



# QUESTIONS AND ANSWERS CANDIDACY ELECTORAL COLLEGES

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## First Chamber general

### What is the First Chamber?

The First Chamber (Senate) forms, together with the Second Chamber (House of Representatives), the Dutch Parliament (States General). The First Chamber discusses and votes on bills that have already been passed by the Second Chamber.

### Who elects the First Chamber?

The First Chamber has 75 seats. These positions are occupied by members of political parties. Unlike the members of the Second Chamber, the members of the First Chamber are not directly elected by the Dutch population. Every four years the members of the Provincial States and, as of 2019, the members of the Electoral College for the First Chamber in the Caribbean Netherlands (Saba, St. Eustatius and Bonaire) elect the members of the First Chamber.

### What is the term of office of the First Chamber?

The members are elected for a period of four years.

### How does the First Chamber relate to the Second Chamber?

The Netherlands is a parliamentary democracy. This means that the parliament, on behalf of the population, exercises control over the government and makes laws together with the government. The Second Chamber can propose, amend and pass bills. The parliamentary treating of legal texts can be a lengthy process. It is desirable that at the end of the process, the bill can again be critically reviewed. The First Chamber fulfills this function. The two-chamber system ensures that not all power is concentrated in one Chamber, that possible reconsiderations of proposals are feasible and that citizens have the time to present any objections.

### Why is it important that the three public entities exert influence on the composition of the First Chamber?

In the Second and the First Chamber decisions are made about the three public entities. By exerting influence on the composition of the First Chamber, (indirect) influence is exerted on the decisions that are being taken there.

## Electoral College general

### What are electoral colleges?

The electoral colleges for the First Chamber in Caribbean Netherlands are organs of elected representatives of the people who, together with the members of the Provincial States, are allowed to vote for the members of the First Chamber. The electoral colleges are in no way involved in the execution of the administrative functions of the public entity. They have the exclusive task to elect the members of the First Chamber. Unlike the Island Council or Provincial States, an electoral college is not a general representative body.

### Why do Bonaire, St. Eustatius and Saba each have a separate electoral college?

The law is based on one electoral college per Caribbean public entity. This has the following advantages over a joint electoral college:

- Voting per separate public entity is familiar territory for the population, as it is similar to the way in which the Island Council elections are organized;
- Representation from Saba and St. Eustatius in an electoral college is guaranteed;
- It prevents the need for political groups in the Caribbean Netherlands from working together to have the opportunity to be elected as a member of an electoral college;
- An electoral college must be physically present to vote for members of the First Chamber. One electoral college per island prevents the need for travel.

### How many members will have a seat in the electoral colleges?

The number of members of an electoral college is equal to the number of members of the Island Council. This means that the electoral college of St. Eustatius and Saba consists of 5 members and the electoral college of Bonaire of 9 members.

### What is the electoral colleges' term of office?

The term of office of the electoral colleges correspond to the term of the First Chamber and is therefore four years.

### Is intermediate dissolution possible?

Intermediate dissolution of an electoral college is not possible.

### Who is the chairperson of an electoral college?

On Bonaire and Saba, the Island Governor is chairperson of the electoral college. On St. Eustatius this task is performed by the deputy commissioner. The chairperson is not a member of the electoral college and has no vote in admitting new members. Neither does he have the right to vote for the election of the members of the First Chamber. Besides their role as chairperson of the electoral college, they also act as chairperson of the polling station for the elections for the members of the First Chamber.

### How much influence do the electoral colleges have on the First Chamber?

The members of the First Chamber are elected by the members of the Provincial States and the electoral colleges of Saba, St. Eustatius and Bonaire. The more inhabitants a (state) member represents, the heavier his or her vote weighs. The voting value of the members of the electoral college is determined by the number of residents of the public entity, divided by the hundred-fold number of members. This means that the voting value, and with it the influence, is slightly higher on Bonaire than on St. Eustatius and Saba. Respectively 0.09 seats, 0.01 seats and 0.01 seats. The influence of the Caribbean Netherlands as a whole on the composition of the First Chamber amounts to 0.11 Chamber seats.

## Vote

### Who are allowed to vote for the electoral colleges?

Dutch residents of the respective public entity who have reached the age of eighteen and are not excluded from the right to vote.

### When will the elections take place?

The elections of the three electoral colleges take place on Wednesday, March 20th, 2019 from 7:30 am to 9:00 pm. This is on the same day as the Island Council elections on Bonaire and Saba.

### Why are the elections of the electoral colleges organized on the same day as the Island Council elections?

The election of the Island Council takes place simultaneously with the election of Provincial States. The concurrence of the electoral college election with the election of the Provincial States prevents the possibility that the result of one election influences the outcome of the other. Also, voters only have to go to the polling station once instead of twice, which can have a positive effect on the turnout. Lastly, it has organizational and financial advantages, because the same polling stations and polling station members are appointed for both elections.

### Do voters receive two voting passes at home and do they have to vote twice on election day?

Yes, a voter who is entitled to vote for both elections will receive two voting passes at home. At the polling station, he/she will receive the ballot sheet for each election simultaneously. He/she fills out the ballot sheet in the voting booth and deposits it in the appropriate ballot box. The ballot boxes of the electoral college elections and the Island Council elections each will have a different color, corresponding to the color of the ballot.

## Stand for election

### What requirements do I have to meet to be electable?

Membership of an electoral college requires Dutch citizenship. One must be a resident of the public entity, have reached the age of eighteen years and not be excluded from the right to vote. A person is excluded from the right to vote if the person is convicted to imprisonment for at least one year, for committing a criminal offense designated by law and has been excluded by the judge from the right to vote as an additional punishment.

To prevent conflicts of interest, a number of positions are incompatible with membership of an electoral college. At the level of the public entity, it regards these functions: Island Governor, member of the joint audit office and joint ombudsman or member of the joint Ombuds committee. The functions of civil servant, island representative and council member are not excluded, and may therefore be combined with the membership of an electoral college.

### Until when can I stand for election?

Candidate lists should be handed in on February 4th 2019 between 9AM and 5PM at the central polling station for the election of the members of the electoral college. Political groups that want to participate in the elections must be registered by December 24th, 2018. In the event the designation of a political group has already been registered for the election of the Island Council, registration of the designation for the electoral college election is not necessary.

### Can an individual also stand for election? Or should he/she be connected to a political group?

An individual candidate can also take part in the electoral college elections. The appointment of candidates takes place by means of a candidate list. An "indication" (name of a political party) can be placed above the list of candidates (provided that this designation has been registered), but that is not necessary. Anyone who participates without an indication, does so with a blank list. In that case, the ballot sheet only contains a number on top of the list, and no indication/name.

### Will the members of an electoral college receive compensation?

In view of the limited task of an electoral college and the fact that it only meets a few times in four years, the law gives no basis for awarding a fixed compensation, but the members receive an attendance fee and, if applicable, a compensation for travel expenses. The compensations must be established by island ordinance.

### Should members of an electoral college publish their additional functions?

In order to promote the personal integrity of the members of an electoral college, they are obligated to publish their additional functions. The publication takes place immediately after the appointment as a member of the electoral college or after the acceptance of the additional function.

### Do the members of an electoral college take an oath or promise?

Yes, members of an electoral college take the oath or the statement and promise.

### Why are only residents with a Dutch nationality allowed in the electoral college?

This follows from the premise that only Dutch residents of the relevant public entity can (indirectly) influence the composition of the First Chamber.

### Is a code of conduct established for the members of each electoral college?

Yes, for each electoral college a code of conduct is established by the electoral college itself. The electoral college determines which subjects are included in the code of conduct. The electoral college itself is responsible for compliance with the code of conduct. The non-compliance by individual members has no direct consequences for their membership, however it may possibly have political consequences.

### Who checks the submitted lists of candidates and the related documents for the First Chamber elections?

In accordance with the Elections Act, this function is assigned to the central polling station. This bill does not change that. The Electoral Council acts as the central polling station for the election of the members of the First Chamber. Reference is made to the proposed Article Ya 30, third paragraph, read in conjunction with Article S 1, first and second paragraph of the Elections Act.

**These are the most asked questions and their answers. For more information, check [www.rijksdienstcn.com/electoralcollege2019](http://www.rijksdienstcn.com/electoralcollege2019)**