



**Aan de Voorzitter van de Staten van Aruba**

Aruba, 25 februari 2014

Gaarne met spoed bijgaande Statenvragen door te geleiden aan de Minister belast met Justitie.

Hoogachtend

A handwritten signature in blue ink, appearing to read "Andin Bikker".

Mr. Andin C.G. Bikker, Statenlid en fractievoorzitter PDR

Aruba, 25 februari 2014

Statenvragen gericht aan de Minister belast met Justitie.

Uit de samenleving worden verschillende berichten ontvangen dat er, vooral recentelijk, onnodige vertragingen optreden bij de verkrijging van informatie uit het Centraal Testamentenregister, met

1. alle nadelige gevolgen van dien. Kan de Minister de Staten z.s.m. informeren met betrekking tot gemeld onderwerp, o.a. gelet op bijgaand krantartikel en het feit dat er begin april 2014 de Staten van Aruba, Curaçao en Sint Maarten bijeen zullen komen, in het kader waarvan opgemeld
2. onderwerp waarschijnlijk kan worden aangekaart? Kan de Minister de Staten informeren m.b.t. eventuele toekomstplannen ten aanzien van gemeld Testamentenregister?

In afwachting van een schriftelijk antwoord op gemelde vraag, verblijft,

Hoogachtend,



Mr. A.C.G. Bikker, Statenlid en fractievoorzitter PDR

**WILLEMSTAD — The Centraal Testamentenregister (CTR) on Curaçao has been staffed irregularly for more than one year. This causes considerable delays at notary offices on St. Maarten and Aruba, said Clarion Taylor of the Tax Affairs Directorate under which the CTR falls, on being asked.**

The office registers if people have had a last will and testament drawn up or not. This information is provided by the notary offices on Curaçao but also from Aruba and St. Maarten, which don't have an own CTR. Among other things the registration is necessary if a notary is to draw up a Certificate of Inheritance after the death of a person. However, the CRT on Curaçao has been coping with irregular staffing for more than one year. There is namely no permanent function for such at the Tax Affairs Directorate. As a result the latter is to make use of the Shared Service System of the government whereby officials from various departments are deployed, Taylor explained.

All in all this service is not functioning optimally. "To complete a Certificate of Inheritance I need information from the CTR. Day after day I have to explain to clients that we either receive the information too late or not at all. Some clients have been waiting for one year now", a notary on St. Maarten stated.

## **Creative**

Meanwhile the offices are forced to come up with creative solutions. They inquire about testaments directly with the CTR in the Netherlands, where eventually everything is registered. That inquiry must be done by mail but at least you have a reply within one week, notary Hilde Rodriguez-Taekema on Aruba stated. "Families often wait until both parents and also grandmother have passed away to divide the possessions. However, if I then have to find out if

an aunt who passed away in 1990 had made a last will or not, I'm to contact the CTR Curaçao where everything should be kept up to date. If an office is not staffed continuously it causes considerable delays and transactions cannot be concluded." When the packages she sends to the CTR Curaçao are sometimes not even collected, it causes considerable resentment from both sides if a notary staff member submits a request with the CTR for the fifth time because the reply on the first four remained forthcoming.

"The notaries have discussed this often with the Tax Affairs Directorate but if nothing is done the situation won't change", Rodriguez-Taekema said. Every month the notary offices forward information sheets of new last wills and Rodriguez-Taekema wonders if that information is processed considering the irregular staffing and if the system is up to date. "The meticulousness and the legal security is at risk", the notary said.

## Gaps

However, according to Clarion Taylor, the leeway isn't that bad. "The CTR was manned up to January 24<sup>th</sup>, but it's correct that it doesn't function optimally. Furthermore, Tax Affairs was digitalizing data to improve the service." With the forthcoming complement of staff, the CTR will also tackle the 'gaps' (missing data). According to Taylor, this will be done together with the notary offices. If all goes well the register will function again within short.

The notary offices on Curaçao chose not to comment on the CTR-matter.