



BELIZE

**INTOXICATING LIQUOR LICENSING ACT
CHAPTER 150**

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

**INTOXICATING LIQUOR LICENSING ACT
CHAPTER 150**

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 150

INTOXICATING LIQUOR LICENSING

ARRANGEMENT OF SECTIONS

PART I

Preliminary

1. Short title.
2. Interpretation.

PART II

Classes of Licences, Fees and Privileges

3. Kinds of licences.
4. Jukebox to be licenced.
5. Benefit of the duties.
6. Register of licences, issuing authority.
7. Grant or transfer of licences to certain persons, unlawful.
8. Hotel Register.
9. Sale of liquor in restaurants.
10. Regulations as to licensed premises.
11. Alteration or construction of premises requiring a licence.
12. Licensing Board, constitution, functions.
13. Licensing Board for Belmopan.
14. Licensing Boards for San Pedro and Benque Viejo del Carmen.
15. Licensing Board for the Village of Caye Caulker.
16. Clerk of the Board.
17. Board Meetings.
18. Notice of Application.
19. Hearing by the Board.
20. Grounds of refusal.
21. Special and vessel licences.

- 22. Transfer of licence to other premises.
- 23. Transfer of licence to another person.
- 24. Entry in register of transfer, cancellation, etc.
- 25. Death of a licence holder.
- 26. Regulations.

PART III

Duties and Liabilities of Licence Holders and Others

- 27. Hours of closing licensed premises.
- 28. Prohibition of communication between licensed premises and other adjoining premises.
- 29. Power to name hours, days, in which sale of liquor prohibited.
- 30. Penalties where a person is found on licensed premises when they are required to be closed.
- 31. Proof of illegal sale or consumption of liquor.
- 32. Power of entry on licensed premises.
- 33. Power to search for liquor.
- 34. Penalty for obstructing entry and search of premises.
- 35. Penalty where liquor is found on certain unauthorised premises.
- 36. Liability of occupier for sale of liquor on unlicensed premises.
- 37. Penalty for breach of terms and conditions of liquor licence.
- 38. Arrest of offenders.
- 39. Remedy barred in case of sale of less than a quart of liquor.
- 40. Expulsion of drunken persons.
- 41. Prevention of drunkenness or disorder on licensed premises.
- 42. Reputed thieves and prostitutes.
- 43. Gaming.
- 44. Prohibition of sale of liquor to person under eighteen years.
- 44A. Prohibition of public drinking.
- 45. Police officers on duty.
- 46. Publican's signs.
- 47. Penalty for false signs.
- 48. No action of debt to lie on unlawful sale of liquor.
- 49. Payment for liquor sold to be made in money only.
- 50. Forfeiture of licences.

51. Publication in Gazette of forfeited licences.
52. Forfeiture of licence on conviction for felony, etc.
53. Assembling illegal societies.
54. Unlicensed persons selling.
55. Forcible entry on suspicion.
56. Hawking spirits.
57. Maltsters selling spirits.
58. Adulterated, etc. liquors.
59. Non-production of licence.
60. Production of licence on complaints.
61. Public exhibition of licence on premises.
62. Paying wages in liquor shops illegal.
63. Prohibition of employment of young persons to sell liquors.
64. Police and peace officers neglecting duty. 64A Duty to provide security.
65. Licensed premises a public place. 65A General penalty.
66. Recovery of fees, etc.

PART IV

Miscellaneous

- 66A Conviction for trafficking in persons.
67. Appeal.
68. Rewards to informers.
69. Savings.
Schedules:
 - Schedule – Intoxicating Liquor Premises Licence.
 - Schedule 2 – Special Intoxicating Liquor Licence.
 - Schedule 3 – Application for Intoxicating Liquor Licence.
 - Schedule 4 – Intoxicating Liquor Licence.
 - Schedule 5 – Endorsement of a Transferred Liquor Licence.
 - Schedule 6 – Application to Remove Intoxicating Liquor Licence to other Premises.
 - Schedule 7 – Endorsement of Intoxicating Liquor Licence for Removal from one Premises to another.
 - Schedule 8 – Order of Forfeiture of Intoxicating Liquor Licence.

CHAPTER 150**INTOXICATING LIQUOR LICENSING**

Ch. 159,
 R.L., 1958.
 CAP. 117,
 R.E. 1980-1990.
 13 of 1962.
 8 of 1963.
 30 of 1963.
 38 of 1963.
 40 of 1963.
 11 of 1966.
 4 of 1967.
 3 of 1973.
 14 of 1975.
 22 of 1987.
 3 of 1989.
 9 of 1992.
 2 of 1995.
 42 of 1999.
 49 of 1999.
 6 of 2002.
 4 of 2006.
 S. I. 2 of 1983.

[27th July, 1878]

PART I*Preliminary*

Short title. **1.** This Act may be cited as the Intoxicating Liquor Licensing Act.

Interpretation. **2.** In this Act, unless the context otherwise requires, “convenience store” includes service station stores and marinas;

“hotel” means a house regularly used and kept open as such for the feeding and lodging of guests or bona fide travelers where,

- (a) if accommodation is available, all persons able and ready to pay therefore are received for entertainment while they conduct themselves properly without any stipulated engagement as to the duration of their stay or the rate of compensation; and
- (b) guests are supplied at a reasonable charge with meals, lodgings, refreshment, service and other attention necessarily incident to the use of the place as a temporary home; and
- (c) the only other dwellers therein are the family and the servants of the hotel-keeper;

“judicial district” means each of the judicial districts into which Belize is divided under the Inferior Courts Act, Cap. 94; 3 of 1989.

“licence holder” means a person to whom a licence of any kind is granted under this Act;

“licence” or “liquor licence” means a licence issued under this Act authorising sale of liquor in accordance with this Act, rules made thereunder, and conditions endorsed thereon;

“licensed premises” means any premises in which sale or supply of liquor has been authorised by a licence issued under this Act; 3 of 1989.

“Licensing Board” or “Board” means a Licensing Board established under this Act;

“liquor” means any wine, spirits, ale, porter, cider, perry, liqueurs, cordials and other spirituous or fermented liquor of an intoxicating nature;

“local authority” means the Belize City Council established under the Belize City Council Act, Cap. 85 or a Town Council of any town established under the Town Councils Act, Cap. 87 9 of 1992.
49 of 1999.

and, in the case of Belmopan, the Belmopan City Council established under the Belmopan City Council Act, Cap. 86, and, in the case of the Village of Caye Caulker, the Caye Caulker Village Council;

“members’ club” has the same meaning as in the Clubs (Registration) Act, Cap. 312;

6 of 2002.

“night club” is a place of entertainment which sells liquor by retail for consumption on the premises and holds a night club licence granted under section 3(1) (k) of this Act;

“premises” includes the land, buildings and appurtenances thereto;

“restaurant” means an establishment where meals of three courses may be obtained;

“retail” or “sale by retail” includes any sale, barter, dealing or exchange for valuable consideration of any liquor or spirituous liquor in any other than unbroken packages, or in less quantities than two gallons at any one time;

“sale” includes any barter, dealing or exchange for valuable consideration of any liquor or spirituous liquor;

“spirituous liquor” means any liquor exceeding in strength thirty *per centum* of proof spirits;

40 of 1963.
9 of 1992.

“town” means Belize City or the City of Belmopan or any one of the towns mentioned and described in the Schedule to the Town Councils Act, Cap. 87, or any other place which the Minister may from time to time declare a town for the purposes of this Act, but the Minister may from time to time declare a place to be no longer a town for the purposes of this Act;

49 of 1999.

“village” means the Village of Caye Caulker;

“wholesale establishments” includes brewers, distillers and importers. 6 of 2002.

PART II

Classes of Licences, Fees and Privileges

3.-(1) There shall be granted under this Act the following kinds of licences permitting sale of liquor in the premises and by the person described in the licence, Kinds of licences. 6 of 2002.

- (a) a publican’s general licence for the sale of liquor in unbroken packages for consumption off the premises (including wholesale establishments);
- (b) a shop licence for the sale by retail of liquor and beer, stout or wine in sealed containers for consumption off the premises;
- (c) a malt licence for the sale by retail of wine, ale, beer, cider, or stout for consumption on the premises;
- (d) a beer licence for the sale by retail of beer or stout only in sealed containers for consumption off the premises;
- (e) an hotel licence for the sale of liquor by retail for consumption on the premises, and for the sale of liquor, beer, stout or wine in sealed containers for consumption off the premises only to hotel guests or a bona fide traveler in person;
- (f) a restaurant licence for the sale of liquor in the restaurant for consumption on the premises (only with meal);

- (g) a publican's special licence for the sale by retail of liquor for consumption on the premises;
- (h) a members' club licence for the supply or sale of liquor by retail to the members of the club and their guests for consumption on the premises;
- (i) a vessel licence for the sale by the master of the vessel of liquor to passengers for consumption on board the vessel;
- (j) a convenience store licence for the sale by retail of liquor, beer, stout or wine in sealed containers for consumption off the premises;
- (k) a night club licence for the sale by retail of liquor for consumption on the premises; and
- (l) a special licence, granted not more than once a month to the same applicant, for the sale by retail of liquor at the place and between the hours specified therein.

(2) Licences may be in the form of the First and Second Schedules or as near thereto as is suitable.

6 of 2002.

(3) The following annual duty shall be payable in respect of the licences, that is to say,

In		Urban	Rural
(a)	a publican's general licence	\$2,500	\$2,500
(b)	a shop licence	1,000	500
(c)	a malt licence	550	300

(d)	a beer licence	250	150
(e)	an hotel licence (for single bars)	1,500	1,500
(f)	a hotel licence (for multiple bars)	2,500	2,500
(g)	a restaurant licence	750	500
(h)	a publican's special licence	1,500	1,000
(i)	a members' club licence	750	750
(j)	a vessel licence	300	300
(k)	convenience store licence	1,200	1,200
(l)	a nightclub licence	3,000	3,000
(m)	a special licence (for each occasion)	100	50

Provided that, in the case of special licences, the Minister may, if he is satisfied that the occasion for which the licence is sought is one sponsored by the Government, a local authority, a village council, fraternal organisation or areligious organisation and that the proceeds are to be used for a charitable or public purpose, waive all or part of the fee payable for such licence.

(3A) A hotel licence, publican's special licence, special licence or night club licence granted under this section may be extended,

- (a) in the case of a hotel licence, publican's special licence or special licence for a maximum duration of two hours;

- (b) in the case of night club licence for a maximum duration of three hours, beyond the normal closing hours of the licenced premises.

(3B) The following hourly rates shall be payable in respect of extensions granted under subsection,

	1st Hr.	2nd Hr.	3rd Hr.
	\$	\$	\$
(a) hotel licence, publican's special licence or special Licence	25	50	
(b) night club licence (Sunday to Wednesday)	25	50	75
(c) night club licence (Thursday to Saturday)	25	75	100

(4) If an annual licence is granted after the 30th April in any year, there shall be payable only three-fourths of the annual duty payable in respect thereof, and if granted after the 31st July in any year, only one- half of the duty.

(5) Every licence granted under this Act, except a special licence, shall continue in force until the 31st January next ensuing the date of the grant thereof.

(6) The Minister may from time to time, by Order published in the *Gazette*, vary the amounts of the duties prescribed herein.

Jukebox to be
licensed.
3 of 1973.

4.-(1) There shall be payable in respect of every jukebox on every licensed premises an annual duty of fifty dollars and an annual licence taken out licensed in respect thereof which shall

continue in force until 31st January next ensuing the date of the issue.

(2) Section 3 (4) of this Act, shall apply to the duty in respect of a jukebox licence.

(3) A licence for a jukebox shall be issued by the authority responsible for the issue of a liquor licence for the premises in which the jukebox is installed.

(4) A person who contravenes subsection (1) of this section, commits an offence. 6 of 2002.

5. The duties received under this Act on the issue or transfer of licences shall, in the case of any corporate town, be placed to the credit of the town fund of that town or in the case of a village, the village fund of that village, and in all other cases to the credit of the Consolidated Revenue Fund. Benefit of the duties.
3 of 1973.
49 of 1999.

6.-(1) Licences for sale of liquor in the premises situated in a corporate town or village shall be issued by the local authority of that town or village. Register of licences, issuing authority.
49 of 1999.
3 of 1973.
3 of 1989.

(2) Where no local authority exists in the part of the country in which the licence is to operate, it shall be issued by the magistrate of the respective judicial district.

(3) The local authority and the magistrate of the respective judicial district shall keep a register and make a record therein of all licences issued, renewed, transferred, suspended, cancelled and forfeited. The register shall be forwarded to the Board for the district or area in the month of February every year containing a record for the preceding year ending on 1st January. 3 of 1989.
9 of 1992.

(4) No licence shall be issued, renewed or transferred, unless the requisite certificate is produced, and the appropriate duty prescribed is fully paid by the applicant to the local authority or the magistrate of the respective judicial district.

(5) On the issue of a licence the certificate relating to that licence shall be retained by the authority as authorisation to it to issue, renew or transfer the licence.

Grant or transfer
of licences to
certain persons
un-lawful.
3 of 1973.

7. The grant or transfer of,
- (a) a licence to any person holding office or employment under the Government;
 - (b) a licence to any police officer;
 - (c) a licence, other than a spirit merchant's licence, to a licensed auctioneer; or
 - (d) a licence in respect of any premises or vessel of which a police officer is the owner, landlord or proprietor, or in which a police officer has any partnership or share, shall not be lawful.

Hotel Register.
3 of 1973.

8.-(1) Every holder of an hotel licence shall keep an "Hotel Register" in which shall be entered by or on behalf of every guest, the name, occupation, address, and the time of arrival and departure of such guest.

42 of 1999.

(2) The Hotel Register shall at all times be open to inspection by any member of the police department or of the Board who may enter such premises for that purpose at any time when it is open.

6 of 2002.

(3) Every person who neglects or refuses to keep a "Hotel Register" or to permit inspection as required by this section commits an offence.

Sale of liquor in
restaurants.
3 of 1973.

9.-(1) It shall not be lawful for any person to sell liquor in a restaurant licensed under this Act except to a customer buying a full meal therein and consuming the liquor with the meal.

(2) Any person contravening this section commits an offence. 6 of 2002.

10.-(1) The Minister, having regard,

Regulations as to
licensed
premises.
3 of 1973.

- (a) to the existing circumstances or conditions;
- (b) to the existing, current, future development;
or
- (c) to the number of licensed premises, their
distribution, location, distance inter se, in any
area, locality, street, or the surroundings
thereof, may by an Order published in the
Gazette,
 - (i) prohibit the issue of licences
authorising sale of liquor in premises
situated in any area, locality or street,
specified in the Order, or prohibit the
transfer of licences to premises in any
area, locality or street, specified in the
Order;
 - (ii) prescribe the maximum number of
licences and kinds thereof to be
issued authorising sale of liquor in
premises in any area, locality or
street, specified in the Order;
 - (iii) prescribe conditions subject to which
licences may be granted or transfer of
licences permitted authorising sale of
liquor in premises situated in any
area, locality or street, specified in the
Order.

(2) It shall be unlawful to issue a licence or permit the transfer of a licence in contravention of any provisions of such Order.

Alteration or
construction of
premises
requiring a
licence.
3 of 1973.

11.-(1) Any person intending to construct or alter any premises, or being interested in any premises about to be constructed or altered, and desiring to apply for a licence, or to have the transfer to him of a licence, authorising sale of liquor in the premises which are to be constructed or altered, or in any part thereof, after completion of construction or alteration, or desiring to remove his business from the premises described in his licence to the premises which are to be constructed or altered, or to any part thereof, after completion of construction or alteration, shall before constructing, altering or acquiring the premises, apply to the Board in the form to the effect of the Third Schedule and submit together with the application plans, specifications and whatever other information the Board may require.

(2) The provisions of this Act applicable to an application for a certificate authorising the issue of a licence shall apply to an application under this section except that the notice required to be affixed on the premises under section 18 of this Act shall, in case of premises to be constructed, be put up conspicuously on or at the site proposed for the premises.

(3) If the Board is satisfied that the premises would be suitable for the specific use as licensed premises to which it is intended to be part, it may, but only subject to other provisions and requirements of this Act being satisfied, grant a provisional certificate.

(4) Notwithstanding the grant of a provisional certificate, the Board may refuse to grant a certificate authorising the issue of a licence if the premises are not constructed or altered in accordance with the plans approved by the Board.

12.-(1) Subject to sections 13, 14 and 15 of this Act, there shall be established in each judicial district in Belize a Licensing Board consisting of six members appointed annually by the Minister by Order published in the *Gazette*,

Licensing Board,
constitution,
functions.
4 of 2006.

Provided that of the six members, one shall be either the mayor or a member of the City Council or the Town Council, or the village Chairperson or member of the Village Council, as the case may be, of the respective judicial district, who shall be an *ex officio* member,

4 of 2006.

Provided further that where in any judicial district there are two or more Town Councils, or a City Council and one or more Town Councils, the Minister shall, in his discretion, nominate the Mayor or member of any such City Council or Town Council to be an *ex officio* member of the Licensing Board for that judicial district,

Provided further that of the six members, one shall be a member of the District Association of Village Councils referred to in section 55 of the Village Councils Act, Cap. 88.

4 of 2006.

(2) The Minister shall also nominate a member to be the Chairperson, and may appoint any person to act in place of the Chairperson if absent, unable or prevented to act.

(3) The Minister may fill a vacancy in the Board caused at any time by a member's resignation or death or a member being unable or otherwise prevented to act.

(4) The Board may act by any four of its members notwithstanding any vacancy and may regulate its own proceedings,

Provided that in the event of an equality of votes, the Chairperson of the Licencing Board shall have a casting vote.

4 of 2006.

(5) No member shall, directly or indirectly, take part in any proceedings of the Board if his interest, or that of his spouse or

of a business concern in which he or his spouse has any interest, is likely to be affected in any way by a decision of the Board to be taken in the proceedings; nor shall he seek in any manner to influence any decision that might be taken in the proceedings. Any member knowingly contravening this subsection commits an offence and is liable on summary conviction to a fine not exceeding five hundred dollars.

3 of 1989.
9 of 1992.

(6) The Board shall hear and determine applications for certificates authorising the issue, the renewal or the transfer of licences, and all matters connected therewith or with forfeiture, cancellation or suspension of licences, in relation to premises situate in its own judicial district or area.

(7) The Board may grant a certificate subject to conditions it may deem fit which it shall endorse on the certificate and which shall be endorsed on the licence by the authority issuing it.

(8) The Board shall not issue a certificate authorising the issue of a licence, nor permit the transfer of a licence, in contravention of any Order made under section 10 of this Act.

(9) The Board may at any time on good cause being shown, or, on an infringement of any provision of this Act or of rules made thereunder or of any condition imposed under subsection (7) of this section being shown, or on any of the grounds in section 20 of this Act being proved, cancel or suspend a licence, or impose conditions in respect thereof, after the licensee has had an opportunity to explain to the Board the matter raised against him.

Licensing Board
for Belmopan.
9 of 1992.

13.-(1) There shall be established for Belmopan a separate Licensing Board, consisting of five persons appointed annually by the Minister by Order published in the Gazette,

Provided that of the five members, one shall be the Mayor or a member of the Belmopan City Council, who shall be an ex officio member.

(2) The provisions of subsections (2) to (9) of section 12 of this Act, shall apply to the Board established under this section.

(3) The Licensing Board for Belmopan established under this section shall have jurisdiction over the City of Belmopan and the surrounding areas starting at mile 32 on the Western Highway, to the Villages of Ontario on the Western Highway (including the Villages of Cotton Tree, St. Matthews, Valley of Peace, Roaring Creek, Camalote, Salvapan and Las Flores), and from the junction of the Western and Hummingbird Highways to the Village of St. Margarets on the Hummingbird Highway.

49 of 1999.

(4) Notwithstanding anything contained in this Act or any other law, the Licensing Board for the Cayo Judicial District shall have no jurisdiction over the City of Belmopan and the other areas specified in subsection (3) of this section over which the Licensing Board for Belmopan has been given jurisdiction under the said subsection, and the functions and powers entrusted to a Licensing Board under this Act shall, in respect of the said areas, be exercised by the Licensing Board for Belmopan established under this section.

49 of 1999.

14.-(1) There shall be established a separate Licensing Board for each of the towns of San Pedro and Benque Viejo del Carmen.

Licensing
Boards for San
Pedro and
Benque Viejo del
Carmen.

(2) A Licensing Board established for any of the towns mentioned in subsection (1) of this section, shall consist of five persons appointed annually by the Minister by Order published in the *Gazette*,

2 of 1995.

Provided that of the five persons, one shall be the Mayor or member of the Council of the town in question and such person shall be an *ex-officio* member.

(3) The provisions of section 12 (2) to (9) of this Act shall apply *mutatis mutandis* to any Board established under this section.

(4) Notwithstanding anything contained in this Act, the Licensing Boards for the Belize judicial district and the Cayo judicial district shall have no jurisdiction in the towns of San Pedro and Benque Viejo del Carmen; and the functions and powers entrusted to a Board under this Act shall, in respect of San Pedro and Benque Viejo del Carmen, be respectively exercised by the Board established for such town under this section.

Licensing Board
for the Village of
Caye Caulker.

15. (1) There shall be and is hereby established a separate Licensing Board for the Village of Caye Caulker.

(2) The Licensing Board established under subsection (1) of this section, shall consist of five persons appointed annually by the Minister by Order published in the Gazette,

Provided that of the five persons, one shall be the Chairperson of the Village Council and shall be an *ex officio* member of the Licensing Board.

(3) The provisions of sections 12 (2) to (9) of this Act shall apply *mutatis mutandis* to the Licensing Board established under this section.

(4) Notwithstanding anything contained in this Act, the Licensing Board for the Belize Judicial District shall have no jurisdiction in the Village of Caye Caulker; and the functions and powers entrusted to a Licensing Board under this Act shall, in respect of the Village of Caye Caulker, be exercised by the Licensing Board established under this section.

Clerk of the
Board.
4 of 2006.

16. The Board shall appoint the City Administrator, Town Administrator or Secretary of the Village Councils, as the case may be, to be the Clerk of the Board.

17.-(1) The Board shall on the second Mondays in the months of January, April, July and October in each year and in such other months into which the proceedings may be adjourned hold licensing meetings.

Board Meetings.
3 of 1973.

(2) A meeting may be adjourned at the instance of an applicant or person concerned in the proceedings upon such terms as to costs or otherwise as the Board may think proper.

(3) The Board shall hold its meetings in the inferior court house in the district or area, or at such other place or places as the Board may determine from time to time.

49 of 1999.

(4) If any person pays a fee of one hundred dollars to the clerk of a Licensing Board and requests him in writing to summon a special licensing meeting, that clerk shall summon a special meeting of the Licensing Board for a day to be fixed by the Chairperson to meet, as far as is reasonably practicable, the convenience of the person, and the clerk shall give public notice of the time and place when and where such meeting will be held.

9 of 1992.

(5) At any such special meeting, the Licensing Board may transact any business relating to the application of the person who had requested the special meeting, which it could have transacted at a normal quarterly licensing meeting, but the Board shall transact no other business at such special meeting.

18.-(1) Every person who desires to obtain a licence other than a special licence shall send to the clerk of the Board of the district or area wherein the premises to be licensed are situate a notice in triplicate in the form or to the effect of the Third Schedule at least thirty days before the commencement of a quarterly session of the Board.

Notice of
application.
4 of 2006.

(2) An application for a members' club's licence shall be accompanied by the certificate of registration of the club issued under the Clubs (Registration) Act, Cap. 312.

(3) The clerk shall send a copy of the application to the Commissioner of Police and all other documents submitted therewith.

(4) Every notice of application shall be accompanied by a document issued by the appropriate authority certifying that no duty in respect of any previous licence for the same premises for which a certificate is being applied for remains unpaid.

(5) The applicant shall affix to the outer side or front of the principal entrance door of the premises intended to be licensed, and keep there affixed until the licensing meeting is held, a copy of the notice and shall also publish in a local newspaper the contents thereof prior to the date of the meeting. He shall submit a copy of such publication to the Board with his application.

(6) The clerk shall cause a copy of the notice to be posted on some conspicuous part on the outside of the building in which the meeting will be held.

Hearing by the
Board.
3 of 1973.

19.-(1) The hearing by the Board of any matter under section 12 (6) of this Act, shall be open to the public.

(2) Every person concerned in or affected by the matter may attend personally or by an agent at the hearing, but the Board may require such person to attend personally.

(3) The Board shall determine every matter after considering all representations and objections.

(4) A certificate granted by the Board shall be in the form of the Fourth Schedule or to the like effect.

Grounds of
refusal.
3 of 1973.

20.-(1) The Board may refuse to grant a certificate or permit transfer of a licence on any of the following grounds,

(a) that the applicant is of bad fame or character or of drunken habits or habitually permitting

or suffering breaches of the provisions of this Act or the rules or of the conditions endorsed on the licence or habitually permitting or suffering any nuisance or unsanitary conditions being created by persons to whom liquor is sold on his premises;

- (b) that the premises do not satisfy the requirements of this Act or of the rules, and, if the premises are not subject to such requirements, that they are not suitable or do not contain proper accommodation, facilities and conveniences;
- (c) that the premises are in the vicinity of a place of public worship, school, hospital;
- (d) that there are already a sufficient number of licensed premises within the boundaries of the district, town or area or in the part whereof or of the neighborhood in which the licence for any premises is sought;
- (e) that there is frequent drunkenness on the premises or that persons are frequently seen leaving the premises in a state of drunkenness or that persons in the premises frequently behave in a disorderly manner;
- (f) that the premises are likely to become a nuisance to the neighborhood;
- (g) that the particulars in the application or relative documents are inaccurate or incomplete.

(2) The Board may refuse to grant a certificate to a club or permit transfer of a licence to it on any ground set out in

subsection (1) of this section, and in addition on any of the following grounds,

- (a) that any member of the committee of management does not bear a good character;
- (b) that the club has in fact and in practice ceased to exist as a club, although its printed rules appear to be in order;
- (c) that it is not conducted in good faith as a club, or that it is kept or used for sale of liquor without discrimination as regards the persons to whom the liquor is sold or for some improper purposes;
- (d) that persons who are not members are habitually admitted into the clubs for the purpose of obtaining liquor;
- (e) that persons are habitually admitted as members without an interval of at least fourteen days between the nomination and the admission;
- (f) that the sale of liquor is not under the control of the members or the committee of the club;
- (g) that a person has been denied admission into the club as a member or a guest on the grounds of colour, race, creed, ethnicity, sex or nationality;
- (h) that the rules of the clubs are habitually broken;
- (i) that the evidence given as to the objects of the club or its system of management, or as to

the character of the club's premises is unsatisfactory;

- (j) that the club is unregistered under the Clubs (Registration) Act, Cap. 312.

(3) Any person shall be at liberty to oppose the grant of a certificate or transfer of a licence on any of the grounds set out in this section if and only if,

- (a) he has given written notice to the Board and to the applicant of his intention to oppose the grant, and has stated in such notice in general terms, the grounds of opposition and the facts in support thereof; and
- (b) such notice has been given to the Board and to the applicant not less than ten days before the day fixed for the hearing of the application.

21.-(1) A certificate for the issue of a special licence may be granted by the Chairperson in his discretion, subject however to the provisions of this Act.

Special and
vessel licences.
3 of 1973.

(2) A certificate for a licence for a vessel shall be granted by the Board for the district of Belize.

22.-(1) Any licence holder desiring to remove his business from the premises described in his licence to another building within the same district shall first give the Board a notice of application in the form of the Sixth Schedule or to the like effect.

Transfer of
licence to other
premises.
3 of 1973.

(2) The provisions of this Act relating to notices, the hearing of applications for certificates for licences and objections thereto, shall apply to applications for transfer under this section.

(3) Approval of transfer applied for, if given, shall be endorsed upon the licence in the form of the Seventh Schedule or in the like form and shall be subject to whatever conditions imposed and endorsed on the licence.

(4) A fee of ten dollars shall be paid for transfer approved under this section before the approval is endorsed on the licence.

Transfer of
licence to
another person.

23.-(1) The Chairperson of a Board may, on an application in writing signed by the proposed transferor and the transferee, transfer any licence to the appointee of the licensee, if approved by him, by the endorsement upon the licence in the form of the Fifth Schedule.

(2) Upon such transfer, the appointee shall, until the next quarterly licensing meeting, possess all the rights of the original licence holder and shall be subject and liable to the same duties, obligations and penalties as if the licence had been originally issued to him.

(3) The person whose licence is so transferred shall cease to be licensed under this Act,

Provided that if such appointee shall, at the next licensing meeting, obtain a confirmation of such transfer by an endorsement to that effect on the licence signed by the Chairperson of the Board, he shall, until the 31st January after the date on which the original licence was issued, possess all the rights of the original licence holder and shall be subject and liable to the same duties, obligations and penalties, as if the licence had been originally issued to him.

(4) The provisions of this Act relating to notices, the hearing of applications for licences and objections thereto, shall apply to the proceedings in respect of confirmation of transfers.

(5) No transfer shall be made before the expiration of three months after the issue of any licence.

(6) A fee of ten dollars shall be paid upon each transfer of a licence.

24. Every transfer of a licence whether as regards the holder or the premises and every forfeiture, cancellation or suspension of a licence, shall be entered in the register of licences within fourteen days.

Entry in register of transfer, cancellation, etc. 3 of 1973.

25. Upon the death of a licence holder, his legal personal representative may continue to carry on the business for the unexpired period of the licence, either personally or by an agent expressly authorised in writing for that purpose by the Chairperson, and the personal representative or his agent shall as to all rights and obligations be regarded as the original licence holder.

Death of a licence holder.

26. The Minister may from time to time by an Order published in the *Gazette* make regulations for generally carrying this Act into operation, and in particular such regulations may,

Regulations.

- (a) prescribe requirements with regard to the nature, character, and suitability of the premises which may be licensed and accommodations, facilities and conveniences which should be available therein;
- (b) vary or delete the forms of the Schedule hereto or add a new form.

PART III

Duties and Liabilities of Licence Holders and Others

Hours of closing
licensed
premises.

27.-(1) All licensed premises in which liquor is sold under a publican's general licence shall be closed,

- (a) on Christmas Day and Good Friday;
- (b) on Saturdays between the hours of eleven o'clock in the night and seven o'clock in the morning of the following Monday;
- (c) on all other days, between the hours of ten o'clock in the night and seven o'clock in the morning of the following day, and no liquor shall be sold or delivered from those premises at any time during the period when they are required to be closed by this section.

(2) All licensed premises in which liquor is sold under a malt liquor and cider licence shall be closed,

- (a) on Christmas Day and Good Friday;
- (b) on Saturdays between the hours of eleven o'clock in the night and ten o'clock in the morning of the following Sunday;
- (c) on Sundays between the hours of two o'clock in the afternoon and seven o'clock in the morning of the following Monday;
- (d) on all other days between the hours of eleven o'clock in the night and seven o'clock in the morning of the following day,

and no liquor shall be sold or delivered on the premises at any time during the period when they are required to be closed by this section.

(3) Any person who during the times at which any licensed premises are required by this section to be closed, 6 of 2002.

- (a) sells or exposes for sale in such premises any liquor;
- (b) opens or keeps open such premises for the sale of liquor; or
- (c) allows any liquor, although purchased before the hours of closing, to be consumed on such premises,

is guilty of an offence.

(4) All premises in which liquor is sold under an hotel licence shall be closed daily between midnight of the one day and seven o'clock in the forenoon on the next day,

Provided that during the visit of any tourist ship to Belize or on the occasion of any dance, ball, or other entertainment at an hotel, the Chairperson of the Licensing Board of any judicial district or area may authorize in writing the holder of an hotel licence to supply liquor to the tourists or the guests at such dance, ball or entertainment during such hours as may be specified in the authority, and upon obtaining such authority it shall be lawful for the licence holder to keep his premises open for such time beyond the commencement of the closing period as may be specified in the authority.

3 of 1989.
9 of 1992.

28.-(1) Any person who uses or allows to be used any existing communication or makes or allows to be made any internal communication between any part of a building in respect of which a publican's general licence has been granted under this

Prohibition of communication between licensed premises and other adjoining premises.
6 of 2002.

Act and any other part of such building used as a store, shop, or business premises, commits an offence.

(2) Every conviction for an offence under this section shall be endorsed on the licence of the person convicted.

Power to name hours, days, in which sale of liquor prohibited.

29.-(1) The Minister may by Order published in the *Gazette*,

- (a) prescribe hours during which, or days on which, it shall be unlawful to sell liquor in any area, locality, district or part of a district, specified in the Order;
- (b) prescribe hours during which, or days on which, all licensed premises or licensed premises in respect of which licences of the kind indicated in the Order are held shall be closed in any area, locality, district or part of a district, specified in the Order;
- (c) prohibit consumption of liquor on the highways or in public space in any area, locality, district or part of a district, specified in the Order.

6 of 2002.

(2) Any person contravening the provisions of such Order commits an offence.

(3) Notwithstanding the existence of an Order made under this section, sale and consumption of liquor in accordance with the conditions of a special licence shall be lawful.

6 of 2002.

(4) Every person who holds a licence for the retail of any liquor to which an Order under this section applies shall at all times keep a copy of the Order both in the English and the Spanish languages conspicuously posted so as to be easily read by customers, and, if he fails or neglects to do so, he commits an offence.

30.-(1) Any person who, not being,

- (a) one of the family or a servant of the licence holder;
- (b) a bona fide guest occupying a room on such premises;
- (c) a bona fide traveler; or
- (d) a person whose presence on the licensed premises is not in contravention of any of the provisions of this Act,

Penalties where a person is found on licensed premises when they are required to be closed.

is found on any licensed premises at any time during the period when such licensed premises are required to be closed commits an offence and is liable to a fine not exceeding ten dollars.

(2) Any police officer may demand the name and address of any person found on any licensed premises at any time during the period when such premises are required by this Act to be closed and, if he has reasonable ground to suppose that the name or address given is false, may require evidence of the correctness of the name and address, and he may, if such person fails upon demand to give his name and address or such evidence, apprehend him without warrant and carry him as soon as practicable before a summary jurisdiction court.

(3) Every such person who, on being required by a police officer under this section to give his name and address, fails to give the same, or gives a false name or address, or gives false evidence with respect to such name and address, commits an offence and shall be liable to a fine not exceeding twenty-five dollars.

(4) Every person who by falsely representing himself to be a traveler or a lodger buys or obtains, or attempts to buy or obtain, at any licensed premises any liquor at any time during the period when the premises are required to be closed by this

Act commits an offence and shall be liable to a fine not exceeding twenty-five dollars.

Proof of illegal sale or consumption of liquor.

31. In proving the sale or consumption of liquor for the purpose of any proceeding relative to any offence under this Act, it shall not be necessary to show that any money actually passed, or that any liquor was actually consumed, if the court hearing the case is satisfied that a transaction in the nature of a sale actually took place, or that any consumption of liquor was about to take place, and proof of consumption or intended consumption of liquor on licensed premises by some person other than the occupier or a servant in such premises shall be evidence that such liquor was sold to the person consuming or about to consume or carrying away the same, by or on behalf of the licence holder.

Power of entry on licensed premises.

32. Any police officer or any officer of customs, when and so often as he thinks fit, may enter any licensed premises and upon any premises belonging thereto or used therewith for the purpose of ascertaining whether the provisions of this Act have been or are being violated.

Power to search for liquor.

33. The Commissioner of Police, or a senior police officer above the rank of Assistant Inspector, the Comptroller of Customs or a person authorised by any of them in writing for every particular case, may enter any store, shop or business premises whatever and search for any liquor.

Penalty for obstructing entry and search of premises.

34.-(1) Any person who,

- (a) refuses or wilfully delays the admission of any officer authorised by this Act or any person having authority in writing under this Act and exhibiting his authority to any premises authorised by this Act to be so entered as aforesaid;
- (b) in any way obstructs, molests, opposes, hinders or impedes any such officer or person

while entering such premises, or after having entered any such premises, from searching or otherwise ascertaining whether any breach of the provisions of this Act has been or is being committed; or

- (c) removes, throws away or destroys, or causes to be removed, thrown away or destroyed, any liquor in order to prevent any search for or seizure of it,

commits an offence and is liable to a fine not exceeding two hundred and fifty dollars.

(2) If such admittance be refused or delayed, whether wilfully or not, it shall be lawful for any such officer or person to break into or employ force to enter such premises.

35.-(1) The occupier of any store, shop or business premises whatever other than licensed premises, in which is found any liquor, and the occupier of any premises in respect of which a malt liquor and cider licence has been issued under this Act in which is found any liquor other than that authorised to be sold under such licence commits an offence and is liable to a fine not exceeding two hundred and fifty dollars or in default of payment to imprisonment for any period not exceeding six months.

Penalty where liquor is found on certain unauthorised premises.

(2) All liquor whatever so found and the packages containing it shall be seized by the officer or person making the search and shall be removed to some convenient and safe place of custody and there be detained until adjudication of complaint for the penalty to be brought against such occupier as hereinafter provided.

(3) If such complaint is decided against the defendant, the liquor and packages so detained shall *ipso facto* and without any condemnation whatever be forfeited, and if such complaint

is decided in favour of the defendant, the liquor and packages shall be restored to him.

(4) For the purpose of this section, any member of a firm occupying a shop, store or other business premises may be proceeded against as the occupier.

Liability of
occupier for sale
of liquor on
unlicensed
premises.

36.-(1) No person shall expose or offer for sale, or sell, barter, exchange or otherwise dispose of any liquor,

(a) unless he holds a licence under this Act authorising him to sell that liquor; or

(b) at any place, other than that at which the licence authorises him to sell liquor.

6 of 2002.

(2) Any person who acts in contravention of this section commits an offence and is liable in respect of each offence.

(3) On the conviction of any person for an offence under this section, the court may, if it thinks it expedient to do so, declare all liquor found in the possession of the person convicted and the vessels containing it to be forfeited to the State.

(4) The occupier of any premises on which any intoxicating liquor is sold in contravention of this section or, if the premises are occupied by more than one person, every occupier thereof shall, if it is proved that he was privy or consented to the sale, be subject to the penalties imposed upon persons under this Act for the sale of liquor without a licence.

Penalty for
breach of terms
and conditions of
liquor licence.

37.-(1) If any person purchases any liquor from a licence holder under this Act whose licence does not authorise the sale of that liquor for consumption on the premises, and consumes the liquor on the premises where it is sold, or on any premises adjoining or near to those premises, if belonging to the seller of the liquor or under his control or used by his permission, or on any highway adjoining or near any such premises, and it

appears to the magistrate that the consumption was with the privity or consent of the licence holder who sold the liquor, the licence holder commits an offence.

(2) If the licence holder whose licence does not authorise the sale of liquor to be consumed on his premises himself takes or carries, or employs or suffers any other person to take or carry, any liquor out of or from his premises for the purpose of being sold on his account, or for his benefit or profit, and of being consumed in any place whatever (whether enclosed or not and whether or not a public thoroughfare) with intent to evade the conditions of the licence, he commits an offence.

(3) If the place is any house, tent, shed or other building of any kind whatever belonging to the holder of the licence or hired, used or occupied by him, the holder of the licence shall be deemed, unless the contrary is proved, to have intended to evade the conditions of the licence.

38. Any person who is found selling or offering or exposing for sale any liquor, except in accordance with the provisions of this Act, may be arrested by any police officer and detained until such person can be brought before a magistrate and dealt with according to law, and any liquor so sold or offered or exposed for sale, with the packages containing it, shall be seized and forfeited.

Arrest of
offenders.

39. No person, however licensed, shall maintain any action for or recover in case of sale any debt on account of any liquor sold or delivered in any quantity less than one reputed quart and delivered or taken away all at one time,

Remedy barred
in case of sale of
less than a quart
of liquor.

Provided that nothing contained in this section shall prevent any holder of an hotel licence or a special hotel licence or a vessel licence from keeping an account with bona fide lodgers, passengers and travelers, in which any charge for liquor may be included and lawfully recovered as part of the amount thereof.

Expulsion of
drunken persons.

40.-(1) Any licence holder may refuse to admit to and may turn out of his premises any person who is drunken, violent, quarrelsome or disorderly, and any person whose presence on his premises would subject him to a penalty under this Act, and every such person who, upon being requested in pursuance of this section by such licence holder or his agent or servant to quit such premises, refuses or fails to do so commits an offence and is liable to a fine not exceeding twenty-five dollars.

(2) All police officers are required, on the demand of such licensed person, agent or servant to expel or assist in expelling every such person from such premises, and may use such force as may be necessary for that purpose.

Prevention of
drunkenness or
disorder on
licensed
premises.
6 of 2002.

41.-(1) No licence holder shall permit drunkenness, drug dealing and trafficking, the use of illegal drugs, or any violent, quarrelsome or riotous conduct to take place on his premises, or sell any intoxicating liquor to a drunken person.

(2) Any licence holder who acts in contravention of this section commits an offence and is liable in respect of each offence.

(3) Every conviction for an offence under this section shall be endorsed on the licence of the person convicted, unless the magistrate otherwise directs.

(4) If the licence holder is charged with permitting drunkenness on his premises in contravention of this section, and it is proved that any person was drunk on his premises, it shall lie on the licence holder to prove that he and the persons employed by him took all reasonable steps to prevent drunkenness on the premises.

Reputed thieves
and prostitutes.
6 of 2002.

42. If any licence holder knowingly permits his premises to be the habitual resort of or place of meeting of reputed thieves or of reputed prostitutes, whether the object of the meeting or resorting of such prostitutes is or is not prostitution, he is, if he allows them to remain longer thereon than is necessary for the

purpose of obtaining reasonable refreshment, guilty of an offence.

43. If any licence holder suffers any gaming or unlawful games to be carried on in his premises, he commits an offence.

Gaming.
6 of 2002.

44.-(1) No licence holder shall sell or deliver or allow any person to sell or deliver any description of liquor as defined in section 2 of this Act to any person under eighteen years.

Prohibition of
sale of liquor to
person under
eighteen years.
6 of 2002.

(2) No person shall send any person under the age of eighteen years to any licensed premises or place where liquor is sold, delivered or distributed for the purpose of purchasing, obtaining or taking delivery of any liquor.

(3) No licence holder shall employ a member of his family or his servant or apprentice below the age of eighteen years, as a messenger to sell or deliver liquor.

(3A) Every holder of a licence issued under this Act or an employee of such a licence holder shall, before selling liquor to any person, ascertain and be satisfied that the person is over the age of eighteen years.

(3B) Every holder of a nightclub license, malt liquor license or publican's special licence shall, before admitting any person into any premises operated under such licence, ascertain and be satisfied that the person is over the age of eighteen years.

(3C) In ascertaining the age of any person pursuant to subsection (3A) or (3B), of this section, it shall be lawful for the licence holder or the employee of licence holder to demand an identity card from the person before selling any liquor to such person or admitting such person into the premises.

(4) Any person who acts in contravention of this section commits an offence.

(5) It is hereby declared that an offence under this section 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 person in respect of whom the offence was committed was under the age of 18 years; and
- (b) it shall not be a defence for the accused person to prove that he had no such knowledge.

Prohibition of
public drinking.
6 of 2002.

44A.-(1) Subject to subsection (2) of this section, no person shall drink any liquor,

- (a) on any public road;
- (b) in any drain, culvert, street, sidewalk or other public place, other than a public place specified in section 65 of this Act.

(2) Subject to subsection (3) of this section, it shall be lawful for a person to drink liquor on a public road, or in a drain, culvert, street, sidewalk or other place, other than a public place specified in section 65, on the occasion of any public dance, ball, celebration or entertainment, provided that,

- (a) the liquor is not contained in any bottle, glass metal receptacle; but
- (b) the liquor is contained in a plastic, paper or styrofoam receptacle.

(3) Subsection (2) of this section does not apply to the driver of a motor vehicle.

(4) A person who contravenes subsection (1) or subsection (3) of this section, commits an offence and is liable, on summary conviction,

- (a) for a first offence, to pay a fine of twenty-five dollars;
- (b) for a second offence, to pay a fine of fifty dollars;
- (c) for a third or subsequent offence, to pay a fine of one hundred dollars and to undertake fifty hours of community service work in accordance with any law providing for community service sentences.

(5) Subsections (1) and (2) of this section shall not apply to such public places as the Minister may designate by Order published in the Gazette.

45. Any licence holder who,

Police officers
on duty.

- (a) suffers any police officer to remain on his premises during any part of the time appointed for such police officer to be on duty elsewhere, unless for the purpose of keeping or restoring order, or in execution of his duty; or
- (b) supplies any liquor or refreshment, whether by way of gift or sale, to any police officer on duty;
- (c) bribes or attempts to bribe any police officer, commits an offence.

(2) Every conviction for an offence under this section shall, unless the magistrate otherwise directs, be recorded on the licence of the person convicted.

Publican's signs.

46.-(1) Every person who holds a publican's general licence shall have his name at full length painted in legible letters at least three inches along with the words "licensed to retail fermented and spirituous liquors", constantly and permanently on a conspicuous part of the outside of his building where it can be plainly seen and read.

(2) Every person holding a malt liquor and cider licence or shop liquor licence shall have his name painted as stated in subsection (1) of this section, with the words "licensed to sell in any quantity ale, porter, beer, cider or perry" or "licensed to sell liquor not to be consumed on the premises", as the case may be, constantly and permanently on a conspicuous part of the outside of his building where the same can be plainly seen and read.

6 of 2002.

(3) Every such licence holder who fails or neglects to comply with this section commits an offence.

Penalty for false signs.
6 of 2002.

47. Any person who does not hold a licence and who keeps up any sign, writing or mark on or near to his building or premises which may imply or give reasonable cause to believe that such building or premises is or are licensed for the sale or barter of any liquor as aforesaid, or that such liquor is sold or served therein, commits an offence.

No action of debt to lie on unlawful sale of liquor.

48. No person shall maintain any action for or recover in any court any debt or demand on account of any liquor sold or disposed of in contravention of this Act, whether it be sold without a licence, or by exceeding the authority conferred by a licence, or by violating the conditions annexed to any licence by the express terms thereof, or the provisions of this Act.

Payment for liquor sold to be made in money only.

49. If a licence holder takes or receives from any person whomever, in payment or in pledge for liquor, or for any entertainment whatever supplied in or out of his building or premises, any articles of clothing or slops, or any tool or other article or thing except metallic or paper money, he commits an offence.

50. Every licence holder who is convicted of any offence under this Act may, on a fourth conviction, be adjudged, in addition to any fine or penalty imposed by this Act, to forfeit his licence, and immediately on such adjudication the defendant shall deliver the licence theretofore held by him to the magistrate and on his failing to do so, he shall be liable to a fine of fifty dollars for every day that he fails to deliver the licence to the magistrate.

Forfeiture of licences.

51. Whenever any licence is forfeited under this Act, the Board or the magistrate shall cause the forfeiture thereof to be notified in the Gazette and, subject to anything to the contrary in this Act, no person whose licence is forfeited shall be capable of holding a licence under this Act for the space of three years from the date of such forfeiture.

Publication in Gazette of forfeited licences.
6 of 2002.

52. If any licence holder,

Forfeiture of licence on conviction for felony, etc.

- (a) is convicted of felony, perjury or other infamous offence; or
- (b) holding a publican's general licence or a malt liquor and cider licence, or a hotel licence, permits any person to manage, superintend or conduct the business of such premises during his absence for a longer period than twenty-eight days in any one year without the previous consent in writing of the Chairperson of the Board or, whether present in such premise or not, permits any unlicensed person to be in effect the keeper thereof or allows such premises to become ruinous or dilapidated,

the court of summary jurisdiction in the district in which the licensed premises are situate, upon complaint thereof and proof of the facts aforesaid, shall, by an order in the form of the Eighth Schedule, declare such licence to be forfeited, and it shall thereupon be void,

Provided that if the complaint has been made on the ground that the licensed premises have become ruinous and dilapidated, and that condition was caused by fire, tempest or other cause beyond the control of the licence holder, the licence shall not be forfeited until a reasonable time has elapsed for the restoration of the premises.

Assembling
illegal societies.

53.-(1) No licence holder shall permit any body, union, society or assembly of persons declared to be illegal, or which requires from persons on or before admission thereto any illegal oath, test, declaration or affirmation or which observes on the admission of members or at any other proceeding any religious, pretended religious or other rite or ceremony not sanctioned by law, or which wears, carries about or displays on assembling any arms, flags, colours, symbols, decorations or emblems whatever, to meet or assemble on any occasion or pretence whatever in the building, premises or other places of sale of the licence holder.

(2) The licence holder shall not display or suffer to be displayed on, from or out of any part of such premises any sign, flag or symbol, declaration or emblem whatever of any such body of society as aforesaid.

(3) If any such licence holder commits a breach of any of the provisions contained in this section, he commits an offence, but nothing contained in this section shall apply to the societies or bodies of men called Freemasons, Foresters, Ancient Druids, Odd fellows or to any benefit or friendly society.

Unlicensed
persons selling.
6 of 2002.

54. If any licence holder,

- (a) employs any unlicensed person to sell or dispose of by retail any liquor in any building or in any cart, dray, carriage, vessel or boat, or in any place whatever out of the building or place in which such licence holder is by his licence authorised to sell or dispose of it

and notwithstanding in such building or place if otherwise than as the servant or agent under the immediate superintendence and control of such licence holder; or

- (b) sells, barter or lends to any unlicensed person any such liquor with the knowledge or upon the understanding that such liquor is to be sold or bartered by such unlicensed person contrary to the true intent and meaning of this Act,

he commits an offence.

55.-(1) Upon information on oath being made before any magistrate or Justice of the Peace by any police officer or credible person that he suspects and believes that any liquor has been sold or retailed by any person who is not a licence holder in any unlicensed building or other unlicensed place, and that police officer or other person stating in the said information reasonable ground for such suspicion and belief, the magistrate or Justice of the Peace, as the case may be, may, in his discretion, grant his warrant to any police officer to enter and search any such building or other place by day or by night.

Forcible entry on suspicion.

(2) Every police officer authorised by a warrant under this section may break open the doors, if not opened within a reasonable time after demand, and seize all such fermented, spirituous or mixed liquor which he then and there finds and the vessel or vessels in which it is contained, and he may detain the same until the owner thereof appears before a magistrate to claim the liquor and satisfies the magistrate how and for what purpose he became possessed of it or, after being summoned, fails to appear.

(3) If it appears to the magistrate after due inquiry and examination that such liquor was in the building or other place for the purpose of being illegally sold or disposed of by retail, he shall adjudge the said liquor and vessels to be forfeited, and

the same shall be sold, and the proceeds thereof after payment of all expenses be appropriated in like manner as fines are in this Act directed to be appropriated.

(4) If the magistrate is not satisfied that the said liquor was in the building or other place for the purpose of being illegally sold or disposed of by retail, he shall order the liquor and vessel or vessels containing it to be restored to the owner.

Hawking spirits.

56.-(1) A magistrate or any Justice of the Peace, police officer or other peace officer may seize and take away, or destroy, or cause to be seized, taken away or destroyed all such fermented, spirituous or mixed liquor as is hawked about or exposed for sale in any street, road or footpath, or in any booth, tent, stall or shed, or in any boat or vessel, or in any other place whatever by any person not licensed to sell it in such place, as well as the vessels containing it.

(2) All vessels and utensils used for drinking or measuring all such liquor, and any cart, dray or other carriage, horse or other animal employed in drawing or carrying it, as well as any boat or vessel used in the conveyance of such liquor may be likewise seized, taken away or destroyed.

(3) The magistrate may convict any person who hawks about or exposes for sale or sells any such liquor as aforesaid and thereupon cause such liquor, the vessels and utensils containing it, and any cart, dray or other vehicle, horse or other animal and any boat or vessel used in conveying it, to be sold, and the proceeds thereof, after deducting the expenses of sale, shall be appropriated in like manner as fines are in this Act directed to be appropriated.

Maltsters selling spirits.

57.-(1) In case the holder of any malt liquor and cider licence under this Act possesses or has any wines or spirituous liquor whatsoever, or mixed liquor part of which is spirituous, in or about his building or premises, or in any other building or premises in which it is proved to the satisfaction of any magistrate to have been placed for the purpose of being sold or

disposed of by or on behalf of the holder of such licence as aforesaid, or for the purpose of evading the provisions of this Act in any manner, all such wines, spirituous liquor or mixed liquor as aforesaid shall be forfeited and with the vessels and utensils containing it dealt with and disposed of as provided in section 56 in the case of liquor hawked about or exposed for sale.

(2) If any such liquor is in or about the building or premises for which a malt liquor and cider licence is granted, it shall be seized by any police officer authorised as required by this Act, without any warrant, wherever it is found, and if the said liquor is in or about any other building or premises, a search warrant shall be issued as hereinbefore directed in section 55 in other cases of suspected unlicensed buildings.

58. Any person who sells or disposes of or offers for sale any fermented or spirituous liquor, or any mixed liquor part of which is fermented or spirituous, which is adulterated or mixed with any deleterious ingredient whatever commits an offence.

Adulterated, etc.
liquors.
6 of 2002.

59. In all proceedings whatever against any person for selling or permitting to be sold any fermented or spirituous liquor, or any mixed liquor part of which is fermented or spirituous, without a licence or sufficient licence, such person shall for all purposes connected with those proceedings be deemed and taken to be unlicensed, unless at the hearing of the case he produces his licence or then and there produces other satisfactory proof of it and of the description of the licence held by him.

Non-production
of licence.

60. Every licence holder shall, on the demand of any magistrate before whom any information is being heard, produce and deliver up his licence, and if he wilfully refuses or neglects to do so, he commits an offence.

Production of
licence on
complaints.
6 of 2002.

61. Every licence holder shall cause his licence to be prominently exhibited in some conspicuous part of the building

Public exhibition
of licence on
premises.
6 of 2002.

wherein or whereat such licence is exercised, and on his failure to do so, he commits an offence.

Paying wages in
liquor shops
illegal.
6 of 2002.

62. Every master or other person who employs journeymen, workmen, servants or labourers, and who pays or causes any payment of wages to be made to any such journeyman, workman, servant or labourer in or at any building in which any liquor as aforesaid is sold by retail, unless such master or other person has himself a licence under this Act for such building, commits an offence.

Prohibition of
employment of
young persons to
sell liquors.
6 of 2002.

63.-(1) No licence holder shall knowingly employ nor allow any person to employ anyone under the age of eighteen years to sell or assist in the sale of liquor on any licensed premises.

(2) Any person who acts in contravention of this section commits an offence and is liable in respect of each offence.

Police and peace
officers
neglecting duty.

64. If any police officer or any other peace officer refuses or knowingly neglects to execute any part of the duty imposed upon police officers or peace officers by this Act, or to make an immediate report to the magistrate of the district or other Justice of the Peace, or other superior officer to whom he may in the usual course of his duty be required to make such report, after he has received information or has otherwise obtained a knowledge of any proceedings in violation of any of the provisions of this Act, such police officer or other peace officer shall be liable to a fine not exceeding fifty dollars, or to be imprisoned for any term not exceeding three months.

Duty to provide
security.
4 of 2006.

64A.-(1) The holder of a publican special licence or a night club licence shall have a duty to provide,

- (a) a male and a female security guard at his or her premises, if his or her premises are visited by male and female patrons; or

- (b) a male security guard, if his or her premises are visited by male patrons, to ensure the safety of patrons at his or her premises.

(2) The duties of a security guard referred to in subsection (1) of this section shall include the searching of persons entering the premises for firearms, dangerous drugs and dangerous weapons, and for this purpose the security guard shall have the powers of a police officer of the Belize Police Department, including the powers of arrest.

(3) For the purpose of this section, “security guard” has the meaning assigned to it in section 2 of the Private Security and Investigation Services (Control) Act, Cap. 138.01

65. Every licensed premises shall, during the period when it is authorised by this Act to be open, be deemed to be a public place within the meaning of the Summary Jurisdiction (Offences) Act, Cap. 98.

Licensed premises a public place.

65A. Any person who commits an offence under section 4, 8, 9, 27, 28, 29, 35, 36, 37, 41, 42, 43, 44, 45, 46, 47, 49, 53, 54, 58, 60, 61, 62, and 63 of this Act, shall on summary conviction be liable,

General penalty.

- (a) for a first offence, to pay a fine of five hundred dollars, and in the case of a licence holder, to a suspension of his licence for three months;
- (b) for a subsequent offence, to pay a fine of one thousand dollars and in case of a licence holder, to forfeiture of his or her licence.

4 of 2006.

PART IV*Miscellaneous*

Recovery of
fees, etc.

66. All fines, penalties and forfeitures imposed by this Act shall be recovered on summary conviction.

Conviction for
trafficking in
persons.

66A.-(1) Any holder of a licence who is convicted of trafficking in persons shall forfeit his or her licence, and shall thereby be permanently disqualified to hold a licence under this Act.

4 of 2006.

(2) The disqualification referred to in subsection (1) of this section, shall extend to shareholding or other interest of person in any company, partnership or other corporate or unincorporated entity which sells liquor by virtue of this Act, and such shares or other interest shall, upon the conviction of the person referred to in subsection (1) of this section, stand forfeited to the Board which issued the licence

(3) For the purpose of this section, “trafficking in persons” has the meaning assigned to it in the Trafficking in Persons (Prohibition) Act, Cap.108.01.

Appeal.

67.-(1) Any person who is aggrieved by a decision of the magistrate may appeal to the Supreme Court and the provisions of Part IX of the Supreme Court of Judicature Act Cap. 91, shall apply to any such appeal.

(2) Any person who is aggrieved by a decision of the Board may appeal to the Minister for review, and the decision of the Minister shall be final.

Rewards to
informers.
40 of 1963.

68. The Minister may in all cases where fines, penalties and forfeitures have been recovered upon information direct that there be paid to the informer, out of the moneys so recovered, such a reward or rewards as to the Minister may in each case seem fit.

69.-(1) Nothing in this Act shall apply to any person selling any spirituous or distilled perfume bona fide as perfumery, or to any apothecary, chemist or druggist who may administer or sell any spirituous or fermented liquors for medicinal purposes, or to any military canteen established under the regulations of Her Majesty's Service, or to any canteen established with the approval of the Minister for the use of the Belize Defence Force or any other local military force or the police department, or to any person or persons occupying premises bona fide as a club.

Savings.
40 of 1963.

(2) Notwithstanding anything in this Act contained, the Minister may authorise the Financial Secretary to issue to a caterer a licence for the sale by retail of liquor at the terminal building at Belize International Airport, subject to such conditions and restrictions as the Minister may prescribe.

SCHEDULE 1¹

INTOXICATING LIQUOR LICENSING ACT

Intoxicating Liquor Premises Licence

[Section 3 (2)]

BELIZE.

No. of Licence ()

(*) Licence

This is to licence A.B. of _____ to sell (2 _____) on
the premises situate at _____

being (³) from (⁴) till the 31st January, 20 , in accordance with the provisions and on the conditions set forth in the Intoxicating Liquor Licensing Act, Cap. 150, applicable to a (*) Licence and for which he has paid \$

DATED this day of , 20 .

Local Authority or Magistrate.

¹ This Schedule was amended by Acts No. 3 of 1973 and No. 3 of 1989.

* Here insert kind of licence.

² Here insert what liquors.

³ Describe premises.

⁴ Insert date.

SCHEDULE 2²

INTOXICATING LIQUOR LICENSING ACT

Special Intoxicating Liquor Licence

[Section 3 (2)]

BELIZE.

By virtue of the authority conferred upon me by the Intoxicating Liquor Licensing Act, Cap. 150, I hereby grant to A.B. authority to sell/supply the liquors specified below at (insert the description of the place, occasion) on the day of _____ between the hours of _____

On condition that (here add any condition which the chairperson of the Board may have imposed).

(Here insert types of liquor).

DATED at _____ this _____ day of _____, 20____.

M.N

Local Authority and Chairperson of Licensing Board

² *This Schedule was amended by Act No. 3 of 1989*

SCHEDULE 3³**INTOXICATING LIQUOR LICENSING ACT****Application for Intoxicating Liquor Licence***[Sections 11 (1) and 18 (1)]***TO** the Licensing Board in and for the

Judicial District [area]* of Belize

* Delete the
inapplicable.**I**, A.B., (state the trade or occupation) now residing at
in

the town (or district) (or area)* of

do hereby give notice that it is my
intention to apply at the next licensing meeting to be holden
for this district/town/ area* for a certificate for the issue of a
licence for the sale ofin the building and appurtenances thereunto
belonging, situated at*(here describe the
building proposed to be licensed, specify the situation of it,
whether now licensed, and, if so, under what sign).***I** have held a licence *(if before licensed, state how many years,
and what kind of licence).*

* Delete the inapplicable.

GIVEN under my hand this day of , 20 .

A.B.

³ *This Schedule was amended by Act No. 3 of 1973 and No. 3 of 1989*

SCHEDULE 4⁴

INTOXICATING LIQUOR LICENSING ACT

Intoxicating Liquor License

[Section 19(4)]

BELIZE.

At the quarterly licensing meeting (or an adjournment of the quarterly licensing meeting) of the Licensing Board acting in and for the town/area/district of Belize, holden at on the day of 20 ,

pursuant to for the purpose of considering applications made to the Board under the Intoxicating Liquor Licensing Act, Cap. 150, the Board doth by virtue of the power vested in it hereby authorise the issue to A.B., of the licence in the said Act, *called*

for (here state the building, sign, district, shop, room, vessel or other particulars, according to the description of licence and nature of the case) for the (year) ending the thirty-first day of January next (or from the day of to the 31st January, 20); and the Board doth hereby certify that it is satisfied that the said A.B., is a person of good fame and reputation, and fit and proper to be licensed as aforesaid.

GIVEN under our hands the day of , 20 , at the place aforesaid.

*Chairperson.**Members.*

⁴ This Schedule was amended by Act No. 3 of 1979

INTOXICATING LIQUOR LICENSING ACT

[Section 23(1)]

*Delete the inapplicable.

DATED at this day of , 20 .

M.N.
Chairperson of the Board.
District/Town/Area*

⁵ This Schedule was amended by Act No. 3 of 1973

SCHEDULE 6

INTOXICATING LIQUOR LICENSING ACT

Application to Remove Intoxicating Liquor Licence
to Other Premises

[Section 22(1)]

TO the Clerk of the Licensing Board of
I, A.B., the holder of a *(state the nature of the licence)* licence
for the building and premises known as (or the rooms, as the
case may be) situated at _____, do
hereby give notice that it is my intention to apply at the next
licensing meeting to be holden at _____,
on _____ 20_____, to remove the licence to *(describe the*
premises to which it is proposed to remove the business).

GIVEN under my hand this _____ day of _____, 20____.

SCHEDULE 7⁶

INTOXICATING LIQUOR LICENSING ACT

Endorsement of Intoxicating Liquor Licence
for Removal from one Premises to another

[Section 22 (3)]

BELIZE, TO WIT:

By virtue of the authority conferred by the Intoxicating Liquor Licensing Act, Cap. 150, we do hereby declare that this licence shall henceforth cease to apply in respect of the building and premises described in the licence, and shall henceforth apply in respect of the premises known as the _____ and situate at _____
(here describe the building to which it is proposed to remove the licence, specifying the situation of it)

DATED at _____ this day of _____, 20____.

*Chairperson of the Board.
Members.*

⁶ *This Schedule was amended by Act No. 3 of 1973*

SCHEDULE 8⁷

INTOXICATING LIQUOR LICENSING ACT

Order of Forfeiture of Intoxicating Liquor Licence

[Section 52]

BE IT REMEMBERED that on the day of
complaint was made before the Licensing Board of the Judicial
District in and for

 for that A.B., being the holder of a
licence (*here set out the acts which have caused the forfeiture*),
and was thereof duly convicted (or proof was made to

 that A.B., being the holder of a licence was,
convicted for a fourth offence under the provisions of the
Intoxicating Liquor Licensing Act, Cap. 150 or under any
other enactment relating to the same subject, that is to say, on
the

day of under the day of
section; and on the day of
under the
section:

NOW the Board doth therefore adjudge that the said licence of
the said shall be forfeited.

GIVEN under my hand this day of , 20 .

Chairperson.

Members.

⁷ This Schedule was amended by Acts No. 3 of 1989 and No. 6 of 2002