

BELIZE

PREVENTION OF CRIMES ACT
CHAPTER 106

REVISED EDITION 2020

SHOWING THE SUBSTANTIVE LAWS AS AT
31ST DECEMBER, 2020

This is a revised edition of the Substantive Laws, prepared by the Law Revision Commissioner under the authority of the Law Revision Act, Chapter 3 of the Substantive Laws of Belize, Revised Edition 2020.



BELIZE

PREVENTION OF CRIMES ACT
CHAPTER 106

REVISED EDITION 2020

SHOWING THE SUBSTANTIVE LAWS AS AT
31ST DECEMBER, 2020

This is a revised edition of the Substantive Laws, prepared by the Law Revision Commissioner under the authority of the Law Revision Act, Chapter 3 of the Substantive Laws of Belize, Revised Edition 2020.

CHAPTER 106

PREVENTION OF CRIMES

ARRANGEMENT OF SECTIONS

1. Short title.
2. Special offences by persons twice convicted of crime.
3. Power to search for stolen property.
4. Warrant or conviction not to be quashed for want of form.
5. Evidence of previous conviction.

[Printed by Authority of the Government of Belize]

CHAPTER 106

PREVENTION OF CRIMES

Ch. 28,
R.L., 1958.
CAP. 97,
R.E. 1980-1990.

[31st March, 1925]

Short title.

1. This Act may be cited as the Prevention of Crimes Act.

Special offences by persons twice convicted of crime.

2.-(1) When any person is convicted in any court of a crime involving dishonesty, and a previous conviction for a crime involving dishonesty is proved against him, he shall at any time within seven years immediately after the expiration of the sentence passed upon him for the last of such crimes be guilty of an offence, and be liable on summary conviction to imprisonment for a term not exceeding one year, under the following circumstances or any of them,

(a) if, on being charged by a police officer with getting his livelihood by dishonest means, and being brought before a court of summary jurisdiction, it appears to such court that there are reasonable grounds for believing that the person so charged is getting his livelihood by dishonest means; or

(b) if he is found in any place, whether public or private, under such circumstances as to satisfy the court before which he is brought that he was about to commit or to aid in the commission of any offence punishable in any court, or was waiting for an opportunity to commit or aid in the commission of any offence punishable in any court; or

[Printed by Authority of the Government of Belize]

(c) if he is found in or upon any dwelling house, or any building, yard or premises, being part of or attached to such dwelling house, or in or upon any shop, warehouse, counting-house or other place of business, or in any park, garden or pleasure ground, or in any building or erection in any park, garden or pleasure ground, without being able to account to the satisfaction of the court before which he is brought for his being found on such premises.

(2) Every person charged with being guilty of any offence mentioned in subsection (1) of this section may be taken into custody as follows,

(a) in the case of an offence mentioned in paragraph *(a)* of sub section (1) of this section, by any police officer without warrant if such police officer is authorised to do so by the Chief Officer of Police of his district;

(b) in the case of an offence mentioned in paragraph *(b)* of subsection (1) of this section, by any police officer without warrant although such police officer is not specially authorised to take him into custody;

(c) in the case of an offence mentioned in paragraph *(c)* of subsection (1) of this section, without warrant by any police officer or by the owner or occupier of the property on which he is found, or by the servants of the owner or occupier, or by any other person authorised by the owner or occupier, and may be detained until he can be delivered into the custody of a police officer.

Power to search for stolen property.

3.-(1) Every police officer may, under the circumstances in this section mentioned, be authorised in writing by any police

[Printed by Authority of the Government of Belize]

officer not below the rank of sergeant, or in charge of any police station, to enter, and if so authorised may enter any house, shop, warehouse, yard or other premises in search of stolen property, and search and seize and secure any property he may believe to have been stolen, in the same manner as he would be authorised to do if he had a search warrant, and the property seized, if any, corresponded with the property described in such search warrant.

(2) In every case in which any property is seized in pursuance of this section the person on whose premises it was at the time of seizure, or the person from whom it was taken if other than the person on whose premises it was, shall, unless previously charged with receiving the same knowing it to have been stolen, be summoned before a court of summary jurisdiction to account for his possession of such property, and the court shall make such order respecting the disposal of the property, and may award such costs as the justice of the case may require.

(3) Any police officer not below the rank of sergeant, or in charge of any police station may give authority under this section in the following cases, or either of them,

(a) when the premises to be searched are, or within the preceding twelve months have been, in the occupation of any person who has been convicted of receiving stolen property or of harbouring thieves; or

(b) when the premises to be searched are in the occupation of any person who has been convicted of any offence involving fraud or dishonesty, and punishable by imprisonment.

(4) It shall not be necessary for a police officer on giving such authority to specify any particular property, but he may give authority if he has reason to believe generally that the premises are being made a receptacle for stolen goods.

[Printed by Authority of the Government of Belize]

Warrant or conviction not to be quashed for want of form.

4. No warrant or conviction in respect of any offence against this Act shall be quashed for want of form, and the court before which any question relating to the validity of any such warrant or conviction is brought may amend the warrant or conviction if it is of the opinion that there was sufficient evidence before the court by which the warrant was issued or conviction made to justify the issue of the warrant or making of such conviction.

Evidence of previous conviction.

5.-(1) A previous conviction may be proved in any legal proceeding whatever against any person by producing a record or extract of the conviction, and by giving proof of the identity of the person against whom the conviction is sought to be proved with the person appearing in the record or extract of conviction to have been convicted.

(2) A record or extract of a conviction shall in the case of an indictable offence consist of a certificate containing the substance and effect only, omitting the formal part of the indictment and conviction, and purporting to be signed by the Registrar or other officer having the custody of the records of the court by which such conviction was made, or purporting to be signed by the deputy of such officer, and in the case of a summary conviction shall consist of a copy of the conviction purporting to be signed by any magistrate having jurisdiction over the offence in respect of which such conviction was made, or to be signed by the proper officer of the court by which the conviction was made, or by the clerk or other officer of any inferior court to which such conviction has been returned.

(3) A record or extract of any conviction made in pursuance of this section shall be admissible in evidence without proof of the signature or official character of the person appearing to have signed the same.

(4) A previous conviction in any one part of Belize may be proved against a prisoner in any other part of Belize.

[Printed by Authority of the Government of Belize]

(5) The mode of proving a previous conviction authorised by this section shall be in addition to, and not in exclusion of, any other authorised mode of proving such conviction.

[Printed by Authority of the Government of Belize]