

THE CHARTER FOR THE KINGDOM OF THE NETHERLANDS

(Bulletin of Acts and Decrees 1954, no. 503), as last amended by Kingdom Act of 15 December 1994 (Bulletin of Acts and Decrees 1995, no. 1)

PREAMBLE

The Netherlands, the Netherlands Antilles and Aruba,
noting that in 1954 the Netherlands, Suriname and the Netherlands Antilles expressed freely their will to establish a new constitutional order in the Kingdom of the Netherlands, in which they will conduct their internal interests autonomously and their common interests on a basis of equality and will accord each other assistance, and resolved in consultation to adopt the Charter for the Kingdom;
noting that the ties with Suriname under the Charter were terminated as of 25 November 1975 by means of an amendment to the Charter by Kingdom Act of 22 November 1975, Bulletin of Acts and Decrees no. 617, Official Bulletin of the Netherlands Antilles no. 233;
considering that Aruba has expressed freely its will to accept the aforesaid constitutional order as a Country;
have resolved in consultation to adopt the Charter for the Kingdom as follows.

§ 1. General provisions

Article 1

The Crown of the Kingdom shall devolve by inheritance upon Her Majesty Queen Juliana, Princess of Orange-Nassau, and upon her lawful successors.

Article 2

1. The King shall reign over the Kingdom and over each of the Countries. He shall be inviolable. The Ministers shall be responsible.
2. The King shall be represented by the Governor in the Netherlands Antilles and Aruba. The powers, duties and responsibility of the Governor as representative of the

Government of the Kingdom shall be determined by Kingdom Act or, as the case may be, by order in council for the Kingdom.

3. Matters pertaining to the appointment and removal of the Governor shall be determined by Kingdom Act. The appointment or removal of the Governor shall be effected by the King as Head of the Kingdom.

Article 3

1. Without prejudice to provisions elsewhere in the Charter, Kingdom affairs shall include:

- a. maintenance of the independence and the defence of the Kingdom;
- b. foreign relations;
- c. Netherlands nationality;
- d. regulation of the orders of chivalry, the flag and the coat of arms of the Kingdom;
- e. regulation of the nationality of vessels and the standards required for the safety and navigation of seagoing vessels flying the flag of the Kingdom, with the exception of sailing ships;
- f. supervision of the general rules governing the admission and expulsion of Netherlands nationals;
- g. general conditions for the admission and expulsion of aliens;
- h. extradition.

2. Other matters may be declared to be Kingdom affairs in consultation.

Article 55 shall apply *mutatis mutandis*.

Article 4

1. Royal power in Kingdom affairs shall be exercised by the King as Head of the Kingdom.

2. Legislative power in Kingdom affairs shall be exercised by the legislative bodies of the Kingdom. Kingdom Bills shall be considered with due observance of the provisions of Articles 15 to 21 inclusive.

Article 5

1. The Monarchy and the succession to the Throne, the Organs of the Kingdom referred to in the Charter, and the exercise of royal and legislative power in Kingdom affairs shall be governed, if not provided for by the Charter, by the Constitution of the Kingdom.

2. The Constitution shall have regard to the provisions of the Charter.

3. Articles 15 to 20 inclusive shall apply to any proposal for amendment of the Constitution containing provisions concerning Kingdom affairs, as well as to the Bill stating the grounds for considering such a proposal.

§ 2 The conduct of Kingdom affairs

Article 6

1. Kingdom affairs shall be conducted in cooperation by the Netherlands, the Netherlands Antilles and Aruba, in accordance with the following provisions.

2. Wherever possible the Organs of the Countries shall participate in the conduct of these affairs.

Article 7

The Council of Ministers of the Kingdom shall be composed of the Ministers appointed by the King and the Ministers Plenipotentiary appointed by the Governments of the Netherlands Antilles and of Aruba.

Article 8

1. The Ministers Plenipotentiary shall act in the name of the Governments of their Countries, which shall appoint or remove them. They must be of Netherlands nationality.

2. The Government of the relevant Country shall provide for a deputy for the Minister Plenipotentiary in the event of absence. The provisions of the Charter with regard to the Minister Plenipotentiary shall apply *mutatis mutandis* to his deputy.

Article 9

1. Before assuming office the Minister Plenipotentiary shall, in the presence of the Governor, take an oath or make a promise of allegiance to the King and to the Charter. The form of the oath or promise shall be prescribed by order in council for the Kingdom.
2. A Minister Plenipotentiary who is in the Netherlands shall take the oath or make the promise in the presence of the King.

Article 10

1. The Minister Plenipotentiary shall participate in the deliberations of the Council of Ministers and of the permanent boards and special committees of the Council whenever Kingdom affairs are discussed which affect the Country in question.
2. The Governments of the Netherlands Antilles and of Aruba shall be entitled to appoint - if they see reason to do so in relation to a particular matter - a Minister, in addition to the Minister Plenipotentiary, to participate with an advisory vote in the deliberations referred to in the preceding paragraph.

Article 11

1. Proposals for the amendment of the Constitution containing provisions relating to Kingdom affairs shall affect the Netherlands Antilles and Aruba.
2. The defence of Netherlands Antillean or Aruban territory, and agreements or arrangements relating to any territory within their sphere of interest, shall be deemed to affect the Netherlands Antilles and Aruba respectively.
3. Foreign relations shall be deemed to affect the Netherlands Antilles or Aruba whenever the particular interests of the Netherlands Antilles or of Aruba are involved, or whenever arrangements are contemplated which may have significant consequences for such interests.
4. The determination of the contribution to the expenses referred to in Article 35 shall be deemed to affect the Netherlands Antilles and Aruba respectively.
5. Proposals for naturalization shall be deemed to affect the Netherlands Antilles and Aruba only if they relate to persons resident in the Country concerned.

6. The Government of the Netherlands Antilles or of Aruba may indicate Kingdom affairs which affect their respective Countries other than those mentioned in paragraphs 1 to 4.

Article 12

1. If the Minister Plenipotentiary of either the Netherlands Antilles or Aruba, indicating his reasons for expecting that a proposed instrument containing generally binding rules would be seriously detrimental to his Country, has declared that his Country could not be bound by such an instrument, the instrument may not be adopted in such a way as to apply to the Country concerned, unless such a course would be inconsistent with the Country's ties with the Kingdom.

2. If the Minister Plenipotentiary of either the Netherlands Antilles or Aruba has serious objections to the initial opinion of the Council of Ministers on the binding nature of the provision referred to in paragraph 1, or on any other matter in the consideration of which he has participated, deliberations thereon shall continue at his request, if necessary having regard to a time-limit to be determined by the Council of Ministers.

3. The deliberations referred to above shall be conducted by the Prime Minister, two Ministers, the Minister Plenipotentiary and a Minister or special representative to be designated by the Government concerned.

4. If both Ministers Plenipotentiary desire to participate in the continued deliberations, these deliberations shall be conducted by the Prime Minister, two Ministers and the two Ministers Plenipotentiary. Article 10, paragraph 2 shall apply *mutatis mutandis*.

5. The Council of Ministers shall take a decision in accordance with the result of the continued deliberations. If the opportunity for continued deliberations has not been utilized within the time-limit specified, the Council of Ministers shall decide.

Article 13

1. There shall be a Council of State of the Kingdom.

2. If the Government of the Netherlands Antilles or of Aruba so desires, the King shall appoint, in agreement with the relevant Government, a member to represent the Netherlands Antilles or Aruba respectively in the Council of State.

The said member shall not be removed without prior consultation with his Government.

3. The member of the Council of State for the Netherlands Antilles or for Aruba shall participate in the Council of State's proceedings whenever the Council or a division thereof is being heard on proposed Kingdom Acts or orders in council for the Kingdom which are to apply in the Netherlands Antilles or Aruba, or on other matters which, pursuant to Article 11, affect the Netherlands Antilles or Aruba.

4. Regulations concerning the said members of the Council of State which depart from the Council of State Act may be laid down by order in council for the Kingdom.

Article 14

1. Provisions regarding Kingdom affairs shall be laid down - if the matter in question is not regulated by the Netherlands Constitution and subject to international agreements and the provisions of article 3 - by Kingdom Act or, if appropriate, by order in council for the Kingdom. Such an Act or order in council may instruct or allow other organs to lay down further rules. In the case of the countries, the appropriate organs shall be the legislatures or the governments.

2. If the regulation of a matter is not to be effected solely by Kingdom Act, it may be effected by order in council for the Kingdom.

3. Provisions concerning Kingdom affairs which do not apply in either the Netherlands Antilles or Aruba shall be effected by Act of Parliament or order in council.

4. Persons resident in the Netherlands Antilles or Aruba shall be naturalized by or pursuant to a Kingdom Act.

Article 15

1. The King shall forward Bills for Kingdom Acts, at the same time as they are introduced in the States-General, to the representative assemblies of the Netherlands Antilles and Aruba.

2. If a Bill for a Kingdom Act was initiated by the States-General, the Bill shall be forwarded by the Lower House immediately following its introduction in the Lower House.

3. The Minister Plenipotentiary of the Netherlands Antilles or Aruba shall have the power to propose that the Lower House initiate a Kingdom Bill.

Article 16

The representative assembly of the Country in which the legislation is to apply shall be empowered, before the Bill is publicly debated in the Lower House, to examine the Bill and to issue a written report thereon, if necessary within a fixed time-limit.

Article 17

1. The Minister Plenipotentiary of the Country in which the legislation is to apply shall be afforded the opportunity to attend the debates on the Bill in the States-General and to furnish such information to the Upper and Lower House as he considers desirable.

2. The representative assembly of the Country in which the legislation is to apply may decide to designate, for the purposes of the debate on a particular Bill in the States-General, one or more special delegates who shall likewise be empowered to attend the debates and furnish information.

3. The Ministers Plenipotentiary and the special delegates shall be immune from any legal proceedings in respect of anything they say in or submit in writing to the meetings of the Upper or Lower House.

4. The Ministers Plenipotentiary and the special delegates shall be empowered to propose amendments to a Bill during the proceedings in the Lower House.

Article 18

1. Before a final vote is taken on any Kingdom Bill in the Upper and Lower House, the Minister Plenipotentiary of the Country in which the legislation is to apply shall have the opportunity to express his opinion on the Bill. If the Minister Plenipotentiary states his opposition to the proposal, he may request the House at the same time to postpone the vote till the following meeting. If, after the Minister Plenipotentiary has stated his opposition to the Bill, the Lower House adopts it with a majority of less than three-fifths of the number of votes cast, the proceedings shall be suspended and the Council of Ministers shall consider the Bill further.

2. If the meetings of the Upper or Lower House are being attended by special delegates, the power referred to in paragraph 1 shall devolve upon the delegate designated for the purpose by the representative assembly.

Article 19

Articles 17 and 18 shall apply *mutatis mutandis* to proceedings in joint session of the States-General.

Article 20

Further rules relating to the provisions of articles 15 to 19 may be laid down by Kingdom Act.

Article 21

If, in the event of war or in other exceptional circumstances in which immediate action is required, the King is of the opinion, after consultation with the Ministers Plenipotentiary of the Netherlands Antilles and Aruba, that it is impossible to await the result of the examination referred to in Article 16, a departure may be made from the provisions of that Article.

Article 22

1. The Government of the Kingdom shall ensure the publication of Kingdom Acts and orders in council for the Kingdom, which shall appear in the official bulletin of the Country where the legislation is to apply. The Governments of the Countries shall lend all the assistance necessary to that end.
2. Kingdom Acts and orders in council for the Kingdom shall enter into force on the date determined therein or pursuant thereto.
3. The terms of the publication of Kingdom Acts and orders in council for the Kingdom shall state that the provisions of the Charter for the Kingdom have been observed.

Article 23

1. The jurisdiction of the Supreme Court of the Netherlands in respect of legal cases in the Netherlands Antilles and Aruba shall be regulated by Kingdom Act.

2. If the Government of the Country concerned so requests, the said Kingdom Act shall provide for the addition of a member, an extraordinary member or an advisory member to the Court.

Article 24

1. Agreements with other powers and with international organizations which affect the Netherlands Antilles or Aruba shall be submitted to the representative assembly of the Netherlands Antilles or of Aruba at the same time as they are submitted to the States-General.

2. If an agreement has been submitted for the tacit approval of the States-General, the Ministers Plenipotentiary may, within the time-limit set for this purpose for the Upper and Lower Houses, communicate their wish that the agreement shall be subject to the express approval of the States-General.

3. The preceding paragraphs shall apply *mutatis mutandis* in respect of the denunciation of international agreements, with the proviso in the case of paragraph 1 that the representative assembly of the Netherlands Antilles or Aruba respectively shall be notified of the intended denunciation.

Article 25

1. The King shall not bind the Netherlands Antilles or Aruba to international economic or financial agreements if the Government of the Country, indicating the reasons for considering that this would be detrimental to the Country, has declared that the Country should not be bound by them.

2. The King shall not denounce international economic or financial agreements in respect of the Netherlands Antilles or Aruba if the Government of the Country, indicating the reasons for considering that a denunciation would be detrimental to the Country, has declared that denunciation should not take place with respect to that Country. An agreement may nevertheless be denounced if exclusion of the Country concerned from the denunciation is incompatible with the provisions of the agreement.

Article 26

If the Government of the Netherlands Antilles or Aruba communicates its wish for the conclusion of an international economic or financial agreement that applies solely to the Country concerned, the Government of the Kingdom shall assist in the conclusion of such an agreement, unless this would be inconsistent with the Country's ties with the Kingdom.

Article 27

The Netherlands Antilles or Aruba shall be consulted in the preparation of agreements with other Powers which affect either of them in accordance with Article 11. They shall also be involved in the implementation of agreements which affect them and by which they are bound.

Article 28

In accordance with international agreements entered into by the Kingdom, the Netherlands Antilles or Aruba may, if they so desire, accede to membership of international organizations.

Article 29

1. Loans outside the Kingdom in the name of or for the account of one of the Countries shall be contracted or guaranteed in agreement with the Government of the Kingdom.
2. The Council of Ministers shall agree to the contracting or guaranteeing of such loans, unless this would be contrary to the interests of the Kingdom.

Article 30

1. The Netherlands Antilles and Aruba shall lend such assistance and support to the armed forces within their territory as the latter require for the discharge of their task.
2. Provisions shall be laid down by country ordinance to ensure that the armed forces of the Kingdom stationed in the Netherlands Antilles or Aruba can discharge their task.

Article 31

1. Persons resident in the Netherlands Antilles or Aruba may be compelled to serve in the armed forces or to perform alternative civilian service only by country ordinance.

2. The Constitution may determine that persons subject to compulsory service in the army shall be sent elsewhere without their consent only pursuant to a country ordinance.

Article 32

The armed forces for the defence of the Netherlands Antilles or Aruba shall consist as far as possible of persons resident within the Country concerned.

Article 33

1. Requisitioning and use of property, restrictions on title and rights of use, the requisitioning of services and billeting for defence purposes shall be effected only with due regard to general rules to be laid down by Kingdom Act, which shall also contain provisions concerning compensation.

2. Whenever possible the said Kingdom Act shall instruct the authorities of the countries to issue further provisions.

Article 34

1. In the event of war or a threat of war or if a threat to or the disturbance of internal peace and order might seriously damage the Kingdom's interests, the King may, to maintain internal or external security, declare any part of the territory to be in a state of war or a state of emergency.

2. How such a declaration shall be made and the ensuing consequences provided for shall be determined by or pursuant to Kingdom Act.

3. Such legislation may determine that, and in what manner, powers of the civil authorities in respect of public order and the police shall be transferred, wholly or in part, to other civil authorities or to the military authorities and that, in the latter case, the civil authorities shall be subordinate to the military authorities. Whenever possible the Government of the Country concerned shall be consulted with regard to the transfer of powers. Such legislation may depart from provisions relating to the freedom

of the press and freedom of association and assembly, and from those relating to the inviolability of dwellings and correspondence.

4. In an area where in the event of war a state of emergency has been declared, military criminal law and military criminal jurisdiction may be declared wholly or partially applicable to any person, in a manner determined by Kingdom Act.

Article 35

1. The Netherlands Antilles and Aruba shall contribute, to an extent consonant with their resources, to the cost of maintaining the independence and the defence of the Kingdom, and to the cost of the conduct of other Kingdom affairs, to the extent that they benefit the Netherlands Antilles or Aruba respectively.

2. The contributions of the Netherlands Antilles and of Aruba referred to in paragraph 1 shall be determined by the Council of Ministers for one fiscal year or for a number of consecutive fiscal years. Article 12 shall apply *mutatis mutandis* with the proviso that decisions shall be taken unanimously.

3. If the contributions referred to in paragraph 2 are not determined in due time, the contributions determined for the previous fiscal year in accordance with that paragraph shall apply for a period not to exceed one fiscal year.

4. The preceding paragraphs shall not apply to the costs of measures for which special provision has been made.

§ 3. Mutual assistance, consultation and co-operation

Article 36

The Netherlands, the Netherlands Antilles and Aruba shall accord one another aid and assistance.

Article 36a

1. The Netherlands, the Netherlands Antilles and Aruba shall participate in a fund designed to maintain a proper standard of governance in the island territories of Bonaire, Saba and St Eustatius in the Netherlands Antilles.

2. Such a fund shall be established by Kingdom Act.

Article 37

1. The Netherlands, the Netherlands Antilles and Aruba shall consult wherever possible on all matters involving the interests of at least two Countries. To this end special representatives may be designated and joint bodies created.
2. The matters referred to in this Article shall include:
 - a. the promotion of cultural and social relations between the Countries;
 - b. the promotion of effective economic, financial and monetary relations between the Countries;
 - c. problems in respect of coinage and currency, banking and foreign exchange policy;
 - d. the promotion of economic resilience by means of mutual aid and assistance;
 - e. the conduct of professions and business in the Countries by Dutch nationals;
 - f. matters relating to aviation, including policy on unscheduled air transport;
 - g. matters relating to shipping;
 - h. cooperation in the field of telegraphic, telephone and radio communications.

Article 38

1. The Netherlands, the Netherlands Antilles and Aruba may enter into mutual arrangements.
2. They may decide by common consent that such arrangements and the modification thereof shall be laid down by Kingdom Act or order in council of the Kingdom.
3. Private law and criminal law matters of an interregional or international nature may be regulated by Kingdom Act, provided that the Governments of the Countries concerned agree to the provisions thereof.
4. Provision for the transfer of the registered offices of legal persons shall be made by Kingdom Act. Such provision must be approved by the Governments of the Countries.

Article 39

1. Civil and commercial law, the law of civil procedure, criminal law, the law of criminal procedure, copyright, industrial property, the office of notary, and provisions

concerning weights and measures shall be regulated as far as possible in a similar manner in the Netherlands, the Netherlands Antilles and Aruba.

2. Any proposal for drastic amendment of the existing legislation in regard to these matters shall not be submitted to or considered by a representative assembly until the Governments in the other countries have had the opportunity to express their views on the matter.

Article 40

Judgments given and warrants issued by courts in the Netherlands, the Netherlands Antilles and Aruba, and engrossments of authentic acts issued by them, may be enforced throughout the Kingdom, with due observance of statutory provisions in the Country of enforcement.

§ 4. The constitutional organization of the Countries

Article 41

1. The Netherlands, the Netherlands Antilles and Aruba shall conduct their internal affairs autonomously.
2. The interests of the Kingdom shall be a matter of common concern to the Countries.

Article 42

1. Within the Kingdom, the constitutional organization of the Netherlands is set forth in the Constitution, and that of the Netherlands Antilles and Aruba in their respective Constitutions.
2. The Constitutions of the Netherlands Antilles and of Aruba are established by country ordinance. Any proposal for the amendment of the Constitutions shall explicitly describe the proposed amendment. The representative assemblies shall adopt a Bill for a country ordinance of this kind only by a two-thirds majority of the votes cast.

Article 43

1. Each of the Countries shall promote the realization of fundamental human rights and freedoms, legal certainty and good governance.

2. The safeguarding of such rights and freedoms, legal certainty and good governance shall be a Kingdom affair.

Article 44

1. Any country ordinance amending a Constitution with regard to:

- a. articles relating to fundamental human rights and freedoms;
- b. provisions relating to the powers of the Governor;
- c. articles relating to the powers of the representative assemblies of the Countries;
- d. articles relating to the administration of justice,

shall be submitted to the Government of the Kingdom. Such country ordinances shall not enter into effect until the Government of the Kingdom has signified its agreement.

2. The provisions of paragraph 1 shall also apply to any country ordinance amending the Constitution of the Netherlands Antilles with regard to the allocation of seats in the representative assembly of the Netherlands Antilles to the various island territories and with regard to provisions concerning the island territories.

3. Bills for country ordinances as referred to in the preceding paragraphs shall not be submitted to the representative assembly or be examined by the assembly if it has initiated such a Bill, until the opinion of the Government of the Kingdom has been obtained.

Article 45

Amendments to the Constitution with regard to:

- a. articles relating to fundamental human rights and freedoms;
- b. provisions relating to the powers of the Government;
- c. articles relating to the powers of the representative assemblies;
- d. articles relating to the administration of justice,

shall be deemed - without prejudice to the provisions of Article 5 - to affect the Netherlands Antilles and Aruba within the meaning of Article 10.

Article 46

1. The representative assemblies shall be elected by Netherlands nationals who are residents of the Country concerned and have attained an age to be determined by the

Countries, which should not exceed 25 years. Each voter shall cast only one vote. Elections shall be free and by secret ballot. In case of necessity the Countries may impose restrictions. Any Netherlands national shall have the right to stand for election, subject to such requirements of residence and age as the Countries may define.

2. The Countries may award to Netherlands nationals who are not residents of the Country concerned the right to vote in elections for the representative assemblies, and to residents of the Country concerned who are not Netherlands nationals the right to vote and stand in elections for the representative assemblies, provided in the case of all the foregoing that the requirements for residents who are Netherlands nationals are observed.

Article 47

1. Before taking office the Ministers and the members of the representative assemblies in the Countries shall swear or promise allegiance to the King and the Charter.

2. The Ministers and the members of the representative assemblies in the Netherlands Antilles and Aruba shall take the oath, or make the promise, in the presence of the King's representative.

Article 48

The Countries shall take account of the provisions of this Charter in their legislation and administration.

Article 49

Rules may be established by Kingdom Act with regard to the binding force of legislative measures which are inconsistent with the Charter, an international instrument, a Kingdom Act or an order in council for the Kingdom.

Article 50

1. Legislative and administrative measures in the Netherlands Antilles and Aruba which are inconsistent with the Charter, an international instrument, a Kingdom Act or an order in council for the Kingdom, or with interests whose promotion or protection is

a Kingdom affair, may be suspended and annulled by the King as Head of the Kingdom by virtue of a decree stating reasons. The recommendation for annulment shall be made by the Council of Ministers.

2. This matter shall be regulated for the Netherlands, if necessary, in the Constitution.

Article 51

1. If any organ in the Netherlands Antilles or in Aruba does not or does not adequately perform its duties as required by this present Charter, an international instrument, a Kingdom Act or an order in council for the Kingdom, the measures to be taken may be determined by Kingdom Act, setting forth the legal grounds and the reasons on which it is based.

2. This matter shall be regulated for the Netherlands, if necessary, in the Constitution.

Article 52

With the assent of the King, a country ordinance may confer upon the King as head of the Kingdom and upon the Governor as an organ of the Kingdom, powers with respect to Country affairs.

Article 53

If the Netherlands Antilles or Aruba so wish, the independent supervision of the expenditure of funds under the budgets of the Netherlands Antilles and the island territories or of Aruba may be exercised by the Netherlands Court of Audit. In that event, after consultation with the Court of Audit, rules shall be established by Kingdom Act governing cooperation between the Court of Audit and the territory concerned. The Government of that Country shall be empowered to appoint, on the nomination of its representative assembly, a person who shall have the opportunity to attend deliberations on all affairs of the relevant territory.

§ 5 Transitional and final provisions

Article 54

(Rescinded.)

Article 55

1. Amendments to this Charter shall be effected by Kingdom Act.
2. A Bill for an amendment passed by the States-General shall not be approved by the King until it has been accepted by the Netherlands Antilles and Aruba. This acceptance shall be enacted by country ordinance. Such a country ordinance shall not be adopted until it has been approved by the States of the countries in two readings. If the draft is passed at the first reading by two-thirds of the votes cast, it shall be deemed approved forthwith. The second reading shall take place within one month after the Bill has passed the first reading.
3. If and in so far as a Bill for the amendment of this Charter is at variance with the Constitution, the Bill shall be dealt with in the manner provided for in the Constitution in respect of proposed amendments to the Constitution, with the proviso that the two Houses may adopt the proposed amendment in the second reading by an absolute majority of the votes cast.

Article 56

Authorities, binding legislation, ordinances and decrees existing on the date of entry into force of the Charter shall remain in effect until they have been replaced by others pursuant to this Charter. In so far as the Charter provides otherwise with respect to any matter, the terms of the Charter shall prevail.

Article 57

Acts and ordinances applicable to the Netherlands Antilles shall acquire the status of Kingdom Act or order in council for the Kingdom respectively with the proviso that, if they can be amended by country ordinance pursuant to the Charter, they shall acquire the status of country ordinance.

Article 58

Aruba may declare by country ordinance that it wishes to terminate the constitutional order enshrined in the Charter in respect of Aruba.

2. A Bill for such a country ordinance shall be accompanied on its submission by an outline of a future constitution, containing in any event provisions on fundamental rights, government, the representative assembly, legislation and administration, the administration of justice and amendments to the Constitution.

3. The States may only approve such a Bill with a majority of two thirds of the sitting members.

Article 59

1. Within six months of the approval by the States of Aruba of the Bill referred to in Article 58, a referendum to be regulated by country ordinance shall be held, at which those entitled to vote in elections to the States may express their opinion on the Bill.

2. The Bill shall not be enacted as a country ordinance until it has received the approval of a majority of the voters in a referendum.

Article 60

1. Once the country ordinance has been enacted in accordance with Articles 58 and 59 and once the future constitution has been approved by the States of Aruba with a majority of at least two thirds of the sitting members, the date on which the government of Aruba feels that the constitutional order should be terminated in respect of Aruba shall be determined by Royal Decree.

2. This date shall be no more than a month after the constitution has been adopted, which in turn shall be no more than a year after the date of the referendum referred to in Article 59.

Article 61

The Charter shall enter into force on the date of its ceremonial promulgation, after approval by the King. Prior to its approval the Charter must be accepted in respect of the Netherlands in the manner provided for in the Constitution; in respect of Suriname and the Netherlands Antilles by decision of the representative assemblies. Such a decision shall require two-thirds of the votes cast. If such a majority is not obtained the States shall be dissolved and the decision shall be effected by the new States by an absolute majority of the votes cast.

Article 62
(Rescinded)