



**BELIZE**

**IMMIGRATION ACT  
CHAPTER 156**

**REVISED EDITION 2020**

**SHOWING THE SUBSTANTIVE LAWS AS AT  
31<sup>ST</sup> 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.

This edition contains a consolidation of amendments made to the law by Acts No. 1 of 2014, No. 13 of 2016, No. 46 of 2017, No. 10 of 2018, No. 18 of 2020 and No. 28 of 2020.





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**CHAPTER 156**

**IMMIGRATION**

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*[1st January, 1958]*

**PART I***Preliminary*

- Short title. **1.** This Act may be cited as the Immigration Act.
- Interpretation. **2.**—(1) In this Act, unless the context otherwise requires—  
 “alien” means a person who is neither a citizen of Belize nor a Commonwealth citizen;
- 28 of 2020. “Caribbean Community State” means a State which is a member of the Caribbean Community and a party to The Revised Treaty

of Chaguaramas establishing the Caribbean Community including the CARICOM Single Market and Economy;

“Caribbean Community skilled person” means a national who is the holder of a qualification or performs an occupation as set out in the First Schedule to the Caribbean Community (Free Movement of Skilled Persons) Act; 28 of 2020.  
CAP. 17:02.

“department” means the Border Management and Immigration Services Department; 28 of 2020.

“departs” or “leaves” includes departure or leaving by any form of conveyance or on foot and references to departure and leaving shall, unless the context otherwise implies, be deemed to include references to attempting to depart or leave;

“dependant” in relation to a national of a Caribbean Community State means— 28 of 2020.

- (a) the spouse of the national;
- (b) an unmarried adopted child of the national who was adopted in a manner recognised by the law, or an unmarried child or step-child of the national, who is—
  - (i) under the age of eighteen;
  - (ii) under the age of twenty-five and attending school or university as a full time student; or
  - (iii) over the age of seventeen and who, due to disability, is wholly dependent on the national;
- (c) a parent or grandparent of the national, who is wholly dependent on the national; or

(d) any other natural person certified as a dependant, by order of the Court.

10 of 2018.

“Director” means the person appointed by the Governor-General acting in accordance with the advice of the Prime Minister as the head of the government department responsible for border management and immigration, to be known as the Department of Border Management and Immigration Services ;

“domicil” means the place in which a person has his present home or in which he resides or to which he returns as his place of present permanent abode and not for a mere special or temporary purpose;

“emigrant” means a person who leaves Belize for a place outside Belize, whether for the first or at any subsequent time;

“immigrant” means a person who enters Belize from a place outside Belize, whether for the first or at any subsequent time;

“immigration officer” means an immigration officer appointed under this Act, the Senior Immigration Officer, or any police officer authorised by the Director to act on his behalf, and includes where the context permits the Director;

“lands” or “enters” includes arrival or entry by any form of conveyance or on foot or by swimming, and references to landing or entering shall, unless the context otherwise implies, be deemed to include references to attempting to land;

“master” means the person having command or charge of a vessel;

28 of 2020.

“Minister” means the Minister responsible for immigration;

28 of 2020.

“National” in relation to a person from a Caribbean Community State means–

(a) a person–

- 
- (i) who is a citizen by birth, descent or naturalization of; or
  - (ii) belonging to,  
  
a qualifying Caribbean Community State within the meaning of the laws of that State; or
- (b) a person who—
- (i) is a citizen of that State;
  - (ii) has a connection with that State of a kind which entitles him to be regarded as belonging to or, if it be so expressed, as being a native of the State for the purposes of the laws relating to immigration; or
  - (iii) is a company or other legal entity constituted in the Member State in conformity with the laws of the State and which that State regards as belonging to it, provided that such company or other legal entity has been formed for gainful purposes and has its registered office and central administration, and carries on substantial activity, within the Community and which is substantially owned and effectively controlled by persons mentioned in sub-paragraphs (i) and (ii);
- (c) an economic enterprise, including any type of organisation for the production of or trade in goods or the provision of services, other than a non-profit organisation, owned or controlled

by any person or entity mentioned in sub-paragraph (a); or

- (d) a company or other legal entity that is—
- (i) substantially owned if more than 50 per cent of the equity interest of the company or legal entity is beneficially owned by nationals mentioned under sub-paragraph (a);
  - (ii) effectively controlled, if nationals mentioned under sub-paragraph (a) have the power to name a majority of its directors or otherwise legally to direct its actions;

“passport” means a valid passport referring to the person producing it, furnished with a photograph of such person and duly issued to him by or on behalf of the Government of the country of which he is a subject or a citizen, and for a period which, according to the laws of that country, has not expired, and includes a certificate of identity or a travel permit and any other documents establishing to the satisfaction of the immigration officer the nationality and identity of the person or persons to whom it refers;

28 of 2020. “qualifying certificate” means a certificate of recognition of Caribbean Community skills issued by a Caribbean Community State;

28 of 2020. “spouse” includes—

- (a) in relation to a woman, a man who is living with or has lived with the woman as her husband, for a period of not less than five years, neither person being married to anyone else or each other, immediately preceding the date of the application under this Act; or

- (b) in relation to a man, a woman who is living with or has lived with the man as his wife, for a period of not less than five years, neither person being married to anyone else or each other, immediately preceding the date of the application under this Act;

“step-child” means the child of one’s spouse;

28 of 2020.

“stowaway” means any person arriving in Belize on board any vessel who, by secreting himself on board the vessel, or by getting or remaining on board the same without the consent of the owner, consignee, master or other person entitled to give that consent, has obtained a passage on the vessel without having paid for it;

“Treaty” means The Revised Treaty of Chaguaramas establishing the Caribbean Community including the CARICOM Single Market and Economy;

28 of 2020.

“vessel” includes any steamship, ship, vessel, sloop, boat or other floating craft and any description of aircraft, motor vehicle or any animal drawn cart.

(2) For the purposes of this Act—

- (a) a person shall not be deemed to have acquired a domicile in Belize unless he has resided therein for at least two years otherwise than—
- (i) under terms of conditional or temporary residence permitted by this Act or any other enactment in Belize;
  - (ii) as a person under detention in a prison or reformatory, or other place for the reception of prisoners found guilty of offences; or

(iii) as a person under detention in an orphanage, mental hospital or a leprosy asylum;

(b) a person shall be deemed to have lost his domicile in Belize if he voluntarily goes and resides outside Belize (except for a special or temporary purpose) with the intention of making his home outside Belize; and “domiciled” shall have a corresponding meaning.

(3) For the purposes of this Act a person shall be deemed to belong to Belize—

(a) if he is a citizen of Belize; or

(b) if he is a Commonwealth citizen and;

(i) was born in Belize or of parents who at the time of his birth were domiciled or ordinarily resident in Belize; or

(ii) has been ordinarily resident in Belize continuously for a period of seven years or more and since the completion of such period of residence has not been ordinarily resident in any place outside Belize continuously for a period of seven years or more,

provided that any person who—

(a) falls within the definition of “convicted persons” in section 2 of the Deportation (British Subjects) Act, the offence for which he is convicted being one which, in the opinion of the Minister, indicates that he is or has been

CAP. 136.  
R.E 2000.

conducting himself in a manner dangerous to peace, order and good government; or

- (b) falls within the definition of “undesirable persons” in section 2 of the Deportation (British Subjects) Act by reason of the fact that, in the opinion of the Minister, he is or has been conducting himself in a manner dangerous to peace, order or good government, shall not be deemed to belong to Belize, if the Minister so directs;
- (c) if he has obtained the status of a British subject by reason of the grant by the Governor of a certificate of naturalisation under the British Nationality and Status of Aliens Act 1914, 4 & 5 Geo, 5, c.17 or the British Nationality Act 1948, 11 & 12 Geo. 6, c. 56;
- (d) if he is a dependent of a person to whom any of the foregoing paragraphs applies.

CAP. 136.  
R.E 2000.

(4) For the purposes of this Act, a person shall be deemed to belong to a particular place outside Belize if he is a national of the country or state of which that place forms part or of which it is a dependency and—

- (a) was born in that place or of parents who at the time of his birth were domiciled or ordinarily resident in that place; or
- (b) is domiciled in that place;
- (c) has been ordinarily resident in that place continuously for a period of seven years or more and since the completion of such period of residence has not been ordinarily resident in any other place continuously for a period of seven years or more; or

(d) is a dependent of a person to whom any of the foregoing paragraphs applies.

(5) For the purposes of this Act, a person enters Belize if he arrives therein by land, sea or air; and a person leaves Belize if he departs therefrom by land, sea, or air.

## PART II

### *Powers, Duties, etc., of Immigration Officers*

Immigration  
officers.  
12 of 1986.  
10 of 2018.

**3.**—(1) There shall be a Director officers who shall be a public officer appointed by the Governor-General acting in accordance with the advice of the Prime Minister.

10 of 2018.

(2) There shall be appointed by the Public Services Commission a Senior Immigration Officer who shall, subject to the direction of the Director, exercise the powers and perform the functions of the Director.

10 of 2018.

(3) The Public Services Commission shall appoint immigration officers for all or any specified part of Belize for the purpose of carrying out the provisions of this Act. An immigration officer may perform any function required to be performed by the Director if authorised to do so by the Director.

(4) Any police officer shall, when called upon by an immigration officer, render such assistance as such immigration officer may need in the performance of his functions under this Act.

General powers  
of immigration  
officers.  
12 of 1986.

**4.**—(1) Every immigration officer shall have the authority and powers of a police to enforce any provision of this Act, the regulations or any order lawfully made under this Act or the regulations relating to the arrest, detention and deportation of any person.

(2) For the purposes of sub-section (1) of this section, every immigration officer may, in cases of emergency, employ such temporary assistants as he considers necessary to enable him to carry out his duties under this Act and the regulations, and such temporary assistants shall, during their employment, have the authority and powers referred to in sub-section (1) of this section, but no such employment shall continue for a period exceeding forty-eight hours unless approved by the Minister.

(3) Every immigration officer has the authority to administer an oath and take evidence under oath or affirmation in any matter arising under this Act.

(4) An immigration officer shall not disclose any information obtained by virtue of this Act directly or indirectly to any person except—

- (a) the Minister or a person authorised by him to be privy to the information; or
- (b) an official of the immigration service.

(5) For the purposes of exercising his powers and carrying out his duties under this Act, an immigration officer may—

- (a) without a warrant enter upon and search any vehicle, vessel, aircraft or other means of conveyance in or arriving or departing from Belize;
- (b) question within the scope of his functions under this Act any person who desires to enter or leave Belize or whom he believes is in Belize otherwise than in accordance with the provisions of this Act.

**5.—(1)** Subject to section 2 (3) of this Act, the following persons are prohibited immigrants—

Categories of  
prohibited  
immigrants.  
12 of 1986.

- (a) any person who is likely if he enters Belize to become a charge on public funds by reason of infirmity of body or mind or of ill health or who is not in possession of sufficient means to support himself and such of his dependants as he shall bring with him to Belize;
- (b) any idiot or any person who is insane or mentally deficient or any person who is deaf and dumb or deaf and blind, or dumb and blind, unless in any such case he or a person accompanying him or some other person gives security to the satisfaction of the Director for his permanent support in Belize or for his removal therefrom whenever required by the Director;
- (c) any person certified by a medical practitioner to be suffering from a communicable disease which makes his entry into Belize dangerous to the community;
- (d) any stowaway;
- (e) any prostitute or homosexual or any person who may be living on or receiving or may have been living on or receiving the proceeds of prostitution or homosexual behaviour;
- (f) the children under the age of sixteen years, being dependents of a prohibited immigrant;
- (g) any member of a class of persons deemed by the Minister on economic grounds or on account of standard or habits of life to be undesirable immigrants and so declared by Order published in the *Gazette*;

10 of 2018.

40 of 1963.

- (h) any person who, from information or advice which in the opinion of the Minister is reliable information or advice, is deemed by the Minister to be an undesirable inhabitant of or visitor to Belize;
- (i) any person who, not having received a free pardon, has been in any country convicted of an offence for which a sentence of imprisonment has been passed and who for this reason is deemed by the Minister to be an undesirable immigrant;
- (j) any person who has been refused a visa to enter Belize by a Belize Consular Officer, or in the case of a country where there is no Belize Consular Officer, then by the British Consular Officer or by any person authorised by the Belize Government to grant visas to enter Belize;
- (k) persons who are engaged or at any time have been engaged or are suspected on reasonable grounds of being likely to engage in any unlawful giving, using or inducing other persons to use, distributing, selling, offering to sell or exposing for sale, buying, trading or trafficking in drugs;
- (l) persons concerning whom there are reasonable grounds for believing that they are likely to engage in espionage, sabotage or other subversive activity of any kind directed against Belize or detrimental to the security of Belize;
- (m) persons who have been reasonably suspected of engaging in treasonable activities against

Belize or of assisting her enemies in times of war;

- (n) any person who enters or leaves Belize or remains in Belize in contravention of any of the provisions of this Act.

40 of 1963.

(2) Notwithstanding anything to the contrary contained in this Act, the Minister may exempt any person from the provisions of paragraphs (a) to (g) of sub-section (1) of this section.

(3) No appeal shall lie against the decision of the Minister in regard to any of the persons mentioned in sub-section (1)(g), (h) and (i), unless such appeal be directed to identify only of the person affected by the decision.

40 of 1963.

(4) Notwithstanding anything contained in this Act, the Minister may prohibit or permit the entry of any immigrant into Belize.

12 of 1986.  
CAP. 103.

(5) In this section, “drugs” means any plant or substance the cultivation, manufacture, transport, import, export, possession, sale or use of which is prohibited by the Misuse of Drugs Act.

Recovery of expenses incurred in respect of prohibited immigrants.

**6.**—(1) A magistrate who is satisfied that any expenses have been or will be incurred by the Government of Belize in connection with the detention, maintenance, medical treatment or deportation of any prohibited immigrant and his wife, children or other dependents, if any, may issue a warrant for the levy of the amount by distress and sale of any movable property belonging to such prohibited immigrant.

CAP. 99.

(2) Such a warrant may be executed in the same manner as a warrant for the levy of the amount of a fine under the Summary Jurisdiction (Procedure) Act.

(3) The partial recovery of expenses under this Act shall not prejudice the liability of any surety for the balance nor shall the

issue or execution of a warrant under such section be a condition precedent to the liability of a surety.

**7.** The following persons or classes of persons shall not be prohibited immigrants for the purposes of this Act—

Who are not prohibited immigrants. 12 of 1986.

- (a) persons who belong to Belize as defined by section 2(3);
- (b) persons in the service of the Government;
- (c) persons who come to Belize on official business with the Government;
- (d) members of Her Majesty's regular, naval, military or air forces;
- (e) persons who are duly accredited to Belize by or under the authority of Her Majesty or the Government of any foreign state, and the staff of any such persons;
- (f) the dependents of the persons enumerated in the previous paragraphs of this section;
- (g) any other persons or class of persons to whom this section may be applied by regulation.

### PART III

#### *Issuance of Passports, Permits, etc.*

**8.—(1)** Subject to this Act and to any regulations made under this section, every person entering or leaving Belize shall be in possession of a valid passport which he shall present to the immigration officer at a place of entry or departure for examination and for making therein the appropriate entry,

Passports.

provided that in the case of persons under sixteen years of age who are not in possession of their own passports they must be included in the passport of one or other of their parents.

(2) A person entering Belize without a passport shall be deemed to be a prohibited immigrant unless and until he explains why he has no passport, and establishes his identity and nationality, to the satisfaction of the immigration officer.

(3) The Minister may, by regulations—

- (a) order that the passport of a national of any foreign country shall not be accepted unless it bears a visa issued by a Belize Consular Officer or, in the case of a country where there is no Belize Consular Officer, then by the British Consular Officer, or by a person authorised by the Belize Government to grant visas to enter Belize;
- (b) exempt any class of persons entering Belize from the provisions of this sub-section either unconditionally or subject to such conditions as may by such regulations be imposed.

Entry permits.  
1 of 2014.  
10 of 2018.

**9.**—(1) Subject to section 26A, the Director may issue to any prospective immigrant a permit to enter or remain in Belize subject to such conditions as to occupation, security to be furnished, or any other matter or thing as the Director may think expedient.

(2) Upon arrival in Belize, the immigrant shall forthwith present such entry permit to the immigration officer at the place of entry and if required to do so produce the sum of money stated as security in the entry permit.

(3) If an immigrant fails to furnish on demand the security required by his entry permit, he may be refused leave to land by

the immigration officer and, if he arrives by any vessel, the master of such vessel shall be notified of such fact.

(4) If any immigrant after having been landed fails to comply with the conditions of the permit issued to him to enter or remain in Belize, he shall be deemed to be a prohibited immigrant and may be dealt with as such.

1 of 1966.

**10.** *Repealed.*

10 of 2018.

**10A.**—(1) A person who meets the requirements of sub-section (2) as applicable, and sub-section (3), may apply to the Director to be granted temporary residency in Belize.

Temporary  
Residence.  
46 of 2017.  
10 of 2018.

(2) Any person who is a qualifying dependent of an applicant may apply along with the applicant as a dependent applicant.

(3) An application under this section shall be made in the prescribed form and be accompanied by documents referred to in the following paragraphs, in relation to the applicant—

- (a) passport of foreign country of which applicant is citizen;
- (b) a Police Record issued by the last country of residence dated not more than six months from the date of the application;
- (c) a letter to the Director explaining the applicant's reason for requesting temporary residency;
- (d) evidence of a primary place of residence in Belize, with at least one of the following in relation to the residence—
  - (i) rental (or lease) agreement and utility bill; or

- (ii) property title and property tax assessment by municipal authority; and
- (e) details and evidence of investments in Belize valued at not less than \$500,000.00, along with the following in relation to the applicant's presence in Belize—
  - (i) title of real estate ownership;
  - (ii) business or personal bank statements;
  - (iii) company registration certificate or other certification showing the interest of applicant in a corporate body as owner of the body or of a majority or controlling interest;
  - (iv) trade licence;
  - (v) social security registration or card;
  - (vi) general sales tax returns;
  - (vii) income tax returns; and

(4) Upon the approval of an application under this section, the applicant shall pay the prescribed annual temporary residency fee, prior to receiving the permit for temporary residency.

1 of 2014.

**11.** *Repealed*

Revocation of permits  
40 of 1963.  
1 of 2014.  
46 of 2017.  
10 of 2018.

**12.**—(1) A permit granted under this Act including a permit for temporary residency may at any time be revoked by the Minister in his discretion or by an immigration officer acting on the direction of the Minister, and may also be revoked where the terms of the permit so provide.

(2) Where a permit is revoked, the immigrant may be arrested and brought before a court of summary jurisdiction to be dealt with for any infringement of this Act in respect of which he may be charged,

provided that the court may, if the permit was not revoked by or by the direction of the Minister, order the permit to be restored and the immigrant to be released.

**13.**—(1) The kinds of permits which may be issued to a person entitling such person to enter and remain temporarily within Belize shall be as follows—

Kinds of temporary permits.

- (a) an in transit permit;
- (b) a dependent's permit;
- (c) a temporary employment permit;
- (d) a student's permit;
- (e) a special permit;
- (f) a visitor's permit;
- (g) temporary residence permit; 46 of 2017.
- (h) temporary border permits and border crossing cards. 10 of 2018.

(2) The issue of any permit of a kind mentioned in this section, shall be in the absolute discretion of the Director. 10 of 2018.

(3) If for any reason a permit is revoked or cancelled or expires or the person to whom such permit was issued fails or neglects to comply with the provisions thereof, such person shall be deemed to be a prohibited immigrant and may be dealt with as such.

Intransit permit.  
10 of 2018.

**14.**—(1) An in transit permit may be issued by the Director to any person who satisfies him that he desires to enter Belize for the purpose of passing through Belize to a destination outside Belize, and that he is in possession of a ticket entitling him to travel to his destination, and of such valid documents as will permit him to enter the country of his destination and is otherwise qualified under the law in force in that country to enter it.

(2) An in transit permit shall entitle the holder to enter Belize and to remain therein for such period not exceeding seven days as may be stated in the permit,

10 of 2018.

provided that the Director may from time to time extend such period if he considers it expedient to do so.

Dependent's  
permit.  
10 of 2018.

**15.**—(1) A dependent's permit may be issued by the Director upon application by a resident of Belize in respect of any person as to whom the Director is satisfied that—

- (a) such person is a dependent of such resident;
- (b) such resident is able to provide and to continue to provide adequate accommodation for such dependent; and
- (c) such resident has in his own right and his full and free disposition an assured income sufficient adequately to maintain and to continue to maintain the dependent.

(2) A dependent's permit shall entitle the person in respect of whom the permit is issued to enter Belize within the period stated in the permit and to remain therein for such time only as—

- (a) the resident upon whose application the permit has been issued remains a resident of Belize; and

(b) such person remains a dependent of such resident.

**16.**—(1) A temporary employment permit may be issued by the Director to any person who satisfies the Director of Immigration of Nationality Services that he wishes to enter Belize for the purpose of employment there and is the person described in a current voucher issued for the purposes of this section by or on behalf of the Minister responsible for Labour.

Temporary  
employment  
permit.  
7 of 1963.  
10 of 2018.

(2) A temporary employment permit shall entitle the holder thereof to enter Belize within the period stated in the permit, and to remain therein for the purpose of engaging in the employment specified in the permit for such period as is stated in the permit.

3 of 1965.

(3) The Director may cancel a temporary employment permit, if the person to whom such permit was issued fails to take up such employment or to continue therein.

10 of 2018.

(4) Notwithstanding anything contained in sub-sections (1) to (3) of this section, the Director may, subject to such conditions as he may impose, permit the holder of a temporary employment permit to work for an employer other than the employer specified in the permit.

10 of 2018.

**17.**—(1) A student's permit may be granted by the Director to any person who satisfies him that he has been accepted as a student by any training establishment in Belize and that suitable arrangements have been made for his accommodation whilst in Belize.

Student's permit.  
10 of 2018.

(2) A student's permit shall entitle the holder to enter Belize within the period stated in the permit and to remain therein for such period as is stated in the permit.

(3) The Director may cancel a student's permit, if the person to whom such permit was issued fails to enter and undergo training in the training establishment for which he has been

10 of 2018.

accepted, or having entered such training establishment, fails to remain or to be retained as a student therein.

Special permit.  
10 of 2018.

**18.**—(1) A special permit may be issued by the Director to any person without prejudice to the question whether he is a prohibited immigrant, if he considers the issue of such a permit desirable—

- (a) in order to afford an opportunity of making inquiry for the purpose of determining whether such person is entitled to an entry permit or is otherwise entitled to enter Belize under the provisions of any Act, order or regulation, or whether such person is a prohibited immigrant;
- (b) in order to enable such person to enter Belize temporarily for the purpose of obtaining medical treatment for any contagious or infectious disease from which such person is suffering;
- (c) in order to afford such person a reasonable opportunity of applying for and obtaining an entry permit other than a special permit or of completing any immigration formality; or
- (d) in order to afford time for the Director to consider an application by a prohibited immigrant for a permit to enter and remain in Belize.

10 of 2018.

(2) A special permit shall entitle the holder thereof to enter Belize and remain therein for such period not exceeding two months as is stated in such permit,

10 of 2018.

provided that the Director may, from time to time, extend such period, if he considers it expedient to do so.

(3) A special permit may at any time be cancelled by the Director.

10 of 2018.

(4) A person to whom a special permit has been issued under sub-section (1)(b) shall be subject to the observance of such conditions as a Government medical officer may think necessary for the protection of the community, and any person failing to comply with, or observe, any such condition shall be deemed to have acted in contravention of this Act.

**19.**—(1) A visitor's permit may on application be issued by the Director to any prospective visitor to Belize who satisfies the Director that he wishes to enter Belize for the purpose of—

Visitor's permit.  
10 of 2018.

- (a) spending a holiday;
- (b) travelling;
- (c) temporarily carrying on any business, trade or profession; or
- (d) investigating the possibilities of settlement in Belize.

(2) A visitor's permit shall entitle the holder to enter Belize within the period stated in such permit and to remain therein for such period not exceeding six months, as is stated in such permit,

provided that the Director may extend such last-mentioned period, if he considers it expedient to do so, for any further period or periods not exceeding six months in the aggregate.

10 of 2018.

(3) It shall be a condition of issue of every visitor's permit that the holder shall not accept employment within Belize without the permission in writing of the Minister, and if the holder of any such permit accepts employment without such permission, he shall be deemed to have acted in contravention of this Act, and the permit may be cancelled by the Director.

10 of 2018.

Application to  
CARICOM  
Nationals.  
15 of 2004.  
28 of 2020.

**19A.** Sections 12, 13, 15 and 16 of this Act do not apply to nationals of Caribbean Community State who qualify under the Caribbean (Free Movement of Skilled Persons) Act and to their spouses and dependants.

Provisional entry  
to Caribbean  
Community  
nationals.  
CAP. 17:02.  
28 of 2020.

**19B.**—(1) Notwithstanding the provisions of any other law, an immigration officer shall, subject to section 5 of the Caribbean Community (Free Movement of Skilled Persons) Act, permit a national, the spouse or any dependant of that national, to enter and remain in Belize for a period of six months.

(2) The spouse or any dependant of a national under sub-section (1), who is unaccompanied by the national, shall be permitted to enter and remain in Belize for the period specified under sub-section (1).

(3) The spouse or any dependant of a national under sub-section (1), shall present the following information to the immigration officer, upon entry—

- (a) proof of their relation to the national; and
- (b) a copy of the qualifying certificate of the national.

Prohibited  
nationals.  
28 of 2020.

**19C.**—(1) An immigration officer shall not permit a national to enter into Belize if the national—

- (a) is likely, if the national enters Belize, to become a charge on public funds;
- (b) is, on the basis of available information communicated to the Minister, suffering from an illness which makes entry of the national into Belize dangerous; or
- (c) is a subject of a deportation order in force under the Deportation (British Subjects) Act.

(2) Notwithstanding sub-section (1), the Minister may, where the Minister determines necessary, permit any national of a Caribbean Community State to enter Belize.

**19D.**—(1) A national may apply to the Minister for a qualifying certificate in the prescribed form and pay the prescribed fees.

Application for  
qualifying  
certificate.  
28 of 2020.

(2) The Minister may approve or refuse an application under sub-section (1), and where the application is approved, issue the qualifying certificate within six weeks of receipt of the application.

(3) The Minister may refuse an application to—

(a) a person under section 5 of the Caribbean Community (Free Movement of Skilled Persons) Act; or

CAP. 17:02.

(b) a person who commits an offence under section 10 of the Caribbean Community (Free Movement of Skilled Persons) Act.

CAP. 17:02.

(4) An applicant shall remain in Belize for a period not exceeding the expiration of the provisional period of entry stated in section 3.

**19E.**—(1) Notwithstanding the provisions of any other law, a national who seeks to remain in Belize beyond the period stated in section 19B, for the purpose of engaging in or finding gainful employment with an employer or as a self-employed person, shall, within thirty days from the date of expiration of that period, submit an application to the department in the approved form together with—

Application for  
indefinite stay to  
engage in gainful  
employment.  
28 of 2020.

(a) the qualifying certificate issued by the competent authority of a qualifying Caribbean Community State certifying that the national is recognised by the Government of that

qualifying Caribbean Community State as a Caribbean Community skilled person;

- (b) a valid passport, valid for at least six months from the date of entry, issued by a qualifying Caribbean Community State to the national, the spouse or any dependant of the national, or other form of identification issued by the Minister to the national, the spouse or any dependant of the national;
- (c) the approved fee; and
- (d) a police record of—
  - (i) the national;
  - (ii) the spouse of the national; or
  - (iii) any dependant, above the age of seventeen, of the national.

(2) The department shall submit the qualifying certificate submitted under sub-section (1)(a), to the Ministry with responsibility for Trade for verification of its validity.

(3) A national under sub-section (1), the spouse, or any dependant of the national, may engage in gainful employment with an employer or as a self-employed person, pending the verification of validity of the qualifying certificate.

CAP. 17:02.

(4) Subject to section 5 of the Caribbean Community (Free Movement of Skilled Persons) Act, the department shall, within thirty days of submission of an application, grant the applicant, or the spouse or any dependant of that applicant, indefinite stay.

Restrictions on rights.  
28 of 2020.

**19F.** Notwithstanding the provisions of any other law, a Caribbean Community skilled person, the spouse or any dependant of the Caribbean Community skilled person,

permitted to enter Belize under this Act shall not be subject to any restriction on—

- (a) freedom of movement, including the freedom to leave and re-enter Belize without further permission;
- (b) the freedom to acquire property for use as a residence or business of the Caribbean Community skilled person; or
- (c) the right to engage in gainful employment or other occupation,

which restriction would not be applicable if the Caribbean Community skilled person were a national of Belize.

**19G.** Notwithstanding the provisions of any other law, permission granted under this Act to a Caribbean Community skilled person to enter Belize and the rights conferred on that person under section 8 of the Caribbean Community (Free Movement of Skilled Persons) Act, shall not be revocable except for cause and by procedure which would, apart from this Act, render a national of Belize liable to deportation, extradition or other form of expulsion from the qualifying Caribbean Community State of which the Caribbean Community skilled person is a national.

Revocation of permission.  
28 of 2020.

CAP. 17:02.

**19H.**—(1) Notwithstanding the provisions of any other law, an immigration officer shall, subject to section 7 of the Caribbean Community (Movement of Factors) Act, permit a national seeking to enter Belize for the purpose of establishing an economic enterprise, the spouse or any dependant of that national, to enter and remain in Belize for a period of six months.

Provisional entry to establish an economic enterprise.  
28 of 2020.  
CAP. 17:03.

(2)A national under sub-section (1) shall provide to the immigration officer upon entry into Belize—

- (a) a valid passport, valid for at least six months from the date of entry, issued to the national by a qualifying Caribbean Community State;
- (b) a return ticket; and
- (c) proof of financial resources sufficient for personal maintenance, such as credit cards, traveller's cheques, cash or a combination of any.

Application for indefinite stay to establish or operate economic enterprise. 28 of 2020.

**19I.**—(1) Notwithstanding the provisions of any other law, a national seeking to remain in Belize beyond the period stated in section 19H for the purpose, of establishing or operating an economic enterprise shall within 30 days from the date of expiration of that period, submit an application, in the prescribed form to the department together with—

- (a) a valid passport, valid for at least six months from the date of entry, issued to the national by a qualifying Caribbean Community State;
- (b) proof of financial resources;
- (c) the business name registration or a certificate of incorporation, for the economic enterprise the applicant intends to establish;
- (d) a business plan for the economic enterprise the applicant intends to establish;
- (e) where applicable, the equivalent Board of Inland Revenue and General Sales Tax registration numbers for the applicant, from the Caribbean Community State where the economic enterprise is registered;

- (f) proof that the applicant is the title owner or the holder of a registered lease for the property the applicant intends to use for the business;
- (g) where applicable, written permission from the landlord or lessor to operate the economic enterprise from the premises;
- (h) proof of registration with the Social Security Board;
- (i) where applicable, all relevant trade or professional licences that may be required for the operation of the economic enterprise;
- (j) a police record of—
  - (i) the national;
  - (ii) the spouse of the national; or
  - (iii) any dependant, above the age of seventeen, of the national; and
- (k) the approved fee.

(2) An application under sub-section (1) may include the spouse or any dependant of the applicant and the spouse or any dependant of the applicant shall be permitted to enter and remain in Belize for the same period that the national is permitted.

(3) A national, the spouse or any dependant of the national, shall not engage in employment with an employer or as a self-employed person, while the verification of validity of the qualifying certificate is pending.

(4) The department shall submit the business name registration or the certificate of incorporation for the economic

enterprise which the national intends to establish, to the Company Registry for verification of its validity.

CAP. 17:02.

(5) Subject to section 5 of the Caribbean Community (Free Movement of Skilled Persons) Act, upon the written recommendation of the Ministry with responsibility for Trade, the department shall, within thirty days of submission of an application, under sub-section (1), approve or refuse the application.

(6) Where an application is approved, the department shall grant indefinite stay to—

- (a) the national, to establish an economic enterprise; and
- (b) the spouse or any dependant of the national.

(7) A national who is granted indefinite stay under sub-section (6), shall establish the economic enterprise within six months of the grant of indefinite stay.

(8) Subject to section 5, where an application is refused, the national, the spouse or any dependant of the national, shall remain in Belize for a period not exceeding the expiration of the provisional period of entry stated under section 19H(1) or any extension period approved under sub-section (15).

(9) A national under sub-section (6), may request, in writing, to the department, for any managerial, supervisory or technical staff of the economic enterprise to be permitted to enter and remain in Belize during the period of employment with the economic enterprise.

(10) A request under sub-section (9), shall—

- (a) be in relation to a person who is a national of a qualifying Caribbean Community State; and

(b) include the employment contract of the managerial, supervisory or technical staff.

(11) The department may approve or refuse a request under sub-section (9).

(12) Where the department approves a request, the department shall endorse the passport of the managerial, supervisory or technical staff, within thirty days of submission of the passport.

(13) A national who was granted indefinite stay under sub-section (1), and has not established the economic enterprise within the period under section 19I(7), may submit an application to the department, for an extension of time to establish the economic enterprise, together with a letter outlining the steps taken by the national to establish the economic enterprise and indicating the reasons the economic enterprise is not established.

(14) Where the department is satisfied with the explanation and reasons provided by the national under sub-section (13), the department shall approve an extension of no more than three months.

(15) A national who is granted indefinite stay under sub-sections (5) or a request under sub-section (12), and is, no longer operating the economic enterprise or no longer employed with the national who made the request, shall immediately inform the department of the change in circumstance in order for the department to register the change in the status of the national.

(16) The department shall rescind the indefinite stay or request granted to a national under sub-sections (5) or (12) where the reasons for the grant of indefinite stay or the permission no longer exists or has changed.

Grounds for  
refusal.  
28 of 2020.

19J. The department may refuse an application for an extension under section 19I(13) on the following grounds, namely that—

- (a) a principal of the economic enterprise is convicted of an offence involving fraud or dishonesty;
- (b) the economic enterprise is conducting an illegal activity;
- (c) the economic enterprise does not have sufficient capital to establish the economic enterprise; or
- (d) the economic enterprise is deemed not to be a viable business.

Security.  
10 of 2018.

20.—(1) Any person may, as a condition precedent to the issue of any of the permits enumerated above, be required by the Director to deposit with him a sum sufficient to defray the cost of his maintenance and repatriation not exceeding one thousand two hundred dollars in respect of each permit so issued and any such deposit may, if necessary, be used for the purpose of defraying any expenses incurred by the Government of Belize in connection with the maintenance or repatriation of the person in respect of whom the entry permit has been issued and his dependents.

10 of 2018.

(2) A deposit made under sub-section (1) of this section shall, unless the person in respect of whom the entry permit has been issued is ordered to leave or is deported from Belize and the money so deposited is used for the purpose of maintaining or repatriating such person and his dependents, if any, be refunded to the depositor when the Director is satisfied that—

- (a) the person in respect of whom the deposit was made and his dependents, if any, are leaving Belize permanently; or

- (b) the person in respect of whom the deposit was made has entered Belize for permanent residence and has completed three years of residence therein since making his deposit.

(3) The Director may, in lieu of requiring a deposit under sub-section (1) of this section, require an applicant for an entry permit or some other person on his behalf to give security with or without sureties in a sum not exceeding one thousand two hundred dollars by bond.

10 of 2018.

(4) A bond entered into under sub-section (3) of this section may be enforced before any magistrate in the same manner as a recognizance under section 120 of the Summary Jurisdiction (Procedure) Act, Cap. 99.

**21.** The Director may issue to any alien domiciled in Belize who desires to proceed therefrom with the intention of returning thereto a re-entry permit to enable such person to prove to the satisfaction of a consular officer or to an immigration officer on his return that he is not a prohibited immigrant.

Re-entry permit.  
10 of 2018.

**22.** A person to whom a permit is issued or who is held to be a prohibited immigrant shall, if so required by the immigration officer, submit to his fingerprints being taken by the immigration officer.

Finger prints  
may be taken.

**23.**—(1) A person to whom a permit or certificate under this Act has been granted shall at all times produce it to any immigration officer or police officer on demand, and shall not lend, transfer, or assign it to any other person.

Conditions and  
restrictions  
relating to  
permits and  
certificates.

(2) No person shall borrow or make use of a permit or certificate which has been granted under this Act to any other person.

(3) A person having in his possession a permit or certificate appearing to have been granted under this Act shall answer all questions put to him by an immigration officer for the purpose

of establishing his identity with the person named in the permit or certificate and shall, if so required by an immigration officer, submit to his fingerprints being taken for that purpose.

7 of 1987.

(4) Any person who contravenes the provisions of sub-section (1), (2) or (3) commits of an offence.

Duties of  
immigrants on  
entering Belize.

**24.**—(1) No person shall enter Belize elsewhere than at an approved port or place of entry.

(2) A person entering Belize by sea shall not disembark without the consent of the immigration officer and the master of the ship shall not allow any such person to disembark without any such consent.

(3) Every person entering Belize by land or air shall forthwith present himself to the immigration officer at the place of arrival.

(4) Every person entering Belize shall truthfully answer all questions put to him by the immigration officer for the purposes of this Act, and shall, if required by the immigration officer—

- (a) furnish the required security;
- (b) fill out and sign a disembarkation card;
- (c) submit to be examined by a medical officer;
- (d) submit to a medical test by a medical officer where there is the threat, outbreak or spread of an infectious disease; and
- (e) furnish any other document as prescribed by any other law.”

18 of 2020.

(4) submit to a medical test by a medical officer where there is the threat, outbreak or spread of an infectious disease; and

18 of 2020.

(e) furnish any other document as prescribed by any other law.”

18 of 2020.

(5) Any foreigner who refuses to comply with the requirements under sub-section (4) shall be refused leave to land

in Belize and if he arrives by any vessel the master of such vessel shall be served with a notice of such fact.

(5A) For the purposes of sub-section (5), foreigner means any person who is not a citizen of Belize. 18 of 2020.

(5B) A Belizean who refuses to comply with the requirements under sub-section (4)(c) and (d) shall be handed over to the Quarantine Authority to be dealt with under section 3A of the Quarantine Act. 18 of 2020. CAP. 41.

(6) Every person entering Belize who willfully supplies any false information in answer to any question put to him by the immigration officer for the purposes of this Act commits an offence and is liable on summary conviction to a fine not exceeding five hundred dollars.

(7) Any person to whom leave to land has been refused shall be removed from Belize by the master of the vessel in which he arrived, or with the consent of an immigration officer, in another vessel within a specified time by the owner or agent of the vessel in which he arrived,

provided that where permission is granted to the owner or agent to remove such person by another vessel, such owner or agent shall be held responsible for the accommodation of such person until he leaves Belize.

(8) Any person who contravenes sub-section (1), (2) or (3) commits an offence.

**25.**—(1) The master of a vessel, arriving from any place outside Belize or departing from Belize, shall answer truthfully to the best of his ability all questions put to him by the immigration officer relating to the persons on board such vessel, in so far as is necessary for the purposes of this Act, and, if so required, furnish the immigration officer with a list signed by himself of the names of all such persons in the vessel, and such other

Master to furnish particulars and list of persons on board his vessel.

information as may be required, and every such person shall supply the information necessary for the purpose of the list.

(2) Any master who refuses to answer any such questions or who knowingly and willfully gives an untrue answer thereto or who refuses to supply such list commits an offence and is liable on summary conviction to a fine not exceeding five hundred dollars or to imprisonment for a term not exceeding six months.

Prohibition of entry by prohibited immigrant.

**26.** Except as otherwise specially provided by this Act, no prohibited immigrant shall enter Belize, and an immigration officer shall cause a prohibited immigrant entering or found within Belize (having entered after the commencement of and in contravention of any of the provisions of this Act) to be removed therefrom in the manner hereinafter provided.

Visa Vetting Committee. 1 of 2014.

**26A.**—(1) The Minister shall appoint, by Order, a committee to be known as the Visa Vetting Committee for the purpose identified in sub-section (2) and that committee shall consist of—

- (a) the Chief Executive Officer of the Ministry responsible for immigration;
- (b) the Chief Executive Officer of the Ministry responsible for human development;
- (c) the Chief Executive Officer of the Ministry responsible for the Police;
- (d) the Director; and
- (e) the Chief Executive Officer of the Ministry responsible for labour.

46 of 2017.

10 of 2018.

46 of 2017.

10 of 2018.

(2) Notwithstanding any provision of this Act, the Director or a Belize Consular Office that is authorised to issue a visa shall not grant a visa to a national of any country in respect of which a visa is required under this Act unless the application for such

visa has been reviewed and approved by the Visa Vetting Committee.

#### PART IV

##### *Prohibition of Entry, Detention, Removal etc.*

**27.**—(1) An immigration officer who decides that a person is a prohibited immigrant may—

Order for prohibited immigrants to leave Belize.

- (a) order him to leave Belize and proceed immediately in the same vessel in which he arrived;
- (b) order him to leave Belize within sixty days of entering Belize, and, if the immigration officer thinks fit, by a specified vessel; or
- (c) cause him to be arrested and brought before a magistrate's court with a view to an order being made for his removal,

provided that the Minister or any immigration officer acting under the directions general or special of the Minister may grant a permit to a prohibited immigrant to enter and remain in Belize, subject to such conditions as to duration, place of residence, occupation, furnishing of security, or any other matter or thing, whether similar to those enumerated above or not, as may be deemed expedient.

40 of 1963.

(2) No prohibited immigrant shall have any right of appeal against an order under sub-section (1)(a) or (b).

**28.**—(1) Whenever any person is detained, restricted or arrested as a prohibited immigrant, notice of that fact and the grounds of detention, restriction or arrest shall be given by the officer to such person in the prescribed form.

Appeal against detention of a prohibited immigrant.  
7 of 1963.

(2) If such notice is given within seven days of the arrival of the immigrant, the immigration officer giving such notice shall also inform, if known, the master or local agent or owner of the vessel by which the immigrant arrived that such notice has been given.

(3) Every immigrant to whom such notice has been given may appeal to a summary jurisdiction court.

(4) Notice of the appeal must be given to the court and to the immigration officer within seven days of the service of the notice of the immigration officer on the immigrant.

7 of 1987.

(5) Pending the hearing of an appeal by a summary jurisdiction court, no warrant shall be issued or enforced for the removal as a prohibited immigrant of the person so appealing but should it be held on the hearing of any such appeal that the appellant is a prohibited immigrant a warrant for the removal of the prohibited immigrant shall issue.

7 of 1987.

(6) No appeal shall lie by or on behalf of an alien from the order of the summary jurisdiction court made under this section,

provided that the Minister may, on an application made to him by such alien, review the decision of the summary jurisdiction court and, if satisfied that the applicant is not a prohibited immigrant, order him to be released from detention, restriction or arrest.

Temporary  
permits pending  
removal, appeal,  
etc.

**29.**—(1) Whenever a prohibited immigrant is ordered to leave Belize or has delivered a notice of appeal or security as required to be given in respect of an immigrant, the immigration officer may grant a permit for the immigrant to remain in Belize for so long as the officer considers necessary.

(2) Instead of granting the permit or on revocation or expiration of the permit, the immigration officer may cause the immigrant to be arrested and brought before a magistrate who may either order the permit to be granted, restored or renewed

and the immigrant to be released, or order the immigrant to be detained in custody until an opportunity occurs for him to leave Belize, or until the matter is disposed of, as the case may be.

**30.**—(1) Subject to this Act, and to the terms of any permit granted hereunder, a summary jurisdiction court may, on application made to it by an immigration officer, order any prohibited immigrant to be removed from Belize and to be detained in custody until such removal,

Removal orders.

provided that no application for an order shall be entertained in the case a Commonwealth citizen, not being a person who entered Belize in contravention of section 24 (1) of this Act or who, on entering Belize, contravened or failed to comply with section 24 (2) or (3) of this Act, unless the application is made—

7 of 1987.

- (a) if he entered Belize in accordance with a permit granted under sections 13, 14, 15, 16, 17 and 18 of this Act, within two years after the expiry of such permit;
- (b) in any case in which an appeal has been made to a summary jurisdiction court or the Supreme Court, within two years after the determination of the appeal.

(2) An immigrant who is ordered to be removed from Belize shall be removed—

- (a) to the place whence he came, or to any place to which he consents to be removed;
- (b) if he is a Commonwealth citizen, to a place in some part of the Commonwealth to which he belongs; or
- (c) if he is not a Commonwealth citizen, to some place in the country to which he belongs.

(3) Where an immigrant ordered to be removed is serving a sentence of imprisonment, the Minister may give directions as to whether the whole or what part of the sentence is to be served before removal, and in default of such directions, the immigrant shall be removed after completion of his sentence.

(4) An immigrant ordered to be removed may be placed on board a suitable vessel by any police officer or immigration officer, and may be lawfully detained in custody on board so long as the vessel is within the territorial waters of Belize.

(5) The expenses of passage of a prohibited immigrant and his dependents (if any) ordered to be removed from Belize shall be payable from the public funds of Belize in so far as they are not defrayed by the immigrant and his dependents or their sureties.

(6) No appeal shall lie by or on behalf of an alien against a removal order made by a summary jurisdiction court,

provided that the Minister may, on an application made to him by such alien, review the order of the summary jurisdiction court and if satisfied that the applicant is not a prohibited immigrant, rescind the removal order.

Warrant to convey prohibited immigrant back on vessel.

**31.** The master of any vessel may, on the desertion of any seaman or the landing of any stowaway or prohibited immigrant from his vessel, apply to a magistrate for a warrant to arrest and convey back on board the vessel such seaman, stowaway or prohibited immigrant, and the magistrate shall grant the application unless there are special reasons for not doing so, and the master shall not incur any liability at law for anything done by virtue of such warrant.

Offences by persons permitting prohibited immigrants to land.  
7 of 1987.

**32.**—(1) Any master of a vessel who knowingly suffers any prohibited immigrant who arrives in such vessel to land therefrom contrary to the provisions of this Act commits an offence.

(2) Any person who knowingly lands or procures to be landed or who aids or assists in landing any prohibited immigrant contrary to the provisions of this Act commits an offence.

(3) Any prohibited immigrant who knowingly and willfully lands or suffers himself to be landed contrary to the provisions of this Act commits an offence.

**33.**—(1) No person shall leave Belize elsewhere than through an approved port or place of departure.

Duties of emigrants leaving Belize.

(2) Every person departing from Belize shall present himself to the immigration officer at the port or place of departure.

(3) Every person departing from Belize shall truthfully answer all questions put to him by the immigration officer for the purposes of this Act and shall fill out and sign the embarkation card if required to do so.

(4) Any person who refuses to answer such questions put to him by the immigration officer for the purposes of this Act, or who knowingly and willfully gives any untrue answer thereto, or who refuses to fill out and sign the embarkation card if required to do so, commits an offence and is liable on summary conviction to a fine not exceeding five hundred dollars.

**33A.**—(1) The Minister may, by Order published in the Gazette, delegate to any Minister of State appointed to assist him, the exercise or performance of all or any of the powers or functions conferred upon the Minister under the provisions of this Act specified in sub-section (4).

Minister may delegate functions.  
13 of 2016.

(2) A delegation under sub-section (1) is revocable by the Minister and the delegation of the exercise of a power or the performance of a function shall not preclude its exercise or performance by the Minister.

(3) The provisions of this Act shall apply in relation to a power or a function delegated under this section as they would apply where the power or function is exercised or performed by the Minister.

(4) The specified provisions are those of sections 5, 27 and 39.

CAP. 1.

(5) The provisions of this section shall apply notwithstanding the provisions of section 59 of the Interpretation Act (power to delegate authority).

## PART V

### *Miscellaneous*

Offences and penalties.

**34.**—(1) Any person who, for the purpose of entering Belize or of remaining therein, or of assisting any other person to enter Belize or to remain therein, in contravention of this Act—

7 of 1987.

(a) fabricates or falsifies any passport, permit, certificate or other document; or

(b) uses, utters or attempts to use or utter—

(i) any passport, permit, certificate or other document which has not been issued by lawful authority or which he is not entitled to use or utter; or

(ii) any fabricated or falsified passport, permit, certificate or other document, knowing it to have been fabricated or falsified, commits an offence.

(2) Any person who—

- 
- (a) makes a statement which to his knowledge is untrue in a declaration required to be made by an applicant for the issue of a temporary permit to facilitate him to travel to the Mexican and Guatemalan towns and villages as agreed between the Government of Belize and the Governments of Mexico and Guatemala;
  - (b) obstructs, hinders or opposes an immigration officer or police officer in the execution of his duty under this Act;
  - (c) without lawful excuse knowingly harbours or conceals—
    - (i) any other person who is within Belize in contravention of this Act; or
    - (ii) any other person who, having entered Belize under the authority of a permit issued under this Act, has contravened or failed to comply with any condition subject to which the permit is granted;
  - (d) fails to comply with or contravenes the conditions under which any permit, certificate or other document has been issued to him under this Act;
  - (e) being a prohibited immigrant, disembarks in Belize without previously obtaining a permit issued under this Act;
  - (f) contravenes or fails to comply with any of the conditions subject to which any permit has been granted under this Act;

(g) directly or indirectly, instigates, commands, counsels, procures, solicits or in any manner purposely aids, facilitates, encourages or promotes the commission of any offence under this Act, whether by his act, presence or otherwise; or

7 of 1963.  
7 of 1987.

(h) employs any person who is not in possession of an employment permit, commits an offence.

7 of 1987.

(3) Any person who commits an offence against any of the provisions of this Act for which no penalty is prescribed shall be liable on summary conviction to a fine not exceeding five thousand dollars or to imprisonment for a term not exceeding two years, or to both such fine and term of imprisonment,

provided that the punishment for the first offence under this Act shall not be less than a fine of one thousand dollars, and the punishment for a second or subsequent offence under this Act shall not be less than a fine of three thousand dollars or imprisonment for one year,

17 of 1999.

provided further that where a person is found guilty of the offence of employing a person who is not in possession of an employment permit contrary to sub-section (2)(h), the Court shall, in addition to the penalties prescribed above, order that the employer shall pay the expenses of removing such immigrant from Belize.

7 of 1987.

(4) Without prejudice to any other offence created by this Act, it is hereby declared that the offence under sub-section (2)(h), of employing a person not in possession of an employment permit shall be an offence of strict liability and in any prosecution for such offence—

(a) it shall not be necessary for the prosecution to prove that the accused person had knowledge

that the employee was not in possession of an employment permit; and

(b) it shall not be a defence for the accused person to prove that he had no such knowledge.

(5) Where any person is convicted of an offence or of an attempt to commit an offence or of soliciting or inciting the commission of an offence under this Act and the court by which such person is convicted finds that any vehicle, vessel or aircraft was used or employed by such person in the commission, or to facilitate the commission, of the offence of which he is convicted, such vehicle, vessel or aircraft shall be forfeited.

7 of 1987.

(6) The owner of any such vehicle, vessel or aircraft in respect of which an order of forfeiture has been made under subsection (5) of this section, shall have all the rights of appeal of an accused person under Part IX of the Supreme Court of Judicature Act.

7 of 1987.  
CAP. 91.

(7) For the purposes of this section, “vehicle”, “vessel” or “aircraft” respectively include everything contained in, being on or attached to any vehicle, vessel or aircraft, as the case may be, which in the opinion of the court forms part of the equipment of such vehicle, vessel or aircraft.

7 of 1987.

**35.** Every airline, or the master of a vessel, or the driver of a vehicle, who brings an immigrant into Belize contrary to the entry requirements and other provisions of this Act or the regulations made thereunder, commits an offence and the court shall, in addition to any other punishment specified by law, upon conviction order the convicted person to pay the expenses of removing such immigrant from Belize.

Penalties on public carriers for bringing illegal immigrants to Belize.  
17 of 1999.

**36.**—(1) Every stowaway commits an offence and may be landed with the permission of the Director for the purpose of being prosecuted and, in addition to any other penalties imposed by this Act, shall be liable on summary conviction to imprisonment for a term not exceeding three months.

Punishment of stowaway.  
10 of 2018.

(2) A stowaway not belonging to Belize may be deported therefrom upon the order of the convicting magistrate at the expense of the master or owner of the vessel by which he was brought to Belize, and the imprisonment under sub-section (1) of this section shall cease for the purpose of carrying out that order.

(3) The detention of a stowaway shall not be deemed to be illegal if such detention is no longer than is reasonably necessary for the purpose of handing him over to a police officer.

(4) Any police officer may apprehend a stowaway without a warrant for the purpose of taking him before a magistrate.

(5) When a person is charged before any court as being a stowaway, the onus shall be upon that person to prove the consent of the owner, charterer, consignee or master of the vessel or other person entitled to give consent to his obtaining a passage upon the vessel.

Place of  
detention.  
40 of 1963.

**37.** A person detained in custody under this Act but not serving a sentence of imprisonment may be so detained either in Her Majesty's prison or in any place appointed for the purpose by the Minister, but if detained in Her Majesty's prison he shall be treated as a person awaiting trial.

Evidence and  
burden of proof.  
40 of 1963.

**38.** In any proceedings under this Act—

- (a) the burden of proof that the person charged belongs to Belize or that he is not likely to become a charge on public funds shall be upon that person;
- (b) a document purporting to be a removal order made under this Act shall, until the contrary is proved, be presumed to be such an order; and
- (c) any order made under this Act shall be presumed, until the contrary is proved, to have

been validly made and to have been made on the date upon which it purports to have been made.

**39.** The Minister may make regulations—

Power to make regulations.

- (a) prescribing the ports or places of entry or exit;
- (b) prescribing the times, places and conduct of the inquiry or examination, medical or otherwise, of persons entering or desiring to enter Belize or who being found therein are suspected of being prohibited immigrants;
- (c) prescribing lists of communicable diseases, the affliction with which will render a person a prohibited immigrant;
- (d) governing the permits and the certificates which may be issued under this Act, the conditions upon which any such permit or certificate shall be issued, the circumstances under which they may be cancelled and the fees which may be charged for any such permit or certificate;
- (e) regarding the amount and nature of the security to be furnished for the due carrying out of any conditions upon which a permit to enter and reside for a specified period may be issued to a prohibited immigrant;
- (f) prescribing the forms of warrants, permits, certificates or other documents to be issued or used or of the declarations to be made or of the books to be kept for the purposes of this Act, and the particulars to be inserted in any such document, declaration or book;

(g) generally for the better carrying out of the objects and purposes of this Act.

Deeds free of stamp duty.

**40.** No stamp duty shall be payable in respect of any deed executed in pursuance of this Act.

Savings. CAP. 159.

**41.** Nothing in this Act shall affect the operation of the Aliens Act.

Who may institute prosecutions. 10 of 2018.

**42.** All prosecutions under this Act and regulations made hereunder shall be made by the Director or by the Senior Immigration Officer, or by any other person authorised in writing by the Director.