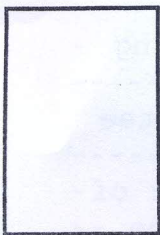
- a. In the case that a member does not comply any longer with the requirements as mentioned in article 7. In such a case the Board will confirm the termination of the membership in writing, mentioning the reasons of the measure;
- b. By expulsion or termination of Membership by the Board in accordance with the guidelines laid down in the By-Laws. -----

Membership is interrupted: -----

- c. When a member is suspended for disciplinary reasons as laid down in the By-Laws or when a member so desires and so expresses in writing for valid and acceptable reasons. (In the case of travel, transfers, etcetera) -----
General procedures of interruption/termination: Any notice of suspension, expulsion or termination of membership by the Board must be in writing and substantiated. This writing shall be communicated to the member within one month of the decision of the Board. When a member has been suspended or expelled or his/her membership terminated, he/she may appeal to the Committee of Disputes. This appeal must be submitted in writing within two (2) weeks after the written suspension, expulsion or termination has been received by the member. -----

A member whose membership has been interrupted for not paying his/her dues for more than a year, can only be reinstated if and when the outstanding contributions have been paid up in full. When a member tenders his/her resignation to the Board, and whereby a period of thirty (30) days shall be observed, this notice of resignation does not absolve this member of the obligation to pay contributions in arrears or current up until the official ending of his/her membership. -----

- d. When the Honorary Membership is withdrawn, cancelled or annulled by the General Meeting of



- Members. -----
- e. When an individual member dies or a member ----
district is dissolved, through merging or any -
other reason. -----
- A member of the Party who is elected on the ---
Party's slate to the membership of Parliament -
or appointed by or on behalf of the party to --
the executive branch of Government, or who by -
way of succession is eligible for such -----
positions, must at the termination of his/her -
Party membership, relinquish his/her position -
in the legislative or executive branch or must
decline the acceptance of said position in the
case of succession. -----
- This declaration will be issued along with the
candidate's consent to be(come) a candidate on
the list of the Democratic Party of St. -----
Maarten. -----

Article 9. -----

The funds of the Party shall be derived from: -----

1. a. Enrollment fees, contributions and other ---
dues from members. Elected and appointed -----
representatives must pay a monthly contribution
of five hundred Guilders, Netherlands Antilles
Currency (Nafis 500,-). This amount will be ---
reviewed yearly. -----
 - b. Donations. -----
 - c. All other income permitted by Law. -----
 2. Enrollment fees and contributions are -----
established by the General Membership Meeting -
upon proposal by the Board and are subject to -
revision from time to time. -----
- These fees are due upon the official acceptance
as a member. At the discretion of the Board the
enrollment fees and other membership dues can -
be paid in installments. -----

THE GENERAL MEETINGS OF MEMBERS -----

THE NATIONAL COUNCIL. -----

Article 10. -----

1. Each year an Annual General Membership Meeting
(also to be called the "National Council") will
be held before August thirty-first. -----
2. In said meeting the following topics will be --
part of the agenda and will be dealt with: ----
 - a. The annual board report, to be presented by
the President, highlighting the past year's-
activities and developments and proposed ---
actions and targets for the coming year. ---
 - b. The annual financial report by the -----
Treasurer. -----
 - c. Report by the Auditing Committee. -----
 - d. Elections for vacancies on the Board. -----

- e. Appointment of new members of the Auditing -
Committee. -----
- f. Appointment of new members of the Committee
of Disputes. -----
Members of the Board may not be a member of-
the Auditing Committee or a member of the --
Committee of Disputes. -----
- 3. Extra-ordinary General Membership Meetings ----
shall be held whenever the Board deems it -----
necessary to inform the membership on matters -
of importance or developments. Notification in
such a case must be given at least 4 days -----
before the meeting, except in extreme urgent --
cases. -----
- 4. The Annual General Membership Meeting shall be
convened in writing and published in one or ---
more local daily newspapers at least seven (7)
days prior to the meeting itself. The agenda --
must be made known simultaneously. Topics for -
the meeting which have been submitted to the --
Board in due time and which can be prepared ---
with due observance of the term to convene the
meeting, shall be mentioned as part of the ----
convocation. -----
In cases of urgency the Board may reduce the --
notice term of 7 (seven) days to 3 (three) ----
days. -----
- 5. Special General Meetings can also be called at
the request of at least one third (1/3) of the
Ordinary Members and/or Voting Members and must
be done in writing with a proposed agenda and -
signed by those requesting the meeting; -----
providing that all who signed are present as --
quorum when the meeting is opened. If there is
no quorum to carry the agenda during the -----
meeting, then the board may postpone this ----
meeting until further notice. -----
- 6. In the event that the Board neglects or -----
declines to honor a request for a special -----
General Meeting (as referred to under article,
10, paragraph. 5.) for more than 14 (fourteen)
days, then the Members shall be entitled to ---
convene a special General Meeting themselves as
stipulated in the By-Laws. -----
- 7. To be valid, the quorum of a Special General --
Meeting must amount to at least one third (1/3)
of the total voting membership during -----
attendance. -----
If during this first gathering the attendance -
is less than one third (1/3) of the voting ----
membership, then a second meeting with the same



agenda must be convened and in accordance with paragraph 4. of this article. -----
This second meeting is to be held within a time frame of not less than one (1) week and not --- more than three (3) weeks. In this second ----- meeting the agenda topics can be dealt with and decided upon regardless of the number of voting members present at this meeting. -----

8. All resolutions are taken by majority of the -- votes cast, unless otherwise provided for in -- this Constitution. -----
9. Only Member-Districts and Members of the Party Council have the rights to vote. The Member- --- Districts have five (5) votes each and the ---- Party Council members have one (1) vote each in the National Council. Voting by Proxy is not -- permitted. The voting by Member-Districts is -- done by Delegates of that District, which ---- Delegates have been duly elected by the members of the respective Districts. A District- ----- Delegate to the National Council may not be at the same time a Party Council Member. -----
10. Voting on matters shall be done verbally, ---- voting on persons shall be done in writing, --- through secret and unsigned ballots. In case of doubt, the Board shall decide whether there is a case of persons or matters. -----
11. Abstentions and blank ballots shall not be ---- considered as votes cast. -----
12. If an appointment is voted upon, the person who has obtained the absolute majority of the votes cast (fifty percent plus one), is held to be -- elected. In the event that nobody has obtained such a majority, a final run-off ballot shall - be taken between the two (2) persons who have - obtained the largest number of votes. If more - than two (2) persons have qualified for the --- final run-off ballot, then an interim run-off - ballot will take place. If necessary more than one interim ballot shall be held to determine - the two (2) candidates for the final run-off -- ballot. If in a FINAL ballot both persons ---- should obtain the same number of votes, lots -- shall be drawn to determine the winner. This -- principle of selection is also applicable in -- the event of a deadlock of votes to select and determine the second candidate who has to ----- qualify for a run-off election. -----

THE BOARD. -----

Article 11. -----

1. The task of the Board is to administratively -- run the Party in a responsible way. Furthermore

it is the task of the Board to make it possible for the Party's membership in particular and -- the community in general to interact with its - elected and appointed political ----- representatives; to build and maintain an ever expanding support base for the Party and ----- elected representatives wherever possible, so - that they can carry out their tasks and ----- assignments diligently and responsibly ----- according to the Country's Constitution and --- laws and considering the Party's constitution, its program and political vision. -----

2. The Board consists of a maximum number of 9 --- (nine) persons to wit: a maximum of 8 (eight) - elected Board Members being: -----
The President, the Secretary, the Treasurer, -- these 3 (three) forming the Executive Board and a maximum of 5 (five) regular board members --- from amongst whom will be elected a Vice ----- President. -----
The ninth board member position will be filled by the Party Leader. -----
3. Board members are elected from the Ordinary --- Members, which election will be take place ---- during the Annual General Meeting of Members. - The candidates must be at least twenty-one (21) years of age on the day of postulation. -----
4. Members of the Board are elected in function -- for a period of two (2) years. -----
Normally every year, 4 (four) of the 8 (eight) eligible board member positions will be subject to (re)election according to a pre-set sequence to guarantee a form of continuity; -----
in EVEN years: the positions of President, and 3 (three) board members, in ODD years: the ---- positions of the Treasurer, the Secretary and - the 2 (two) remaining board members. -----
5. The General Meeting of Members can suspend ---- and/or dismiss a Board-member in accordance --- with the procedures as laid down in the By- ---- Laws. -----
6. A board-member who has been elected to a ----- Representative Body (legislative or executive) of Government and accepts his/her office, has - to vacate his/her board position unless given - dispensation by the Party Council. -----
**RESERVE BOARD MEMBERS AND CONTINGENCY -----
REGULATIONS. -----**
7. The results of Board member elections as ---- stipulated in the paragraphs of this article - will be duly recorded by the Election ----- Committee in an official procedure report ----



(proces verbaal). -----
Board member candidates who have not been ----
elected during the last election, will be ----
instituted as reserve board members, ranking -
according to the amount of votes they -----
accumulated during the last Board election. --
These reserve board members will be ranked ---
according to the amount of votes they -----
accumulated during their first original ballot
count. The votes a candidate received during -
an interim or final run-off ballot will not be
applicable. -----

A reserve Board member will be a replacement -
for a retiring, resigning, suspended or -----
dismissed board member in the order as -----
stipulated by this Constitution or further ---
supplemented in the By-Laws. The results of --
the last elections for Board members -----
automatically replaces the previous existing -
line-up of reserve Board Members and their ---
ranking. -----

8. In the case that the President of the Board is
unavailable or in the case of his absence for
whatever reason, his duties on the Board will
be filled by the Vice-President. If the -----
Vice-President is unavailable as well, these -
duties will be filled by the Secretary and ---
then by the Treasurer in that order. -----

9. If the President, respectively the Secretary -
or the Treasurer should resign or be suspended
or dismissed or hindered to carry out their --
respective tasks for whatever other reason, --
then these members will be replaced by the ---
Vice-President, respectively board members, --
until the next Annual General Meeting of -----
Members and the then statutory elections for -
Board members. -----

10. The vacant seat of board member on the board -
will be filled by the highest ranking reserve
Board Member and if he/she declines for -----
whatever reason or does not qualify then by --
the second highest ranking reserve Board -----
Member, etcetera until the following -----
elections. Any such appointment will be -----
initiated by the sitting Chairman of the -----
Election Committee. -----

BOARD MEETINGS. -----

11. Board meetings shall be held as frequently as
the President and/or the Board deems this ----
necessary for the proper functioning of the --
Party, but at least once every two (2) months.

12. Board meetings shall be valid if more than ---

half of the Board members are present. If at the meeting more than half of the members are not present, a second meeting must be convened with the same agenda, which meeting is to be held not less than forty eight (48) hours and not more than seven (7) days after the first meeting, in which second meeting the topics to be dealt with can be decided upon regardless of the number of the Board members present at this meeting.

THE PARTY LEADER.

Article 12.

1. The Party Leader is the captain of the "body politique" of the Party. The Party Leader is the leader in Government affairs, and leads the party in campaigns, elections, political debates, represents the party in other (political) organizations, and issues all key political statements etcetera and heads the political list for the elections.
2. The Party leader can, in consultation with the board, delegate one or more of the above mentioned responsibilities, for a defined period of time or specific circumstance. The Party Leader will be elected by the rank and file of the Party as stipulated in the By-Laws of the Association.
3. In order to maintain a continuous liaison between the Board and the Elected Representatives (the political faction), the ninth board member position will be reserved for the Party Leader.

Article 13.

1. The PARTY shall judicially and extra-judicially be represented by the Executive Board.
2. The Executive Board shall consist of the President, the Treasurer and the Secretary or their respective substitutes as laid down in the Constitution.

THE DISTRICTS.

Article 14.

1. A district consists of all the members of the PARTY who are residing in an area on Sint Maarten which has been designated as a District by the Board.
2. Each District shall have a District Board or at least one district Representative.
3. The composition and functioning of the Districts and the District Boards or Representatives shall be regulated in the By-



Laws. -----

THE PARTY COUNCIL. -----

Article 15. -----

1. The PARTY COUNCIL will have the task to advise and supervise the Board on behalf of the National Council. -----
2. The PARTY COUNCIL will advise upon request or at its own initiative. -----
3. The PARTY COUNCIL shall be appointed by the National Council and shall consist of all the Board members, the District Chairpersons or District Representative, the Chairpersons of the Permanent Committees (or their substitutes), and the persons elected and/or appointed to Government Representative and Executive Bodies. 4. The PARTY COUNCIL shall meet at least once every two (2) months. -----

ADVISORY COMMITTEE AND OTHER COMMITTEES. -----

Article 16. -----

1. The General Meeting of Members shall appoint an ADVISORY COMMITTEE with the task to advise the Bodies and Committees of the PARTY. -----
2. The Advisory Committee will advise upon request or at its own initiative. Whenever the Advisory Committee has given any advise it shall report the same to the Board simultaneously. -----
3. The General Meeting of Members (National Council) on advice of the Board may also establish other Permanent or Ad Hoc Committees as well as those mentioned in the By-Laws and regulate their tasks and the manner of their functioning. -----
4. These Committees will report to the Board from time to time on their activities, projects and the progress thereof. The Board shall render periodic reports to the General Meeting of Members concerning the status and progress of the various Committees. -----

THE BY-LAWS. -----

Article 17. -----

Other stipulations regarding the organization and management of the ASSOCIATION, the PARTY, shall be dealt with in the BY-LAWS as far as not herein contained. The By-Laws shall not contain any regulations conflicting with this CONSTITUTION of the ASSOCIATION. In matters not regulated in the Constitution, in the By-Laws or by other resolutions of the General Meeting of Members, the Board shall decide. -----

AMENDMENTS OF THE CONSTITUTION. -----

Article 18. -----

This CONSTITUTION shall be amendable only in a -----
General Meeting of Members specially convened for -
such purpose and wherein at least two/third (2/3) -
of the Member Districts are present and the -----
amendment is approved by at least a two/third (2/3)
majority vote. In the event the required number of
Member Districts is not present at the time of this
special general meeting, within not less than one -
(1) week and not more than four (4) weeks -----
thereafter a special meeting can be convened -----
wherein valid decisions can be taken, regardless of
the number of voting members present. -----

DISSOLUTION OF THE ASSOCIATION, OF THE PARTY. -----

Article 19. -----

The dissolution of the ASSOCIATION shall be -----
executed in accordance with the Civil Code of Sint
Maarten or any such Legislation replacing this at -
such time. In case of the dissolution of the -----
Association the General Meeting of Members decides
about the allocation of a positive balance by lack
of which any positive balance will be granted to --
for equal and/or pro ratio part to the members of -
the Association." -----

The appearer is known to me, civil law notary. ----
WHEREOF THIS DEED, has been executed on Sint -----
Maarten, in one original copy, on the date -----
mentioned in the heading hereof. -----

After relating the substance of this deed to the --
appearer, he declared to have examined the contents
of this deed and that he does not desire the -----
complete reading of this deed. -----

Then, after summary reading of this deed, this deed
was signed by the appearer and me, civil law -----
notary. -----

Was signed: M.J. Ferrier, H. Parisius. -----

ISSUED FOR TRUE COPY!

