



Employers



SZV
Social & Health Insurances
HAS THE ANSWERS!

Company Registration

All employers are required by law (in accordance to the Sickness Insurance and Accident Insurance Ordinances) to register at SZV. You qualify as an employer, if you employ one (1) or more persons, meaning that they work for you and receive wages. There are two possibilities for employing persons:

- You are established in Sint Maarten and your employees work for you in Sint Maarten;
- You are established in Sint Maarten and your employees work for you outside of Sint Maarten.
- You are a foreign company but have employees work for you in Sint Maarten.

An employer can be a natural person (such as an individual, called a sole proprietor), or a legal entity (such as a corporation, an N.V. or a B.V.)

Who

The director, or in case of a sole proprietorship, the owner, of the company can do the registration personally or he/she can authorize someone to perform this task.

Authorization is done by submitting a letter stating the name and date of birth of the person being authorized (note: other information can also be requested if an accountant is authorized for example). This letter should also include the level to which the person is authorized to act on behalf of the director and a copy of the director's valid identification document. This can be: a valid Sint Maarten ID card, a valid driver's license or, a valid passport.

Please note:

The authorization letter cannot be emailed or faxed. The original authorization letter needs to be submitted at SZV.

Procedure

1. Make an appointment with SZV.
2. Bring along all the required documents to process the registration.

What to bring

If you are registering a Sole Proprietorship, a Foundation, a Cooperation or Limited Liability or a Limited Private Company (NV or BV), you need to bring the following documents:

- An excerpt of the sole proprietorship, foundation or company from the Registry of the Chamber of Commerce (not older than 6 months).
- The articles of Incorporation (note: this is not applicable to the sole proprietorship).
- A statement from the Inspectorate of Taxes, including your company name, address and crib number; the sole proprietorship has to submit an Income Tax statement from the Inspectorate of Taxes which includes the business address and crib number of the sole proprietor.
- A copy of the director(s) or sole proprietor's valid identification document. This can be: a valid Sint Maarten ID card, a valid driver's license or, a valid passport.
- If the sole proprietor is not an Antillean born Dutch person, a copy of the business license.
- The company's/sole proprietor's bank used and the account number
- If applicable, the original authorization letter for someone else representing the company at SZV.
- If applicable, the mutation (white) form with your first list of employees including a copy of their valid identification document. This can be: a valid Sint Maarten ID card, a valid driver's license or, a valid passport.

FAQ's

Can I register my company online?

No, you must make an appointment to come in personally so that the registration can be properly processed.

Can I submit a certified copy of the notarial deed of my company?

Yes, but make sure that the copy is certified (signed and stamped by the notary).

How long will it take before my company is registered and my employees are insured?

It will take approximately 15 minutes, if all required documents are submitted.

Why are my employees insured and not

myself as a sole-proprietor?

The Sickness Insurance Ordinance as well as the Accident Ordinance specifically states that a sole proprietor and his/her spouse are not covered under these Ordinances.



Company Deactivation

When your company ceases operations or is made inactive, you must inform SZV immediately, so that we can deactivate your company in our system. Thereby eliminating the possibility that you will continue to be charged for the social premiums and receive assessments and other notifications from SZV.

Who

The owner/director of the company can personally visit SZV to request the deactivation of the company or he/she can authorize someone else to perform this task on his/her behalf.

Authorization is done by submitting a letter stating the name and date of birth of the person being authorized (note: other information can also be requested if an accountant is authorized for example). This letter should also include the level to which the person is authorized to act on behalf of the director and a copy of the director's valid identification document. This can be: a valid Sint Maarten ID card, a valid driver's license or, a valid passport.

Please note:

The authorization letter cannot be emailed or faxed. The original authorization letter needs to be submitted at SZV.

Procedure

1. You must first deactivate the company at the Chamber of Commerce.
2. Thereafter, come to SZV (either by walk-in or through an appointment) with the excerpt (T-form) that you have obtained from the Chamber of Commerce, stating the date of de-activation.

Please note:

The deactivation cannot be done online, by phone or through email, you must personally visit SZV.

What to bring

- A valid identification document. This can be: a valid Sint Maarten ID card, a valid driver's license or, a valid passport.
- An excerpt from the Chamber of Commerce stating the date of de-activation.
- If applicable, a copy of the bankruptcy court verdict.

FAQ's

What to do when the owner has died in case of a sole-proprietorship?

The death certificate must be presented to SZV. The company will be terminated as of the date of death of the sole-proprietor.

What to do when the owner of a sole-proprietorship has emigrated?

If the sole proprietor is no longer assessed for income taxes as being a resident of Sint Maarten, he/she can no longer be considered a sole-proprietor and therefore as of that date, the company will cease to exist. Proof of such has to be submitted to SZV.

What to do when I am declared bankrupt?

You need to proceed with the same deactivation process as described above. If applicable, be sure to bring along the bankruptcy court verdict and notice.

Why am I being assessed if I de-registered all my employees already?

Submitting a mutation to de-register all your employees does not de-activate your company. The company is still active. Therefore, you need to submit monthly declarations even if they are zero. Failure to do so will result in assessments automatically being produced for and charged to your company.

Employer Mutation

You must inform SZV of the following changes regarding your company:

- Change of address.
- Change of telephone number.
- Change of contact e-mail.
- All changes in banking instructions (name of bank, account number, transfer instructions).
- Change of director(s) of company / authorized representative(s).
- Change in activities of the company.
- Deactivation of the company.

Who

The owner/director of the company or an authorized representative.

Authorization is done by submitting a letter stating the name and date of birth of the person being authorized (note: other information can also be requested if an accountant is authorized for example). This letter should also include the level to which the person is authorized to act on behalf of the director and a copy of the director's valid identification document. This can be: a valid Sint Maarten ID card, a valid driver's license or, a valid passport.

Procedure

Make an appointment and visit SZV with the required documents to process the change(s) within 2 days of the change(s) having occurred.

What to bring

- A valid identification document. This can be: a valid Sint Maarten ID card, a valid driver's license or, a valid passport.
- An excerpt from the Registry of the Chamber of Commerce (not older than 6 months).
- If applicable, a copy of the revised articles of association
- If applicable, a letter from the company stating change of the authorized representative(s) or banking instructions.



Employee Mutation

You must inform SZV of the following changes regarding your employees:

- Changes in wages.
- Changes in the number of working hours per day.
- Changes in the number of working days per week.
- Changes in the contract duration.
- New contract information.
- Terminations.

Failure to do so, will lead to:

- Your company being liable for a penalty fee for late submission.
- Your employees not being assisted until an updated mutation form is submitted.
- In case of termination, you are liable for the social premiums of your registered employees (including during their registered open contract period) even if they are no longer employed at your company.
- Incorrect or incomplete amount of loss of wages.

Who

The employer is responsible for submitting mutations of its employees.

Procedure

1. You must fill out the employee mutation form accurately and completely, then sign it.
2. Attach copies of a valid identification document. This can be: a valid Sint Maarten ID card, a valid driver's license or, a valid passport. of all employees mentioned on the form that are commencing their employment with your company.
3. Submit the form either in person at the Employers Desk or by dropping it off in the designated drop box.

Please note:

- The mutation form needs to be submitted:
 - a) within 2 working days after the change occurred for commencements and terminations.
 - b) before the 15th of the following month if the change occurred for all other changes/mutations.
- The employee mutation form needs to be signed by an authorized person/representative.
- You cannot submit the form via email or fax. It must be delivered in person at the Employers Desk or deposited in the drop box.



Loss of Wages

1. The employer has the right to receive loss of wages compensation under the Sickness Insurance Ordinance for his employee, if:
 - The employee is sick due to illness for more than three (3) days and is unable to perform his/her duties.
 - The illness was confirmed by the Control Doctor of SZV by signing the Yellow Card.

Please note:

- If the period of illness is three (3) days or less, the employer has no right to receive a loss of wages compensation. In other words, only if the period of illness is longer than three (3) days, will the employer receive the loss of wages compensation (80% of the daily wages) from the first (1st) day of the period of illness.
 - For the employer to be entitled to loss of wages compensation, the Control Doctor of SZV must confirm the illness of an employee by signing the Yellow Card.
 - The employer will lose his right to collect loss of wages, if he has not submitted a written request for loss of wages to which he is entitled to, within two years that the loss of wages becomes payable.
2. The employer has the right to receive loss of wages compensation under the Accident Insurance Ordinance for his employees if:
 - The employee is unfit to perform his/her duties due to an accident on the job ("bedrijfsongeval").

Please note:

- For the employer to be entitled to loss of wages compensation, the Control Doctor of SZV must confirm the disability of an employee by signing the Accident on the Job claim form.
- The employer will lose his right to collect loss of wages, if he has not submitted a written request for loss of wages to which

he is entitled within two years of his right to the loss of wages becoming payable.

The duration of the loss of wages compensation under the Accident Insurance Ordinance is dependent on the report of the Control Doctor of SZV and will be paid in the following manner:

- a. 100% of the insured daily wages during the first (1st) year.
- b. 80% of the insured daily wages during the subsequent years, if the employee remains 100% unable to perform his/her duties due to the accident.
- c. In the event that the employee remains partially or completely permanent disabled, the employee will receive an accident insurance benefit in accordance with the occupational disability percentage.

This accident insurance benefit will be paid up to the maximum of the wage limit of the Sickness Insurance Ordinance. If an employee earns more than the maximum wage mentioned in the Sickness Insurance Ordinance, the insurance benefit is capped at this wage limit.

The procedure to request for loss of wages, is as follows:

1. Accurately and completely fill out the loss of wages request form from SZV (this form is available via our website or can be picked up at SZV) or write your own letter requesting the loss of wages payment.
2. Submit this form or the request letter to SZV.
3. If approved, upon payment SZV will provide you with a detailed overview of all employees for whom the wage loss was calculated.

FAQ's

What do I need to do if my employee is still sick with the same illness after 2 years and my company has lost the right to receive loss of wages for him/her based on the Sickness Insurance Ordinance?

You can no longer claim the loss of wages from SZV as the right to receive the loss of wages payment for the same illness has expired. This means that you as the employer will be responsible for paying out the wages to the employee from that moment onwards without getting compensated for it by SZV.

SZV advises you to visit the Labor Office or seek Legal advice to find out your options in these circumstances.

In case of an accident on the job ("bedrijfs-ongeval"), the duration of the loss of wages compensation to your employer depends on the report of the Control Doctor of SZV and the official decision taken by SZV based upon that report.

This accident insurance benefit will be paid up to the maximum of the wage limit of the Sickness Insurance Ordinance. If an employee earns more than the maximum wage mentioned in the Sickness Insurance Ordinance, the insurance benefit is capped at this wage limit.



ZV and OV Declarations

All employers need to deliver the ZV and OV declaration form to SZV no later than the 15th of each calendar month, following the calendar month for which you are submitting the declaration.

Please note:

- Even if you have no employees working for you, you still have the obligation to submit the ZV and OV declaration form to SZV. You will then have to submit a zero declaration.

Who

The employer.

Procedure

1. You must visit SZV no later than the 15th of the calendar month, following the month for which you are submitting the declaration. The cashiers' desk is open from Monday till Friday from 7:30 AM to 15:00 PM.
2. There you must submit an accurately and properly filled out ZV and OV declaration form.
3. In case of you have to make payment at the counter of the SZV, please submit your payment along with the ZV and OV declaration form and you will receive a printed receipt as proof of payment. In case of payment via a bank transfer, your bank statement will be your proof of payment.

Please note:

- We strongly suggest that you make a copy of your ZV and OV declaration form for your files.
- If your payment of the ZV and OV is late or your ZV and OV declaration is completely or partially incorrect, the "non- or insufficient declared and paid premiums" will be corrected via an additional assessment. This additional assessment will be increased with a fine. SZV determines the fine(s) with regards to the ZV and OV premiums and the

Inspectorate of Taxes determines the fine(s) with regards to the AOV and AWW premiums. Fines can go up to a maximum of 20% of the original amount.

What to bring

- An accurately and completely filled out ZV and OV declaration form and a copy of the form.
- If applicable, bring cash or a check for payment.

FAQ's

Can I pay via my bank?

Yes, you can process payment to the following bank accounts:

WIB: 87227300

RBC: 820000040392627

In the name of the "Uitvoeringsorgaan Sociale en Ziektekosten Verzekeringen" (SZV).

Protest and Appeal

If you do not agree with an assessment for the ZV and OV premium received from the SZV, you have the right to submit:

- A protest letter to the director of SZV against this assessment.
- File a court appeal at the Court of First Instance in Sint Maarten.

Who

The employer receiving the assessment.

Procedure

The procedure for a Protest:

1. Draft a written and signed protest letter, clearly stating the assessment number, your SZV and CRIB number, the reason for your protest and the decision which, according to you, SZV should take. You can also use the [SZV objection form](#) which can be found on our website: www.szv.sx
2. Submit the protest letter to SZV within fifteen (15) days after the date that the assessment was issued.
3. Make sure to include any relevant supporting documentation with your protest letter.

The procedure for an Appeal:

1. Draft a written appeal letter, clearly stating the reason for your appeal and the decision which, according to you, SZV should take
2. Submit the appeal letter at the Court of First Instance in Sint Maarten within six (6) weeks after the date that you received the decision on your protest letter. Make sure to submit your appeal letter in duplicate.
3. Court fees will be levied by the Court of First Instance in Sint Maarten, when submitting your appeal letter.

Please note:

- The complete procedure for protest and appeal is also detailed at the back of the assessment.

- There are no costs involved with the protest procedure.
- Court fees will be levied by the Court of First Instance in Sint Maarten, when submitting the appeal letter.


What to bring


N/A

FAQ's


Is the procedure to protest a assessment for AOV and AWW premium the same?

No, for the AOV and AWW premium you need to submit a protest letter to the Inspectorate of Taxes. Subsequently you must request "a deferral of payment" at SZV, whereby submitting a copy of your protest letter/form stamped by the Inspectorate of Taxes (note: you can also submit a stamped copy of your protest letter/form by post mail or E-mail). SZV will then assign a payment deferral.



 Harbour View Building,
Sparrow Road 4,
Philipsburg, St. Maarten

 Call us: +1(721)546-6782

 E-mail us: info@szv.sx

 SZV Social & Health insurances

 www.szv.sx